

APPENDICES

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Appendix 2-1

NOP and NOP Comments

**NOTICE OF PREPARATION AND
NOTICE OF PUBLIC SCOPING MEETING**

Date: June 2, 2022

To: California State Clearinghouse
Benicia City Clerk
Responsible and Trustee Agencies
Interested Parties and Organizations

Subject: Notice of Preparation (NOP) for the City of Benicia Housing Element and Safety Element Updates Environmental Impact Report (EIR) and Notice of Public Scoping Meeting

Lead Agency: City of Benicia

Contact: Victor Randall, Senior Planner

Project Title: City of Benicia Housing Element and Safety Element Updates

Project Location: The City of Benicia is in the San Francisco Bay Area on the southern edge of Solano County. It borders the City of Vallejo to the west, unincorporated County land to the north, the Delta-Bay to the east, and the Carquinez Strait to the south. The City encompasses approximately 14 square miles with a population of approximately 26,000. It is accessible via Interstate 780 (I-780) and Interstate 680 (I-680).

Scoping Meeting: June 9, 2022

PURPOSE

In accordance with Section 15021 of the California Environmental Quality Act (CEQA) Guidelines, the City of Benicia (City), as lead agency, will prepare an Environmental Impact Report (EIR) for the City of Benicia Housing Element Update and Safety Element Update (proposed project). Pursuant to Section 15082(a) of the CEQA Guidelines, the City has issued this Notice of Preparation (NOP) to provide responsible agencies, trustee agencies, and other interested parties with information describing the Housing and Safety Element Update and their potential physical environmental effects. The City is soliciting your comments on the scope of the environmental analysis.

Section 15082(b) of the CEQA Guidelines requires comments to be provided within 30 days of receipt of a NOP. In compliance with the time limits mandated by CEQA, the comment period for this NOP is from **Thursday, June 2, 2022, to Saturday, July 5, 2022.** Please email your written comments to Victor Randall, at vrandall@ci.benicia.ca.us or physically mail them to the Community Development Department at 250 East L St, Benicia, CA 94510. Please include the name, email and/or telephone number of a contact person at your agency or organization who can answer questions about the comment.

PROJECT DESCRIPTION & SUMMARY

The Housing Element is one of the required elements of the General Plan. As a policy document, the Housing Element does not normally result in physical changes to the environment but encourages the

provision of affordable housing within the land use designations shown in the Land Use Element of the General Plan. The Housing Element identifies policy direction to meet the housing needs of the City by preserving existing homes and clarifying priorities for housing creation. The proposed Housing Element will include an overview of housing policies and programs and will identify locations that can accommodate future housing. One of the programs in the proposed Housing Element will require that the City redesignate and rezone parcels to meet the Regional Housing Needs Allocation (RHNA) and the City has identified 133 parcels on approximately 104 acres as opportunity sites. The rezoning effort will include establishment of a new overlay zone to accommodate a density of up to 30 dwelling units per acre at a height of up to 35 feet/3 stories, as well as minor amendments to the Zoning Ordinance to address pet-related land uses and podium parking in the Mixed Use-Infill District. The parcels that may be redesignated and rezoned to meet the RHNA are shown in the table below and on the attached April 2022 Draft Benicia Housing Opportunity Sites Inventory Table and Maps. Other changes to zoning are called for in the Housing Element draft programs to address state law and local objectives related to density bonuses, accessory dwelling units, emergency shelters including low barrier navigation centers, reasonable accommodation, employee housing, residential care facilities, single-room occupancy units, and inclusionary zoning. As part of this effort the Safety Element will also be updated to reflect current science and to address climate change-related hazards, as required by state law.

Additional information regarding the Housing Element Update can be found on the City's website: <https://www.ci.benicia.ca.us/housingelement>.

ENVIRONMENTAL IMPACT REPORT

As all the CEQA topics will be included in the EIR, the City has not prepared an Initial Study as permitted in Section 15060(d) of the CEQA Guidelines.

Probable Environmental Effects: The City has determined that the implementation of the Housing Element Update may have a significant effect on the environment. The EIR will evaluate the potential for the Housing Element Update to cause direct and indirect growth-inducing impacts, as well as cumulative impacts. Mitigation will be proposed for those impacts that are determined to be significant. Mitigation will be identified, and a mitigation monitoring and reporting program will be developed as required by the CEQA Guidelines (Section 15150). The EIR will evaluate the following topics:

- **Aesthetics:** The potential for new development to affect aesthetics in the City will be evaluated in the EIR.
- **Air Quality:** Construction and operation of housing could result in air pollutant emissions. Ground disturbance during site development activities will generate dust and construction equipment will create short-term pollutant emissions. Development accommodated under the Housing Element update could result in additional vehicular traffic that would generate air pollution, exacerbated by the City's location in a climate with high winds present, and proximity to high-traffic corridors. Air quality impacts will be evaluated in the EIR.
- **Biological Resources:** Development under the Housing Element Update may have an adverse effect on rare, threatened, or endangered species and/or the habitat that supports them, which could impact potential development outcomes. In addition, such development could potentially affect existing wildlife corridors. The Housing Element Update could affect riparian habitat and/or wetlands.

Existing GP Designation	Existing Zone	Proposed GP Designation	Proposed Zone	Acres
Community Commercial	CC (Community Commercial)	Community Commercial with Overlay	CC with Overlay Zone	5.00
General Commercial	CG (General Commercial)	High Density Residential with Overlay	RH with Overlay Zone	0.38
General Commercial	CG (General Commercial)	Mixed Use Infill	MU-I	25.40
General Commercial	CG (General Commercial)	Mixed Use Limited	MU-L	0.35
General Commercial	CG (General Commercial)	Office Commercial with Overlay	CO with Overlay Zone	1.22
Commercial - Business and Professional Office	CO (Office Commercial)	Mixed Use Infill	MU-I	1.01
Commercial - Business and Professional Office	CO (Office Commercial)	Office Commercial with Overlay	CO with Overlay Zone	1.14
Limited Industrial	LI (Limited Industrial)	Mixed Use Infill	MU-I	9.00
Mixed Use Infill	MU-I (Mixed-Use Infill)	<i>no change</i>	<i>no change</i>	2.72
Downtown Commercial	NG (Neighborhood General)	Downtown Commercial with Overlay	NG with Overlay Zone	1.39
Downtown Mixed Use	NG-O (Neighborhood General - Open)	Downtown Mixed Use with Overlay	NG-O with Overlay Zone	0.43
Open Space	OS (Open Space)	Open Space with Overlay	OS with Overlay Zone	17.60
Planned Development	PD (Planned Development)	Mixed Use Limited	MU-L	0.52
Public/Quasi-Public	PS (Public/Quasi-Public)	Public/Quasi-Public with Overlay	PS with Overlay Zone	4.92
Public/Quasi-Public	PS (Public/Quasi-Public)	High Density Residential with Overlay	RH with Overlay Zone	9.41
Public/Quasi-Public	RM (Medium Density Residential)	Medium Density Residential with Overlay	RM with Overlay Zone	0.56
High Density Residential	RM (Medium Density Residential)	Medium Density Residential with Overlay	RM with Overlay Zone	2.07
Low Density Residential	RS (Low Density Residential)	High Density Residential with Overlay	RH with Overlay Zone	3.51
Low Density Residential	RS (Low Density Residential)	Low Density Residential with Overlay	RS with Overlay Zone	15.58
Downtown Commercial	TC (Town Core)	Downtown Commercial with Overlay	TC with Overlay Zone	1.00
Downtown Mixed Use	TC-O (Town Core - Open)	Downtown Mixed Use with Overlay	TC-O with Overlay Zone	0.46
Subtotal High Density				103.67
Total 1				103.67

Notes: 1. City policy on rounding states any fraction of a unit (less than 0.50) may be disregarded and any fraction of a unit (greater than or equal to 0.50) shall be rounded up to the next whole number. Total reflects City's policy on rounding fraction of units.

Source: Solano County GIS with input from the City of Benicia

- **Cultural and Tribal Cultural Resources:** Development accommodated under the Housing Element Update may have an adverse effect on historic archaeological, and/or tribal cultural resources. As part of the EIR process, both SB-18 and AB-2 tribal consultation will be completed. Cumulative impacts will be discussed at a programmatic level in the EIR, but individual site analysis will not be part of this effort.
- **Geological Resources:** Development accommodated under the Housing Element Update may result in soil erosion or the loss of topsoil and/or allow development in areas with geologic or soils constraints. There could be impacts associated with grading, such as disruptions of the soil, changes in topography, erosion from wind or water, and other impacts, as well as a potential of development on paleontological resources. The EIR will summarize the construction process and identify any sites that may be within areas of known geologic concern.
- **Greenhouse Gas:** It is likely that future development may contribute to cumulative increases in greenhouse gas emissions. The EIR will analyze impacts of the Housing Element Update on greenhouse gas emissions and provide reduction methods, as needed.
- **Hazards:** The EIR will identify hazards that could be created or made worse as a result of the Housing Element Update.
- **Hydrology and Water Quality:** Development accommodated under the Housing Element Update may affect groundwater supplies, could change drainage patterns, and/or could have the potential to contribute polluted stormwater runoff. There could be impacts related to urban runoff and flooding potential, as well as to water quality. The EIR will evaluate these issues at a programmatic level.
- **Land Use:** The Land Use Element of the General Plan will be updated to reflect new housing sites identified in the Housing Element. This will include minor changes to the land use table and map to accommodate residential land uses on the sites identified to meet the RHNA allocation. The EIR will evaluate the consistency of Housing Element's proposed changes with regional land use plans.
- **Noise:** Increases in traffic because of future development accommodated under the Housing Element Update may result in an increase in ambient and transportation noise. Noise impacts will be evaluated in the EIR.
- **Public Services and Utilities:** Additional growth generated by the development accommodated under the Housing Element Update will increase demand on the City's services and utilities. The EIR will evaluate the availability and capacity of the systems to provide for the increase in growth.
- **Recreation:** The proposed project would result in an increase in recreational use. The EIR will evaluate impacts to existing recreational facilities as a result of the Housing Element Update.
- **Transportation:** Future development may result in impacts on area roadways, including roadways outside the County's jurisdiction. The EIR will include results of a traffic impact analysis.
- **Wildfire:** The north boundary of the City is subject to increased fire hazards due to ongoing drought conditions. The Housing Element Update EIR will include a discussion of potential environmental impacts, as well as mitigation to reduce impacts.

TYPE OF EIR

The City will prepare a program EIR pursuant to Section 15168 of the CEQA Guidelines. Use of a program EIR allows analysis consistent with the high-level nature of the Housing Element. The Housing Element

Update EIR will serve as a cumulative impact analysis for implementation of the Housing Element Update.

USE OF THE HOUSING ELEMENT UPDATE EIR

Later projects implemented after the Housing Element Update will be examined considering the Housing Element Update EIR to determine whether additional environmental analysis must be conducted. In addition, the CEQA Guidelines currently provide for streamlining through Section 15183 (Projects Consistent with a Community Plan or Zoning), Section 15183.3 (Streamlining for Infill Projects), and Section 15183.5 (Tiering and Streamlining the Analysis of Greenhouse Gas Emissions). The City intends to promote streamlining for future development through certification of the Housing Element Update EIR. Later development may have to conduct site-specific environmental analysis; however, the cumulative analysis will be addressed in the Housing Element Update EIR and proposed policies.

PUBLIC SCOPING MEETING

A public scoping meeting will be conducted during a regularly scheduled Planning Commission meeting to provide the public with the opportunity to learn more about the Housing Element Update and to provide an opportunity for discussion of the environmental issues important to the community. The scoping meeting will include a presentation of the proposed Housing Element Update and a summary of the environmental issues to be analyzed in the Housing Element Update EIR.

Following the presentation, interested agencies, organizations, and members of the public will be encouraged to present views concerning the environmental issues that should be included in the EIR. The oral and written comments provided during the meeting will assist the County in scoping the potential environmental effects of the Housing Element Update to be addressed by the EIR. The City also invites written comments.

The scoping meeting will be held at:

7:00 p.m., June 9, 2022

Council Chambers - City Hall, 250 East L St., Benicia, CA 94510

If you have further questions or require additional information, please contact Vic Randall at 707-746-4278, or email at vrandall@ci.benicia.ca.us.

Signature:

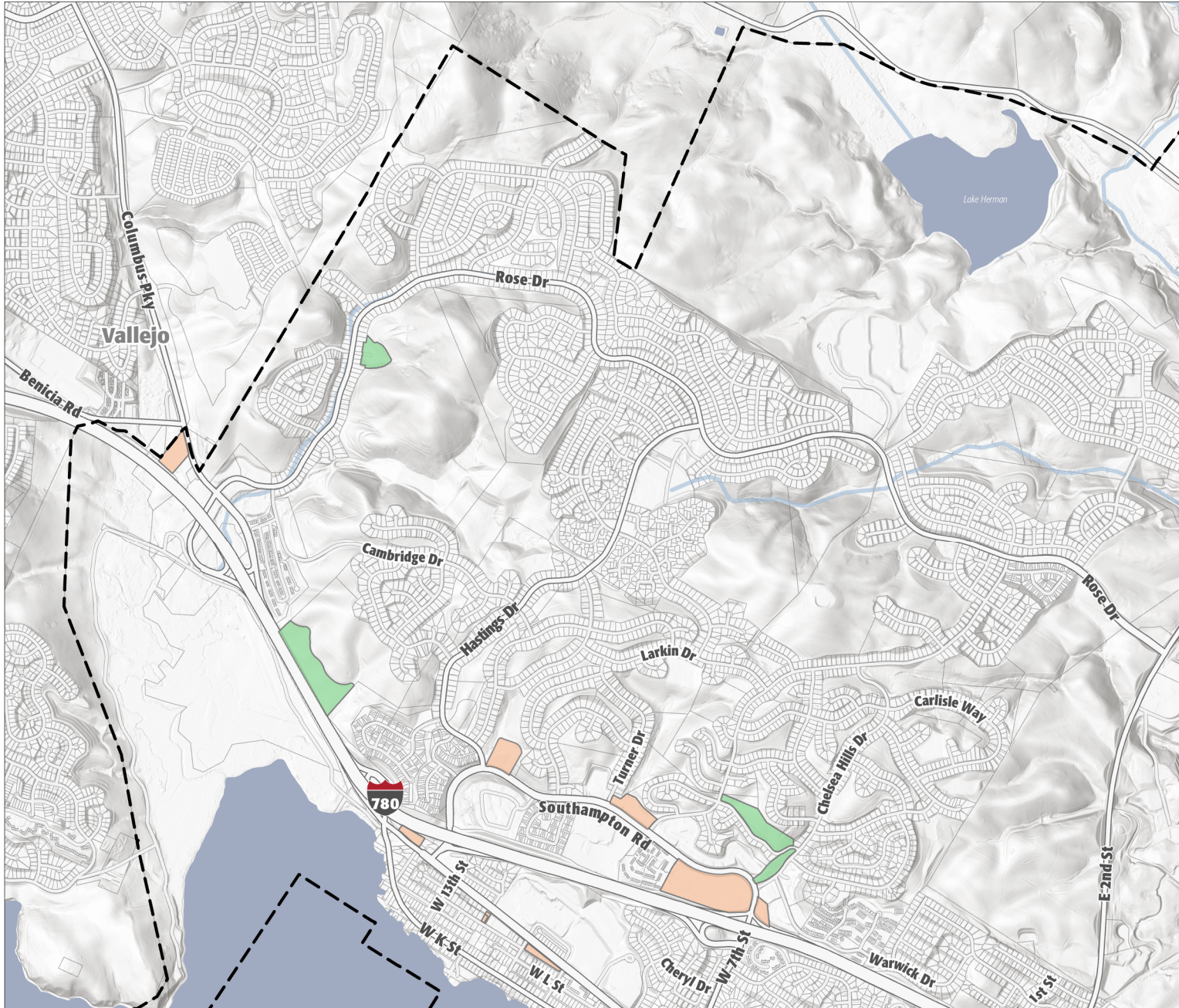


Victor P. Randall





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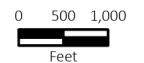
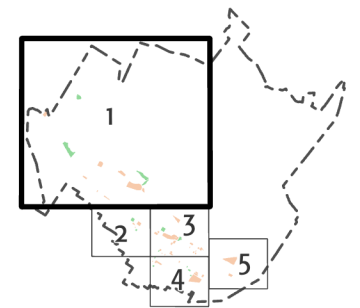
April 2022 Draft Benicia Housing Opportunity Sites Inventory Table and Maps

HOUSING ELEMENT
CITY OF BENICIA



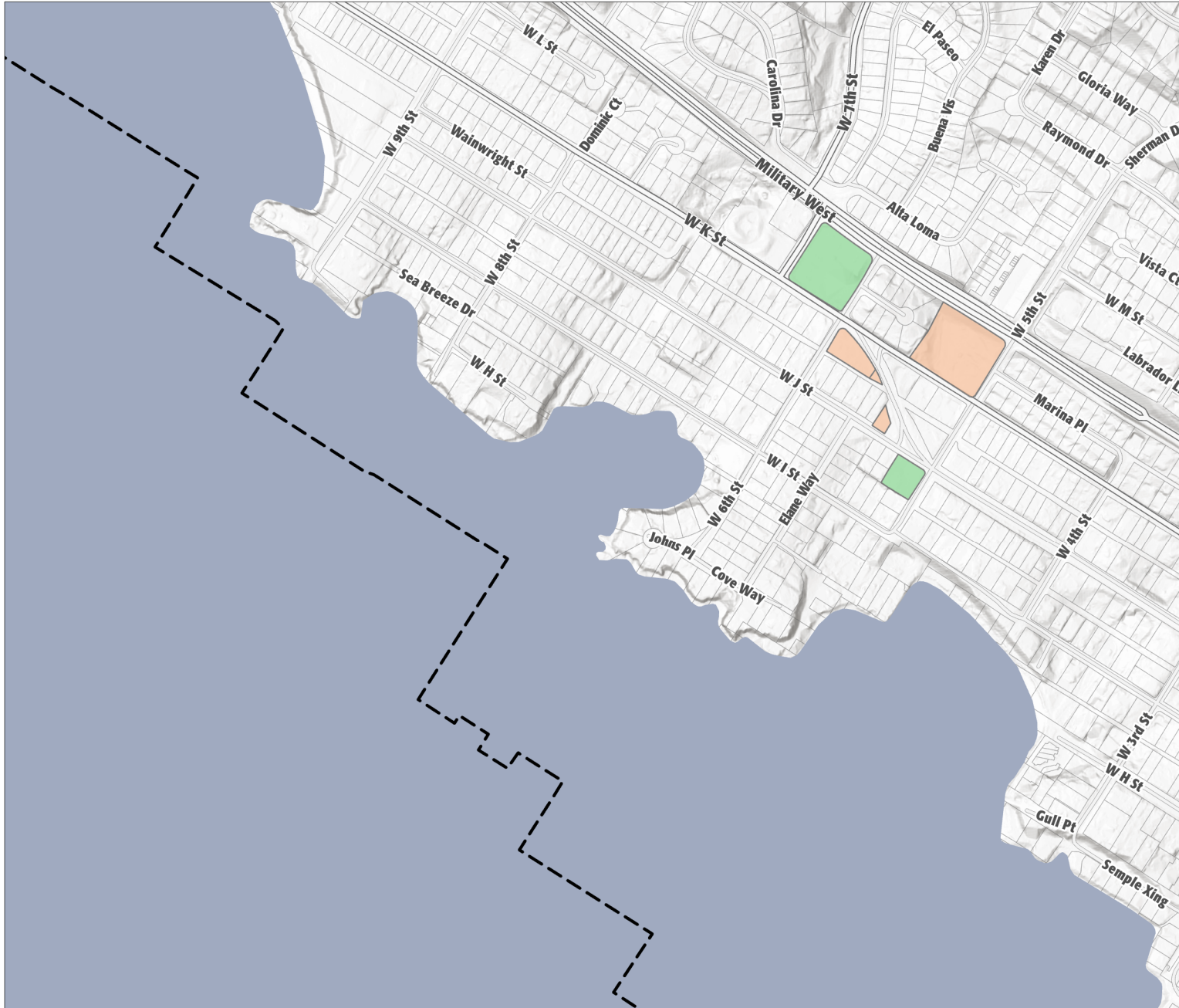
**Tiered
Opportunity Sites**

-  City Limit
-  Parcels
- Housing Sites Inventory**
-  Yes
-  Backup Site



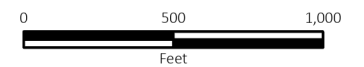
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HOUSING ELEMENT
CITY OF BENICIA



**Tiered
Opportunity Sites**

- City Limit
- Parcels
- Housing Sites Inventory**
- Yes
- Backup Site







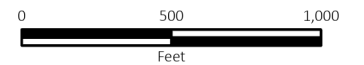
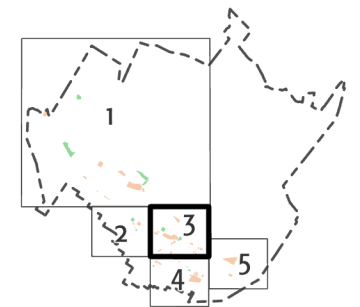
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CITY OF BENICIA



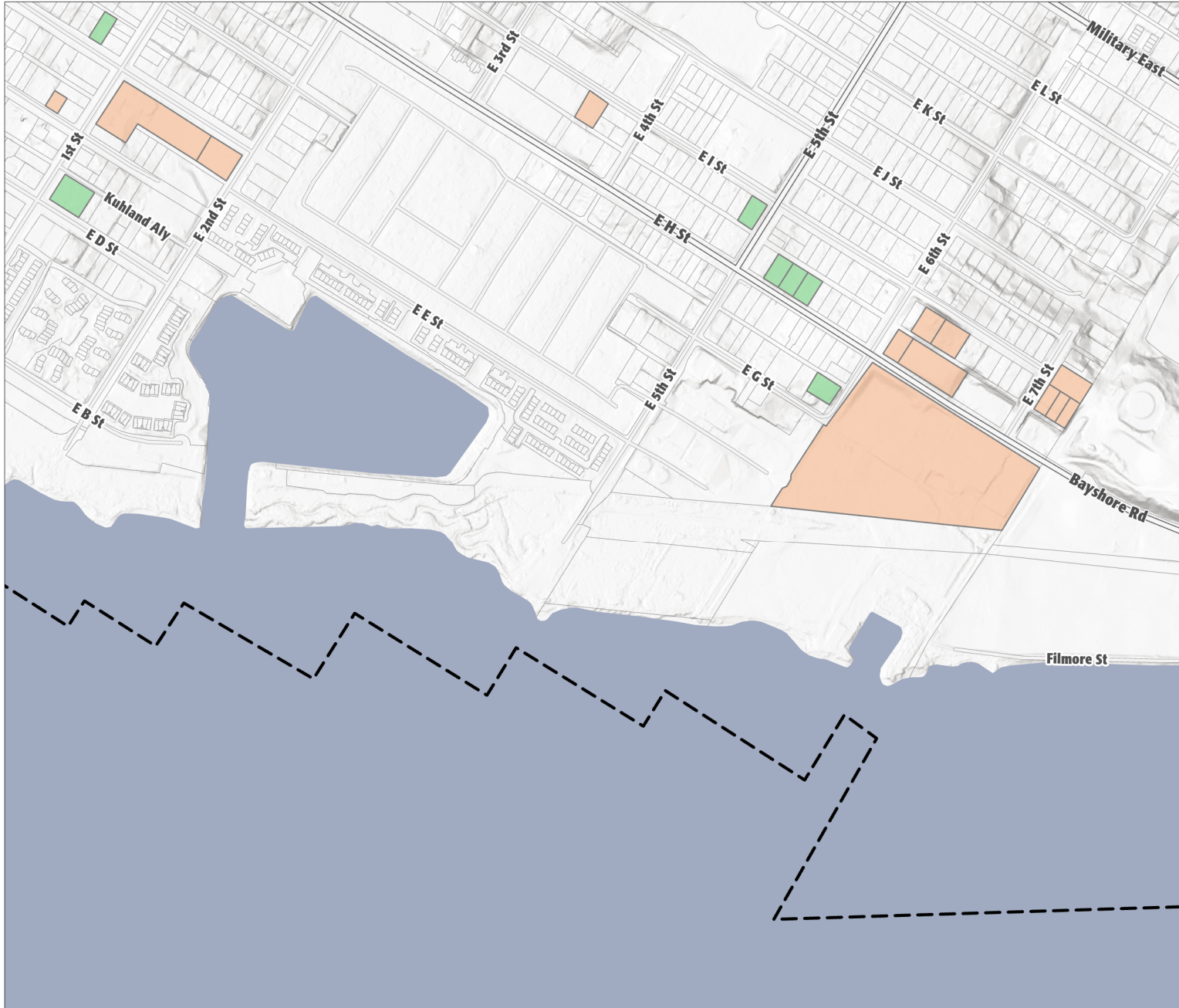
**Tiered
Opportunity Sites**

-  City Limit
-  Parcels
- Housing Sites Inventory**
-  Yes
-  Backup Site







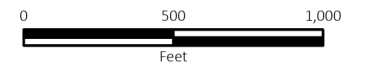
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HOUSING ELEMENT
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-  City Limit
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- Housing Sites Inventory**
-  Yes
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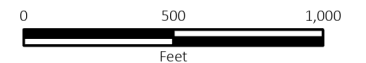
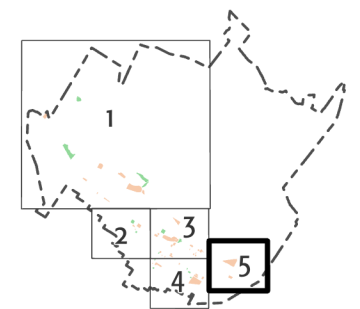
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HOUSING ELEMENT
CITY OF BENICIA



**Tiered
Opportunity Sites**

- City Limit
- Parcels
- Housing Sites Inventory**
- Yes



Revision Date: 4/11/2022

Draft Housing Opportunity Sites Inventory

APN	Acres	Zoning	Proposed Zoning	Upzone or Rezone Density	Max Upzone Dwelling Units	Upzoned Realistic Development Capacity	Address	Housing Sites Inventory
0086047040	0.84	RS	RH with Overlay Zone	30	25	19	1400 Military West	Yes
0079020360	2.47	CG	MU-I	44	109	83	2170 Columbus Parkway	Yes
0087122200	0.43	RS	RH with Overlay Zone	30	13	9	255 Military West	Yes
0087200090	0.38	CG	RH with Overlay Zone	30	11	8	W. 2nd, second parcel north of Military West	Yes
0087161010	0.47	RS	RH with Overlay Zone	30	14	10	200 block between Military West and West K Street	Yes
0087161140	0.08	RS	RH with Overlay Zone	30	2	1		
0087161150	0.09	RS	RH with Overlay Zone	30	3	2		
0087161220	0.46	RS	RH with Overlay Zone	30	14	10		
0088141060	5.16 (0.45 developable)	PS	PS with Overlay Zone	30	39	30	230 East L Street	Yes
0088141070	2.52 acres (0.85 developable acres)	PS	PS with Overlay Zone	30			150 East L Street	
0088113010		PS	PS with Overlay Zone	30			187 East L	
0088113030		PS	PS with Overlay Zone	30			n/a	
0088113020		PS	PS with Overlay Zone	30			n/a	
0088124040		0.25	MU-I	MU-I	44	11	8	456 Military East
0088124140	0.26		MU-I	44	11	3	498 Military East	Yes
0088092040	0.43	MU-I	MU-I	44	19	14	1401 East Fifth Street	Yes
0088102040	0.43	MU-I	MU-I	44	19	14	502 East N Street	Yes
0088102140	0.14	MU-I	MU-I	44	6	4		Yes
0088102050	0.44	MU-I	MU-I	44	19	14		Yes
0088121110	0.14	MU-I	MU-I	44	6	4	385 Military East	Yes
0089062030	0.21	RS	RS with Overlay Zone	30	6	4	356 East I Street	Yes
0088091120	0.24	RS	RS with Overlay Zone	30	7	5	353 East N Street	Yes
0088091110	0.24	RS	RS with Overlay Zone	30	7	5	363 East N Street	Yes
0088091100	0.24	RS	RS with Overlay Zone	30	7	5	373 East N Street	Yes
0080140670	9.41 (appx. 5.65 acres developable)	PS	RH with Overlay Zone	30	170	130	1471 Park Road at 780	Yes

April 2022 Draft Benicia Housing Opportunity Sites Inventory Table and Maps

APN	Acres	Zoning	Proposed Zoning	Upzone or Rezone Density	Max Upzone Dwelling Units	Upzoned Realistic Development Capacity	Address	Housing Sites Inventory
0080180050	10.53 (total parcel); appx 5.5 acres developable	IL	MU-I	44	242	186	670 East H Street	Yes
0089074100	0.22	RM	RM with Overlay Zone	30	7	5	H Street at E. 6th	Yes
0089074330	0.8	RM	RM with Overlay Zone	30	24	18		Yes
0089074020	0.29	RS	RS with Overlay Zone	30	9	6	612 E I St	Yes
0089074030	0.43	RS	RS with Overlay Zone	30	13	9	600 block of East I	Yes
0089076120	0.14	RS	RS with Overlay Zone	30	4	3	800 East 7th Street	Yes
0089076130	0.14	RS	RS with Overlay Zone	30	4	3	808 East 7th Street	Yes
0089076140	0.14	RS	RS with Overlay Zone	30	4	3	888 East 7th Street	Yes
0089076090	0.34	RS	RS with Overlay Zone	30	10	7	Along East 7th Street	Yes
0088123140	0.14	MU-I	MU-I	44	6	4	475 Military East	Yes
0086151110	13.67	CG	MU-I	44	601	463	802 Southampton Road	Yes
0086062110	1 acre (full parcel); appx. 0.67 acres developable	RS	RS with Overlay Zone	30	20	15	1280 West 11th Street	Yes
0087011810	1.01	CO	MU-I	44	44	34	701 Southampton Road	Yes
0087011530	3.61 acres (full parcel); appx. 0.50 acres developable	RS	RS with Overlay Zone	30	15	11	1055 Southampton Road	Yes
0086212010	13.83	OS	OS with Overlay Zone	30	81	62	Open space at the corner of Southampton and Hastings Roads, extending north to Brentwood Drive.	Yes
0087144010	0.38	RM	RM with Overlay Zone	30	11	8	1030 West 6th	Yes
0087144060	0.02	RM	RM with Overlay Zone	30	1	1		
0087200100	0.47	CG	MU-I	44	21	15	10 Solano Square	Yes
0087200040	1	CG	MU-I	44	22	17	20 Solano Square	
0087200050	1.19	CG	MU-I	44	52	40	25-79 Solano Square	

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APN	Acres	Zoning	Proposed Zoning	Upzone or Rezone Density	Max Upzone Dwelling Units	Upzoned Realistic Development Capacity	Address	Housing Sites Inventory
0087200060	1.88	CG	MU-I	44	83	63	40-50 Solano Square	
0087200070	0.67	CG	MU-I	44	29	22	60 Solano Square	
0087200080	0.73	CG	MU-I	44	32	24	70 Solano Square	
0087200130	0.77	CG	MU-I	44	34	26	84, 86, 90 Solano Square	
0087200120	1.15	CG	MU-I	44	51	38	72, 74, 76, 77, 78 Solano Square	
0088111020	0.26	CG	MU-I	44	11	8	160 East N Street	Yes
0088111100	0.16	CG	MU-I	44	7	5	164 East N Street	Yes
0088111070	0.37	CG	MU-I	44	16	12	155 East Military	Yes
0088111080	0.19	CG	MU-I	44	8	6	177 East Military	Yes
0088111090	0.49	CG	MU-I	44	22	16	191 East Military	Yes
0088111120	0.05	CG	MU-I	44	2	2		Yes
0088111110	0.37	CG	MU-I	44	16	12	1367 East Second	Yes
0089044090	0.43	TC	TC with Overlay Zone	29.9	13	9	827 First Street	Yes
0089371110	1.66 ; appx. 0.75 acres developable	NG	NG with Overlay Zone	30	23	17	560 First Street	Yes
0089371020	0.43	NG	NG with Overlay Zone	30	13	9	190 East F Street	Yes
0089052290	0.21	NG	NG with Overlay Zone	30	6	4	163 East H Street	Yes
0089052160	0.9	TC-O	TC-O with Overlay Zone	30	27	20		Yes
0089173190	0.12	TC-O	TC-O with Overlay Zone	30	4	2		Yes
0089053110	0.43	PS	PS with Overlay Zone	30	13	9	900 East Second Street	Yes
0089053100	0.22	PS	PS with Overlay Zone	30	7	5	900 East Second Street	Yes
0089053090	0.22	PS	PS with Overlay Zone	30	7	5	900 East Second Street	Yes
0089053010	0.43	NG-O	NG-O with Overlay Zone	30	13	9	202 East J Street	Yes
0087144100	0.12	CC	CC with Overlay	30	4	2	507 Claverie Way	Yes

April 2022 Draft Benicia Housing Opportunity Sites Inventory Table and Maps

APN	Acres	Zoning	Proposed Zoning	Upzone or Rezone Density	Max Upzone Dwelling Units	Upzoned Realistic Development Capacity	Address	Housing Sites Inventory
0087143130	1.63; appx. 1.14 acres developable	RS	RH with Overlay Zone	30	34	26	Incl. 1113-1115 W. 5th, (bounded by Military West, W. 5th, and K Street)	Yes
0086050030	0.16	RS	RS with Overlay	30	5	3	mid-block Church St.	Yes
0086050040	0.13	RS	RS with Overlay	30	4	3	mid-block Church St.	Yes
0087021160	20.12; appx. 4.0 acres developable	PS	PS with Overlay Zone	30	120	92	150 Riverhill Drive	Yes
0080150260	0.29	CG	CO with Overlay Zone	30	9	6	1043 Grant Street	Yes
0080150320	0.71	CG	CO with Overlay Zone	30	21	16	1025 Grant Street	Yes
0080150330	0.51	CG	CO with Overlay Zone	30	15	11		Yes
0086350070	42.4; appx. 2.7 acres developable	OS	OS with Overlay Zone	30	81	62	Open Space between Cambridge and London Circle, above I-780	Backup Site
0087401010	5.38 (developable TBD)	OS	OS with Overlay Zone	30	TBD	TBD	Open Space north of Chadwick Way	Backup Site
0087402350	5.16 total; appx. 2.1 acres that aren't linear OS behind residences	OS	OS with Overlay Zone	30	63		Open Space at Chelsea Hills Drive and Chadwick Way	Backup Site
0086410270	3.13	RS	RS with Overlay Zone	30	94	72	882 Blake Court	Backup Site
0089072170	0.22	RM	RM with Overlay Zone	30	7	5	500 block of East H Street	Backup Site
0089072160	0.22	RM	RM with Overlay Zone	30	7	5	535 East H Street	Backup Site
0089072150	0.21	RM	RM with Overlay Zone	30	6	4	543 East H Street	Backup Site
0089115160	0.14	TC	TC with Overlay Zone	30	4	3	125 West F Street	Backup Site
0080161130	0.22	RS	RS with Overlay Zone	30	7	5	705 East 6th Street	Backup Site
0089372180	0.43	TC	TC with Overlay Zone	29.9	13	9	117 East D Street	Backup Site
0089044320	0.14	TC-O	TC-O with Overlay Zone	30	4	3	111 West H Street	Backup Site
0089044330	0.11	TC-O	TC-O with Overlay Zone	30	3	2		Backup Site

April 2022 Draft Benicia Housing Opportunity Sites Inventory Table and Maps

APN	Acres	Zoning	Proposed Zoning	Upzone or Rezone Density	Max Upzone Dwelling Units	Upzoned Realistic Development Capacity	Address	Housing Sites Inventory
0087121230	2.13; appx 0.53 acres developable	RS	RS with Overlay	30	16	12	1305 W. 2nd Street	Backup Site
0087141060	1.62	CC	CC with Overlay	30	49	37	1150 West Seventh Street	Backup Site
0089025080	0.36	CC	CC with Overlay	30	11	8	510 West J Street	Backup Site
0088083350	1.5	RS	RS with Overlay Zone	30	45	34	1400 East Second	Backup Site
0089064100	0.29	RS	RS with Overlay	30	9	6	825 East Fifth	Backup Site
0087114220	0.44	CC	CC with Overlay	30	13	10	335 West Military	No
0087153340	0.21	CC	CC with Overlay	30	6	4	310 West Military	No
0087611030	0.21	CC	CC with Overlay	30	6	4	300 West Military	No
0089012250	0.76	CC	CC with Overlay	30	23	17	810 West Ninth Street	No
0089012310	0.15	RS	RS with Overlay	30	5	3		No
0089081180	0.57 (appx. 0.2 acres developable)	RS	RS with Overlay	30	6	4	876 West H Street	No
0086162110	3.76; appx. 2.75 acre parking lot developable	RS	RS with Overlay	30	83	63	1125 Southampton Road	No
0087511150	2.05; appx. 1.2 acre parking lot developable	RS	RS with Overlay	30	36	27	201 Raymond Drive	No
0181260090	20; appx. 2.0 acres developable	OS	OS with Overlay Zone	30	60	46	2201 Lake Herman Road	No
0088042180	0.05	RM	RM with Overlay Zone	30	2	2	1845 East Third Street	No
0088042160	0.36	RM	RM with Overlay Zone	30	11	8	1845 East Third Street	No
0088042060	0.08	RM	RM with Overlay Zone	30	2	1	1845 East Third Street -	No
0088042190	0.07	RM	RM with Overlay Zone	30	2	1	1845 East Third Street -	No
0086250250	2.45; appx. 0.80 acres developable	RS	RS with Overlay	30	24	18	1315 Military West	No

April 2022 Draft Benicia Housing Opportunity Sites Inventory Table and Maps

APN	Acres	Zoning	Proposed Zoning	Upzone or Rezone Density	Max Upzone Dwelling Units	Upzoned Realistic Development Capacity	Address	Housing Sites Inventory
0087134050	0.43 (assume 1 total acre is developable across all parcels)	OS	OS with Overlay Zone	30	30	23	Adjacent to Willow Glen Park, between Military and K Streets, just west of W. 7th	No
0087134540	0.06 (assume 1 total acre is developable across all parcels)	OS	OS with Overlay Zone	30				No
0087134120	0.57 (assume 1 total acre is developable across all parcels)	OS	OS with Overlay Zone	30				No
0087134690	0.08 (assume 1 total acre is developable across all parcels)	OS	OS with Overlay Zone	30				No
0087074100	0.43	CO	CO with Overlay Zone	30	13	9	175 East N Street	No
0087074110	0.22	RS	RS with Overlay Zone	30	7	5	163 East N	No
0087074120	0.22	RS	RS with Overlay Zone	30	7	5	155 East N	No
0087074130	0.42	CO	CO with Overlay Zone	30	13	9	125 East N	No
0087074150	0.34	RS	RS with Overlay Zone	30	10	7	121 East N	No
0087070530	0.31	RS	RS with Overlay Zone	30	9	7	On N Street	No
0088083390	0.52	PD	MU-L	30	16	12	1440 East Second	No
0088083360	0.35	CG	MU-L	30	11	8	1410 East Second	No
0089441070	0.46	CC	CC with Overlay	30	14	10	271-289 East H Street	No
0086041250	0.82	CC	CC with Overlay	30	25	18	1440 West Military	No
0086047100	0.18	RS	RS with Overlay	30	5	4	1403 West Military	No
0086047110	0.13	RS	RS with Overlay	30	4	3	1401 West Military	No
0086047030	0.02		??	30	1	1		No
0086047050	0.23	RS	RS with Overlay	30	7	5	1407 West Military	No
0086047080	0.07	RS	RS with Overlay	30	2	1	(runs with 1407 West Military)	No

April 2022 Draft Benicia Housing Opportunity Sites Inventory Table and Maps

APN	Acres	Zoning	Proposed Zoning	Upzone or Rezone Density	Max Upzone Dwelling Units	Upzoned Realistic Development Capacity	Address	Housing Sites Inventory
0088164240	0.22	RS	RS with Overlay	30	7	5	633 East J	No
0088131250	0.49	MU-I	MU-I	44	22	16	1322 1/2 East 5th Street	No

California Department of Transportation

DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov



July 5, 2022

SCH #: 2022060021
GTS #: 04-SOL-2022-00245
GTS ID: 26702
Co/Rt/Pm: SOL/VAR/VAR

Victor Randall, Senior Planner
City of Benicia
250 E I Street
Benicia, CA 94510

Re: City of Benicia Housing Element and Safety Element Updates – Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)

Dear Victor Randall:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the City of Benicia Housing Element and Safety Element Updates. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the June 2022 NOP.

Project Understanding

The City of Benicia is proposing updates to the General Plan's Housing Element and Safety Element. One of the programs in the proposed Housing element will require that the city redesignate and rezone parcels to meet the Regional Housing Needs Allocation (RHNA) and the city has identified 133 parcels on approximately 104 acres as opportunity sites. As part of this effort the Safety Element will also be updated to reflect current science and to address climate change-related hazards.

Transportation Impact Analysis

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Transportation Impact Studies, please review Caltrans' Transportation Impact Study Guide ([link](#)). Please note that current and future land use projects proposed near and adjacent to the State Transportation Network (STN) shall be assessed, in part, through

the TISG, and that a safety analysis may be initiated per Caltrans' Interim Safety Guidance ([link](#)).

Caltrans recommends that the Traffic Impact Analysis examine the potential impacts of the proposed April 2022 Draft Benicia Housing Opportunity Sites (proposed Opportunities Sites) on the I-780 freeway mainline, ramps and ramp intersections. With respect to the TISG and Interim Safety Analysis.

The City should also determine the number of off-street parking spaces created for each unit within each of the proposed Opportunity Sites.

Noise

The City should review the noise policies in the General Plan that apply to future developments proposed in the proposed Opportunities Site 1, 3 and 5 that would reside within 150 feet of the I-780 mainline.

Lead Agency

As the Lead Agency, the City of Benicia is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. If any significant impacts are identified in the DEIR, please consider fair share contribution to Plan Bay Area (PBA) 2050 projects and/or programs as mitigation measures.

Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D4@dot.ca.gov.

Sincerely,



MARK LEONG
District Branch Chief
Local Development Review
c: State Clearinghouse



State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

Bay Delta Region

2825 Cordelia Road, Suite 100

Fairfield, CA 94534

(707) 428-2002

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GAVIN NEWSOM, Governor

CHARLTON H. BONHAM, Director



July 1, 2022

Victor Randall

City of Benicia

250 East I Street

Benicia, CA 94510

VRandall@ci.benicia.ca.us

Subject: City of Benicia Housing Element and Safety Element Updates, Notice of Preparation of a Program Environmental Impact Report, SCH No. 2022060021, City of Benicia, Solano County

Dear Mr. Randall:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) of a Program Environmental Impact Report (EIR) for the City of Benicia (City) Housing Element and Safety Element Updates (Project).

CDFW is providing the City, as the lead agency, with specific detail about the scope and content of the environmental information related to CDFW's area of statutory responsibility that must be included in the EIR (Cal. Code Regs., tit. 14, § 15082, subd. (b)).

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under the California Environmental Quality Act (CEQA) for commenting on projects that could impact fish, plant, and wildlife resources (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, § 15386). CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as a permit pursuant to the California Endangered Species Act (CESA) or Native Plant Protection Act (NPPA), Lake and Streambed Alteration (LSA) Agreement, and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources. Pursuant to our authority, CDFW has the following concerns, comments, and recommendations regarding the Project.

PROJECT DESCRIPTION AND LOCATION

The Housing Element will include an overview of housing policies and programs and identify locations that can accommodate future housing within the City. Under one of the programs, the City will redesignate and rezone parcels based on regional housing need estimates. The City has identified 133 parcels on approximately 104 acres as opportunity sites. The rezoning effort will include establishment of a new overlay zone to accommodate a density of up to 30 dwelling units per acre at a height of up to 35 feet/3 stories, as well as minor amendments to the Zoning Ordinance to address pet-related

Victor Randall
City of Benicia
July 1, 2022
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land uses and podium parking in the Mixed Use-Infill District. The Housing Element draft programs call for other changes to zoning to address state law and local objectives related to density bonuses, accessory dwelling units, emergency shelters including low barrier navigation centers, reasonable accommodation, employee housing, residential care facilities, single-room occupancy units, and inclusionary zoning. As part of this effort, the Safety Element will also be updated to reflect current science and to address climate change-related hazards.

The CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require that the EIR incorporate a full project description, including reasonably foreseeable future phases of the Project, that contains sufficient information to evaluate and review the Project's environmental impact (CEQA Guidelines, §§ 15124 & 15378). Please include a complete description of the following Project components in the Project description:

- Land use changes resulting from, for example, rezoning certain areas.
- Footprints of permanent Project features and temporarily impacted areas, such as staging areas and access routes.
- Area and plans for any proposed buildings/structures, ground disturbing activities, fencing, paving, stationary machinery, landscaping, and stormwater systems.
- Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise, traffic generation, and other features.
- Construction schedule, activities, equipment, and crew sizes.

The NOP identifies that the EIR will be a Program EIR. While Program EIRs have a necessarily broad scope, CDFW recommends providing as much information related to anticipated future activities as possible. CDFW recognizes that, pursuant to CEQA Guidelines section 15152, subdivision (c), if a Lead Agency is using the tiering process in connection with an EIR or large-scale planning approval, the development of detailed, site-specific information may not be feasible and can be deferred, in many instances, until such time as the Lead Agency prepares a future environmental document. This future environmental document would cover a project of a more limited geographical scale and is appropriate if the deferred information does not prevent adequate identification of significant effects of the planning approval at hand. The CEQA Guidelines section 15168, subdivision (c)(4) states, "Where the later activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR." Based on CEQA Guidelines section 15183.3 and associated *Appendix N Checklist*, and

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consistent with other program EIRs, CDFW recommends creating a procedure or checklist for evaluating subsequent project impacts on biological resources to determine if they are within the scope of the Program EIR or if an additional environmental document is warranted. This checklist should be included as an attachment to the EIR. Future analysis should include all special-status species and sensitive habitat including but not limited to species considered rare, threatened, or endangered species pursuant to CEQA Guidelines, section 15380.

When used appropriately, the checklist should be accompanied by enough relevant information and reasonable inferences to support a “within the scope” of the EIR conclusion. For subsequent Project activities that may affect sensitive biological resources, a site-specific analysis should be prepared by a qualified biologist to provide the necessary supporting information. In addition, the checklist should cite the specific portions of the EIR, including page and section references, containing the analysis of the subsequent Project activities’ significant effects and indicate whether it incorporates all applicable mitigation measures from the EIR.

REGULATORY REQUIREMENTS

California Endangered Species Act and Native Plant Protection Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in “take” of plants or animals listed under CESA or NPPA, either during construction or over the life of the Project. Issuance of a CESA ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, such as those identified in **Attachment 1**, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency’s FOC does not eliminate the Project proponent’s obligation to comply with CESA.

Lake and Streambed Alteration Agreement

CDFW will require an LSA Notification, pursuant to Fish and Game Code sections 1600 et. seq. for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated

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riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

ENVIRONMENTAL SETTING

The EIR should provide sufficient information regarding the environmental setting (“baseline”) to understand the Project’s, and its alternative’s (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§ 15125 & 15360).

CDFW recommends that the CEQA document prepared for the Project provide baseline habitat assessments for special-status plant, fish and wildlife species located and potentially located within the Project area and surrounding lands, including but not limited to all rare, threatened, or endangered species (CEQA Guidelines, § 15380). The EIR should describe aquatic habitats, such as wetlands or waters of the U.S. or State, and any sensitive natural communities or riparian habitat occurring on or adjacent to the Project site (for sensitive natural communities see: <https://wildlife.ca.gov/Data/VegCAMP/NaturalCommunities#sensitive%20natural%20communities>), and any stream or wetland set back distances the City may require. Fully protected, threatened or endangered, candidate, and other special-status species that are known to occur, or have the potential to occur in or near the Project site, include but are not limited to those identified in **Attachment 1**.

Habitat descriptions and the potential for species occurrence should include information from multiple sources: aerial imagery, historical and recent survey data, field reconnaissance, scientific literature and reports, U.S. Fish and Wildlife Service’s (USFWS) Information, Planning, and Consultation System, and findings from “positive occurrence” databases such as California Natural Diversity Database (CNDDDB). Based on the data and information from the habitat assessment, the EIR should adequately assess which special-status species are likely to occur on or near the Project site, and whether they could be impacted by the Project.

CDFW recommends that prior to Project implementation, surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. Survey and monitoring protocols and guidelines are available at: <https://www.wildlife.ca.gov/Conservation/Survey-Protocol>.

Botanical surveys for special-status plant species, including those with a California Rare Plant Rank (<http://www.cnps.org/cnps/rareplants/inventory/>), must be conducted during the blooming period within the Project area and adjacent habitats that may be indirectly

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impacted by, for example, changes to hydrological conditions, and require the identification of reference populations. More than one year of surveys may be necessary based on environmental conditions. Please refer to CDFW protocols for surveying and evaluating impacts to special status plants available at: <https://www.wildlife.ca.gov/Conservation/Plants>.

IMPACT ANALYSIS AND MITIGATION MEASURES

The EIR should discuss all direct and indirect impacts (temporary and permanent) that may occur with implementation of the Project (CEQA Guidelines, § 15126.2). This includes evaluating and describing impacts such as:

- Land use changes that would reduce open space or agricultural land uses and increase residential or other land use involving increased development;
- Encroachments into riparian habitats, wetlands or other sensitive areas;
- Potential for impacts to special-status species;
- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alternation of soils and hydrology, and removal of habitat structural features (e.g., snags, roosts, vegetation overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic or human presence; and
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features.

The CEQA document should also identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, §15355). Although a project's impacts may be insignificant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact – e.g., reduction of available habitat for a special-status species – should be considered cumulatively considerable without mitigation to minimize or avoid the impact.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines direct the lead agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the EIR, and/or mitigate significant impacts of the Project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.2, 15126.4 & 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are

Victor Randall
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July 1, 2022
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recommended to be developed in early consultation with CDFW, USFWS, and the National Marine Fisheries Service. These measures can then be incorporated as enforceable Project conditions to reduce potential impacts to biological resources to less-than-significant levels.

ENVIRONMENTAL DATA


CEQA requires that information developed in EIRs and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to CNDDDB. The CNDDDB online field survey form and other methods for submitting data can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plantsand-Animals>.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish & G. Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

If you have any questions, please contact Alicia Bird, Environmental Scientist, at (707) 980-5154 or Alicia.Bird@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 or Melanie.Day@wildlife.ca.gov.

Sincerely,

DocuSigned by:

Erin Chappell
Regional Manager
Bay Delta Region

Attachment 1: Special-Status Species

cc: State Clearinghouse # 2022060021

Victor Randall
 City of Benicia
 July 1, 2022
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ATTACHMENT 1: Special-Status Species

Species Name	Common Name	Status
<i>Reithrodontomys raviventris</i>	Salt-marsh harvest mouse	FP, SE, FE
<i>Rallus obsoletus obsoletus</i>	California Ridgeway's rail	FP, SE, FE
<i>Laterallus jamaicensis coturniculus</i>	California black rail	FP, ST
<i>Elanus leucurus</i>	White-tailed kite	FP
<i>Aquila chrysaetos</i>	Golden eagle	FP, BGEPA
<i>Buteo swainsoni</i>	Swainson's hawk	ST
<i>Agelaius tricolor</i>	Tricolored blackbird	ST
<i>Geothlypis trichas sinuosa</i>	Saltmarsh common yellowthroat	SSC
<i>Melospiza melodia maxillaris</i>	Suisun song sparrow	SSC
<i>Circus hudsoniusl</i>	Northern harrier	SSC
<i>Antrozous pallidus</i>	Pallid bat	SSC
<i>Taxidea taxus</i>	American badger	SSC
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	SSC
<i>Sorex ornatus sinuosus</i>	Suisun shrew	SSC
<i>Bombus occidentalis</i>	Western bumble bee	ICP
<i>Blepharizonia plumosa</i>	Big tarplant	CRPR 1B.1
<i>Isocoma arguta</i>	Carquinez goldenbush	CRPR 1B.1
<i>Centromadia parryi ssp. congdonii</i>	Congdon's tarplant	CRPR 1B.1
<i>Eryngium jepsonii</i>	Jepson's coyote-thistle	CRPR 1B.2
<i>Trifolium hydrophilum</i>	Saline clover	CRPR 1B.2

Victor Randall
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July 1, 2022
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FP = state fully protected under Fish and Game Code; FE = federally listed as endangered under the Endangered Species Act (ESA); FT = federally listed as threatened under ESA; SE = state listed as endangered under CESA; ST = state listed as threatened under CESA; BGEPA = federal Bald and Golden Eagle Protection Act; ICP = California Terrestrial and Vernal Pool Invertebrate of Conservation Priority¹; SSC = state Species of Special Concern; CRPR = California Rare Plant Rank²

¹ The list of California Terrestrial and Vernal Pool Invertebrates of Conservation Priority was collated during CDFW's Scientific Collecting Permit rulemaking process: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157415&inline>

² CRPR 1B plants are considered rare, threatened, or endangered in California and elsewhere. Further information on CRPR ranks is available in CDFW's *Special Vascular Plants, Bryophytes, and Lichens List* (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109383&inline>) and on the California Native Plant Society website (<https://www.cnps.org/rare-plants/cnps-rare-plant-ranks>).

Victor Randall

From: Frost, Erik@DOC <Erik.Frost@conservation.ca.gov>
Sent: Tuesday, July 5, 2022 9:29 AM
To: Victor Randall
Cc: OLRA@DOC; OPR State Clearinghouse
Subject: City of Benicia Housing and Safety Element Updates (SCH 2022060021) - CGS Comments

Mr. Randall,

The California Geological Survey (CGS) has received a Notice of Preparation for an Environmental Impact Report (EIR) for the City of Benicia's Housing Element and Safety Element Updates. This email conveys the following recommendations from CGS concerning geologic issues related to the project area:

1. Tsunami Hazards

The CGS has mapped areas that may be subject to inundation in the event of a tsunami. Portions of the City of Benicia are mapped as Tsunami Inundation Areas:

https://www.conservation.ca.gov/cgs/Documents/Publications/Tsunami-Maps/Tsunami_Inundation_Benicia_Quad_Solano.pdf

In addition, the City should be aware that the CGS is in the process of preparing updated maps that will be available later this summer.

The City of Benicia should address Tsunami Inundation Areas in the EIR, and include a figure and discussion of Tsunami Inundation Areas in the updated Safety Element.

If you have any questions, please let us know.

Thank you,

Erik

Dr. Erik Frost

Senior Engineering Geologist | Seismic Hazards Program
California Geological Survey
715 P Street, MS 1901, Sacramento, CA 95814
(916) 205-8255
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July 5, 2022

Victor Randall, Senior Planner
Suzanne Thorsen, Director, Community Development Dept.
Kari Birdseye, Chair, Planning Commission
Planning Commissioners

SUBJECT: Scoping for draft EIR [DEIR]: Housing Element Update [HEU] with Safety Element/Climate Vulnerability Assessment Update [CVAU]

Introduction:

As a 34 year resident of Benicia living on the East Side, I bring to this scoping effort on the Housing Element and Safety Element updates my varied experiences over 25 years here in Benicia as a local civic activist in hopes to ensure the resilience and sustainability of our community and to uphold the visions set in the General Plan, through challenges of fairly and justly fulfilling "regional housing needs allocations" [RHNA] and under increasing pressures and extreme effects of predicted climate changes as outlined in the Climate Vulnerability Assessment Update and also latest research by the International Panel on Climate Change [ICCP].

My concerns expressed in this letter stem from my active engagements over the last 25+ years. For the record: I served on the General Plan Oversight Committee in the 1990's; actively participated on three EPA- and USACE-led investigations and restoration projects (Braito Landfill; Tourtelot; Arsenal); challenged and co-led major challenges to planning initiatives (Koch Industries Coke Domes project; Seeno; Arsenal Specific Plan; Valero Crude By Rail) and have served on the Valero CAP and Community Sustainability Commission. In addition, I am a founding member of the Good Neighbor Steering Committee and board chair of the non-profit Sustainable Solano, and a founder and board member of Benicia Community Air Monitoring Program. I am also a practicing artist with a studio on Tyler St in the lower Arsenal industrial waterfront area.

I've read the Planning Commission Staff Report and the NOP, published June 2nd, and have participated in staff's webinars and workshops on the East 5th Street Corridor/Gateway Project. I've read the Climate Vulnerability Assessment and Adaptation Plan, and subsequently the CVAU in its entirety, and on June 21st, submitted a comment letter supporting the CVAU's adoption, with the caveat that its recommended adaptive strategies not be limited in the future to those enumerated in its conclusion. I also give reasons why

the Safety Update needs further additional revisions in order to address existing current dangers, hazards and pollution sources in the Arsenal port waterfront that variously impact the existing community on the East Side and would affect potential future residents and sensitive receptors.

This letter provides general comments pertaining to the development of the DEIR's scope, as well as more specific comments and examples addressing the usual CEQA topics. I also discuss the the opportunities, constraints and specific procedural problems affecting public participation over the last 3 years.

Herein, I incorporate by reference all of my own letters submitted to staff, council and planning commission since 2019. My letters, with comments and questions, express my concerns about existing issues related to protecting public health and safety and for preserving our Arsenal's cultural and historic assets of National Register District C.

In addition, I incorporate by reference all comment letters and questions submitted by Natalie Macris, Steve Goetz, Don Dean, Toni Haughey and Jane Lauder King on the subject of the SB35 projects under current review for the Arsenal Historic District, as well as those comment letters submitted by Ms. Macris and Mr. Goetz for scoping of the HEU/CVAU DEIR.

General Comments:

The NOP states: . . . *"The DEIR will not discuss conditions of specific parcel sites, but focus on impacts, including growth-inducing factors, and cumulative impacts that may be presented by the numbers of 'opportunity sites' that would require revised designations and rezones, as well as minor amendments to the Zoning Ordinance to address pet-related land uses and podium parking in the Mixed Use-Infill District".*

1. Regarding the need to describe and analyze full implementation of the HEU, inclusive of parcels already permitted for infill residential under the existing HE, and, under conditions of various scenarios for climate change:

The DEIR must describe the three basic elements of the General Plan's keystone goal of "sustainability" — environmental, social and economic—and analyze impacts of fully implementing the HEU IF those 3-pronged elements of sustainability are *not* integrated into consideration of rezones for infill development, and as specifically related to implementation of strategies presented in the CVAU.

A DEIR is meant to serve public understanding of potential significant impacts of large scale development plans. It's understood that the HEU serves to fulfill Benicia's obligations under requirements set by the state as "Regional Housing Needs Allocations" [RHNA]. Although all rezoned parcels proposed by the HEU would not likely be developed—certainly not all at

once—nevertheless, the DEIR should *conservatively evaluate* the possibility that, over time, all parcels identified as infill sites would/could be developed.

We know from mounting scientific and local evidence that climate change has begun to alter how we think about where and how we live and how we can and must adapt.

— The DEIR must discuss potential adverse consequences of FULL implementation of the HEU under various foreseeable scenarios of extreme climate conditions and the strategies to proactively address them as outlined in the CVAU's conclusion. Most recent research available should be cited to account for projections of more frequent and possibly more severe and multiple climate events occurring during the next decades, thus affecting Benicia and future planned infill development. Hence, the *totality* of parcels cited for potential future infill, inclusive of those parcels previously permitted under the existing HE, must be analyzed.

— The DEIR must describe and discuss the case in which development would occur on ALL available parcels cited by the HEU, and, the effects of permitting SB35 projects for maximum density infill without CEQA review as allowed under current iteration of the SB35 law. Concomitantly, the DEIR should explain how implementation of the CVAU's recommended policies and strategies for addressing climate impacts would condition all future reviews of particular individual infill development projects, including applications submitted under SB35 for maximum density infill projects, which require building at least 10% affordable, (low to very low income) units, and how such proposals may entail, depending on the infill site location, environmental justice concerns.

— The DEIR must discuss the effects of rezones should the CVAU's recommended adaptation policies and strategies were *not* to be implemented within the next decade: *thus, the DEIR should consider whether the community at large would be able to withstand, endure and survive climate impacts of various degrees of extremes as the CVAU cites, in the event that development of all rezoned parcels would occur.*

— The DEIR should weigh not only conditions discussed in the CVAU but also entertain "black swan" events that are not envisioned by the CVAU but which are credible: such as, a case where two or more climate events happen simultaneously or consecutively in a short time frame, that when coupled with other potential natural disasters (major earthquake) within that time frame may seriously compromise the city's and residents' ability to cope effectively, especially if CVAU-recommended strategies for adaptation have not been implemented by the time of those climate calamities.

— The DEIR must describe and discuss potential cumulative impacts related to population increases whereby all residents will be under pressure to respond to increasing numbers of climate-related events impacting the city at large as projected

by the CVAU. Particular scrutiny must be given to "climate vulnerable" neighborhoods where SB35 infill projects allowing maximum density may be proposed and whereby population increases would conceivably increase demands for, and increase stress upon, existing resources and services.

* * *

2. Regarding adoption of the Climate Vulnerability Assessment Update as the sole revision and update of the General Plan's Safety Element:

Recent scientific evidence points to accelerating rates of global warming and ramifying extreme "domino effects". Strategies recommended for incorporation in the General Plan must not be limited in the DEIR discussion and analyses to those listed in the CVAU's conclusion.

— The DEIR should consider that the General Plan's Safety Element needs to be further expanded to include more revisions, policies and strategies that go beyond those articulated in the CVAU.

— The DEIR should articulate why such further revisions are necessary. For example: The CVAU only briefly describes existing risks posed to the public associated to known sources of hazards, types and sources of airborne pollution, soil and water contamination in the lower Arsenal industrial waterfront area.

—The Safety Element Update should recommend new General Plan policies that would *measurably* better protect public health and safety from *existing and persisting* dangers, hazards and pollution sources.

For example: General Plan Goal 4.21 states "Reduce significant hazards associated with pipelines, and high voltage transmission lines." Policy 4.21.A states "Continue to implement existing adopted policies governing development near pipelines." I asked the City Attorney to have a copy of those "existing adopted policies" and was given a digital copy of protocols from 1986 written by Exxon that describe hazards that the pipelines represent, inclusive of catastrophic leaks, fires and explosions. However, there is no mention of an actual physical setback number which would guide future development. There is no map showing where the pipelines run— behind and below the north slope of the Jefferson Ridge. When I spoke to staff about why those protocols were not the basis for an "objective standard" for evaluating SB35 projects proposed for the Arsenal Historic District, I was told that GP policy 4.21.A does not state an actual figure for an allowable setback, such that the policy could not be considered "objective" for purposes of establishing a "minimum objective standard". This rejection seemed an extreme example of zealous disregard of the basic intent

of the protection provided for public safety reasons by GP policy 4.21.A, and, by contrast, zealous support for SB35 and subjective fears of challenging its strictures and lack of exemption in the case that an SB35 infill project for the Arsenal's District C would put people in harms way of major existing hazards and Valero's and Amports' industrial port facilities.

— The DEIR should describe and discuss potential climate change events that would especially impact the lower Arsenal port/waterfront area as well as downtown East Side neighborhoods in the vicinity of the waterfront and invoke those discussions for expansion of the currently proposed Safety Element Update, to ensure that impact studies will be done for ALL future residential infill where there could be risks posed to future residents by existing dangers, hazards and pollution sources in the immediate vicinity of a specific infill project site.

— Climate impacts may especially affect the health of sensitive receptors, wherein those impacts could be compounded by receptors' chronic and acute exposures to health risks and dangers that *already exist* in those particular areas of the community. [Reference: my letter dated April 9, 2022; also under "Hazards" Environmental Justice].

* * *

3. Regarding SB35's CEQA exemption for SB35 projects:

Since 2019, I've written numerous letters to the city regarding the allowance for residential infill housing in the Arsenal Historic District as a "permitted use in a mixed use district", and have offered critique concerning the inadequacy of both the initial and amended "objective planning and design standards" [OPDS], by which all current and future SB35 projects for maximum density are to be objectively evaluated whether for the Arsenal Historic District, Downtown Historic District or other identified sites located throughout the community as identified on the HEU site inventories as "Opportunity Sites" and/or "Vacant Lands".

I understand that SB35 projects would not be part of the DEIR's impact analyses for the HEU/CVAU. I protest this proscription.

As SB35 currently stands unamended, the law lacks any nuance or allowance for exemptions for historic districts as would be the case if AB2561, sponsored by Assemblymember Tim Grayson, were to be considered and approved by the legislature. Meanwhile, the law currently diminishes and even forfeits a city's authority over land use—the very authority originally conferred by the State of California to her cities, with the proviso that a city was required to create and adopt a general plan that would incorporate the community's vision and guide its future development, e.g., goals and policies would be drafted that would express agreed upon, well-established community values.

This loss of control of land use puts a city's sustainability and well-being at stake for lack of means to seriously consider reasonable and feasible alternatives to SB 35 projects, as would be possible if such projects were to be reviewed under CEQA, e.g., in context of the HEU, with environmental studies and assessment of sticking issues; for example, traffic studies related to hazards— a safety issue that would certainly be identified, described and analyzed under a CEQA review process.

— The DEIR for the HEU/CVAU must discuss the conundrum that could foreseeably occur in which multiple sites throughout the city could be proposed for SB35 projects and win approval without CEQA review.

— The DEIR must make clear how, in the future, proposals for infill development submitted as SB35 projects will be reviewed, given that the DEIR does not focus on specific sites that would be suitable for maximum density as encouraged by SB35, and given that SB35 projects could be proposed for multiple parcels throughout the community and stir much public controversy over environmental issues, and given that there is currently no mechanism or procedure allowable under SB35 that could evaluate those real issues.

— The DEIR should suggest as part of the Safety Element Update further revisions and additions to the OPDS that could effectively help decision-makers evaluate environmental concerns raised by site locations proposed for SB35 projects.

* * *

4. Regarding requests to amend the General Plan to eliminate residential use in the Arsenal Historic District, as pertaining to historic preservation and public health and safety:

My letter dated April 19, 2022, whose subject header was "Housing Element Update: Housing Opportunity Sites Request", remains salient to the scoping for the DEIR. In that particular letter, I call for a General Plan amendment to omit residential as a permitted use in the Arsenal Historic District/lower Arsenal area, inclusive of HEU listed parcels on the "Vacant Lands" inventory and those cited as "Opportunity Sites" for residential infill, and also, those parcels previously permitted for residential use in "mixed use districts": thus, parcels located at 1471 Park Road (categorized as a "Core Site"), and 1025 Grant Street, (labeled a "2nd Tier" site) and the parcels composing 7.9 acres on the Jefferson Ridge. My letter outlines reasons for their removal:

"Removing these parcels from consideration for infill family housing in the Arsenal would resolve decades-old sticking problems which have been [previously] publicly raised and addressed". [See further comments under CEQA topic "Hazards"]

Over the last two decades such issues were deliberated by staff, planning commission, council and the public as part of the CEQA review of the Lower Arsenal Mixed Use Specific Plan (2006-2007). They were previously raised during controversy in 1994-1995 over a large scale industrial development proposal for the Port of Benicia, submitted by Koch Industries, for a petroleum coke storage and shipping terminal facility that would serve all 5 Bay Area refineries. In the aftermath of that project's defeat, beginning in 2001, a number of housing development proposals were floated and subsequently withdrawn for residential infill in the Arsenal Historic District's National Register District C— the Civil War era "Officers' Enclave".

— The DEIR must consider removal of those specific parcels (cited above) from consideration for infill residential, and, discuss how the required RHNA numbers can be met throughout the city *without* those specific Arsenal sites designated for prospective development.

— The DEIR must identify and describe the distinctions conferred on the Arsenal Historic District and particularly District C that have not been mentioned or accounted for in the SB35 project applications for the Arsenal Historic District. I note that a general reference to the Arsenal Historic Conservation Plan is not sufficient to inform the public, since many residents have no knowledge of its contents. Staff presentations have also not used proper names, such as are used on historic maps and other official materials, such as "Officers' Enclave". Distinctions that must be named and discussed for their value to the City, state and nation: In 1936, the Arsenal earned official state landmark status; and in 1976, the National Park Service of the U.S. Dept of the Interior listed 4 subdistricts on the National Register of Historic Places, of which the area encompassing "subDistrict C" is now threatened by SB35 proposals for massive housing infill development.]

The "test" of the SB35 review process is occurring right now for special contiguous parcels located within the highly distinguished and unique core of the Arsenal Historic District: The Civil War era Officers' Enclave whose commanding officers' living quarters, surrounded by their historic landscape settings, were located along Jefferson Street. Officers' Row, within District C, as well as officers' admin buildings that border Adams St and Grant St were central to the purpose and administration of the Arsenal's command structure from 1859 until the Arsenal's closure in 1964.

— The DEIR must discuss adverse effects to the City's economic future if District C's integrity, inclusive of structures and landscapes, is sacrificed to infill housing.

— The DEIR should include economic studies that would discuss the values of preserving the Arsenal's National Register District C as the locus of future potential cultural and economic enterprises.

— The DEIR must discuss alternatives to allowing infill residential in the Arsenal, under CVAU recommendations for enhancing park amenities, and the need on the East Side for a substantial parkland for passive recreation, as the historic Jefferson Ridge open landscape settings could serve.

— The DEIR An aim of the General Plan towards the future of the Arsenal's historic core was to better utilize the Clocktower and the COQ, to support not only heritage tourism but also other cultural activities and events. Several architects specializing in historic preservation attended the June 30th PC hearing and one, Ms. Cynthia Scoggin, commented publicly that she saw the possibility here of another Fort Mason, making connection to District C with other historic Arsenal properties and the Arsenal artists' community located within the port waterfront area.

The Lower ARsenal Specific Plan failed on this count, precisely because it ignored the value of preserving District C as a district with its landscape settings, and also dismissed the existing hazards posed by Valero's and Amports' port/waterfront infrastructure and operations.

Owing to SB35, a precedent could be set if the Jefferson Ridge Project and the 1471 Park Road Project are approved based wholly on inadequate Objective Planning and Design Standards [OPDS], thus "minimum standards" that fail to acknowledge, let alone protect, the inherent cultural, historic and economic value of District C as a whole intact visible unit designed by the Army. The Officers' Enclave represents the city's legacy as an historic city.

A task force of citizen stakeholders could tackle fulfilling the vision of the General Plan as well as update the Arsenal Conservation Plan, to best reflect principles of historic preservation of District C, for enhancing all its worth to the City into the future.

* * *

5. Regarding the need to build affordable housing:

While the serious aim to provide affordable housing is necessary and laudably noble, how can this aim be justly and equitably realized by current means, wherein, for example, SB35 projects are required to build *only* 10% affordable of the total number of units proposed for maximum density? And, since SB35 streamlined approval processes lie outside the purview of CEQA, it appears that "environmental justice issues" are given no attention by SB35, e.g. consideration of conditions of a specific location where such a density infill project could be

developed. Ergo, those projects' potentially significant impacts related to environmental justice could remain uncharacterized, veiled by SB35 proscriptions against CEQA.

The implications of SB35, and by example and precedent, how the streamlined review is being conducted for the two SB35 projects proposed for the Arsenal Historic District, are ominous for Benicia, since SB35 projects are likely to be proposed for "vacant lands" and "opportunity sites" throughout the community to fulfill RHNA numbers.

— The DEIR should identify all sites inventoried in the HEU for possible development where maximum density housing proposed under SB35 would be located and indicate the total number of "low and very low" affordable units that would be *required* to be built on those potential sites?

— The DEIR must provide conservative analyses especially where affordable housing is envisioned in the Arsenal Historic District: according to current state laws, concern for environmental justice must be paramount. According to California's attorney general, <https://oag.ca.gov/environment/justice>,

" 'Environmental justice' means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. (Gov. Code, § 65040.12, subd. (e)). Fairness in this context means that the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be borne by sensitive populations or communities that already are experiencing its adverse effects."

* * *

6. Regarding the "underserved" East Side:

I am particularly concerned about how future anticipated increases of residential infill will improve and/or adversely impact Benicia's East Side, which is still considered to be "underserved", lacking services and amenities, as described by a City study published in 1985 on East Side conditions.

How will the full impacts to the East Side be accounted for if *ALL* projects proposed for the East Side were to be developed apropos the HEU, whether as Opportunity Sites or Vacant Lands, in addition to any and all SB35 projects approved now or in the future for the East Side?

The full scope of cumulative impacts must be addressed in the DEIR, yet how is the public to understand their scope for Benicia's East Side neighborhoods, when currently the two SB35 projects, now under review for approval — the Jefferson Ridge Project and 1471 Park Rd Project — are not by terms of the SB35 law subject to CEQA? Presumably those projects' potential impacts will be left uncharacterized and excluded from the prospective review of cumulative impacts, under *this* DEIR.

From the CVAU climate perspective, given projected increases in population, the lack of a substantial "passive recreation" park on the East Side is a glaring problem. The CVAU cites the importance of parks that provide shade and respite outdoors for residents during long hot summers. The DEIR must provide discussion of how and where such a park could be created within available open space on the East Side.

* * *

7. Regarding opportunities and constraints on public participation in planning processes, reviews and attendant procedural problems

The presumed objective of public participation in planning and review processes is to allow the public a chance to more fully understand prospective development plans, and as well, to invite the public's voice to be heard for the benefit of possibly more nuanced and thus better decision-making, for example, to help resolve controversy toward improvements that would benefit the community as a whole and enhance community well-being. Sadly, this objective seems to have been lost on this council and staff.

Informational presentations by staff and consultants held via Zoom have appeared to be "one-way" exercises in communication. Under such circumstances, meaningful exchanges that entertain discussion of community values so necessary to good decision-making are no longer expected by the public. Yet, such decisions made especially under streamlined review of SB35 project applications will *affect the community as a whole over many years*.

Public discussion of the two SB projects' reviews has been mainly engaged through comment letters submitted to staff, with little hope of a direct response to questions raised whether orally or in writing. It has been expressed by residents of lower Jefferson Street that they had not been notified in 2021 of the existence of the several SB35 project applications for development along Park Rd and Jefferson St. or the dates when those projects would be reviewed by the planning commission, nor when and how the "minimum objective standards" were drafted by which the SB35 project applications were to be evaluated. As residents of the Arsenal Historic District's most historically significant street of Officers' Row, they do not understand how it is that they were not notified of the potential for such massive changes to the historic district that would effectively obliterate its character and distinction as a district as well as completely alter the character and living conditions of lower Jefferson St. neighborhood, especially with regard to increases in population, traffic hazards, parking and evacuation in the case of major accidents or natural calamity.

I will be submitting an Addendum specific to other issues of public participation bearing on my own personal experiences over the last year and a half, as well as of other members of BAPT.

Specific CEQA topics

Project Description:

Natalie Macris states,

"The EIR project description should describe the total development potential of the draft Housing Element, not just the newly identified "housing opportunity sites" that are the focus of the NOP. If the draft Housing Element includes Arsenal sites that the existing Housing Element designates for housing, such as the sites on Jefferson Ridge, the EIR must consider the environmental impacts of housing development on those sites, including the full range of hazards and the impacts on the National Register-listed Benicia Arsenal Historic District and other cultural resources".

There have been 20 years of controversy surrounding various applications for residential infill development along the Jefferson Ridge in National Register-listed District C.

—The DEIR must discuss conditions for future residents If all potential infill sites were indeed to be developed within the boundaries of the Arsenal Historic District, (the on Jefferson Ridge, at Park Rd and Grant St) and how upwards of 500 residents including children, seniors and "sensitive receptors" would be living in harms way, in close proximity to serious existing hazards and pollution sources.

— The DEIR must identify and describe the topography of the Jefferson Ridge: its very steep, fire-prone slopes and currently their easy accessibility to public intrusion, which presents a real danger as an attractive public nuisance, given that there is still no secure fencing along the entire upper perimeter of the Ridge.

— the DEIR must describe the locations, types and features of existing refinery infrastructure in very close proximity to the Ridge and provide readable maps for visual understanding of port infrastructure, which include:

6 active refinery pipelines running along the base of the Ridge on its north side and angling up at Army Point, where they cross Bayshore Rd and tie into Valero's hazardous tanker dock and port infrastructure; high voltage power lines; Valero's petroleum coke storage terminal and operations including petcoke trains' offloading site.

Aesthetics

Ms Macris states: *"Housing development on Jefferson Ridge and elsewhere in the Arsenal would substantially affect scenic vistas and public views of the Benicia Arsenal Historic District and the Carquinez Strait, as seen from public vantage points such as the City-owned Clocktower and Commanding Officer's Quarters. The EIR should evaluate these impacts (see California Environmental Quality Act [CEQA] Guidelines Appendix G, Items I(a) through I(c))."*

Over the past year and a half, numerous letters sent to the City by Jane Lauder King, Don Dean, Natalie Macris, Steve Goetz, Belinda Smith, myself and others have outlined the need to protect and preserve the Arsenal Historic District's aesthetic character and specific qualities. Of special concern, and under threat of housing developments, are parcels on the Jefferson Ridge that are the landscape settings purposefully designed by the Army to grace and buffer the Civil War era officers' mansions of NATIONAL REGISTER DISTRICT C. [Figure 3, Arsenal Conservation Plan].

— The DEIR must evaluate the potential loss of open space on the Jefferson Ridge within District C, as relevant to the historic character and integrity of the district as a whole, as listed on the National Register of Historic Places. The landscape of the Jefferson Ridge represents the last and ONLY green open space within the lower Arsenal, and for that matter, the entire East Side of town. The ambience of that landscape/open space is aesthetic and beneficial from the perspective of community health and well-being. Protection of local natural habitat in the lower Arsenal industrial area is an aesthetic as well as an environmental benefit.

The historically significant aesthetic components and features of National Register District C are not limited to appearances of historic structures (the Clocktower Fortress, Commanding Officers' Quarters, Lieutenant's Quarters, Officers' Duplex, Command Post and Guard House).

— The DEIR must describe the spatial relations expressed by the Army's layout of their Officers' Enclave, which includes landscape settings that must be acknowledged as "cultural landscapes" as intrinsic to the visual appearances and organization of the Enclave, which was established as part of the Arsenal's expansion ordered by President Lincoln at the onset of the Civil War. (see Cultural Landscape Foundation < <https://www.tclf.org/>>

— The DEIR must describe the historic purposes, social uses and environmental benefits of the landscaped Ridge as designed by the Army, and enjoyed and appreciated by commanding officers, along with their families living District C's Officers' Row, and visitors to the Arsenal.

— The DEIR should describe current uses of the Jefferson St landscape/open spaces as "parkland"— the only substantial open 'green' space on the East Side that provides pleasure and respite to residents and visitors to the District.

Air Quality:

Ms. Macris states: "Residents of any future housing at the Arsenal would be "sensitive receptors" for air pollution from immediately adjacent heavy industrial uses, including the Valero refinery and Port of Benicia operations. The EIR should evaluate the potential for housing development at the Arsenal to "expose sensitive receptors to substantial pollutant concentrations" (see CEQA Guidelines Appendix G, Item II(c))."

The lower Arsenal/industrial port waterfront area is a source of various airborne pollutants, including PM2.5 from petcoke dust and fires. (Most recent example of pollution source of toxic PM2.5 smoke: the fire, April 9th, that first consumed the conveyor belt carrying petcoke from storage silos to the hopper that pours coke into coke ships' hulls, and by which embers spread in high western winds that then ignited the eastern stretch of the dock, consuming its creosote-soaked pilings.) Had the wind been blowing from the original fire at the conveyor built toward land, grass fires could have been ignited by embers blown to the surrounding area including the Jefferson Ridge. Evacuation would have been called.

The CVAU considers air quality impacts resulting from increasing dangers of inhaling "fire smoke" coming from urban/wild land interface areas that contain smallest particulates that may be composed of toxic metals, VOCs and other urban-related gases from burning structures; especially chronic exposure risks during extended fire seasons. The CVAU also considers impacts of having to endure prolonged heatwaves with temperatures rising to 100+ degrees.

— The DEIR must describe and evaluate climate events that would contribute to existing air quality conditions on the East Side, and that would foreseeably affect future residents of the Arsenal Historic District, among whom would be sensitive receptors who may already suffer chronic exposures to airborne toxic emissions released from multiple sources in the lower Arsenal and port area, including from tailpipe emissions from vehicle traffic along roadways and ships in port and traveling along the Strait.

— The DEIR should include descriptions of "Particulate Matter" at smallest particle sizes and their impact to human respiratory and circulatory systems and functions. Data from Purple Air monitors located in Benicia should be cited as sources of specific information on air quality at any given time of day or night. Descriptions and toxicological characteristics of PM should be referenced as provided by CAL-EPA's Office of Environmental Health Hazard Assessment [OEHHA].

— The DEIR should describe the new independent "Benicia Community Air Monitoring Program" and its recently launched air monitoring station located along Bayshore Rd., and how data collected can be readily accessed by the public at beniciacommunityairmonitoringprogram.org

Cultural Resources:

Ms. Macris states: "*Housing development at the Arsenal, particularly on Jefferson Ridge, would significantly affect the Benicia Arsenal Historic District, a district of local, state, and national significance that is listed in the National Register of Historic Places. In addition, development there could affect as-yet unknown historical and archaeological resources, the potential for which has been documented in previous studies (August 21, 2006 "Report on the History of Vacant Properties Located on Officers' Row at The Benicia Arsenal" by Nancy*

E. Stoltz, AIA, AICP and July 2007 Lower Arsenal Mixed Use Specific Plan Public Review Draft EIR by LSA Associates). The EIR should thoroughly investigate and evaluate these impacts (see CEQA Guidelines Appendix G Items V(a) through V(c); see also CEQA Guidelines Section 15125(c))."

In previous general comments and under "Aesthetics" I've referenced the value, both cultural/historical, social and environmental of the Arsenal Historic District and especially regarding the specific, still visually intact 19th century feel and character of National Register District C's Officers' Enclave, and how panoramic sight lines across the District to the Strait and between historic mansions and related admin buildings make clear the purpose of the original design layout of the Enclave.

— The DEIR must describe the character, visual landscape features, sight lines and ambiance of District C and what would be lost if those inherent, original features and characteristics are visually lost to density housing infill.

— the DEIR must describe the objective meaning of "integrity" as used in the phrase "integrity of District C" with relation to the value of preserving original landscape settings as integral to the design of the Officers' Enclave.

— The DEIR must weigh the adverse impact to District C in the event of infill development on the Jefferson Ridge, which would cause the loss of a the vision enshrined in goals and policies of the General Plan for its protection as a heritage site and how loss of such a beneficial legacy asset will be affect Benicia's identity as as an "historically important early California city" on the Strait, thus, as the specific site of the US Army presence for more than a century since 1847— a place of history-making events in the past through major 20th century wars.

— The DEIR must consider the promise of the Arsenal legacy as represented by its most distinguished National Register District C, and discuss alternatives that would avoid the destruction of its original characteristic, expansive landscape settings that lie labeetween and across from the historic mansions: the COQ, Lieutenant's Quarters and Officers' Duplex.

Hazards

Ms. Macris states: "Housing development at the Arsenal would place residents in an area that has been in heavy industrial use for decades. Potential hazards include industrial accidents, unremediated hazardous materials in soil or groundwater, and problems with emergency response and evacuation. Parts of the Arsenal, including Jefferson Ridge, are also located in or near wildland/urban interface fire hazard zones identified in the May 2022 Benicia Community Health and Safety Element Update Climate Change Vulnerability Assessment Report. Developing housing at the Arsenal would exacerbate these hazards, and therefore the EIR must evaluate these impacts (see CEQA Guidelines Appendix G Items IX(b), IX(d), IX(f), and IX(g))."

Valero's port facilities and operations are sources of airborne pollution [PM2.5], soil contamination from petcoke dust in the surrounding area and petcoke pollution in the Strait. Pollution is also generated by auto detail shops, a machine shop, and daily and constant truck, ship and vehicular traffic especially associated to Amports car import business and Valero's shipping operations. Uncertainty surrounds what hazards and contamination from previous Army uses in the lower Arsenal and port area may remain *even after* certain ordered removal and cleanup actions have been taken by CalEPA's Department of Toxic Substances Control.

- The DEIR must identify all sources of toxic pollution. In the event of major fires, potential explosion or other routine toxic releases, such as from the loading procedures at the petcoke terminal facility.
- The DEIR should make clear that no real estate disclosure statement would exempt or protect surrounding businesses and port facilities from their liability nor residents from harm caused by industrial users. "Buyer beware" warnings in the fine print of a real estate contract should not be the cornerstone of a planning decision to permit infill housing in close proximity to dangerous port related facilities. General Plan guidance in the Safety Element should be protective of human health and safety and be updated to more fully characterize and describe existing hazards and pollution in the industrial port waterfront area.
- The DEIR must sufficiently analyze all foreseeable and potentially significant environmental impacts that would affect future residents of the Arsenal Historic District should projects win approval. The analyses must describe all reasons for the perceived incompatibility of residential and industrial uses, inclusive of liability issues related to industrial port operations as sources of hazards, air, soil and water pollution, as well as other nuisances and disturbances, including light and noise pollution.
- The DEIR should enumerate and discuss the foreseeable health and safety risks that future residents would be exposed to on a daily basis living in close proximity to multiple hazards and pollution sources in the surrounding lower Arsenal/port waterfront area.
- The DEIR must integrate analyses of issues cited above in relation to foreseeable climate events in the area of the lower Arsenal waterfront area and Arsenal Historic District that could impact stability of the Jefferson Ridge's steep, uneven slopes, roadways and other services and vulnerable infrastructure (Grant Street overpass) affecting multiple uses in the area.

— The DEIR must describe and discuss the the issue of "incompatibility" in the lower Arsenal/port waterfront area and how residential and industrial uses in that area present a special case within the city as a whole and provide explanatory background to how residential use became allowable as part of the newly adopted General Plan on June 15,1999.

For 3 years In the mid 1990's, the General Plan Oversight Committee, [GPOC] took up the task assigned the committee to draft a completely new general plan. GPOC was comprised of 17 council-appointed members representing a broad spectrum of stakeholders, including attorneys for Exxon and Benicia Industries, the then owner of the Port of Benicia. The final draft GP was accomplished successfully through a consensus process. The GPOC had rejected inclusion of "residential" as a permitted use within designated "mixed use" areas of the lower Arsenal within the boundaries of the Arsenal Historic District for reasons of the perceived incompatibility of uses of residential and industrial, and the likely adverse effects of encroachment of residential into the designated industrial/port waterfront area. However, when the draft General Plan was considered by the city council for adoption on June 15, 1999, the then mayor advocated for one amendment: to permit residential use in the historic Arsenal and Downtown mixed use historic districts. The General Plan was adopted with that new provision. It was 4 months later when 7.9 acres of parcels on the Jefferson Ridge within National Register District C were privately purchased, presumably because of the potential increase in land value owing to the newly permitted residential use for those newly acquired parcels. The prospect of allowing residential use would trump the historic district's zoning, which remains "office/commercial".

— The DEIR must describe the trade-offs, compromises and adverse impacts that would occur to current CO zoning uses along the Jefferson Ridge.

Land Use and Planning:

Ms Macris states: "The EIR should evaluate the potential for housing development at the Arsenal to conflict with plans, policies, and regulations that were adopted to avoid or mitigate environmental effects (see CEQA Guidelines Appendix G Item XI(b)). These include Benicia General Plan and Arsenal Historic Conservation Plan policies for protection of the Arsenal Historic District and avoidance of air pollution, noise, and other hazards.

The Arsenal Historic Conservation Plan [AHCP] was created and adopted in 1993, to help guide the future preservation of the Arsenal Historic District and its National Register

subdistricts that had been distinguished in 1976 by the National Park Service, by their listing on the National Register of Historic Places. Unfortunately, the AHCP has never been updated since its adoption in 1993. Confusions, contradictions and gaps in its texts and even on its maps (confusion around road names) have affected how staff has described historic elements of the Jefferson Ridge's Officers Row, which blithely assume that the character and integrity of elements of the Officers' Enclave would be preserved as long as a few sight lines are protected and original structures (mansions) are not damaged. In fact, Ms. King's letters fully describe the numbers of corrections and descriptions in the AHCP that would more clearly tell why the staff's descriptions and assumptions are hopelessly amiss and how, by virtue of such assumptions, the original character and character of the Officers' Enclave as a whole intact *district* would be utterly destroyed by current SB35 proposals for infill development.

Numerous letters submitted to the City by Ms. Jane Lauder King of Kennebunk Maine, a former resident of Benicia until 2004, played a critical role in 2001 challenging the first infill housing proposal slated for development on the Jefferson Ridge in 2001. Ms. King was then a member of Benicia Arsenal Task Force. Over the last two years, she has participated as a member of the Benicia Arsenal Park Task Force, to insist that the best uses of the historic open spaces/cultural landscapes of District C would be an Arsenal Park. As a retired civil engineer, and still active historic preservationist and realtor who had worked in those capacities during her time living in Benicia, Ms. King remains closely engaged with issues of preservation of the Arsenal's most prized District C. Her letters assert the urgent need for updating and correcting errors, confusions and oversights of the AHCP that should clarify staff's, council's and planning commissions decision-making and help public understanding of the intrinsic value of preserving District C.

— The DEIR must acknowledge that the Arsenal Historic Conservation Plan has not been updated since its adoption in 1993, and how that fact of neglect has inadvertently or intentionally influenced decisions for approval for residential use within the Arsenal Historic District, when that use was inserted in the draft General Plan on the eve of its adoption, June 15, 1999. [See background provided on this GP amendment under "Hazards"]

Recreation:

Ms Macris states: "Housing development at the Arsenal would place new residents in an area of town that even today does not have enough parkland. The EIR should therefore evaluate the potential impacts on existing parks and other recreational facilities, and the need to expand these facilities or provide for new parks and other facilities (see CEQA Guidelines Appendix G Items XVI(a) and XVI(b))."

Unfortunately, the drafting of the update for the Parks and Open Space Master Plan, inclusive of recommended revisions, is not in synch with the planning schedule associated

to the Housing Element and Safety Element update review processes. The existing Parks Master Plan identifies a site suggested but abandoned for unspecified reasons in 2005, for a "Clocktower Park" to possibly extend from just east of Clocktower toward the Commanding Officer's Quarters.

Members of the Benicia Arsenal Park Task Force have suggested that such a park should be established and further extend to include the heritage cultural landscapes/open spaces still existent on the Jefferson Ridge. This would create a substantial park for passive recreation that the East Side of Benicia has truly lacked for years, and creating such a natural site for parkland would effectively preserve the original character and integrity of the layout of the Officers' Enclave— District C.

—The DEIR should identify and consider the specific advantages and benefits of creating a park on the Jefferson Ridge, as an alternative to allowing residential infill on the Jefferson Ridge.

—The DEIR should discuss how the scale of such a park begs to be inclusive of historic and cultural landscapes, and why "pocket parklets" designed for residents of infill developments proposed under SB35 for the Jefferson Ridge and Park Rd do not qualify as "substantial parkland" that would be fully protective of the original character, design and layout of District C.

Transportation:

Ms. Macris states: "The EIR should evaluate potential traffic hazards due to the incompatibility of housing with existing heavy industrial uses, and the potential for inadequate emergency access at the Arsenal (see CEQA Guidelines Appendix G Items XVII(a) and XVII(b))."

I have submitted many letters describing the considerable significant hazards that represent a liability for residential uses and that represent key incompatibilities between residential use and industrial uses in and around the Arsenal Historic District and port waterfront area. Traffic hazards are of paramount and immediate concern should residential infill, that would allow for upwards of 400+ new residents and their cars on the Jefferson Ridge, as posed by SB35 applications for the Jefferson Ridge Project and the 1471 Park Rd Project.

— The DEIR must describe and give specific traffic condition hazards with maps and photos to illustrate the liability risks to public safety: blind curve on steep slope of Park Rd intersecting at Jefferson St without a stop sign for pedestrian crossing; regular industrial truck traffic up and down Park Road day and night wherein Park Rd serves access to the Benicia Industrial Park, Amports parking lots, and Valero refinery.

— The DEIR must discuss evacuation plans as related to the area's roads that provide egress from the area during foreseeable emergencies in the area such as from port

area fires, grass fires on Jefferson Ridge slopes, etc. and other potential for catastrophic events, such as pipeline leaks, ruptures and explosions, as outlined in pipeline protocols in possession of the City that were drafted in 1986 by Exxon. Access and egress routes from the port area and from the Jefferson Ridge must be evaluated for the time it would take potential future residents of the Jefferson Ridge, existing residents of Jefferson St as well as employees in the lower Arsenal and the arts community to evacuate the general area onto Military East, under various scenarios, including climate change impactful events.

Tribal Cultural Resources

"Ms Macris states: "Based on the Arsenal's high likelihood of containing archaeological resources, the EIR should thoroughly investigate and evaluate potential impacts on tribal cultural resources (CEQA Guidelines Appendix G Item XVIII(a))."

The public needs to know what efforts have been made to contact tribal leaders with regard to "likely inhabitation" of the Jefferson Ridge for millennia by native peoples. Randi Scott, an experienced forensic archeologist and resident of Benicia could assist with such research.

—The DEIR must acknowledge that, right now, any decision made about whether or not there remain buried tribal cultural resources cannot be verified without evidence and written proof of sampling and forensic evaluation.

Alternatives

Ms. Macris states: "The EIR should include an alternative that does not designate housing at the Arsenal. This alternative will be important for showing how the City can meet its housing needs while avoiding the hazards, damage to a National Register-listed historic district and other cultural resources, and other impacts of allowing housing at the Arsenal."

— The DEIR must evaluate the option to create parkland on parcels now in private hands now proposed under SB35 for infill residential. Options for purchase of those parcels should be considered by the City to create an Arsenal Park to benefit preservation of our National Register District C.

— The DEIR should describe and characterize the cultural and social value of creating such a park as an amenity benefiting the East Side, and how such a substantial park would serve as destination and starting point for heritage tours of the Arsenal Historic District as well as of the Delta Heritage Corridor established by Congress.

* * *

Thank you for your considerable time in reading my copious comments. I hope they will be useful in developing the DEIR.

Respectfully,

Marilyn Bardet

Thomas J. Carlon
409 Sanborn Ct
Benicia, CA 94510
tjcarlon@comcast.net
Mobile: (925) 787 8983
June 28, 2022

Mr. Victor Randall
Senior Planner, Planning Division
City of Benicia
250 East L St
Benicia, CA 94510

RE: City of Benicia Housing Element and Safety Element EIR

Dear Mr. Victor Randall:

The June 9, 2022, City of Benicia Planning Commission meeting which highlighted the structure of the upcoming EIR for the city's Housing Element Update and Safety Element by PlaceWorks left the public with a host of unanswered questions. The revelation by the consultant that methodology for conducting the EIR will be limited to a "desk-top exercise" as opposed to a vigorous "boots on the ground" data collection approach stunned those in attendance.

Immediate questions concerning proper exercise of due diligence by Placeworks and whether the city is paying for a mere "term paper" which will merely check a box in the CEQA process produced more than a casual groan from the public. No mention of a public outreach plan only heightened suspicions that whitewash was being splashed to cover the lack of a professional, in-depth environmental review.

Will the citizens be available to assist in this review, especially in the areas of land use compatibility, impact to schools, public services, traffic, noise, water, etc.? Are those affected by the potential overlay zoning of master planned open space considered environmental victims? Will Suzanne Thorsen's own words of April 19, 2022, that "we identified more sites than needed," give hope that the Southampton sites can be culled from the housing sites inventory?

Or as we suspect, will PlaceWorks be more interested in writing a "defensible" EIR from platform accessible software as opposed to pursuing a more accurate, fact-finding mission. Again, the methodology appears shallow, and in many cases, not even hitting the top of the waves.



Mr. Victor Randall

June 28, 2022

Page 2

Given PlaceWork's history and track record, we as Benicians should perhaps question the process and reason for PlaceWork's selection for this EIR. We question whether council members, drawing on their knowledge, experience, and professional relationships were not the driving force in the awarding the PlaceWorks contract knowing full well the consultant's history of leveling troublesome citizen speedbumps.

Certainly, approval for this type of expensive exercise will not be endorsed by the Benicia electorate, who among the 600+ signers (and growing daily) to the Save Southampton Open Space petition view this process as a false imprimatur to what has become a clearly divergent approach to the public's wishes.

At this juncture, the Save Southampton Open Space contingent categorically rejects this faux EIR process, and we ask the Planning Commission to similarly concur and act accordingly.

Sincerely,

Thomas J. Carlon

Donald J. Dean
257 West I Street, Benicia, CA 94510

July 3, 2022

Mr. Victor Randall
Community Development Department
250 East L St, Benicia, CA 94510

vrandall@ci.benicia.ca.us

RE: NOP Comments for the Benicia Housing Element and Safety Element Update EIR

Dear Mr. Randall:

I am submitting the following scoping comments on the Notice of Preparation (NOP) for the Benicia Housing Element and Safety Element EIR. My main concern is the evaluation of the City's historic resources, and in particular the historic Benicia Arsenal, Subdistrict C.

The NOP states that the City has determined that the implementation of the Housing Element Update may have a significant effect on the environment, and that the EIR will evaluate the potential for the Housing Element Update to cause direct and indirect growth-inducing impacts, as well as cumulative impacts. The NOP also states that the EIR will be a programmatic document and will not be making a site-by-site analysis.

All Sites Must Be Evaluated

Presentations by Benicia staff and project consultants have indicated that the focus of the EIR will be on the most recent set of housing opportunity sites and less (or no) analysis of sites already identified in the previous housing element. The NOP does not indicate how this bifurcation of analysis between the new opportunity sites and the long-standing sites in the Housing Element will be accomplished. The EIR must adequately and equally evaluate all sites on the housing list, whether they are opportunity sites or long-standing sites.

Project Must Be Evaluated Against Existing Conditions

The standard for CEQA evaluation is the difference between existing conditions and the proposed project. In the case of Jefferson Ridge at the Benicia Arsenal for example, this would be the difference between the undeveloped ridge property and the approximately 150 units proposed by the Housing Element. Analysis from any previous environmental documents should not be relied on and should be updated to account for current conditions.

Impacts on Historic Resources Must Be Evaluated

In regard to Cultural and Tribal Cultural Resources, the NOP makes the following statement. "Development accommodated under the Housing Element Update may have an adverse effect on historic archaeological, and/or tribal cultural resources." Benicia has two historic districts (and subdistricts) and multiple historic structures.

There is no mention of the potential impacts on existing historic resources or on historic districts. Impacts on all the City's historic resources should be thoroughly evaluated consistent with Section 15064.5 of the CEQA Guidelines.

Implementation of a project on the Jefferson Ridge properties would have profound impacts on the viability of the National Register Historic District and would most likely lead to the delisting of this valuable national historic asset. Regardless of whether the evaluation of the site in the Housing Element is discussed at a programmatic level or the individual site level, this is an impact that should be acknowledged and evaluated.

Alternative with No Housing in Arsenal Should be Evaluated

CEQA requires alternatives that avoid or minimize impacts. The EIR should also contain at least one alternative that would preclude development in the historic Arsenal District and reallocate those proposed units to other locations in the City.

Thank you for consideration of these comments in the EIR.

Sincerely,

A handwritten signature in blue ink, appearing to read 'DD', is positioned above the name Donald Dean.

Donald Dean

From: [Steven Goetz](#)
To: [Victor Randall](#)
Subject: NOP on Housing and Safety Elements
Date: Tuesday, June 28, 2022 9:26:55 AM

Hi Vic,

These comments are offered in response to the Notice of Preparation for the Housing Element and the Safety Element of the General Plan. My comments are directed at the Safety Element.

The project description for the safety element is rather brief. Can the EIR include a more accurate, stable and complete project description that identifies the objectives of the revision to the Safety Element?

The NOP did not describe the probable environmental effects of the revisions to the Safety Element. My concern is with the programs or policies of the Safety Element to address wildfires and flooding.

The EIR should evaluate biological resources that might be impacted by vegetation control measures that would be implemented in areas with sensitive wildlife (plants and animals).

The EIR should evaluate biological resources that might be impacted by creek restoration projects proposed to address flooding. Valued habitat could be degraded by restoration projects that use nursery stock infested with plant pathogens.

The EIR should evaluate potential impacts to water quality from vegetation management strategies that rely on goats to reduce vegetation. Goats poop, so degradation of surface or ground water quality may occur in the watersheds where goats are used for vegetation management.

The EIR should evaluate the potential impacts to water quality from vegetation management strategies that can increase the rate or amount of surface runoff in a manner that would result in erosion of soil and contaminants into water bodies.

Thank you for the opportunity to comment.

Regards,
Steven Goetz



June 28, 2022

Mr. Victor Randall
Senior Planner
City of Benicia
250 East L Street
Benicia, CA 94510

RE: Benicia Housing Element and Safety Element Updates Environmental Impact Report (EIR) – Scope

Dear Mr. Randall:

In response to the Notice of Preparation dated June 2, 2022, I am writing to comment on the scope of the Benicia Housing Element and Safety Element Updates EIR.

The EIR should address certain environmental impacts that would be specific to housing development in the Benicia Arsenal. This letter lists those issues by EIR topic area.

While the EIR will be a program EIR that does not evaluate individual development projects, it still can and should evaluate the impacts at the Arsenal, where new housing would have very different impacts from housing elsewhere in town. Understanding these impacts will be important for City decision-makers in their review and approval of the draft Housing Element.

Project Description

The EIR project description should describe the total development potential of the draft Housing Element, not just the newly identified “housing opportunity sites” that are the focus of the NOP. If the draft Housing Element includes Arsenal sites that the existing Housing Element designates for housing, such as the sites on Jefferson Ridge, the EIR must consider the environmental impacts of housing development on those sites, including the full range of hazards and the impacts on the National Register-listed Benicia Arsenal Historic District and other cultural resources.

Aesthetics

Housing development on Jefferson Ridge and elsewhere in the Arsenal would substantially affect scenic vistas and public views of the Benicia Arsenal Historic District and the Carquinez Strait, as seen from public vantage points such as the City-owned Clocktower and Commanding Officer’s Quarters. The EIR should evaluate these impacts (see California Environmental Quality Act [CEQA] Guidelines Appendix G, Items I(a) through I(c)).

Air Quality

Residents of any future housing at the Arsenal would be “sensitive receptors” for air pollution from immediately adjacent heavy industrial uses, including the Valero refinery and Port of Benicia operations. The EIR should evaluate the potential for housing development at the Arsenal to “expose sensitive receptors to substantial pollutant concentrations” (see CEQA Guidelines Appendix G, Item III(c)).

Cultural Resources

Housing development at the Arsenal, particularly on Jefferson Ridge, would significantly affect the Benicia Arsenal Historic District, a district of local, state, and national significance that is listed in the National Register of Historic Places. In addition, development there could affect as-yet unknown historical and archaeological resources, the potential for which has been documented in previous studies (August 21, 2006 “Report on the History of Vacant Properties Located on Officers’ Row at The Benicia Arsenal” by Nancy E. Stoltz, AIA, AICP, and July 2007 Lower Arsenal Mixed Use Specific Plan Public Review Draft EIR by LSA Associates). The EIR should thoroughly investigate and evaluate these impacts (see CEQA Guidelines Appendix G Items V(a) through V(c); see also CEQA Guidelines Section 15125(c)).

Hazards

Housing development at the Arsenal would place residents in an area that has been in heavy industrial use for decades. Existing uses include Valero's tanker dock, high-voltage power lines, six active pipelines aligned along the northern perimeter of the Jefferson Ridge/Clocktower promontory, and Valero's petroleum coke shipping terminal. Potential hazards include industrial accidents, unremediated hazardous materials in soil or groundwater, and problems with emergency response and evacuation. Parts of the Arsenal, including Jefferson Ridge, are also located in or near wildland/urban interface fire hazard zones identified in the May 2022 Benicia Community Health and Safety Element Update Climate Change Vulnerability Assessment Report. Developing housing at the Arsenal would exacerbate these hazards, and therefore the EIR must evaluate these impacts (see CEQA Guidelines Appendix G Items IX(b), IX(d), IX(f), and IX(g)).

Land Use and Planning

The EIR should evaluate the potential for housing development at the Arsenal to conflict with plans, policies, and regulations that were adopted to avoid or mitigate environmental effects (see CEQA Guidelines Appendix G Item XI(b)). These include Benicia General Plan and Arsenal Historic Conservation Plan policies for protection of the Arsenal Historic District and avoidance of air pollution, noise, and other hazards.

Recreation

Housing development at the Arsenal would place new residents in an area of town that even today does not have enough parkland. The existing Parks, Trails and Open Space Master Plan identifies a shortfall of five acres of neighborhood parks for Benicia's East Side (referred to as "District 3" in that plan). The EIR should therefore evaluate the potential impacts on existing parks and other recreational facilities, and the need to expand these facilities or provide for new parks and other facilities (see CEQA Guidelines Appendix G Items XVI(a) and XVI(b)).

Transportation

The EIR should evaluate potential traffic hazards due to the incompatibility of housing with existing heavy industrial activities, including industrial truck traffic, and the potential for inadequate emergency access at the Arsenal (see CEQA Guidelines Appendix G Items XVII(a) and XVII(b)).

Tribal Cultural Resources

Based on the Arsenal's high likelihood of containing archaeological resources, the EIR should thoroughly investigate and evaluate potential impacts on tribal cultural resources (CEQA Guidelines Appendix G Item XVIII(a)).

Alternatives

The EIR should include an alternative that does not designate housing at the Arsenal. This alternative will be important for showing how the City can meet its housing needs while avoiding the hazards, damage to a National Register-listed historic district and other cultural resources, and other impacts of allowing housing at the Arsenal.

Thank you for considering these comments.

Sincerely,



Natalie Macris

Appendix 3-1

City of Benicia Housing Element Update (August 2022)

THE CITY OF
BENICIA
CALIFORNIA

2023-2031 HOUSING ELEMENT

Public Draft | August 2022





THE CITY OF
BENICIA
CALIFORNIA





City of Benicia

2023-2031

HOUSING ELEMENT

Public Draft | August 2022



Prepared By:

PlaceWorks

101 Parkshore Drive, Suite 112
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Chapter I

Introduction

The Housing Element is a State-mandated element of the General Plan with specific technical requirements which are detailed and met in this document. It is a reflection of the City of Benicia's progress and priorities for the supply of housing within the framework of the General Plan's overarching goal: sustainability. This element prioritizes efficient land use and the integration of environmental, social, and economic needs to ensure that the demands of the present eight-year planning cycle will not compromise the ability of future generations to meet their own needs.

While public comment on this plan has been largely dedicated to the location of new housing, the Housing Element is about something greater: recognizing the diverse housing needs of the community and ensuring that those needs are met now and in the future. In this cycle, the City took a deliberate approach in drafting the Housing Element and focused on ways to bring all community members into discussion about housing. This effort included coordination with the City's Equity, Diversity & Inclusion Manager to identify opportunities to reach out to individuals and organizations who are often underrepresented in local decision-making. New methods of outreach, platforms, and approaches to engage with community members have been piloted through this effort. While the lingering social and health implications of the COVID-19 Pandemic have influenced this process and may have hindered early participation in community meetings, the City used all available engagement channels to encourage community participation and communication.

This chapter provides an overview of the Housing Element, including the regional and local context in which the plan is being developed, and the various approaches to public outreach and information that have been employed throughout this process.

Reliable shelter is a basic need shared by everyone. In Solano County, 397 individuals did not have reliable housing in 2021¹, 2.3 percent of households were considered overcrowded in 2019, and 34.3 percent of households were overpaying for housing in 2019.² Average rental costs have increased by 44% in the past six years³, disproportionately impacting lower-income and fixed-income households. It is commonly noted by community members that their grown children cannot afford to live in Benicia due to the cost of living and that many current homeowners could not afford to rent or buy in Benicia if they moved here today.

In Solano County the median household income for a household of four is \$99,300⁴, which means that many of our community members and City of Benicia employees in positions such as administrative clerk, rehabilitation counselor, human resources assistant, librarian, veterinary technician, maintenance custodian, or police dispatcher may meet the State definition of "very low-" or "low-" income⁵, depending on how large their household is or whether their household has more than one income. Housing is the most significant monthly cost for most households, and it informs individuals' choices about where to live, where to work, and more. In order for our City to promote the long-term viability of our businesses, we must promote the provision of housing affordable at these income levels. The availability of housing affordable to all income levels will also affect the City's ability to welcome future

¹ U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2021).

² ABAG Data Packet, 2021.

³ U.S. Census Bureau, American Community Survey 5-Year Data releases, starting with 2014-2018 through 2016-2020.

⁴ HCD, 2021, Revised State Income Limits.

⁵ Bureau of Labor Statistics, May 2021, Occupational Employment and Wage Estimates.

residents, families, business owners, and community members.

The current housing affordability crisis is not unique to Benicia, but local solutions to the crisis must be. California law recognizes the vital role local governments play in the supply and affordability of housing. Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the city or county.

The Housing Element is one of the seven mandated elements of the General Plan. Housing Element law, first enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The State Legislature has found that “the availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian family, including farmworkers, is a priority of the highest order” (Government Code Section 65580(a)).

The Housing Element establishes goals, policies, and programs to facilitate and encourage the provision of safe, adequate housing for its current and future residents of all income levels.

The purposes of the Housing Element are to:

1. Identify adequate sites for new housing to be located;
2. Establish a strategy for the development of affordable housing, as defined by State law;
3. Evaluate current constraints on housing development, including governmental constraints, and identify policies and programs to remove these barriers;
4. Create policy that promotes equal housing opportunities on the basis of race, color, national origin, religion, sex, familial status, and disability; and
5. Encourage efficient use of land and energy resources in residential development.

The Housing Element differs from the other required elements in that the State mandates that it analyze population and housing trends and include specific, detailed information on projected housing needs.

Also, unlike other General Plan elements, the Housing Element must be submitted to the California Department of Housing and Community Development (HCD) for review and certification.

The State requires Housing Elements to be updated every eight years (Government Code Section 65588) to coincide with Regional Transportation Plans, in accordance with Senate Bill (SB) 375, the “anti-sprawl” bill passed September 30, 2008.

This chapter addresses the contents of the 2023-2031 Housing Element, regional housing needs, data sources for the document, consistency with the City’s General Plan, and the City’s efforts to encourage public participation.

1.1 The City of Benicia 2023 - 2031 Housing Element

The City of Benicia partnered with the cities of Dixon, Fairfield, Rio Vista, Suisun City, Vacaville, Vallejo, and the County of Solano to form the Solano County REAP Housing Element Collaborative for this Housing Element Update. As a part of the Housing Element update process, the Solano County Collaborative combined forces to prepare a regional Housing Needs Assessment and a regional Assessment of Fair Housing. The planning period for this Housing Element extends from January 31, 2023, to January 31, 2031. The Housing Element consists of the following major components, as required by State law:

1.1.1 Public Participation (Chapter I / Appendix E)

Public participation is a key component in updating the Housing Element. The City’s civic engagement strategy that was used to solicit participation by the community is outlined in Chapter 1. Meeting summaries and results from workshops and surveys are summarized in Appendix E.

1.1.2 Program of Actions and Quantified Objectives (Chapter II)

The City must develop housing programs that meet local housing goals and fulfill State requirements. The City must develop measurable objectives for construction of new housing and the rehabilitation and conservation of existing units by income category (i.e., very low, low, moderate, and above

moderate) to make sure that both the existing and the projected housing needs are met, consistent with the City's share of the Regional Housing Needs Allocation (RHNA) that sets forth a specified number of new housing units that Benicia should plan for.

1.1.3 Site Inventory and Analysis (Chapter III)

The City must compile relevant information on the zoning, acreage, allowed density, availability of services (i.e.: police, fire, education), and infrastructure for sites that are suitable for residential development. A detailed list of sites is also included in this chapter.

1.1.4 Housing Resources (Chapter IV)

The City has summarized existing housing resources in Benicia, to include organizations and programs related to affordable housing.

1.1.5 Governmental and Nongovernmental Constraints (Chapter IV)

An assessment of governmental and nongovernmental impediments to the development of housing for all income levels is included in this chapter. This chapter also includes a discussion of energy conservation.

1.1.6 Assessment of Existing Housing Needs and Special Housing Needs (Appendix A)

Appendix A includes a community profile of population characteristics, household information, housing stock, tenure, and housing affordability. Affordable units at risk of conversion to market rate are also discussed in Appendix A. Appendix A discusses special housing needs for seniors, farmworkers, homeless, large households, and female-headed households. This includes designations of zones where emergency shelters will be allowed.

1.1.7 Fair Housing Assessment (Appendix B)

The United States Congress established the Fair Housing Act in 1968 to prohibit discrimination in the sale, rental, and financing of housing based on race, religion, and national origin. In 2018, California passed Assembly Bill (AB) 686 to address more subtle, discriminatory methods that reinforce patterns of segregation that persist in California today. The new legislation requires cities and

counties to update their Housing Element to include an assessment of fair housing practices, an analysis of the relationship between available sites and areas of high or low resources, and concrete actions in the form of programs to affirmatively further fair housing. The purpose of this assessment and analysis is to proactively promote the replacement of segregated living patterns with truly integrated and balanced living patterns and to transform racially and ethnically concentrated areas of poverty into areas of opportunity.

1.1.8 Review of the Previous Housing Element (Appendix C)

The City must review the actual outcomes of the goals, policies, programs, and quantified objectives adopted in the previous Housing Element (for years 2014-2023) and analyze the differences between what was intended and what was achieved.

1.1.9 Sites Inventory Lists (Appendix D)

The City has provided a detailed matrix that displays information for each site identified to meet the City's RHNA.

1.2 Regional Housing Needs

The State recognizes that local government plays a vital role in housing development and, in 1969, adopted a law requiring that all California jurisdictions plan for the housing needs of all residents across all income categories. Compliance with this State mandate is fulfilled through the adoption of a legally compliant Housing Element and RHNA. Failure to comply with housing element law can result in any of the following consequences:

- Legal challenges and attorney fees.
- Limited access to State funding and resources.
- Revocation of local permitting authority and local discretion over affordable housing projects.
- Financial penalties.

State housing element law (Government Code Section 65580 et seq.) requires regional councils of government (COGs) to identify for each city and county its "fair share" of the RHNA provided by HCD. The Association of Bay Area Governments (ABAG) is

the COG for the nine-county Bay Area, which includes Solano County. ABAG adopted the RHNA in December 2021 for the period June 30, 2022, to December 15, 2030 (see Table 1.1). Benicia’s share of the county’s housing need is determined by Solano County through the Regional Housing Needs Plan, adopted on September 16, 2021. The plan contains the RHNA and takes into account several factors in preparing the RHNA, including projected households, job growth, regional income distribution, and location of public transit.

The RHNA for Benicia is shown in Table 1.1, whereby Benicia must have the appropriate zoning in place to allow 750 new units to be built through the year 2030. This number does not exceed Benicia’s build-out projection anticipated in the Community Development and Sustainability Chapter the General Plan. However, in 2022 there was not adequate zoning to facilitate this magnitude of residential development, nor was it at a density that could reasonably result in the construction of affordable units.

Table 1.1 City of Benicia Regional Housing Needs Allocation, June 30, 2022 - December 15, 2030

	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
Current Regional Housing Needs Allocation	212	127	123	288	750

Source: Solano County, 6th Cycle Regional Housing Needs Plan, 2021.

1.2.1 Definitions of Household Income

- Extremely Low Income: Incomes less than or equal to 30 percent of area median family income (MFI).
- Very Low Income: Incomes between 31 and 50 percent of area MFI.
- Low Income: Incomes between 51 and 80 percent of area MFI.
- Moderate Income: Incomes between 81 and 120 percent of area MFI.

The number of new homes are split by income category based on the limits for very low-, low-, moderate-, and above moderate-income households established by the U.S. Department of Housing and Urban Development (HUD). Solano County’s 2021 income limits are shown in Table 1.2.

Table 1.2 Solano County 2021 Income Limits

Income Categories	Persons Per Household				
	1	2	3	4	5
*Extremely Low Income (<30% MFI**)	\$20,450	\$23,350	\$26,250	\$29,150	\$31,500
Very Low Income (30% - 50% MFI)	\$34,000	\$38,850	\$43,700	\$48,550	\$52,450
Low Income (50% - 80% MFI)	\$54,350	\$62,100	\$69,850	\$77,600	\$83,850
Median Income	\$69,500	\$79,450	\$89,350	\$99,300	\$107,250
Moderate Income (80% - 120% MFI)	\$83,400	\$95,300	\$107,250	\$119,150	\$128,700

* Defined in the California Health & Safety Code, Section 50106, and discussed in Appendix A.

**MFI = Median Family Income (Area Median Income, adjusted for family size)

Source: HCD Revised State Income Limits 2021

While the City is not responsible for the actual construction of these units, Benicia is, however, responsible for creating a regulatory environment in which the private market could build these additional homes. This includes the creation, adoption, and implementation of City-wide goals, policies, programs, and zoning standards, along with economic incentives to facilitate the construction of a wide range of housing types.

1.3 Data Sources

Various sources of information contribute to the Housing Element. ABAG provides a data package that has been pre-approved by HCD and serves as the primary data source for population and household characteristics. Dates for data included in the ABAG data package may vary depending on the selection of data that was made to provide the best data on the topic. The sources included in the ABAG data package are listed in the Regional Housing Needs Assessment.

In addition to the ABAG packet, data was drawn from the California Employment Development Department and City of Benicia records. Information on available services for housing comes from numerous public agencies including the US Department of Housing and Urban Development (HUD), Solano County Assessor, Consumer Financial Protection Bureau, California Department of Finance, California Department of Developmental Services, California Department of Education, and other Solano County jurisdictions. Information concerning constraints on housing production and past and current housing efforts in Benicia comes from City staff, other public agencies, and a number of private sources, including Zillow.com and Realtor.com.

1.4 General Plan Consistency

The Housing Element is one of the eight mandatory elements of the General Plan, which was last comprehensively updated by the City in 1999 (the Land Use Map was updated in 2005). For the General Plan to provide effective guidance on land use issues, the goals, policies, and programs of each element must be internally consistent. This Housing Element builds on the existing General Plan, but the City will need to update the Land Use Element and

Land Use Diagram to retain consistency across its policies. Consistency between the Housing Element and the General Plan will continue to be evaluated whenever an element of the General Plan is amended. The City will continue to ensure that the Housing Element's goals and policies are consistent with—and supported by—goals and policies in the other elements of the General Plan, or make amendments as necessary to maintain consistency.

The City is concurrently updating the Safety Element of the General Plan, and it will be consistent with the Housing Element update. The City is not required under State law to complete a standalone Environmental Justice Element.

1.5 Public Participation

California law requires that local governments include public participation as part of the Housing Element. Specifically, Government Code Section 65583(c)(7) states "that the local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort."

The City has sought to engage all segments of the community during the preparation of the Housing Element update, including the individuals, organizations, and agencies with which the City consulted; the methods of community outreach; and a summary of comments received and how these comments have been addressed. All segments of the community were encouraged by the City to participate in the preparation of the Housing Element through a series of efforts including community-wide postcards that were mailed to every Benicia household on March 4, 2022 and again on July 5, 2022, announcements on the City's social media channels and via the City's e-newsletter (*City of Benicia This Week*), distribution to the Housing Element email listserv, and direct contacts by email and phone with organizations serving low-income and special-needs groups. The City invited representatives of these groups to attend the public workshop, open houses, Planning Commission, and City Council meetings on the Housing Element. The City has not had a documented need for translation or interpretation into other languages for public outreach; therefore, translation has not been

offered during public meetings hosted in support of the Housing Element update. However, several presentations have been published to the project website in Spanish as well as English. The events listed below were conducted to solicit input on the Housing Element; results of each event and the way input was incorporated into the Housing Element are described in Appendix E.

- Housing stakeholder consultations
- Virtual workshop
- Open houses
- Property owner meetings
- Planning Commission meetings
- City Council meetings
- Committee United for Racial Equity (CURE) meeting

Regional outreach has also occurred as part of the Solano County Housing Element Collaborative. A summary of that outreach will be included in the next draft of the Housing Element.

Chapter II

Goals, Policies, and Programs

The fundamental components of a Housing Element include a statement of the community's goals and policies relative to the maintenance, improvement, and development of housing. This chapter sets forth goals, policies, and implementation programs to achieve the City's objective of providing a wide range of housing choices affordable to all segments of the community.

Goals represent the ideal future outcome relative to housing needs. Policies are statements to guide decision-making regarding housing issues and provide a link between the goals and programs. Programs are actions the City will take to implement the policies to achieve the goals. Most of the programs include quantified targets e.g., the number of housing units that are expected to be constructed, conserved, or rehabilitated through implementation of programs through 2031. These targets represent measurable outcomes, which can be used to evaluate the success of the Housing Element in the future.

Each program has an associated timeline for completion. The State requires programs that will: make sites available through zoning, assist in the development of affordable housing, remove government constraints, conserve and preserve existing housing in the city, and promote equal opportunity for housing. The programs also cite which City department or division is responsible for implementation.

The City will annually evaluate the progress and effectiveness of these efforts in accordance with State law.

2.1 The Regulatory Environment

GOAL 1: BENICIA SHALL BE AN ACTIVE LEADER IN ATTAINING THE GOALS OF THE CITY'S HOUSING ELEMENT.

POLICY 1.01: TO THE EXTENT POSSIBLE AND WITHIN THE CITY'S CONTROL, THE CITY SHALL FACILITATE THE PRODUCTION OF HOUSING THAT IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES.

Program 1.01

Work with the Benicia Housing Authority to coordinate affordable housing activities and maintain good working relations with other non-profit housing providers by:

- Consulting with the Benicia Housing Authority during the update of the Housing Element and the annual review of the Housing Element. Specifically, strategize to ensure the City's programs and the Housing Authority's programs are complementary and maximize limited housing resources;
- Continuing to share information and priorities between the City, the Benicia Housing Authority, and other non-profit housing providers;
- Association of Bay Area Governments (ABAG) is planning to include the adopted Housing Element inventories in their HESS tool once the 6th Cycle Housing Element is updated. The City plans to rely on this tool for availability of the inventory moving forward and will provide the link to this inventory on the City housing webpage for non-profit housing providers; and

- Informing the Benicia Housing Authority about units produced by the Inclusionary Housing Ordinance (Benicia Municipal Code 17.70.320) and other affordable projects and partnering with the Benicia Housing Authority to conduct affordable housing activities such as income verification and reporting.

Funding Source: General Fund

Responsible Agency: Community Development Department and Benicia Housing Authority

Timeframe: Ongoing; share the HESS tool with non-profit housing providers within one year of Housing Element adoption; establish income verification and reporting partnership by 2024.

Quantified Objective: See Program 2.01

Program 1.02

Support the Benicia Housing Authority in the administration of the Section 8 housing voucher program and apply for additional vouchers, as appropriate.

Funding Source: U.S. Department of Housing and Urban Development (HUD) Section 8

Responsible Agency: City Council, Community Development Department, and Benicia Housing Authority

Timeframe: Ongoing, when eligible

Quantified Objective: 16 lower income households access rental opportunities with Section 8 housing assistance

Program 1.03

Explore how to leverage financial resources and partner with the development community to assist first-time homebuyers with down payments. This may include partnering with the Benicia Housing Authority or hiring a consultant to administer the program. The City will evaluate funding sources every two years for this purpose.

Funding Source: General Fund, CDBG, and Building Equity and Growth in Neighborhoods (BEGIN) Program (provides down payment assistance for first-time homebuyers).

Responsible Agency: Community Development and Finance Departments

Timeframe: Evaluate funding every two years; partner with the Benicia Housing Authority or hire a consultant and re-establish the program by 2025; Ongoing

Quantified Objective: Assist 5 first-time homebuyers for every year the program is in place.

Program 1.04

Work with the Public Works Department (City's water and sewer provider) to ensure the availability and adequate capacity of water and wastewater systems to accommodate the housing needs during the planning period. Priority shall be granted to proposed developments that include housing affordable to lower-income households. In addition, the City will provide a copy of the Housing Element and any future amendments to the Public Works Department immediately after adoption.

Funding Source: General Fund

Responsible Agency: Community Development Department and Public Works Department

Timeframe: Ongoing

Quantified Objective: n/a

Program 1.05

Provide information at City Hall, other public locations, and on the City's website (www.ci.benicia.ca.us) to promote private, state, and federal homebuyer assistance programs to the public.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Add to and improve on resources on the City website by 2024 and ongoing

Quantified Objective: Refer 5 individuals or households per year to these programs during the planning period.

Program 1.06

To address the 2023-2031 Regional Housing Needs Allocation (RHNA), the City shall amend the General Plan and the Zoning Ordinance, as needed, and as detailed in Chapter III, Sites Inventory and Analysis, to provide adequate site(s) including allowing 20 dwelling units per acre or greater on sites that have been assigned units that address the lower-income RHNA. There will be no minimum density on these sites. The City intends to amend the General Plan Land Use map and text, as well as the Zoning Ordinance and zoning map as part of this program, for the Assessor's Parcel Numbers (APNs) listed in Appendix E, Table B of this Housing Element. This will include changing General Plan and zoning density and text as needed to allow for the increased densities through rezoning. An overlay zone, adopted prior to January 31, 2023, will address the zoning change needed for some of the sites as shown in Figure 3.1 of Chapter III, Sites Inventory and Analysis. Some of the requirements of this program will be achieved through inclusion of new or revised development standards or updates to processes and procedures in the Zoning Ordinance to address constraints identified in this Housing Element and facilitate increased densities, particularly in areas of concentrated affluence and where there are existing single-family homes. The types of standards and processes that will need revising include height limits, private open space standards, and findings for design review. Specifically, these changes include:

- Allow residential uses on the ground floor on commercially zoned sites included in the Housing Element through the housing overlay.
- Examining maximum building heights in the Downtown zones and increase them to allow three-story buildings.

- Review and revise development standards, as needed, to reduce any barriers to construction of a greater range of housing types within neighborhoods, particularly in areas of concentrated affluence and where there are existing single-family homes.

Some of the sites addressed in this program have been included in one or more programs to address the lower-income RHNA and are also addressed by Program 1.07.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Changes to General Plan and zoning will be completed prior to or concurrent with Housing Element adoption by January 31, 2023.

Quantified Objective: Facilitate opportunities for 565 lower-income units, 470 moderate-income units, 541 above moderate-income units, for a total of 1,576 units through redesignation and rezoning/zoning text amendments to promote the creation of housing in the CC, CO, CW, and Downtown zones to improve housing mobility, reduce displacement risk, reduce concentration of poverty and lower-income households, and increase the supply of affordable housing in higher opportunity and higher-income areas.

Program 1.07

As specified in Appendix E, Table A, some vacant parcels have been included in the land inventories of the 5th Round and 4th Round Benicia Housing Elements as suitable for lower-income units to address the City's RHNA allocation. Per Government Code Section 65583.2(c), to continue to include these parcels in that portion of the land inventory for this 6th Round Housing Element, the City will commit to update all required Zoning Ordinance and

General Plan provisions to allow projects that have at least 20 percent affordable units (extremely low, very low, or low) without discretionary review or “by right” (Government Code Section 65583.2 (i)).

Funding Source: General Fund

Responsible Agency: Community Development Department, City Council

Timeframe: Update General Plan and Zoning Ordinance by January 31, 2023

Quantified Objective: 118 lower-income units

Program 1.08

To facilitate subdivision of large sites, update Title 16, Subdivisions, of the Municipal Code to provide objective standards for subdivisions and streamline the parcel map requirements and review process.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Update the Subdivision Ordinance by December 2024

Quantified Objective: 112 lower-income units on large sites, encouraging at least 30 of these in areas of concentrated affluence to promote housing mobility.

POLICY 1.02: THE CITY WILL EXPEDITE THE REVIEW OF RESIDENTIAL DEVELOPMENT PROPOSALS THAT INCLUDE AFFORDABLE HOUSING UNITS.

Program 1.09

Provide pre-application technical assistance to affordable housing providers to determine project feasibility and address zoning compliance issues in the most cost-effective and expeditious manner possible.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Ongoing

Quantified Objective: n/a

POLICY 1.03: EDUCATE THE PUBLIC ON AFFORDABLE HOUSING TOPICS AND SOLICIT PUBLIC PARTICIPATION BY ALL ECONOMIC SEGMENTS OF THE COMMUNITY TO IMPLEMENT THE HOUSING ELEMENT.

Program 1.10

Educate the public on affordable housing through annual reporting to the Planning Commission and City Council. Current housing issues and recent accomplishments towards reaching the City's Quantified Objectives listed in the Housing Element will be addressed. This report will also serve as the annual report required by State law (Government Code Section 65400) for progress in implementing the City's General Plan, including the Housing Element. It will include annual numbers of new housing units constructed and rehabilitated. This report shall be sent to the Office of Planning and Research (OPR) annually in accordance with their due dates. Inform members of the public by publishing a notice in the local newspaper and by posting information on the City's website. Educational materials will be made available, as appropriate.

Funding Source: General Fund

Responsible Agency: City Council, Planning Commission, and Community Development Department

Timeframe: Annually, one month prior to the OPR and HCD due dates.

Quantified Objective: n/a

POLICY 1.04: THE CITY WILL REVIEW AND REVISE REGULATORY STANDARDS NECESSARY TO COMPLY WITH STATE HOUSING LAW.

Program 1.11

The City defers to state Density Bonus law in its local ordinance. The City will review and if needed amend the Zoning Ordinance to comply with changes in the state Density Bonus law (Government Code Section 65915 et seq.) and post information about state density bonus on the City's website.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Make zoning amendments by December 2024 if determined to be needed for consistency with state law and then assess and amend as needed every two years if updates to state law occur.

Information will be placed on the City's website by 2024.

Quantified Objective: 5 units, encouraging these units to be located in areas of concentrated affluence or mixed-income developments to promote housing mobility, or include units with three or more bedrooms to expand the variety of housing types available.

Program 1.12

To encourage the development of accessory dwelling units (ADUs), develop new public information and technical assistance to promote the development of ADUs in Benicia and encourage a greater range of housing types in areas of concentrated affluence to promote housing mobility for lower- and moderate-income households. The City will also update the Zoning Ordinance, as needed, to comply with State law. The City shall update and maintain its ADU webpage with information to increase public awareness and promote the construction of ADUs, and provide additional information through City newsletters and other widely-distributed information sources, particularly in areas with higher median incomes and concentrated affluence and where there are existing single-family homes, through means such as inserting informational flyers in monthly bills and providing additional information on the City's website.

Funding Source: General Fund

Responsible Agency: Community Development, Public Works, Finance Departments, and City Council

Timeframe: Make zoning amendments by December 2023 if necessary to comply with State law. Make additional updates every two years if needed to stay current

with future changes to state law. Maintain ADU information on City's webpage on an ongoing basis.

Quantified Objective: 44 ADU building permits, aiming for at least 20 of these to be in neighborhoods with higher median incomes, to improve housing mobility, reduce displacement risk, promote income integration, and increase the supply of affordable housing in higher opportunity areas (39 ADUs are assumed to address the displacement risk).

Program 1.13

The City will monitor ADU permitting throughout the planning period to track whether permits are keeping up with the ADUs anticipated in the Housing Element, including their affordability.

The City will monitor the number and affordability of ADUs as part of the City's Annual Report to determine whether the rate is on track to meet target numbers anticipated in this Housing Element. The Annual Report will be submitted to the California Department of Housing and Community Development (HCD) on a yearly basis. Implement additional actions if targets are not met.

Funding Source: General Fund

Responsible Agency: Community Development

Timeframe: Report on ADUs annually. Monitor overall progress starting in January 2025 and every two years thereafter. Take additional actions if ADU permits are not tracking with projections.

Quantified Objective: 10 ADU building permits between June 30, 2022, and the end of 2024, target educational and promotional efforts to homeowners in higher income neighborhoods and the neighborhoods designated as racially

concentrated areas of affluence north of I-780.

POLICY 1.05: THE CITY WILL CONTINUE TO PROVIDE INCENTIVES FOR AFFORDABLE HOUSING.

Program 1.14

Continue to reduce the cost of providing affordable housing:

- The City processes applications for eligible affordable housing projects within the timeframes specified in Government Code Section 65913.4(c). The City will continue to implement the City’s streamlined review process for projects eligible for SB 35 streamlining. The City also enforces SB 330 to comply with State law; and
- Annually, update the permit fee schedule in relation to the consumer price index; and
- Defer, waive, or reduce certain development fees, portions of fees, or combinations of fees for the affordable portion of any project. Benicia will promote these incentives to developers on the City’s website (www.ci.benicia.ca.us) and during the application process.

Funding Source: General Fund

Responsible Agency: City Council and Community Development Department

Timeframe: Ongoing.

Quantified Objective: 20 extremely low-, very low-, or low-income units

Program 1.15

To create additional opportunities for infill development and affordable housing, the City will help facilitate lot consolidations to combine small lots identified as part of a larger site in the Housing Element (including lots on slopes) into larger developable lots for housing. The City will meet with local developers and property owners to discuss development opportunities and incentives for lot consolidation to accommodate affordable housing units and consider additional incentives brought forth by developers. As developers/owners approach the City with interest in lot consolidation for the

development of affordable housing, the City could defer certain fees, allow more height or additional stories, waive lot merger fees for certain small contiguous lots, and provide concurrent/fast tracking of project application reviews to developers who provide affordable housing. By 2025, the City will review the effectiveness of this program and revise as appropriate. The City will also evaluate grant funding for parcel assemblage land banking when it is available.

Funding Source: General Fund (legislative efforts); Grant funding (implementation)

Responsible Agency: Community Development Department

Timeframe: Meet with developers and property owners starting in 2023 and annually thereafter. Based on the meetings with developers and property owners, add incentives as appropriate within six months. Ongoing: Support consolidation as applicable housing applications are received; Pursue grant funding as feasible during planning period if California legislation and/or programs enable a tax-increment or similar program that leads to funding for site assembly.

Quantified Objective: Support 5 lot consolidations during the planning period to improve housing mobility, reduce displacement risk, and increase the supply of affordable housing in higher opportunity areas. Approval of more applications to merge parcels that result in feasible sites for multifamily housing during the planning period.

Program 1.16

The City will utilize City-owned sites to develop 100% affordable housing projects, including units in a range of sizes and types, mixed income housing projects and projects without affordable units. Ten

of the City-owned sites (comprised of 17 total parcels) included in the sites inventory will require more focus through this program either because they include lower income units in the inventory or are non-vacant or because they require rezoning (opportunity sites). There are some additional vacant City-owned sites with moderate and/or moderate units assigned to them that are already suitably zoned. The process to make City-owned sites available will include outreach to create partnerships with affordable housing developers that can maximize the opportunities and number of units. This process will be undertaken by June 2024. Once a list of qualified developers is complete, the first two RFPs will be issued by the end of 2024, in order to begin construction within two years and complete within the housing element cycle period. Two more RFPs on additional City-owned sites will be issued by the end of 2026. Two additional RFPs will be issued by the end of 2028. If more RFPs can be issued during the planning period the City will strive for that.

The City-owned sites listed in the tables at the end of Chapter III and Appendix D (Table A and B) subject to this program are:

- Site 8: E Street Lot #1
- Site 9: E Street Lot #2
- Site 18: 356 East I Street
- Site 19: Senior Center and Adjacent Land
- Site 28: 612 East I Street
- Site 29: 600 Block of East I Street
- Site 39: Benicia Fire Museum Site
- Site 45: 1471 Park Road
- Site 46: Church Street Sites
- Site 48: Benicia Cemetery Site

Funding Source: General Fund for staff resources to administer program; City-owned land; affordable housing developer partners to use multiple funding sources.

Responsible Agency: Community Development Department

Timeframe: Start outreach to developers by June 2024. Issue first RFPs in 2024 and second set of RFPs in 2026, third set of RFPs in 2028. Building Permit issuance for first project by 2025; two building permits issued by 2029.

Quantified Objective: Issuance of building permits for three projects.

2.2 Accommodating Housing Units

GOAL 2: HAVE AN ADEQUATE SUPPLY AND MIX OF HOUSING TYPES TO MEET EXISTING AND FUTURE HOUSING NEEDS. FUTURE DEVELOPMENT IN THE CITY WILL ADHERE TO EFFICIENT LAND USE PATTERNS PLACING HOUSING NEAR TRANSIT AND SERVICES.

POLICY 2.01: REQUIRE AFFORDABLE HOUSING IN RESIDENTIAL DEVELOPMENTS UNDER THE INCLUSIONARY HOUSING PROGRAM.

POLICY 2.02: REQUIRE DECISION MAKERS TO GIVE EQUAL PREFERENCE TO ON-SITE CONSTRUCTION OF INCLUSIONARY HOUSING UNITS AND ALL OTHER ALTERNATIVE OPTIONS.

Program 2.01

The City has an existing Inclusionary Housing Ordinance. It is currently being updated. As the City updates the existing ordinance, they will:

1. Potentially increase the range of affordability levels from moderate to very low.
2. Include income verification and monitoring in the ordinance.

The City provides incentives and regulatory concessions in the Community Benefits chapter of the Eastern Gateway Study citywide. In addition, the City evaluated the impacts of the inclusionary ordinance on the feasibility of development with other City regulations in 2022 which is informing the proposed changes to the ordinance.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Finalize updates to the Inclusionary Housing Ordinance by December 2022

Quantified Objective: 150 units, particularly in areas of concentrated affluence north of I-780 and where there are existing single-family homes, to reduce displacement risk, promote housing mobility, diversify the types of units available, reduce concentrations of renter and overpaying households, and increase the supply of affordable housing in higher opportunity areas.

POLICY 2.03: MAINTAIN AN ADEQUATE SUPPLY OF RESIDENTIAL LAND IN APPROPRIATE LAND USE DESIGNATIONS AND ZONING CATEGORIES TO ACCOMMODATE THE CITY'S REGIONAL HOUSING NEEDS ALLOCATION.

POLICY 2.04: DISPERSE AFFORDABLE HOUSING THROUGHOUT THE CITY TO AVOID CONCENTRATION IN ANY ONE PART OF THE CITY.

Program 2.02

As part of its next General Plan update, the City shall build on the work completed in the Eastern Gateway Study to continue to work to establish efficient land use and development patterns that conserve resources, such as fuel, water, and land, and allow for higher-density development in the vicinity of major transit nodes, set forth pedestrian-oriented development patterns, and preserve open space areas in an effort to promote healthy environmental and living conditions with improved access to resources.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: During the next comprehensive update of Benicia's General Plan.

Quantified Objective: n/a

Program 2.03

The City will annually evaluate the sites inventory identifying the zoning, size, and number of vacant and underutilized parcels suitable for residential development for each income category. If the sites inventory indicates a shortage of available sites to accommodate the remaining RHNA for an income category, the City shall rezone sufficient sites with appropriate densities to accommodate its remaining RHNA for each income category.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Annually update the sites inventory in conjunction with Government Code Section 65400, Housing Element Annual Reports.

Quantified Objective: n/a

POLICY 2.05: SEEK APPROPRIATE PRIVATE, LOCAL, STATE, AND FEDERAL FUNDING TO SUBSIDIZE COSTS OF HOUSING FOR EXTREMELY LOW-, VERY LOW-, LOW-, AND MODERATE-INCOME HOUSEHOLDS IN BENICIA.

POLICY 2.06: ENCOURAGE THE DEVELOPMENT OF SECOND- AND THIRD-STORY RESIDENTIAL UNITS ALONG FIRST STREET IN DOWNTOWN BENICIA.

Program 2.04

The City will monitor available funding sources and activities to pursue based on competitive funding considerations, the funding cycles of various State and federal sources, and housing provider interest. The City will contact these funding sources to make sure they are on all pertinent distribution lists for funding opportunities. The City will keep these funding sources updated on appropriate contact persons at the City.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Annually, following Housing Element Adoption

Quantified Objective: n/a

POLICY 2.07: THE CITY OF BENICIA WILL WORK WITH THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) AND SOLANO TRANSPORTATION AUTHORITY TO CREATE A REGIONAL DEVELOPMENT PATTERN THAT IS COMPACT AND CONNECTED AND ENCOURAGES FUTURE POPULATION AND HOUSING IN AREAS NEAR TRANSIT. FUTURE GROWTH IN THE CITY OF BENICIA WILL BE TARGETED TOWARDS PRIORITY DEVELOPMENT AREAS (PDAS) AND PRIORITY PRODUCTION AREAS (PPAS) WITHIN CITY LIMITS, WHERE A DIVERSITY OF HOUSING, JOBS, ACTIVITIES, AND SERVICES ARE PRESENT TO MEET THE DAILY NEEDS OF RESIDENTS. THE MAP OF THE PDAS CAN BE FOUND IN APPENDIX D.

Program 2.05

Consult with ABAG and apply for financial assistance from the One Bay Area (OBAG) program for projects within priority development areas in the City.

Funding Source: General Fund and ABAG
Responsible Agency: Community Development Department
Timeframe: Ongoing as funding opportunities arise

Quantified Objective: n/a

2.3 Special Needs

GOAL 3: ACCOMMODATE THE HOUSING NEEDS OF SPECIAL POPULATION GROUPS.

POLICY 3.01: FACILITATE THE DEVELOPMENT OF SHELTERS FOR THE HOMELESS, TRANSITIONAL AND SUPPORTIVE HOUSING, HOUSING FOR SENIORS, AND HOUSING FOR PERSONS WITH PHYSICAL, DEVELOPMENTAL, OR MENTAL DISABILITIES.

Program 3.01

Amend the Zoning Ordinance to comply with Senate Bill 2 under the Housing Accountability Act to limit the standards applying to emergency shelters to only those that comply with state law. This will include, but may not be limited to, distance requirements, amenities required to be provided, and compatibility with surrounding uses. The purpose of these standards are to encourage and facilitate homeless shelters through clear and unambiguous guidelines for the application review process, the basis for approval, and the terms and conditions of approval. In addition, to comply with AB 101, the City will amend the Zoning Ordinance to define and

specifically reference low-barrier navigation centers as permitted without discretionary review in areas zoned for mixed use and nonresidential zones permitting multifamily uses.

Funding Source: General Fund
Responsible Agency: Community Development Department
Timeframe: Amend zoning by December 2025.

Quantified Objective: n/a

Program 3.02

Pursuant to the Fair Housing Amendments Act of 1988 and the requirements of Chapter 671, Statutes of 2001 (Senate Bill 520), the City adopted a reasonable accommodation ordinance addressing rules, policies, practices, and procedures that may be necessary to ensure equal access to housing for those with disabilities. The City will review and update the reasonable accommodation procedure findings in Chapter 17.132 of the Zoning Ordinance for constraints and conflicts with State law. Specifically, the following two findings for approval of a reasonable accommodation request will be reviewed and updated if needed:

1. There are no other reasonable alternatives that would provide an equivalent level of benefit without requiring a modification or exception to the city's applicable rules, standards, and practices.
2. The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

The City promotes its reasonable accommodations procedures with a handout on its website.

Funding Source: General Fund
Responsible Agency: Community Development Department
Timeframe: Evaluate findings and update zoning by December 2025.

Quantified Objective: n/a

POLICY 3.02: SUPPORT SOLANO COUNTY AND THE COMMUNITY ACTION COUNCIL (CAC) IN APPLYING FOR FUNDS TO MAINTAIN ADEQUATE LOCAL AND COUNTY FACILITIES FOR HOMELESS PERSONS THROUGH LETTERS OF SUPPORT SIGNED BY THE CITY MANAGER AND CONTINUANCE OF AN ANNUAL ALLOCATION FROM THE CITY’S BUDGET.

Program 3.03

The City will assist the CAC in promoting the availability of resources by posting notifications on the City’s website (www.ci.benicia.ca.us). The CAC is part of a County-wide consortium of community service groups who join together in applying for applicable state and federal funds for their organizations. They have found this collaborative approach, supported by their respective governmental jurisdictions, much more successful than if each individual agency applied for funds. Continue to refer persons in need of transitional housing assistance to the CAC. Meet annually with the CAC to determine the need for transitional housing facilities.

Funding Source: General Fund and Stewart B. McKinney Homeless Program (a federal law that created funding for homeless assistance programs)

Responsible Agency: Community Development and Finance Departments, City Manager, and Community Action Council

Timeframe: Meet annually; Ongoing

Quantified Objective: n/a

POLICY 3.03: WORK WITH THE BENICIA COMMUNITY ACTION COUNCIL (CAC) AND THE BENICIA HOUSING AUTHORITY TO FACILITATE PROGRAMS TO ASSIST SPECIAL NEEDS GROUPS IN BENICIA.

POLICY 3.04: TO THE EXTENT FEASIBLE, THE CITY WILL SUPPORT DEVELOPMENT OF HOUSING SERVING LARGE FAMILIES AND FEMALE- HEADED HOUSEHOLDS.

Program 3.04

The City will require the provision of needed social services in all City-funded affordable housing projects. These services should address the needs of single mothers and families and could include childcare, counseling, and education. If necessary,

the zoning ordinance will be amended to allow these uses at these project locations.

In addition, consider the following measures to address the following housing needs in the city:

- Incentivize on-site child care in mixed use and multifamily development as a community benefit, particularly for projects in areas with higher proportions of single parent households
- Promoting intergenerational facilities, such as senior centers located in the same place with or near child care centers.

After studying these options, determine whether to initiate a program and/or modify existing zoning to achieve the purposes of this program.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Study options for additional program related to child care and intergenerational facilities by December 2026. If program is to be established, establish by December 2027. Ongoing as City-funded projects are approved.

Quantified Objective: Target integrative support services on City-owned sites.

Program 3.05

City staff will work with housing providers to ensure that special housing needs and the needs of lower-income households are addressed for persons with disabilities and developmental disabilities, seniors, large families, single parent-headed households with children, and extremely low-income households. The City will identify opportunities to reach out to developers of special-needs housing through the Surplus Lands Act process to pursue housing projects in the city. The City will seek to support special housing needs through a combination of regulatory incentives and zoning standards. In addition, as appropriate, the City will assist and/or provide support for funding applications under state and federal programs designated specifically for special-

needs groups. In addition, the City will amend the Zoning Ordinance to comply with the Employee Housing Act, specifically Health and Safety Code Section 17021.5 that requires employee housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. The City will specifically define this type of employee housing in the Zoning Ordinance and permit it in all zoning districts that allow single-family residences.

Funding Source: Federal Housing Opportunities for Persons with AIDS, California Child Care Facility Financing Program, and other state and federal programs designated specifically for special-needs groups

Responsible Agency: Community Development Department

Timeframe: Seek funding opportunities beginning in 2023 and annually thereafter; all implementation action components are ongoing. Amend the Zoning Ordinance to comply with the Employee Housing Act by December 2025.

Quantified Objective: Assist with creation of 30 units for those with special needs to reduce displacement risk and expand mobility opportunities.

POLICY 3.05: THE CITY SHALL ENCOURAGE HOUSING DEVELOPMENT THAT MEETS THE SPECIAL NEEDS OF PERSONS WITH DISABILITIES, INCLUDING INDIVIDUALS WITH DEVELOPMENTALLY DISABLED, AND ENSURE THAT MULTIPLE FAMILY DEVELOPMENTS COMPLY WITH THE HANDICAPPED PROVISIONS OF THE CALIFORNIA BUILDING CODE AND AMERICANS WITH DISABILITIES ACT (ADA).

Program 3.06

The City shall prioritize the creation of housing that includes units for persons with disabilities, including developmental disabilities, in areas with access to transit, services and amenities. Currently, rental assistance programs for those with disabilities are in place with the Family Resource Center and Benicia Housing Authority. A repairs program is also operated

by the Benicia Housing Authority to reduce displacement risk. The City will continue to work with disability service providers to identify and address gaps in housing that meets the special needs of persons with disabilities. Generally, such models could include the following: (a) coordinating with the North Bay Regional Center, North Bay Housing Coalition, and other local agencies to pursue funding to maintain housing affordability for persons with disabilities, including developmental disabilities; (b) encourage affordable housing projects to dedicate a percentage of housing for disabled individuals; (c) assisting in providing housing services that educate, advocate, inform, and assist persons with disabilities to locate and maintain housing; and (e) assisting in the maintenance and repair of housing for persons with developmental disabilities.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Ongoing; Meet with service providers by December 2023 to discuss strategies to improve outreach and service capacity. Implement those strategies, as identified, within the planning period.

Quantified Objective: 30 units that are accessible to residents with disabilities during the planning period.

Program 3.07

To comply with State law and to affirmatively promote more inclusive communities, the City will review and revise the City's requirements for residential care facilities with less than seven and seven or more persons and permit them as a residential use subject only to those uses. These types of facilities are still subject to State licensing requirements if it is a facility that requires a state license.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Amend zoning by December 2024.

Quantified Objective: 10 residential care beds in areas of concentrated affluence, and where there are existing single-family homes to improve housing mobility, reduce displacement risk, and increase the supply of affordable housing for lower-income households in higher opportunity areas.

Program 3.08

To comply with State law, amend the Zoning Ordinance to clearly define single-room occupancy units as a use under the definition for Group Residential housing.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Amend zoning by December 2024.

Quantified Objective: 20 units; of these, encourage 10 units in areas of concentrated affluence to reduce concentrations of poverty and introduce mixed housing types in higher income neighborhoods.

2.4 Preserve and Maintain Housing Stock

GOAL 4: HOMES IN BENICIA ARE PRESERVED AND WELL-MAINTAINED.

POLICY 4.01: APPLY FOR PRIVATE, STATE, AND FEDERAL FUNDING ASSISTANCE TO REHABILITATE HOMES WHERE NEEDED.

Program 4.01

Establish a rehabilitation grant or reimbursement program to assist homeowners, particularly for mobile home park residents and lower-income households, with rehabilitation needs to provide weatherization, accessibility retrofits, or other rehabilitation services. In addition, announce the availability of such funds through noticing on the City's website, local government access channel,

through several display ads, advertisements at the Benicia Library, and at the Planning Counter. Also, create and provide flyers to the Community Action Council, Benicia Housing Authority, and other affordable housing affiliates.

Funding Source: CDBG funds, and CHFA funds

Responsible Agency: City Manager, Community Development Department, and Non-Profit Developer(s).

Timeframe: Establish new program by 2026. Annually review existing available resources and apply, as needed, for additional state funding.

Quantified Objective: Assist 40 units with rehabilitation opportunities and reduce displacement and foster place-based revitalization during the planning period.

POLICY 4.02: LIMIT THE CONVERSION OF RESIDENTIAL STRUCTURES TO NON-RESIDENTIAL USES AND AFFORDABLE UNITS TO MARKET-RATE.

Program 4.02

Implement procedures applicable to inclusionary for-sale units, such as the resale control mechanism, equity recapture, qualifications for subsequent buyers, and other relevant issues that are not listed in the inclusionary housing ordinance, to ensure ongoing affordability. For this planning period this will include creating an updated affordable housing agreement and setting up a program to administer and report on affordable units, including Inclusionary Units, and review regulations and guidance from other jurisdictions to implement best practices for administration of inclusionary units.

Funding Source: General Fund

Responsible Agency: City Manager and Community Development Department

Timeframe: Update affordable housing agreement and review best practices from other jurisdictions by 2024; establish new administration

and reporting program by 2025; ongoing

Quantified Objective: n/a

Program 4.03

Pursuant to Assembly Bill (AB) 1521, the City will monitor the list of all dwellings in Benicia that are subsidized by government funding or low-income housing developed through local regulations or incentives. The list will include, at a minimum, the number of units, the type of government program, and the date on which the units are at risk to convert to market-rate dwellings. There have been 24 units (see Analysis of At-Risk Housing section in Regional Housing Needs Assessment) identified as at risk of converting to market rate within 10 years of the beginning of the 6th round Housing Element planning period. The list will include, at a minimum, the project address; number of deed-restricted units, including affordability levels; associated government program; date of completion/ occupancy; and the date on which the units are at risk to convert to market rate. The City will work to reduce the potential conversion of any units to market rate to reduce the potential for displacement and placement of additional constraints on the existing affordable housing stock through the following actions:

- Monitor the status of affordable projects, rental projects, and manufactured homes in Benicia. Should the property owners indicate the desire to convert properties, consider providing technical and financial assistance, when possible, to incentivize long-term affordability.
- If conversion of units is likely, work with local service providers as appropriate to seek funding to subsidize the at-risk units in a way that mirrors the HUD Housing Choice Voucher (Section 8) program. Funding sources may include state or local funding sources to reduce potential for displacement of residents.

Pursuant to State law (Government Code Sections 65853.10, 65863.11, and 65863.13), owners of deed-restricted affordable projects are required to provide notice of restrictions that are expiring to all prospective tenants, existing tenants, and the City

within 3 years, 12 months, and 6 months before the scheduled expiration of rental restrictions. In addition, the City or owner will provide notice to HUD, HCD, and the local legal aid organization. Owners shall also refer tenants of at-risk units to educational resources regarding tenant rights and conversion procedures and information regarding Section 8 rent subsidies and any other affordable housing opportunities in the city. In addition, notice shall be required prior to conversion of any units to market rate for any additional deed-restricted lower-income units that were constructed with the aid of government funding, that were required by inclusionary zoning requirements that were part of a project granted a density bonus, or that were part of a project that received other incentives.

If a development is offered for sale, HCD must certify persons or entities that are eligible to purchase the development and to receive notice of the pending sale. Placement on the eligibility list will be based on experience with affordable housing.

When necessary, the City shall continue to work with property owners of deed-restricted affordable units who need to sell within 55 years of the unit's initial sale. When the seller is unable to sell to an eligible buyer within a specified time period, equity-sharing provisions are established (pursuant to the affordable housing agreement for the property), whereby the difference between the affordable and market value is paid to the City to eliminate any incentive to sell the converted unit at market rate. Funds generated would then be used to develop additional affordable housing within the city. The City shall continue tracking all residential projects that include affordable housing to ensure that the affordability is maintained for at least 55 years for owner-occupied units and 55 years for rental units, and that any sale or change of ownership of these affordable units prior to satisfying the 45- or 55-year restriction shall be "rolled over" for another 45 or 55 years to protect "at-risk" units.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Ongoing communication with owners, service providers, and eligible potential purchasers; work with owners of deed-

restricted units on an ongoing basis, in particular at the time of change of ownership.

prevent displacement of occupants.

Quantified Objective: Continue to monitor the 24 assisted units, and if any become at risk, work with property owners to develop a strategy to provide assistance to maintain or replace 24 at-risk units as affordable to reduce potential for displacement of tenants and loss of affordable housing stock in the city.

POLICY 4.03: ENCOURAGE CONTINUED UPKEEP OF EXISTING ECONOMICALLY VIABLE MOBILE HOME PARKS AND WORK WITH THE STATE TO ENSURE REGULATORY COMPLIANCE.

Program 4.04

Work with the owners of the mobile home parks to determine future plans and the feasibility of continuing mobile home park use. The City will work with the owners to ensure maintenance, upkeep, and compliance with State regulations. If appropriate, the City will assist the owner in accessing state or federal funds for improvements to substandard or dilapidated parks and units or in converting the park to resident ownership. Maintaining affordable units in mobile homes parks will be a priority of the City in order to reduce displacement risk and maintain the existing stock of affordable housing while facilitating place-based revitalization.

The City will also continue to implement its mobile home park conversion ordinance to ensure that any conversion of a mobile home park is preceded with adequate notice and relocation assistance. A relocation plan must be submitted to the Planning Commission for approval as part of the application for conversion.

Funding Source: General Fund

Responsible Agency: Community Development Department and HCD.

Timeframe: Contact owners annually

Quantified Objective: Work with owners of mobile home parks to maintain 238 units of affordable housing to

POLICY 4.04: PURSUANT TO STATE LAW (RECOGNIZING LIMITED ALLOWED CIRCUMSTANCES), THE CITY WILL COUNT EXISTING UNITS TOWARD MEETING THEIR REGIONAL HOUSING NEED. THE CITY MAY TAKE CREDIT FOR EXISTING UNITS THAT WILL BE: (1) SUBSTANTIALLY REHABILITATED, (2) CONVERTED FROM NON-AFFORDABLE TO AFFORDABLE (MULTIFAMILY RENTAL HOUSING OF FOUR OR MORE UNITS), OR (3) PRESERVED AT AFFORDABLE HOUSING COSTS TO LOW- OR VERY LOW-INCOME HOUSEHOLDS.

Program 4.05

As new projects, code enforcement actions, and other opportunities arise, the City will continue to investigate ways to meet its housing needs through rehabilitation and preservation of existing units.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Ongoing

Quantified Objective: n/a

Program 4.06

In accordance with California Government Code Section 65583.2(g), the City will require replacement housing units subject to the requirements of California Government Code Section 65915(c)(3) on sites identified in the sites inventory when any new development (residential, mixed-use, or nonresidential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years.

This requirement applies to:

- Non-vacant sites;
- Vacant sites with previous residential uses that have been vacated or demolished.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Ongoing, the replacement requirement will be implemented immediately and

applied as applications on identified sites are received and processed.

Quantified Objective: n/a

Program 4.07

Continue to enforce City Codes on property development and maintenance, including on foreclosed homes, to promote place-based revitalization. Conduct a windshield survey of substandard homes twice during the planning period, and use the Code Enforcement program as the primary tool for the City to identify and confirm dwelling units that are unsafe to occupy. Initiate appropriate actions to bring substandard housing units into compliance for the improvement of overall housing conditions in Benicia and to minimize the impact of substandard housing on displacement risk for lower income households. If units are rented, and rehabilitation or habitability results in the need for tenants to vacate the property, require the property manager or landlord to provide relocation assistance.

Funding Source: General Fund

Responsible Agency: Code Enforcement Division

Timeframe: Ongoing; Conduct a windshield survey of substandard homes, which may include foreclosed homes, twice during the planning period.

Quantified Objective: Survey 10 substandard homes during each survey to facilitate place-based revitalization.

Program 4.08

The City will amend the Zoning Ordinance to permit reconstruction of non-conforming multi-family residential structures in the event of a hazardous event.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Amend zoning by December 2025.

Quantified Objective: n/a

2.5 Equal Access

GOAL 5: ENSURE EQUAL HOUSING OPPORTUNITIES FOR ALL PERSONS IN BENICIA REGARDLESS OF AGE, RACE, RELIGION, GENDER, MARITAL STATUS, ANCESTRY, NATIONAL ORIGIN, DISABILITY, FAMILY STATUS, SEXUAL ORIENTATION, POLITICAL AFFILIATION, SOURCE OF INCOME, OR OTHER BARRIERS THAT PREVENT CHOICE IN HOUSING.

POLICY 5.01: CONTINUE TO PROVIDE A POINT OF CONTACT FOR REFERRAL OF DISCRIMINATION COMPLAINTS.

Program 5.01

In compliance with California Government Code Sections 8899.50, 65583(c)(5), 65583(c)(10), 65583.2(a) (AB 686), develop a plan to “affirmatively further fair housing” (AFFH). The AFFH plan shall take actions to address significant disparities in housing access and needs for all persons regardless of race, color, religion, sex, gender, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or disability and any other characteristic protected by the California Fair Employment and Housing Act (Part 2.8, commencing with Section 12900, of Division 3 of Title 2), Government Code Section 65008, and any other state and federal fair housing and planning law.

Specific actions include:

- Implement the following strategies to affirmatively further fair housing in coordination with the efforts of this action.
 - Strategies to facilitate housing mobility/expand affordable housing in high opportunity areas: Programs 1.01, 1.03, 1.05, 1.06, 1.11, 1.14, 2.01, 3.06, 3.07, 3.08, 5.01, 5.02
 - Strategies to reduce or prevent displacement/place-based revitalization strategies: Programs 1.01, 1.03, 1.05, 1.06, 1.11, 1.14, 2.01, 3.07, 3.08, 4.01, 4.07, 5.01, 5.03

- Continue to implement the complaint referral process for those persons who believe they have been denied access to housing due to discrimination, particularly in higher need areas of the city, through the process listed below. The City will assist at least 20 residents annually through the complaint referral process. If fewer than 20 residents use the process, provide assistance to all that do.
 - Educate selected staff in the Community Development, City Attorney, and City Manager departments on responding to complaints received regarding potential claims of housing discrimination. Provide the selected personnel with a handout detailing the process for someone with a complaint and the agencies that should be contacted regarding a claim: Legal Aid of Northern California.
 - Notify and maintain a log of all complaints received at the City Attorney's office.
 - Make information regarding the housing discrimination complaint referral process available by the Benicia Housing Authority and CAC to their clients and on the City's website (www.ci.benicia.ca.us). The City will also continue to maintain a supply of complaint forms and informational brochures at City Hall.
- Within one year of adoption, meet with SolTrans to identify unmet transit demand, particularly determining if Benicia residents would benefit from more frequent or expanded service. Meet with SolTrans by December 2023, and conduct a survey of unmet needs by December 2025. Continue to meet with SolTrans on an annual basis.
- By December 2023, distribute information via mailers, flyers at City Hall, and on the City's website to landlords and property managers about the Housing Choice Voucher (Section 8) program and avoiding discriminatory practices based on income or other protected classes. Include information

about the benefits on advertising their units to voucher holders. Resend information annually and coordinate with the Benicia Housing Authority to track whether the number of available units has increased. The City will also coordinate with fair housing providers to conduct biannual trainings for landlords and property owners regarding fair housing laws and requirements. The City will seek to engage at least 8 housing providers for each training. The intent of this outreach and training is to encourage landlords and property managers to increase the supply of units available to Section 8 participants by at least 30 and reduce complaints about source of income discrimination by at least 50 percent over the course of the planning period.

- Contract with a fair housing provider to provide housing audits in order to reduce displacement risk, particularly in lower opportunity areas of Benicia. By August 2023, the City will issue a Request for Proposals for partnership with an external consultant to provide this service. The City will initiate solicitation and contracting with an organization to assist the City with providing housing audits annually. The City will either renew the contract or seek a new fair housing provider to provide the same service on a yearly basis.
- Conduct targeted and multilingual outreach strategies and programs described in Program 5.02 for groups with special needs, including Latinx residents, to increase access to City housing programs and remove barriers to homeownership.

Funding Source: General Fund and CDBG Funds

Responsible Agency: Community Development Department

Timeframe: Refer to each strategy in this Affirmatively Furthering Fair Housing (AFFH) program for specific timeframes (see above).

Quantified Objective: See individual strategies bulleted in Program 5.01 above with specific targets.

Program 5.02

The City will implement multilingual communication and outreach strategies for City-funded affordable housing developments as follows:

- Survey residents by December 2023 to determine whether there is a need for translation services at public meetings and in public materials. Following the initial survey, the City will then reassess translation needs every two years, updating public materials accordingly.
- Provide translation services for languages identified through the survey at all public meetings by July 2024 and ensure all public materials are translated and made available.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Refer to each strategy in the Affirmatively Furthering Fair Housing (AFFH) program for specific timeframes.

Quantified Objective: See individual strategies bulleted in Program 5.02 above with specific targets.

POLICY 5.02: THE CITY SHALL WORK WITH HOMEBUILDERS TO ENCOURAGE UNIVERSAL DESIGN IN NEW CONSTRUCTION AND REMODELS. UNIVERSAL DESIGN IS BASED ON THE UNDERSTANDING THAT THROUGHOUT LIFE, PEOPLE MAY EXPERIENCE CHANGES IN THEIR ABILITIES. THE GOAL OF UNIVERSAL DESIGN IS TO DESIGN ENVIRONMENTS TO BE USABLE BY ALL PEOPLE, TO THE GREATEST EXTENT POSSIBLE, WITHOUT THE NEED FOR ADAPTATION OR SPECIALIZED DESIGN.

Program 5.03

The City will consider adoption of residential standards in the City's Building Code to encourage universal design features in new homes, and expand consumer awareness by providing information on universal design features at the City's Permit Center and develop resource information for the City's website.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Adopt design standards and create promotional information by December 2026. Determine whether to establish incentives by December 2026. If determined that incentives will be established, establish by December 2027.

Quantified Objective: Encourage construction of 5 universal design housing units that are accessible to occupants or visitors with disabilities

POLICY 5.03: THE CITY SHALL FURTHER CONDUCT REVITALIZATION EFFORTS AND REDUCE ENVIRONMENTAL HEALTH CONCERNS NEAR INDUSTRIAL USES.

Program 5.04

Environmental health is determined by air quality, health, climate change related outcomes, water quality, cancer prevalence, and more. Neighborhoods with poor environmental health conditions are often correlated to their proximity to industrial uses, major transit corridors, and other larger pollution sources. The City will facilitate environmental health-oriented place-based revitalization of neighborhoods, particularly for housing in closer proximity to the Valero Refinery and other industrial uses on the eastern side of the city, which are more heavily impacted by pollution from prior industrial uses, diesel particulate matter from proximity to regional freeways, and the Valero Refinery through the following strategies:

- Continue to enhance parks, open space, and tree plantings in these areas to improve environmental health. Facilitate safe pedestrian and bicycle access to parks or open space to reduce environmental health disparities across the city.
- Work with Port lessees and Caltrans to reduce regional air quality impacts associated with regional transportation facilities. The City will meet with Port lessees and Caltrans annually, as feasible, to identify options for air quality improvements and coordinate action implementation.

- Increase active transportation facilities in eastern Benicia to reduce dependence on automobiles and enhance safe connections to existing pedestrian and bicycle routes, such as the Carquinez Strait Scenic Loop Trail on the Benicia-Martinez Bridge. The City will identify at least two active transportation projects in eastern Benicia by December 2024.
- Review and update the City of Benicia’s planning standards to address proximity disclosures for residences within ¼ mile of industrial districts and ensure that adequate physical separation and landscape buffers are provided.

Funding Source: General Fund

Responsible Agency: Community Development Department and Public Works Department

Timeframe: Refer to each strategy in this Affirmatively Furthering Fair Housing (AFFH) program for specific timeframes (see above). All other actions are ongoing.

Quantified Objective: See individual strategies bulleted in Program 5.04 above with specific targets.

2.6 Energy Efficiency and Water Conservation

GOAL 6: HOUSING IN BENICIA IS ENERGY EFFICIENT.

POLICY 6.01: ENFORCE STATE REQUIREMENTS FOR ENERGY CONSERVATION IN NEW RESIDENTIAL PROJECTS AND ENCOURAGE RESIDENTIAL DEVELOPERS TO EMPLOY ADDITIONAL ENERGY CONSERVATION MEASURES WITH RESPECT TO SITING OF BUILDINGS, LANDSCAPING, AND SOLAR ACCESS.

Program 6.01

The City will continue to implement the latest version of the California Green Building Standards Code (last adopted by reference in 2019 by City Council Ordinance 19-14). The City will evaluate opportunities for integrating additional green

building standards into the Zoning Ordinance and Landscape Code.

Funding Source: General Fund

Responsible Agency: Community Development Department

Timeframe: Track energy use annually; ongoing.

Quantified Objective: n/a

POLICY 6.02: ENFORCE THE CALIFORNIA ENERGY COMMISSION ENERGY-EFFICIENCY REQUIREMENTS IN NEW HOUSING AND ENCOURAGE THE INSTALLATION OF ENERGY-SAVING DEVICES IN PRE-1975 HOUSING.

Program 6.02

Continue to implement the Property Assessed Clean Energy (PACE) and Residential Solar Rebate Programs. Continue to maintain partnerships with MCE and local solar vendors in promoting the Residential Solar Rebate Program. These programs will help finance energy efficiency and renewable energy upgrades to buildings.

Funding Source: General Fund, grants, private-public partnerships

Responsible Agency: Community Development Department

Timeframe: Property Assessed Clean Energy (PACE) programs: Ongoing.
Residential Solar Rebate Program needs additional financing: Ongoing

Quantified Objective: n/a

Program 6.03

Promote water conservation by continuing to partner with the Solano County Water Agency (SCWA) to provide rebates for the Turf Replacement Program. Continue to promote SCWA’s water-efficiency rebate programs.

Funding Source: General Fund, grants, private-public partnerships

Responsible Agency: Community Development Department

Timeframe: Ongoing

Quantified Objective: n/a

Program 6.04

Continue to distribute information from PG&E, MCE, and others that detail energy conservation measures for existing buildings and new construction.

Funding Source: General Fund

Responsible Agency: Community Development
Department

Timeframe: Ongoing

Quantified Objective: n/a

POLICY 6.03: ENCOURAGE GREEN BUILDING DESIGN STANDARDS IN NEW CONSTRUCTION TO ACHIEVE INCREASED ENERGY CONSERVATION.

Program 6.05

Continue to expand digital outreach and education through comprehensive web-based resources and regular electronic newsletters.

Funding Source: General Fund

Responsible Agency: Community Development
Department

Timeframe: Ongoing

Quantified Objective: n/a

2.7 Summary of Quantified Objectives

Table 2.1 summarizes the quantified objectives for all these programs.

Table 2.1 Summary of Quantified Objectives

	Income Categories				
	Very Low	Low	Moderate	Above-Moderate	Total
New Construction ¹	212	127	123	288	750
Rehabilitation ²	10	10	20	0	40
Preservation/Conservation ³	12	12	0	0	24
Total	234	149	143	288	814

1 Corresponds to RHNA.

2 Corresponds to quantified objective in Program 4.01.

3 The 24 units to be conserved/preserved correspond to the at-risk assisted units in the city (see Table 2-41 in the Regional Housing Needs Assessment).

Chapter III

Sites Inventory and Analysis

3.1 Sites Inventory

State law emphasizes the importance of an adequate land supply by requiring each Housing Element to identify “...sites...to facilitate and encourage the development of a variety of types of housing for all income levels...” (Government Code Section 65583(c)(1)). To provide for new housing, enough land must be zoned to allow for the construction of a variety of housing at densities that will satisfy the objectives of the Housing Element. The land must also have access to appropriate public services, such as water, sewage treatment, and roads.

The combination of development standards that define the areas available for housing programs include:

- Lot coverage
- Parking
- Height/stories
- Setbacks
- Landscaping
- Density

3.1.1 Typical Built Densities

There is a range of built densities in the city that vary by zoning district and topography. South of I-780, the City has not consistently experienced typical built densities or development, such as subdivisions or apartment complexes, due to their varied, unique built environment and a history of typically smaller residential projects. In the 1970s, the City absorbed the development of over 7,000 acres north of I-780 with low-density single-family homes in what is now the Southampton neighborhood. Overall, building density is primarily concentrated along the I-780 corridor, including the Southampton Drive, Warwick Drive, Lori Drive, and Military East corridors, with additional density layered in Downtown. The city typically follows a

grid development pattern south of Interstate 780 (I-780) and northwest of the I-780/I-680 interchange because land is relatively flat. Above I-780, hillside topography increases construction costs for multifamily and affordable housing development, and the area has developed with planned subdivisions, reflecting a lower-density footprint compatible with steeper topography.

Vacant residential land is in short supply, as evidenced by the few units developed since the previous planning period and the scarcity of listings of vacant residential land for sale. While the most common type of development is low-density residential housing, sites may be developed from far below the maximum density allowance up to 80 percent or more of the available density. Neither the General Plan land use designations nor the zoning districts prescribe minimum density requirements to allow greater flexibility in development. Even without these governmental requirements, housing development has remained relatively stagnant since the previous planning period.

Until recently, the City has received very few residential development proposals since the 2000s, when the Waters End neighborhood was approved and constructed. Projects proposed during the 5th Cycle Housing Element were primarily custom single-family homes in low-density residential zones. Multifamily development developed in Benicia is displayed in Table 3.1. From 1980 and on, projects developed were an average of 81 percent of the maximum density allowed in the residential zone. Since 2000, multifamily housing has been developed at an average of 101 percent of the maximum density allowed.

The City has received two proposals for streamlined ministerial review of housing developments under Senate Bill (SB) 35 since the law went into effect in 2018. Both applications were deemed non-compliant with SB 35 criteria, but they were resubmitted on

May 31st. The City will render a determination on these applications by the end of July 2022. The SB 35 development applications propose densities comparable to historic development trends. The City has received one proposal for a residential project below identified densities for sites in the 5th Cycle Housing Element sites inventory. The project is proposed under SB 35, and the application is under evaluation by the City. The project has not yet been approved, but the City expects to render a decision by the end of July 2022.

3.1.2 Realistic Development Capacity

Realistic development capacity is based on allowed density and historic residential development trends in the city. While the average percentage of allowed maximum density applied to developments from 1954 to present day is 83 percent, for the sake of the conservative analysis, the City has observed that the average percentage of allowed maximum density for developments constructed in Benicia from 1980 to present day is 81 percent of maximum allowed development. To be conservative, the City has reduced this to 77 percent of maximum allowed development, and this is the realistic development capacity applied to parcels in the Sites Inventory.

Benicia's height limits allow for three-story structures with a height limit of 35 feet in height in the RM and RH Zoning Districts and 40 feet or 2.5 stories in the Town Core Zoning District. In the commercial districts, building heights may be 40 feet or 3 stories. In the MU-I district, building heights may be 40 feet or 3 stories, but increases may be permitted through the provision of community benefits (see the Constraints chapter for details on community benefits). In the MU-L district, building heights may be 35 feet or 3 stories, but building heights may be increased to 45 feet or 4 stories if the parcel is at least 15,000 square feet in size and within 150 feet of the I-780 right-of-way. Half stories are allowed to have the height of the full story with 50 percent of the total floor area of the story directly underneath. Program 1.06 amends the City's General Plan and Zoning Ordinance to provide adequate site(s) for lower-income units and also includes review of and changes needed to zoning (including development standards) to facilitate the feasibility of residential development at the densities proposed on the sites subject to the program.

Benicia's track record and zoning, as shown from 1954 to current day in Table 3.1, support the realistic development capacity assumptions provided on the sites listed in the Sites Inventory. No residential units or projects found to be compliant with local and state regulations have been denied by the City of Benicia in the current Housing Element reporting period.

With Program 1.06 implemented, the City's land use and development standards will not be an impediment to achieving the housing needed to support the yield capacity discussed in Sections 3.1.3 through 3.1.7.

3.1.3 Sites Suitably Zoned for Residential Uses

The City's land inventory was developed using the Solano County geographic information system (GIS) database. As shown in Table 3.2, there are 110 parcels on approximately 44 acres that are currently suitably designated and zoned for residential development that have the capacity to accommodate almost 511 additional homes (see also Figure 3.1.A through 3.1.E, and for the complete list of suitably zoned parcels by Assessor's Parcel Number.) In addition, sites that include lower income units are detailed in tables at the end of this section. The series of maps in Figures 3.1.A through 3.1.E show the current zoning for sites where suitable zoning is already in place for residential development. The sites in the maps are numbered, but some sites are grouped together, Therefore, not all parcels are specifically assigned a different number. For sites that need changes to zoning, the proposed zoning is shown along with the proposed affordable housing overlay zone for sites proposed to receive that zoning change through Program 1.06.

To meet the very low- and low-income Regional Housing Needs Allocation (RHNA) allocation (or lower-income portion of the RHNA combined), the California Department of Housing and Community Development (HCD) requires land zoned to allow at least 20 units per acre. Accordingly, 339 units must be met on land that is zoned to allow at least 20 units per acre. There are 10 sites in the MU-I zoning district that would accommodate 10 lower-income units; two sites in the PD zoning district that would accommodate 9 lower-income units; 5 sites in the CO zoning district that can accommodate 74 lower-income units; 4 sites in the CG zoning district that

can accommodate 41 lower-income units; and 2 sites in the TC zoning district in Downtown Benicia that can accommodate 22 lower-income units.

Altogether, these sites could accommodate 156 units in the very low- and low-income RHNA categories (See Table 3.3 and discussion of these sites in Section 3.1.6).

With enough land that could provide for 511 new units, including land to accommodate 156 lower-income units, Benicia’s RHNA of 750 new units

cannot be met by already suitably zoned land that allows residential uses alone (see Table 3.4).

Table 3.1 High-Density Site Analysis - Site Location

Project Name	Address	Year Built	Lot Area (acres)	Zoning	Previous Use	Maximum Allowed Density (units/acre)	Total Units	Project Built Density (units/acre)	Percentage of Allowed Density Applied
Capitol Heights	1645 Bayview Cir	1954	8.7	RM	Vacant	14	75	8.62	61.6%
Waterview Apartments	801 Southamptn Rd	1972	12.8	RM	Vacant	14	180	14.06	100.4%
Bay View Villas	900 Southamptn Rd	1975-1976	9.9	RM	Vacant	14	170	17.26	123.3%
Grove Condos	Grove Circle	1978	11.5	RM	Vacant	14	104	9.04	64.6%
Bay Vista Town Homes	London Drive	1980	24	RM	Vacant	14	139	5.79	41.4%
Bridgeview Heights III	Bridgeview Ct	1983-1985	3.4	RM	Vacant	14	31	9.12	65.1%
Bridgeview Heights	Bridgeview Ct	1982-1983	6.4	RM	Vacant	14	96	15.00	107.1%
Hampton Bay Condos	Devonshire Dr	1984-1985	15.5	RM	Vacant	14	100	6.45	46.1%
Club Pacifica	1300 Southamptn Rd	1987	19.11	RM	Vacant	14	224	11.72	83.7%
Bay Ridge Apartments	1061 Rose Dr	2004	3.72	RM	Vacant	14	50	13.44	96.0%
Burgess Point	91 Riverview Terrace	2004	3.75	RM	Vacant	14	56	14.93	106.7%
Harbor Walk	151 East B St	2005	1.72	TC	Vacant	21	36	20.93	99.7%
Average Built Density of Max Allowed Density									80.7%

Notes:

While the most current development shown in this table was built in 2005, no more recent multifamily developments have been proposed since then. Therefore, this table displays all multifamily developments built in the city since 1954.

Source: City of Benicia, 2022

Table 3.2 City of Benicia: Residentially-Zoned Land Inventory (parcels already suitably zoned for residential development)¹

Zone	Acres	General Plan Designation	No. of Parcels	Maximum Units/Acre	Maximum Units	Realistic Units
RS (Single-Family Res)	19.38	Low-Density Residential	77	7	135	85
Subtotal Low Density	19.38		77		135	85
RM (Medium-Density Res)	6.38	Medium-Density Residential	5	14	89	68
MU-I (Mixed-Use Infill)	2.97	Mixed-Use Infill	10	44	108	72
MU-L (Mixed-Use Limited)	0.19	Mixed-Use Limited	1	30	29	21
CO (Office Commercial)	8.41	Office Commercial	6	21	177	138
CG (General Commercial)	4.78	Commercial General	4	21	100	76
NG (Neighborhood General)	0.18	Commercial Downtown	1	29.9	5	4
TC-O (Town Core Open)	0.27	Downtown Mixed-Use	2	21	6	3
TC (Town Core)	1.93	Commercial Downtown	3	29.9	58	43
Subtotal High Density	25.11		32		572	425
Total ²	44.49		109	-	707	510

Notes:

- 1 The unit information in this table corresponds to Table A (in Appendix D) and the existing unit capacity on the sites in Table B (in Appendix D) that are currently suitably zoned for residential uses but are proposed for additional residential density in the Housing Element.
- 2 City policy on rounding states any fraction of a unit (less than 0.50) may be disregarded and any fraction of a unit (greater than or equal to 0.50) shall be rounded up to the next whole number. Total reflects City’s policy on rounding fraction of units.

Source: Solano County GIS with input from the City of Benicia, 2022

Table 3.3 provides a subset of the acreage/parcels displayed in Table 3.2 that are suitable for addressing the lower-income RHNA.

Table 3.3 Very Low- and Low-Income Sites Yields (parcels already suitable zoned for residential development)¹

Zoning	Acres	# of Parcels	Maximum Units/Acre	Existing Use	Realistic Unit Capacity
MU-I (Mixed-Use Infill)	0.52	1	44	Vacant	10
CO (Office Commercial)	8.41	6	21	Vacant	83
CG (General Commercial)	4.33	3	21	Vacant	41
TC (Town Core)	1.68	2	29.9	Vacant	22
Total Units²			156		

Notes:

- 1 The unit information in this table corresponds to Table A (in Appendix D) and the existing unit capacity on the sites in Table B (in Appendix D) that are currently suitably zoned for residential uses but are proposed for additional residential density in the Housing Element.
- 2 City policy on rounding states any fraction of a unit (less than 0.50) may be disregarded and any fraction of a unit (greater than or equal to 0.50) shall be rounded up to the next whole number. Total reflects City’s policy on rounding fraction of units.

Source: Solano County GIS with input from the City of Benicia, 2022

3.1.4 Suitable Residentially-Zoned Sites Yield Analysis for Very Low- and Low-Income RHNA Requirements

To ensure the City could meet the very low- and low-income RHNA requirement of 339 affordable units, the City first conducted a yield analysis using 110 parcels in the City of Benicia. The sites analyzed are displayed in Figure 3.1.A through 3.1.E, and the sites that accommodate lower-income development or were recently rezoned are discussed in Section 3.1.7. The public and local decisionmakers advocated for the Housing Element to distribute affordability throughout the city rather than concentrating affordable units on specific sites. On all of the sites that include lower-income units, 60 percent of the units were assumed to address the lower-income RHNA and 40 percent are assumed for moderate- and above-moderate income units.

The potential residential yield of these sites produces 511 units, including 156 lower-income units, which does not meet all of Benicia’s lower-income RHNA. To meet the RHNA, the City proposes to redesignate and rezone sites in the city that cannot currently accommodate lower-income residential development. Section 3.1.6 presents those additional sites that will be redesignated and rezoned to accommodate this housing need.

3.1.5 Accessory Dwelling Unit Potential

From 2018 to 2021, City planning permit records indicate that an average of five accessory dwelling units (ADUs) received building permits per year.

- 2018 - 3 ADUs received building permits

- 2019 - 3 ADUs received building permits
- 2020 - 6 ADUs received building permits
- 2021 - 9 ADUs received building permits

The increase in ADUs permitted in 2020 and 2021 was likely due to updates to the City’s ADU regulations that became effective in 2020. The 2020 updates to the regulations were for consistency with state law regarding ADUs. Based on the average of 5 ADUs per year, an additional 44 ADUs can be projected for the 2022-2030 6th cycle projection period. The Association of Bay Area Governments (ABAG) prepared a Draft Affordability of Accessory Dwelling Units report for the entire ABAG region in early 2022. The analysis made findings for affordability of ADUs based on data gathered on current rents and occupancy of ADUs in addition to industry research about affordability levels of ADUs, including those that do not reach the rental market. In addition, ADU research conducted by the University of California, Berkeley’s (UC Berkeley’s) Center for Community Innovation indicates that 40 percent of ADUs are typically rented to family members or friends at either no cost or below-market rental rates. Table 3.4 shows the projected 44 ADUs broken into income categories based on the ABAG analysis. The Benicia ADU regulations encourage this housing type and allow flexibility in their development. Programs 1.11 and 1.12 have been included in Chapter II to ensure continued consistency with state ADU law, promotion of ADUs as a housing type in Benicia, and monitoring of progress of ADU permitting moving forward during the Housing Element planning period.

Table 3.4 City of Benicia: Residentially-Zoned Land Capacity and the RHNA

	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
Regional Housing Needs Allocation	212	127	123	288	750
Estimated Units Accommodated by Residentially-Zoned Land	156		139	215	510
Projected Units to be Accommodated by ADUs	13	13	13	5	44
Remaining Units to be Accommodated	157		-29	68	196

Source: City of Benicia 2022; ABAG 2022

3.1.6 Site Selection Methodology

To address the RHNA, the City is proposing to redesignate and/or rezone sites to allow for residential development or increased residential development capacity. Programs 1.06 and 1.07 in Chapter II will implement these changes. These sites are referred to as opportunity sites. Sites have been selected based on land availability and capacity. The factors considered to choose these sites consisted of many elements, including, but not limited to, vacancy status, City ownership, site size, proximity to existing residential areas, services, and amenities, few or limited physical constraints, expressed property owner interest, open space status, and community input received. Not all of these factors were weighted equally, with vacancy status, City ownership, and expressed owner interest typically more important because they indicate to City staff that development is highly likely in the next eight years. Additional information specific to each site is included in the tables starting on the next page. Larger sites are anticipated to generate the most housing in Benicia, as projects are likely better able to achieve cost efficiencies for development. City ownership and expressed owner interest indicate that development is sought out by the property owner themselves, so housing development is more likely to occur. City outreach to property owners and community outreach efforts for the Housing Element to date is detailed in Chapter I, Introduction. Figure 3.1 also maps the opportunity sites in the city.

3.1.7 Housing Opportunity Sites' Yields

This section summarizes the opportunity sites selected for inclusion in the Housing Element that meet one or more of the following criteria:

1. The site is not currently vacant,
2. The site is not currently zoned for residential uses, or
3. The site has other development constraints that have inhibited housing development in the past.

For each site, Table B in Appendix D and tables at the end of this section provide detailed information about the sites, including the site address and size, current and proposed General Plan land use designation and zoning, vacancy status, density and proposed density, realistic residential development capacity, property owner interest, whether the site

was included in the past two Housing Elements for sites, and other relevant information. On all of the sites that include lower-income units, 60 percent of the units were assumed to address the lower-income RHNA and 40 percent are assumed for moderate- and above-moderate income units. As described in detail in Section 3.1.6 and displayed in Table 3.5, the opportunity sites provide enough land to accommodate at least 1,576 net new units, including 565 net new lower-income units. Combined with the existing land that can accommodate residential development, Benicia's RHNA of 750 new units can be met and exceeded with inclusion of these sites.

Approximately 27 percent of the opportunity sites, or 19 parcels that accommodate lower-income units, are smaller than half an acre. Of those 19 parcels, 18 parcels are proposed as part of sites made up of more than one parcel. Five of the seven sites are larger than .5 acres once combined into a site and all the parcels have common ownership. One of the sites is made up of 3 parcels but is still smaller than .5 acres when combined. One site is one parcel and is smaller than .5 acres. It is included because it is owned by the City. Eight of these small parcels are owned by the City, and the City has expressed interest in developing them with housing, including the one stand-alone small parcel as mentioned in the prior sentence. On three of the other small parcels, the City has received interest from the property owner to develop housing. Details on each of these sites are included in the tables at the end of this section. To create opportunities for housing development on these sites, Program 1.15 is proposed to facilitate lot consolidation to combine small parcels into larger parcels more suitable for multi-family housing. In addition, Benicia has adopted procedures for development on substandard lots. Benicia Municipal Code 17.70.130 allows for development of lots 2,500 square feet or more subject to same yard and density requirements as a standard lot. In residential districts, the City may allow a 10 percent reduction of required interior side yard width and 20 percent reduction of required street side yard width.

For non-vacant parcels, information in the tables at the end of this section demonstrates the potential for housing development within the planning period on those sites. The other sites in those tables are currently suitably zoned for residential development and can either accommodate lower-income development or were recently rezoned.

Table 3.5 City of Benicia: Meeting the RHNA Analysis with Opportunity Sites

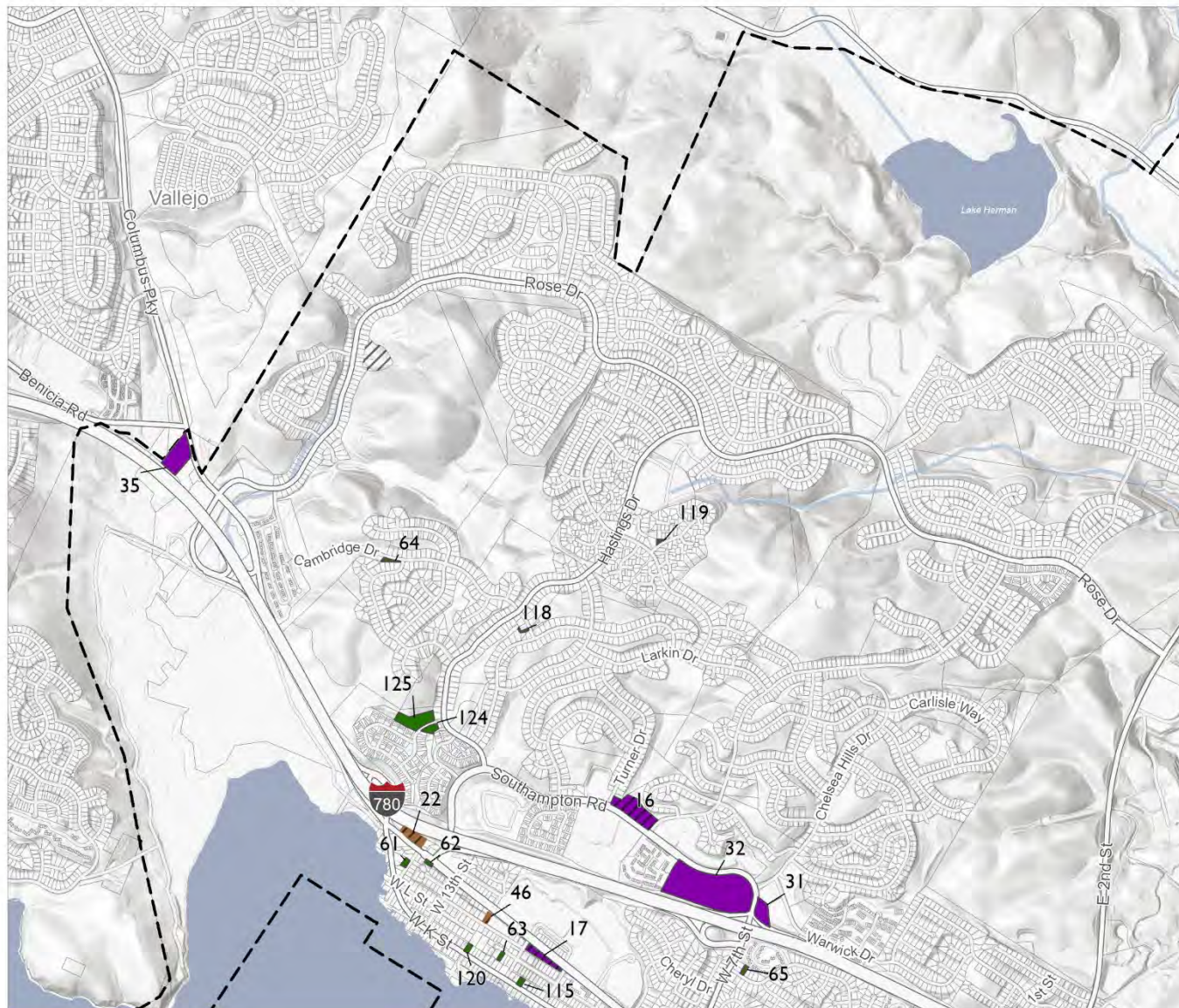
	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
Regional Housing Needs Allocation (A)	212	127	123	288	750
Estimated Units Accommodated by Residentially-Zoned Land and ADUs (B) ¹	182		152	220	554
<i>Remaining Units to be Accommodated (A-B = C)</i>	157		-29	68	196
Net Estimated Units Accommodated by Opportunity Sites (Sites in Table B of Appendix D) (D)	718		521	591	1,830
<i>RHNA Surplus (C-D)</i>	-561		-550	-523	

Notes:

- 1 The units in this row correspond to Table A (in Appendix D) and the existing unit capacity on the sites in Table B (in Appendix D) that are currently suitably zoned for residential uses but are proposed for additional residential density in the Housing Element.
- 2 Some opportunity sites are also on the Sites Inventory. Therefore, the Net Estimated Units Accommodated by Opportunity Sites (D) only projects the net increase in the number of units that would be accommodated on the site with the zoning change proposed.

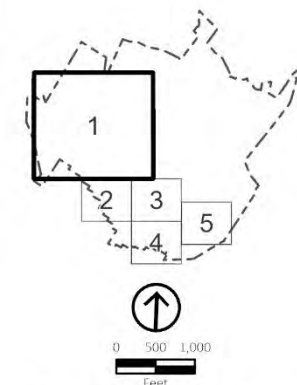
Source: City of Benicia 2022, ABAG 2022

Figure 3.1.A. City of Benicia Sites Inventory #1



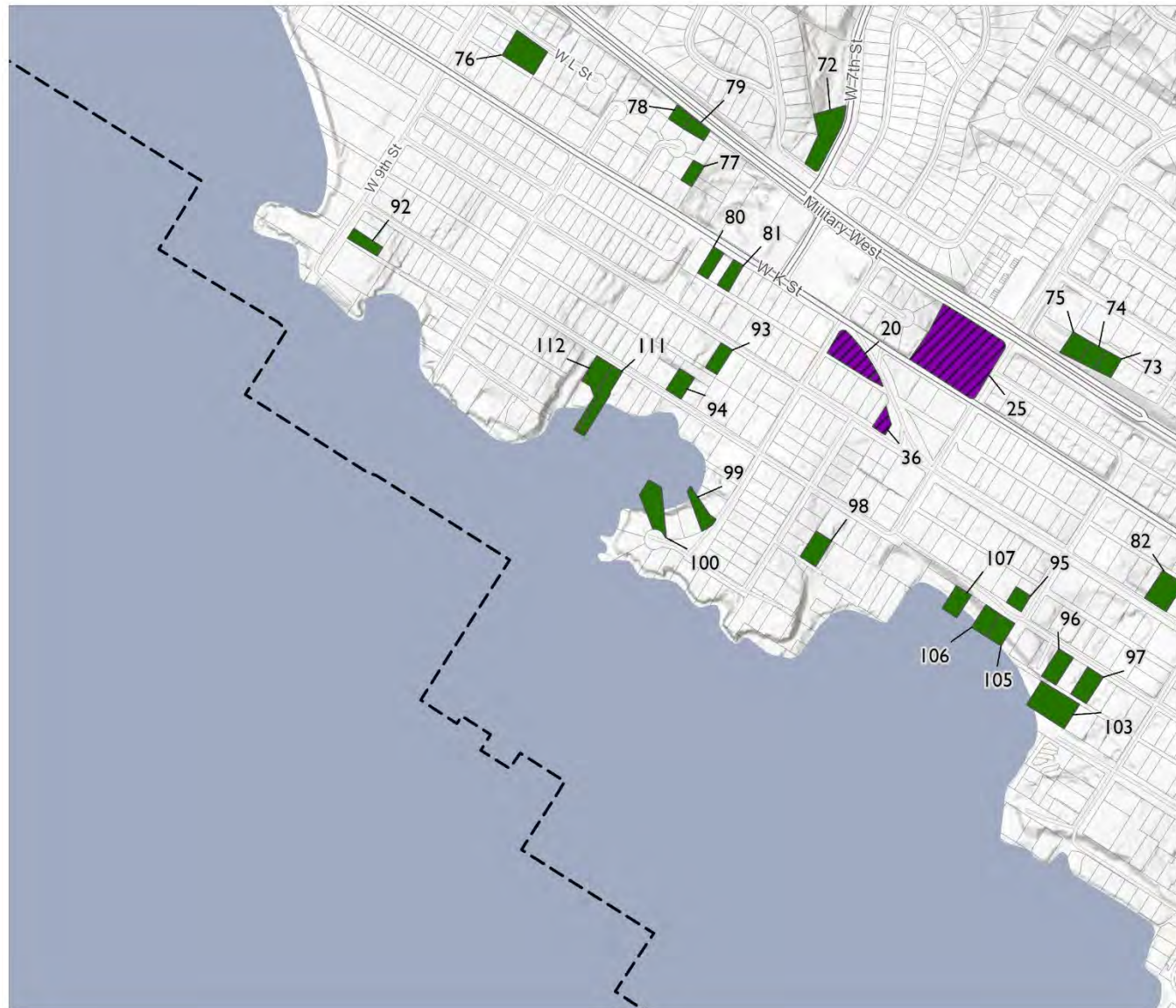
Housing Element Sites

- Parcels
- ▭ City Limit
- Action**
- Suitably Zoned
- Suitably Zoned with Upzoning Proposed
- Needs Zoning Change
- Zoning**
- ▨ Overlay Zone



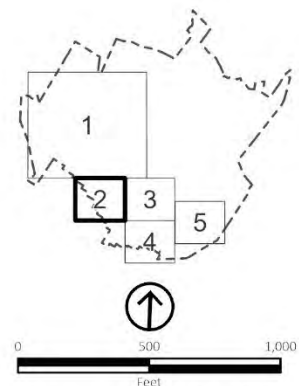
Revision Date: 8/23/2022

Figure 3.1.B. City of Benicia Sites Inventory #2



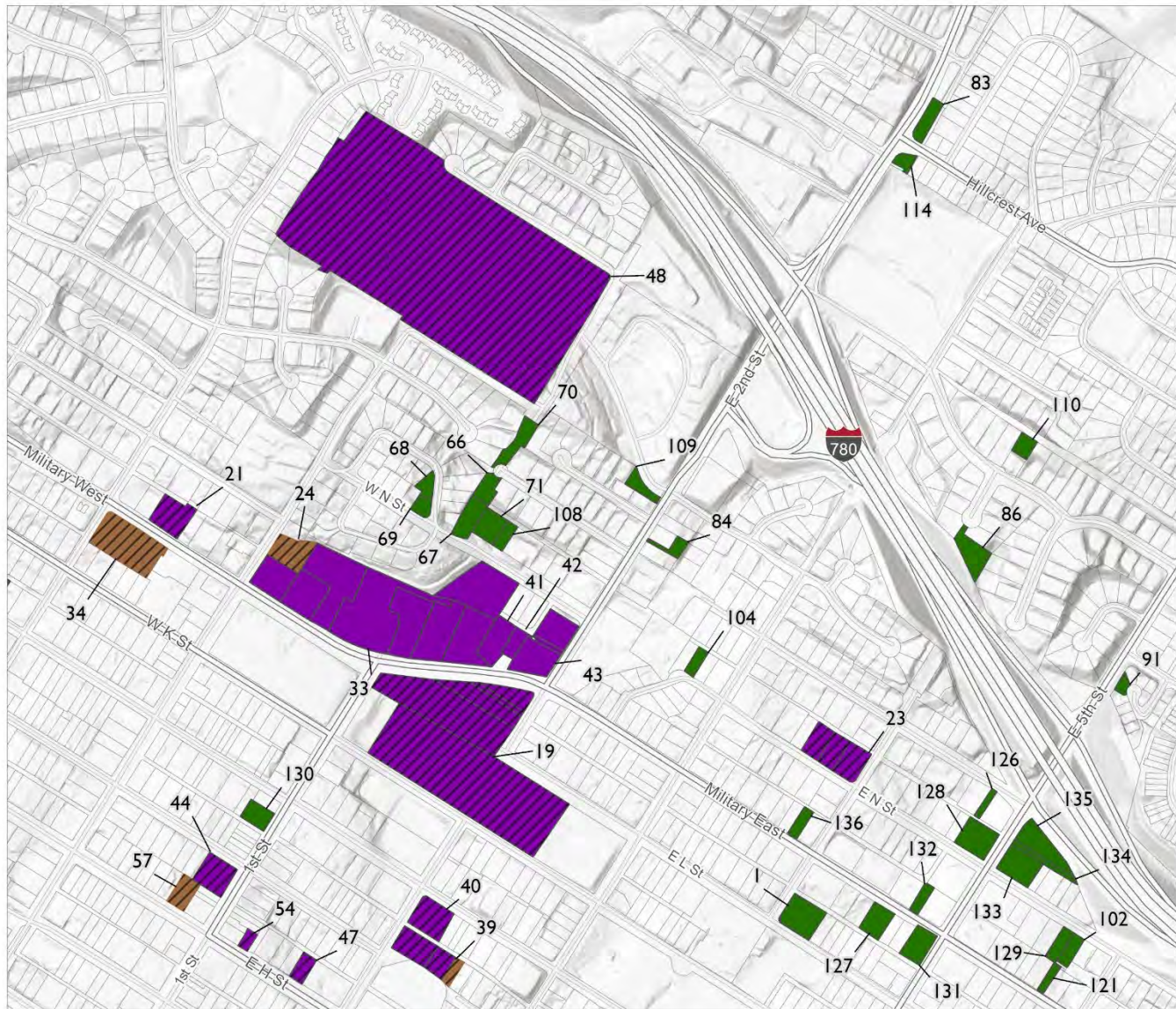
Housing Element Sites

-  Parcels
-  City Limit
- Action
-  Suitably Zoned
-  Needs Zoning Change
- Zoning
-  Overlay Zone



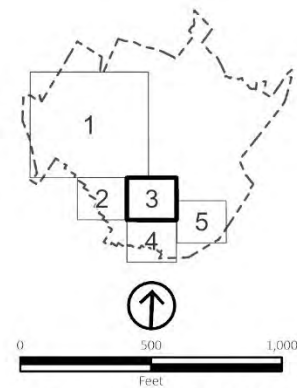
Revision Date: 8/23/2022

Figure 3.1.C. City of Benicia Sites Inventory #3



Housing Element Sites

- Parcels
- City Limit
- Action**
 - Suitably Zoned
 - Suitably Zoned with Upzoning Proposed
 - Needs Zoning Change
- Zoning**
 - Overlay Zone



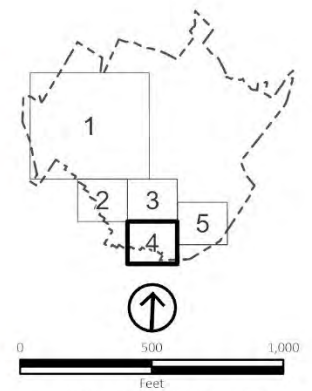
Revision Date: 8/23/2022

Figure 3.1.D. City of Benicia Sites Inventory #4



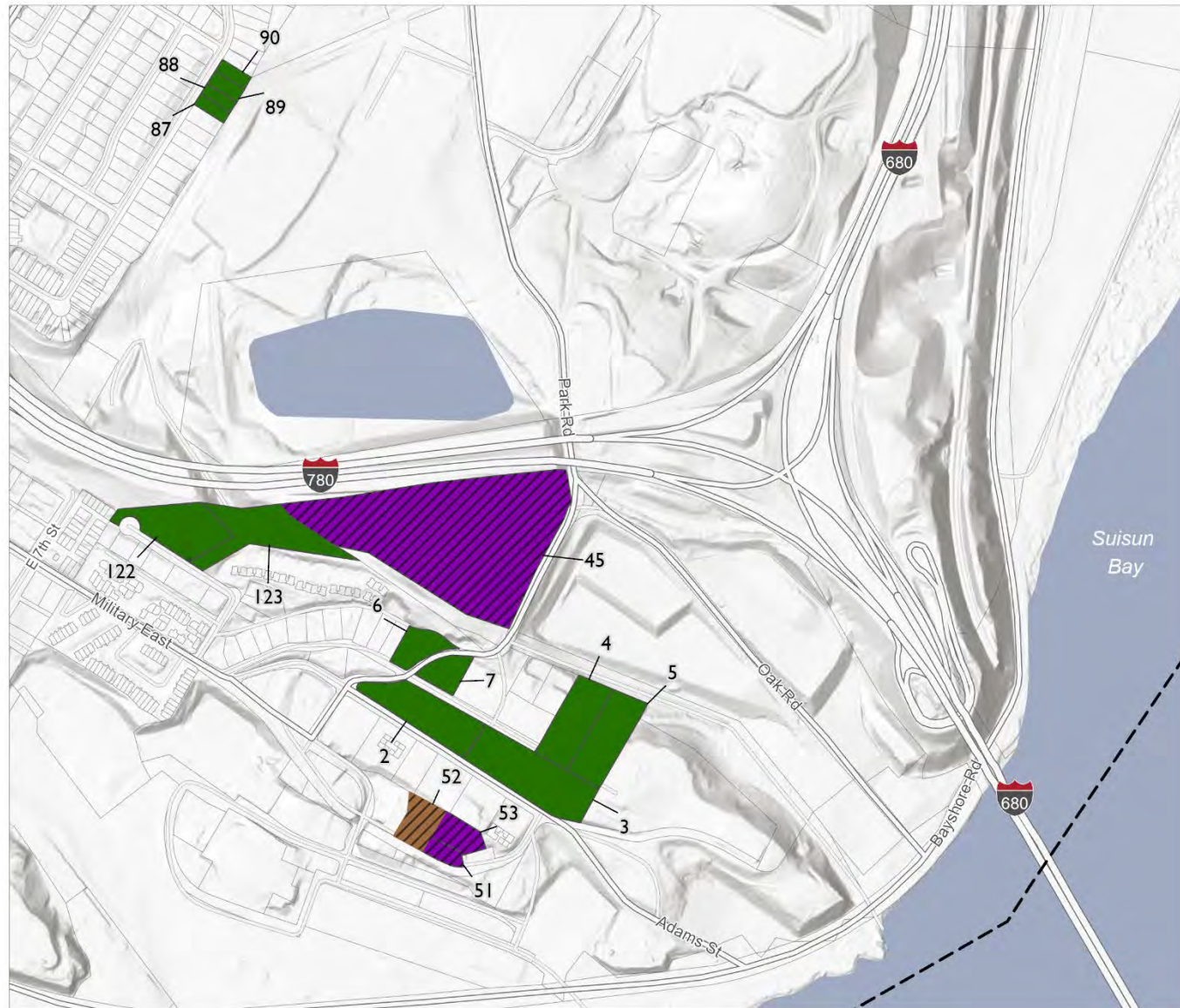
Housing Element Sites

- Parcels
- City Limit
- Action**
- Suitably Zoned
- Suitably Zoned with Upzoning Proposed
- Needs Zoning Change
- Zoning**
- Overlay Zone



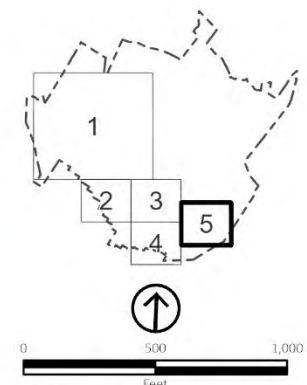
Revision Date: 8/23/2022

Figure 3.1.E. City of Benicia Sites Inventory #5



Housing Element Sites

- Parcels
- ▭ City Limit
- Action**
- Suitably Zoned
- Suitably Zoned with Upzoning Proposed
- Needs Zoning Change
- Zoning**
- ▨ Overlay Zone



Revision Date: 8/23/2022

Detailed Sites Exhibits on Select Sites

The following tables display the following types of sites:

- Sites suitably zoned for residential development that can accommodate lower-income development.
- Sites suitably zoned for residential development that were recently rezoned.
- Non-vacant sites.

Sites that are Already Suitably Zoned that can Accommodate Lower-income Development and/or Were Recently Rezoned

Site 1: East 4th Street and East L Street



Parcel Number	0088124130
Address	East 4 th Street and East L Street
Site Size (acres)	0.52
Current General Plan	Mixed Use Infill
Current Zoning	Mixed Use Infill (MU-I)
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, but the zoning and density was changed since previous Housing Element so by-right requirements do not apply.
Density Allowed (units per acre)	44
Realistic Units	17 units: 10 lower-income units, 3 moderate-income units, and 4 above moderate income-units
Property Owner Interest in Residential Development?	Yes (City-owned)
Small or large site if addressing lower income units	No
<p>This site is in the Eastern Gateway Study Area and across the street from the Benicia Community Center. This site is informally called the "Scout parcel" and was rezoned to accommodate affordable housing in the past. The site is currently vacant. The City is interested in developing this site with housing.</p>	

Site 2: Jefferson Street at Park Road #1



Parcel Number	0080150390
Address	Jefferson Street at Park Road
Site Size (acres)	0.55 acres
Current General Plan	Lower Arsenal Mixed Use
Current Zoning	Office Commercial (CO)
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, subject to Program 1.07 in Chapter 4 to apply "by right" zoning
Density Allowed (units per acre)	21
Realistic Units	8 units: 5 lower-income units, 1 moderate-income units, 2 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No
<p>This site is near or adjacent to Sites 3, 4, and 5. A development application was filed in 2021 under SB 35, for the "Jefferson Ridge" site, which combined Site #2 with the other three sites. On January 19, 2022, the City determined that the application did not demonstrate compliance with SB 35 eligibility criteria including compliance with all applicable adopted objective standards. However, this application was resubmitted and is currently under review by the City.</p>	

Site 3: Jefferson Street at Park Road #2



Parcel Number	0080150380
Address	Jefferson Street at Park Road
Site Size (acres)	3.65 acres
Current General Plan	Lower Arsenal Mixed Use
Current Zoning	CO
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, subject to Program 1.07 in Chapter 4 to apply "by right" zoning
Density Allowed (units per acre)	21
Realistic Units	59 units: 35 lower-income units, 12 moderate-income units, 12 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is near or adjacent to Sites 2, 4, and 5. A development application was filed in 2021 under SB 35, for the "Jefferson Ridge" site, which combined Site #3 with the other three sites. On January 19, 2022, the City determined that the application did not demonstrate compliance with SB 35 eligibility criteria including compliance with all applicable adopted objective standards. However, this application was resubmitted and is currently under review by the City.

Site 4: Jefferson Street at Park Road #3



Parcel Number	0080150400
Address	Jefferson Street at Park Road
Site Size (acres)	1.46 acres
Current General Plan	Lower Arsenal Mixed Use
Current Zoning	CO
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, subject to Program 1.07 in Chapter 4 to apply "by right" zoning
Density Allowed (units per acre)	21
Realistic Units	23 units: 14 lower-income units, 4 moderate-income units, 5 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is near or adjacent to Sites 2, 3, and 5. A development application was filed in 2021 under SB 35, for the "Jefferson Ridge" site, which combined Site #4 with the other three sites. On January 19, 2022, the City determined that the application did not demonstrate compliance with SB 35 eligibility criteria including compliance with all applicable adopted objective standards. However, this application was resubmitted and is currently under review by the City.

Site 5: Jefferson Street at Park Road #4



Parcel Number	0080150410
Address	Jefferson Street at Park Road
Site Size (acres)	1.55 acres
Current General Plan	Lower Arsenal Mixed Use
Current Zoning	CO
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, subject to Program 1.07 in Chapter 4 to apply "by right" zoning
Density Allowed (units per acre)	21
Realistic Units	25 units: 15 lower-income units, 5 moderate-income units, 5 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is near or adjacent to Sites 2, 3, and 4. A development application was filed in 2021 under SB 35, for the "Jefferson Ridge" site, which combined Site #5 with the other three sites. On January 19, 2022, the City determined that the application did not demonstrate compliance with SB 35 eligibility criteria including compliance with all applicable adopted objective standards. However, this application was resubmitted and is currently under review by the City.

Site 6: 1451 Park Road



Parcel Number	0080222010
Address	1451 Park Road
Site Size (acres)	0.65 acres
Current General Plan	Lower Arsenal Mixed Use
Current Zoning	Planned Development (PD)
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Vacant
Repeat Site?	No
Density Allowed (units per acre)	21
Realistic Units	14 units: 9 lower-income units, 5 moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No
<p>This site is near Site 45. In 2022, a development application was filed for a 17-unit apartment complex under SB 35. The City determined that the application did not demonstrate compliance with SB 35 eligibility criteria, to include compliance with all applicable adopted objective standards. However, this application was resubmitted and is currently under review by the City.</p>	

Site 7: Park Road



Parcel Number	0080150010
Address	Park Road
Site Size (acres)	0.56 acres
Current General Plan	Office Commercial
Current Zoning	CO
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, subject to Program 1.07 in Chapter 4 to apply "by right" zoning
Density Allowed (units per acre)	21
Realistic Units	9 units: 5 lower-income units, 2 moderate-income units, 2 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No
This site is near Site 2 and across the street from Site 6. This site is vacant.	

Site 8: E Street Lot #1



Parcel Number	0089371030
Address	100 block of East E Street
Site Size (acres)	0.83 acres
Current General Plan	Commercial Downtown
Current Zoning	TC
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	Yes, subject to Program 1.07 in Chapter 4 to apply "by right" zoning
Allowed Density (units per acre)	29.9
Realistic Units	19 units: 11 lower-income units, 4 moderate-income units, 4 above moderate-income units
Property Owner Interest in Residential Development?	Yes (City-owned)
Small or large site if addressing lower income units	No

This site is in the Downtown PDA and adjacent to Site 9. The site is undeveloped and currently used as an unpaved parking lot, but a portion will be paved in 2022. The City has considered developing the site in the past, but conceptual land use discussions were met with public dissent. Public engagement will be needed to ensure any residential development proposed on the site meets the community's goals. In addition, the zoning will be changed because this site has been included in two Housing Elements and projects with at least 20% affordable units will receive by right processing.

Site 9: E Street Lot #2



Parcel Number	0089372090
Address	100 block of East E Street
Site Size (acres)	0.85 acres
Current General Plan	Commercial Downtown
Current Zoning	TC
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	Yes, subject to Program 1.07 in Chapter 4 to apply "by right" zoning
Allowed Density (units per acre)	29.9
Realistic Units	19 units: 11 lower-income units, 4 moderate-income units, 4 above moderate-income units
Property Owner Interest in Residential Development?	Yes (City-owned)
Small or large site if addressing lower income units	No

This site is in the Downtown PDA and adjacent to Site 8. The site is undeveloped and currently used as an unpaved parking lot, but a portion will be paved in 2022. The City has considered developing the site in the past, but conceptual land use discussions were met with public dissent. Public engagement will be needed to ensure any residential development proposed on the site meets the community's goals. In addition, the zoning will be changed because this site has been included in two Housing Elements and projects with at least 20% affordable units will receive by right processing.

Site 10: 498 Military East



Parcel Number	0088124140
Address	498 Military East
Site Size (acres)	0.26 acres
Current General Plan	Mixed Use Infill
Current Zoning	MU-I
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	44
Realistic Units	3 units: 1 moderate-income units, 2 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This parcel is within the Eastern Gateway Study Area. The property owner is interested in converting the existing commercial uses on the second floor to residential uses.

Site 11: 1401 East 5th Street



Parcel Number	0088092040
Address	1401 East 5 th Street
Site Size (acres)	0.43 acres
Current General Plan	Mixed Use Infill
Current Zoning	MU-I
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	44
Realistic Units	15 units: 7 moderate-income units, 8 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is vacant and within the Eastern Gateway Study Area. It appears non-vacant in the image above because the site underwent demolition in 2022. The owner has expressed interest in developing the site with mixed use development.

Site 12: 475 Military East



Parcel Number	0088123140
Address	475 Military East
Site Size (acres)	0.14 acres
Current General Plan	Mixed Use Infill
Current Zoning	MU-I
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	44
Realistic Units	4 units: 2 moderate-income units, 2 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is within the Eastern Gateway Study Area. The site is currently occupied with commercial uses and a parking lot. The property owner has expressed an interest in redeveloping the site to construct residential units on a second floor.

Site 13: 502 East N Street



Parcel Number	0088102040, 0088102140, and 0088102050
Address	502 East N Street
Site Size (acres)	1.01 acres total = 0088102040: 0.43 acres, 0088102140: 0.14 acres, and 0088102050: 0.14 acres
Current General Plan	Mixed Use Infill
Current Zoning	MU-I
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	44
Realistic Units	32 units: 16 moderate-income units, 16 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is within the Eastern Gateway Study Area. These parcels are occupied with an RV park. None of the existing units are lower-income units. These parcels are adjacent and share the same owner. The property owner is interested in redeveloping the parcels with denser housing.

Site 14: 385 Military East



Parcel Number	0088121110
Address	385 Military East
Site Size (acres)	0.14 acres
Current General Plan	Mixed Use Infill
Current Zoning	MU-I
Rezoning or Change to Land Use Required?	No
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	44
Realistic Units	4 units: 2 moderate-income units, 2 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is within the Eastern Gateway Study Area. The site is developed with one single-family home. The property owner is interested in redeveloping this site with denser housing.

Site 15: 456 Military East



Parcel Number ¹	0088124040
Address	456 Military East
Site Size (acres)	0.25 acres
Current General Plan	Mixed Use Infill
Current Zoning	MU-I
Rezoning or Change to Land Use Required?	No
Proposed General Plan Land Use	n/a
Proposed Zoning	n/a
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	44
Realistic Units	8 units: 5 moderate-income units, 5 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No
This parcel is vacant and within the Eastern Gateway Study Area.	

Sites Needing Redesignation or Rezoning

Site 16: First Baptist Church Site



Parcel Number	0087011530
Address	1055 Southampton Road
Site Size (acres) / Developable Size (acres)	3.61 acres / 0.5 acres
Current General Plan	Public/Quasi-Public
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Public/Quasi-Public with Overlay
Proposed Zoning	RS with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic Units	11 units: 7 lower-income units, 2 moderate-income units, 2 above-moderate income units
Property Owner Interest in Residential Development?	No
Small or large site if addressing lower income units	No
<p>This site is owned and occupied by the First Baptist Church, but only part of the site is developed. The units proposed assume only a portion of the parcel that is currently vacant would be developed, and the realistic capacity estimated for this site reflects development capacity on the developable acreage.</p>	

Site 17: King Solomon Missionary Baptist Church Site



Parcel Number	0086062110
Address	1280 West 11 th Street
Site Size (acres) / Developable Size (acres)	1 acre / 0.67 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Medium Density Residential with Overlay
Proposed Zoning	Medium Density Residential with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic Units	15 units: 9 lower-income units, 3 moderate-income units, 3 above-moderate income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is owned and occupied by the King Solomon Missionary Baptist Church, but most of the site is vacant. The units proposed assume only a portion of the parcel that is currently vacant would be developed, and the realistic capacity estimated for this site reflects development capacity on the developable acreage.

Site 18: 356 East I Street



Parcel Number	0089062030
Address	356 East I Street
Site Size (acres)	0.21 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Low Density Residential with Overlay
Proposed Zoning	Low Density Residential with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic Units	4 units: 2 lower-income units, 1 moderate-income units, 1 above moderate-income units
Property Owner Interest in Residential Development?	Yes (City-owned)
Small or large site if addressing lower income units	Yes

This site is owned by the City and occupied by a vacant house. The house has water damage and is therefore uninhabitable. The City is interested in redeveloping it with denser residential uses. Program 1.16 addresses the City's plan for making City-owned sites available for residential development.

Site 19: Senior Center and Adjacent Land



Parcel Numbers	0088141060, 0088141070, 0088113010, 0088113030, and 0088113020
Addresses	230 East L Street, 150 East L Street, and 187 East L Street
Site Size (acres) / Developable Size (acres)	7.68 acres total (1.3 developable acres total) = 0088141060: 5.16 acres (0.45 developable acres), 0088141070: 0.94 acres (0.22 developable acres), 0088113010: 0.95 acres (0.37 developable acres), 0088113030: 0.43 acres (0.11 developable acres), and 0088113020: 0.20 acres (0.17 developable acres)
Current General Plan	Public/Quasi-Public
Current Zoning	PS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Public/Quasi-Public with Overlay
Proposed Zoning	PS with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic Units	39 lower-income units
Property Owner Interest in Residential Development?	Yes (City-owned)
Small or large site if addressing lower income units	No

This site currently contains the senior center, surface parking, and lawn areas adjacent to municipal services. The City intends to consolidate and redevelop the senior center and develop the adjacent surface parking lot and lawn areas to provide deed-restricted senior housing. The ground floor of the housing development would retain a space for the senior center. This site is in the Downtown PDA. The realistic capacity estimated for this site reflects development capacity on the developable acreage and by adding stories to existing structures. Program 1.16 addresses the City's plan for making City-owned sites available for residential development.

Site 20: 1030 West 6th Street



Parcel Number	0087144010 and 0087144060
Address	1030 West 6 th Street
Site Size (acres)	0.40 acres total = 0087144010: 0.38 acres, 0087144060: 0.02 acres
Current General Plan	High Density Residential
Current Zoning	RM
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Medium Density Residential with Overlay
Proposed Zoning	RM with Overlay Zone
Vacant or Non-Vacant	Partially Non-Vacant (0087144010)
Proposed Density (units per acre)	30
Realistic Units	9 units: 4 moderate-income units and 5 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No
These two parcels are adjacent and share the same owner. They are adjacent to existing residential uses and near existing services.	

Site 21: 255 Military West



Parcel Number	0087122200
Address	255 Military West
Site Size (acres)	0.43 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	High Density Residential
Proposed Zoning	RH with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	9 units: 4 moderate-income units, 5 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is adjacent to the Downtown PDA and across the street from Site 33. The site is underutilized with an older single-family house on a fairly large lot.

Site 22: 1400 Military West



Parcel Number	0086047040
Address	1400 Military West
Site Size (acres)	0.84 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	High Density Residential with Overlay
Proposed Zoning	RH with Overlay Zone
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, but the zoning and density will change as part of Program 1.06 so by-right requirements do not apply.
Proposed Density (units per acre)	30
Realistic/Net Realistic Units ¹	19 total units: 11 lower-income units, 4 moderate-income units, 4 above moderate-income total units / 15 net units: 11 lower-income net units, 2 moderate-income net units, 2 above moderate-income net units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This parcel is vacant and located near a transit stop. The site has been listed for sale multiple times over the past few years.

¹ This site is on the Inventory of Suitably Zoned Sites and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 23: East N Street



Parcel Number	0088091120, 0088091110, 0088091100
Address	353, 363, and 373 East N Street
Site Size (acres)	0.72 acres total =0088091120: 0.24 acres, 0088091110: 0.24 acres, 0088091100: 0.24 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Low Density Residential with Overlay
Proposed Zoning	RS with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic Units	15 units: 9 lower-income units, 3 moderate-income units, 3 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No
<p>This site includes three separate parcels with the same owner, each developed with a side-by-side duplex currently. The owner is considering selling and open to positioning the properties for redevelopment with higher-density housing.</p>	

Site 24: West 2nd Street Site



Parcel Number	0087200090
Address	West 2 nd Street, between Military West and West N Street
Site Size (acres)	0.38 acres
Current General Plan	General Commercial
Current Zoning	CG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	High Density Residential with Overlay
Proposed Zoning	RH with Overlay Zone
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	30
Realistic Units / Net Realistic Units ¹	8 total units: 4 moderate-income units, 4 above moderate-income units / 1 moderate-income net unit
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is located between existing residential uses and Solano Square (Site 32) at a similar elevation to adjacent residential uses. This lot is within close proximity to transit, residential uses, and existing services. This site is in the Downtown PDA, and it has been offered for sale multiple times in the past.

¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 25: West 5th Street Site



Parcel Number	0087143130
Address	1113 through 1115 West 5 th Street
Site Size (acres) / Developable Size (acres)	1.14 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	High Density Residential with Overlay
Proposed Zoning	RH with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic Units	26 units: 16 lower-income units, 5 moderate-income units, 5 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This parcel has three existing market-rate residential units, but it is largely undeveloped. This site is near other residential uses and existing services. Approximately 70 percent of this lot is developable, and that is reflected in the realistic units proposed on this site.

Site 26: East 6th Street Site



Parcel Numbers	0089074100
Address	East 6 th Street
Site Size (acres)	0.22 acres
Current General Plan	High Density Residential
Current Zoning	RM
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Medium Density Residential with Overlay
Proposed Zoning	RM with Overlay Zone
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, but the zoning and density will change as part of Program 1.06 so by-right requirements do not apply.
Proposed Density (units per acre)	30
Realistic / Net Realistic Units ¹	5 units: 2 moderate-income units and 3 above moderate-income units / 4 net units: 2 moderate-income net units, and 2 above moderate-income net units
Property Owner Interest in Residential Development?	Unknown
Small or large site if addressing lower income units	No
<p>This parcel is vacant and graded for development. This parcel is adjacent to Sites 27, 28, and 29 and across the street from Site 30.</p> <p>¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.</p>	

Site 27: East 6th Street Site



Parcel Numbers	0089074330
Address	East 6 th Street
Site Size (acres)	0.80 acres
Current General Plan	High Density Residential
Current Zoning	RM
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Medium Density Residential with Overlay
Proposed Zoning	RM with Overlay Zone
Vacant or Non-Vacant	Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic / Net Realistic Units ¹	18 units: 10 lower-income units, 4 moderate-income units, 4 above moderate-income units / 15 net units: 10 lower-income net units, 3 moderate-income net units, 2 above moderate-income net units
Property Owner Interest in Residential Development?	The property owner of APN 0089074330 has expressed interest in assembling adjacent sites.
Small or large site if addressing lower income units	No

These parcels are vacant and graded for development. These parcels are adjacent to Sites 26, 28 and 289 and across the street from Site 30.

¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 28: 612 East I Street



Parcel Number	0089074020
Address	612 E I Street
Site Size (acres)	0.29 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Low Density Residential with Overlay
Proposed Zoning	RS with Overlay Zone
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	30
Realistic / Net Realistic Units ¹	6 total units: 3 moderate-income units, 3 above moderate-income units / 5 net units: 3 moderate-income net units, 2 above moderate-income net units
Property Owner Interest in Residential Development?	Yes (City-owned)
Small or large site if addressing lower income units	No

This site is vacant and adjacent to or near Sites 21 and 23. The City is interested in consolidating this site with adjacent sites to redevelop with housing. Program 1.16 addresses the City's plan for making City-owned sites available for residential development.

¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 29: 600 Block of East I Street



Parcel Number(s)	0089074030
Address	600 block of East I Street
Site Size (acres)	0.43 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Low Density Residential with Overlay
Proposed Zoning	RS with Overlay Zone
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	30
Realistic / Net Realistic Units ¹	9 total units: 4 moderate-income units, 5 above moderate-income units / 8 net units: 4 moderate-income net units, 4 above moderate-income net units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is vacant and adjacent to or near Sites 21 and 22.

¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 30: Yuba Site



Parcel Number	0080180050, 080180150, 0080180110, 0080180130
Address	670 East H Street
Site Size (acres) / Developable Size (acres)	35.7 acres / 22.2 acres
Current General Plan	Limited Industrial
Current Zoning	IL
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	High Density Residential with Overlay
Proposed Zoning	RH with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic Units	512 units: 308 lower-income units, 102 moderate-income units, 102 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	Yes

This is a shoreline parcel and a former industrial site with two small remnant unused buildings on site. The area of developable land is dependent upon aligning with a wetland delineation, sea level rise considerations, and potential pollution considerations. Therefore, the proposed developable area is a relatively small portion of the parcel. The City has experienced very little development over the past decade and therefore does not have development trends similar to the subdivision of a parcel greater than 10 parcels per acre. Instead, the City will implement Program 1.08. Program 1.08 will update Title 16, Subdivisions, of the Municipal Code to provide objective

standards for subdivisions and streamline the parcel map requirements and review process. Furthermore, the owner is interested in developing housing on the site and has submitted written support to the City. The realistic units estimated for this site reflects development capacity on the developable acreage. This site is across the street from Sites 26, 27, 28 and 57.

Site 31: 701 Southampton Road



Parcel Number	0087011810
Address	701 Southampton Road
Site Size (acres)	1.01 acres
Current General Plan	Office Commercial
Current Zoning	CO
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Mixed Use Infill
Proposed Zoning	MU-I
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	44
Realistic Units	34 units: 20 lower-income units, 7 moderate-income units, 7 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No

This existing office building on this site has had many different tenants in the past few years. This site is across the street from the Southampton Shopping Center site (Site 31).

Site 32: Southampton Shopping Center



Parcel Number	0086151110
Address	802 Southampton Road
Site Size (acres)	13.67 acres
Current General Plan	General Commercial
Current Zoning	CG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Mixed Use Infill
Proposed Zoning	MU-I
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	44
Realistic Units	463 units: 231 moderate-income units, 232 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This is Southampton Shopping Center. The existing buildings are lower than the height that would be allowed with the additional development capacity on this site with rezoning. Redevelopment of this site with housing would not remove the existing uses but rather develop mixed uses above the existing commercial uses. Both the community and the property owner have expressed interest in this site's redevelopment with mixed-use commercial and housing.

Site 33: Solano Square



Parcel Numbers	0087200100, 0087200040, 0087200050, 0087200060, 0087200070, 0087200080, 0087200130, and 0087200120
Address	10 through 90 Solano Square
Site Size (acres)	7.37 acres total; 0087200100: 0.47 acres, 0087200040: 1.0 acres, 0087200050: 1.19 acres, 0087200060: 1.88 acres, 0087200070: 0.67 acres, 0087200080: 0.73 acres, 0087200130: 0.77 acres, and 0087200120: 1.15 acres
Current General Plan	General Commercial
Current Zoning	CG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Mixed Use Infill
Proposed Zoning	MU-I
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	44
Realistic Units	245 units: 146 lower-income units, 48 moderate-income units, 51 above moderate-income units
Property Owner Interest in Residential Development?	Staff has spoken with property owner on a number of occasions; Owner has not indicated interest in residential development.
Small or large site if addressing lower income units	No

This is Solano Square, an existing shopping center. All of these parcels have one shared property owner. The existing buildings are lower than the height that would be allowed with the additional development capacity on this site with rezoning. Redevelopment of this site with housing would not remove the existing uses but rather develop mixed uses above the existing commercial uses. The community has expressed interest in this shopping center's redevelopment with housing. These parcels are in the Downtown Priority Development Area (PDA).

Site 34: 200 Block Between Military West and West K Street



Parcel Numbers	0087161010, 0087161140, 0087161150, and 0087161220
Address	200 block between Military West and West K Street
Site Size (acres)	1.10 acres total; 0087161010: 0.47 acres, 0087161140: 0.08 acres, 0087161150: 0.09 acres, and 0087161220: 0.46 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	High Density Residential with Overlay
Proposed Zoning	RH with Overlay Zone
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, but the zoning and density will change as part of Program 1.06 so by-right requirements do not apply.
Proposed Density (units per acre)	30
Realistic / Net Realistic Units ¹	23 units: 14 lower-income units, 4 moderate-income units, 5 above moderate-income units / 19 units: 14 lower-income net units, 4 moderate-income net units, 1 above moderate-income net unit
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No

These four parcels are vacant and have the same owner. These parcels are near the Downtown PDA and adjacent to existing residential uses. These parcels are across the street from Site 21.

¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 35: 2170 Columbus Parkway



Parcel Number	0079020360
Address	2170 Columbus Parkway
Site Size (acres)	2.47 acres
Current General Plan	General Commercial
Current Zoning	CG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Mixed Use Infill
Proposed Zoning	MU-I
Vacant or Non-Vacant	Vacant
Repeat Site?	No
Proposed Density (units per acre)	44
Realistic / Net Realistic Units ¹	83 units: 50 lower-income units, 16 moderate-income units, 17 above moderate-income units / 34 net units: 21 lower-income net units, 6 moderate-income net units, 7 above moderate-income net units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This parcel is vacant and across the street from new residential uses under construction in the neighboring city (Vallejo). The property owner has expressed interest in developing housing on this site. This parcel is adjacent to existing services and has nearby access to the Benicia State Recreation Area and I-780.

¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 36: 507 Claverie Way



Parcel Number(s)	0087144100
Address	507 Claverie Way
Site Size (acres)	0.12 acres
Current General Plan	Community Commercial
Current Zoning	CC
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Community Commercial with Overlay
Proposed Zoning	CC with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	2 units: 1 moderate-income unit, 1 above moderate-income unit
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No
<p>This site is occupied with commercial uses, and the property owner has expressed interest in redeveloping this site with residential uses. This site is adjacent to existing residential uses.</p>	

Site 37: 560 First Street



Parcel Number	0089371110
Address	560 First Street
Site Size (acres) / Developable Size (acres)	1.66 acres / 0.75 acres
Current General Plan	Downtown Commercial
Current Zoning	NG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Downtown Commercial with Overlay
Proposed Zoning	NG with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic Units	17 units: 10 lower-income units, 3 moderate-income units, 4 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site is in the Downtown PDA. The parcel has an existing parking lot and office building, and the developable acreage is located on the existing parking lot. The realistic units estimated for this site reflects development capacity on the developable acreage.

Site 38: 190 East F Street



Parcel Number	0089371020
Address	190 East F Street
Site Size (acres)	0.43 acres
Current General Plan	Downtown Commercial
Current Zoning	NG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Downtown Commercial with Overlay
Proposed Zoning	NG with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	9 units: 4 moderate-income units, 5 above moderate-income units
Property Owner Interest in Residential Development?	No
Small or large site if addressing lower income units	No
<p>This site is in the Downtown PDA and adjacent to Site 36. It currently has two single-family dwelling units, and the rest of the parcel is undeveloped.</p>	

Site 39: Benicia Fire Museum Site



Parcel Number	0089053110, 0089053100, and 0089053090
Address	900 East 2 nd Street
Site Size (acres)	0.86 acres total; 0089053110: 0.43 acres, 0089053100: 0.22 acres, and 0089053090: 0.22 acres
Current General Plan	Public/Quasi-Public
Current Zoning	PS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Public/Quasi-Public with Overlay
Proposed Zoning	PS with Overlay Zone
Vacant or Non-Vacant	Partially Non-Vacant (0089053110 and 0089053100)
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic Units	19 lower-income units
Property Owner Interest in Residential Development?	Yes (City-owned)
Small or large site if addressing lower income units	No

These three parcels are in the Downtown PDA. The parcels are owned by the City and are the current site of the Benicia Fire Museum. The City is interested in consolidating and redeveloping this site with lower-income housing and the Benicia Fire Museum in a mixed-use development. Program 1.16 addresses the City's plan for making City-owned sites available for residential development.

Site 40: 202 East J Street



Parcel Number	0089053010
Address	202 East J Street
Site Size (acres)	0.43 acres
Current General Plan	Downtown Mixed Use
Current Zoning	NG-O
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Downtown Mixed Use with Overlay
Proposed Zoning	NG-O with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	9 units: 4 moderate-income units, 5 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner, but the property owner has previously inquired about the potential for site redevelopment with residential uses.
Small or large site if addressing lower income units	No

This site is occupied with an aging apartment complex, and it is adjacent to Site 38 in the sites inventory.

Site 41: 155 Military East



Parcel Number	0088111070
Address	155 Military East
Site Size (acres)	0.37 acres
Current General Plan	General Commercial
Current Zoning	CG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Mixed Use Infill
Proposed Zoning	MU-I
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	44
Realistic Units	12 units: 6 moderate-income units, 6 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No

This site is within the Downtown PDA and adjacent to or near Sites 40, 42, and 43. It shares an owner with the Solano Square parcels to the west. The site is occupied with commercial uses. Realistic unit assumptions about anticipated redevelopment of this parcel with housing would not remove the existing uses but rather develop mixed uses above the existing commercial uses. The community has expressed interest in this area's redevelopment with housing.

Site 42: 177 Military East



Parcel Number	0088111080
Address	177 Military East
Site Size (acres)	0.19 acres
Current General Plan	General Commercial
Current Zoning	CG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Mixed Use Infill
Proposed Zoning	MU-I
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	44
Realistic Units	6 units: 3 moderate-income units, 3 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No

This site is within the Downtown PDA and adjacent to or near Sites 40, 41, and 43. The site is occupied with commercial uses. Realistic unit assumptions about anticipated redevelopment of this parcel with housing would not remove the existing uses but rather develop mixed uses above the existing commercial uses. The community has expressed interest in this area's redevelopment with housing.

Site 43: Davies Square Shopping Center



Parcel Number	0088111090, 0088111120, and 0088111110
Address	191 Military East and 1367 East 2nd Street
Site Size (acres)	0.91 acres total; 0088111090: 0.49 acres, 0088111120: 0.05 acres, and 0088111110: 0.37 acres
Current General Plan	General Commercial
Current Zoning	CG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Mixed Use Infill
Proposed Zoning	MU-I
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	44
Realistic Units	30 units: 15 moderate-income units, 15 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No
<p>This site ("Davies Square Shopping Center") is within the Downtown PDA and adjacent to or near Sites 41, 42, and 43. The site is occupied with commercial uses. Realistic unit assumptions about anticipated redevelopment of this parcel with housing would not remove the existing uses but rather develop mixed uses above the existing commercial uses. The community has expressed interest in this area's redevelopment with housing.</p>	

Site 44: 827 First Street



Parcel Number	0089044090
Address	827 First Street
Site Size (acres)	0.43 acres
Current General Plan	Downtown Commercial
Current Zoning	TC
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Downtown Commercial with Overlay
Proposed Zoning	TC with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	9 units: 4 moderate-income units, 5 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No
This site is in the Downtown PDA. This site has an aging building with ground floor offices and residential and office uses above.	

Site 45: 1471 Park Road



Parcel Number	0080140670
Address	1471 Park Road
Site Size (acres) / Developable Size (acres)	9.41 acres / 5.65 acres
Current General Plan	Public/Quasi-Public
Current Zoning	PS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	High Density Residential with Overlay
Proposed Zoning	RH with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic Units	130 units: 78 lower-income units, 26 moderate-income units, 26 above moderate-income units
Property Owner Interest in Residential Development?	Yes (City-owned)
Small or large site if addressing lower income units	No

This site is underutilized and near Site 6. This site has a reduced realistic development capacity to ensure adequate buffers are provided on site and to separate residential development from nearby uses (i.e., an adjacent pipeline and Interstate 780). The realistic units estimated for this site reflects development capacity on the developable acreage minus the buffers. Program 1.16 addresses the City's plan for making City-owned sites available for residential development.

Site 46: Church Street Sites



Parcel Number	0086050030 and 0086050040
Address	Church Street
Site Size (acres)	0.29 acres total; 0086050030: 0.16 acres and 0086050040: 0.13 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Medium Density Residential with Overlay
Proposed Zoning	RM with Overlay Zone
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	30
Realistic / Net Realistic Units ¹	6 units: 2 moderate-income units, 4 above moderate-income units / 4 net units: 2 moderate-income net units, 2 above moderate-income net units
Property Owner Interest in Residential Development?	Yes (City-owned)
Small or large site if addressing lower income units	No

This site is a former right-of-way and vacant. The parcels are adjacent and owned by the City. They are also adjacent to existing residential uses and near a transit route and the local public high school. Program 1.16 addresses the City's plan for making City-owned sites available for residential development.

¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 47: 163 East H Street



Parcel Number ¹	0089052290
Address	163 East H Street
Site Size (acres)	0.21 acres
Current General Plan	Downtown Commercial
Current Zoning	NG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Downtown Commercial with Overlay
Proposed Zoning	NG with Overlay Zone
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	30
Realistic/Net Units	4 units: 2 moderate-income units, 2 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No

This site is in the Downtown PDA. The site is vacant and adjacent to existing residential uses.

1 This site is on the Land Inventory and also an Opportunity Site.

Site 48: Benicia Cemetery Site



Parcel Number	0087021160
Address	150 Riverhill Drive
Site Size (acres) / Developable Size (acres)	20.12 acres total (2.75 developable acres total)
Current General Plan	Public/Quasi-Public
Current Zoning	PS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Public/Quasi-Public with Overlay
Proposed Zoning	PS with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	63 above moderate-income units
Property Owner Interest in Residential Development?	Yes (City-owned)
Small or large site if addressing lower income units	No

This site part of the Benicia Cemetery property and owned by the City. The developable acreage of this site has not been developed with cemetery uses, and the City would like to develop it with residential uses. The City notes that they do not wish to expand cemetery uses on the site due to financial constraints induced by cemetery maintenance demands. The realistic capacity estimated for this site reflects realistic unit capacity on the developable acreage. The Benicia Cemetery is currently surrounded by existing residential uses, so housing development would not be a change to the surrounding neighborhood character. The City has experienced very little development over the past decade and therefore does not have development trends to support the subdivision of a parcel greater than 10 parcels per acre. Instead, the City will implement Program 1.08. Program 1.08 will update Title 16, Subdivisions, of the Municipal Code to provide objective standards for subdivisions and streamline the parcel map requirements and review process.

Site 49: 800 Block of East 7th Street



Parcel Numbers	0089076120, 0089076130, 0089076140
Address	800, 808, and 888 East 7 th Street
Site Size (acres)	0.42 acres total; 0089076120: 0.14 acres, 0089076130: 0.14 acres, 0089076140: 0.14 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Low Density Residential with Overlay
Proposed Zoning	RS with Overlay Zone
Vacant or Non-Vacant	Vacant
Repeat Site?	No
Proposed Density (units per acre)	30
Realistic / Net Realistic Units ¹	9 units: 5 lower-income units, 2 moderate-income units, 2 above moderate-income units / 6 net units: 5 lower-income net units, 2 moderate-income net units, -1 above moderate-income net units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	Yes, but these three sites have the same property owner and would be consolidated. Although no response has been received yet from the property owners of Site 50, the City will continue efforts to reach out to the owner regarding consolidate the parcels to develop a housing project.

These sites are all adjacent, vacant, and share the same property owner. These parcels are adjacent to Site 50. Program 1.15 calls for a program for consolidation of parcels for development of multi-family residential units.

¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 50: East 7th Street



Parcel Number	0089076090
Address	East 7 th Street
Site Size (acres)	0.34 acres
Current General Plan	Low Density Residential
Current Zoning	RS
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Low Density Residential with Overlay
Proposed Zoning	RS with Overlay Zone
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	30
Realistic / Net Realistic Units ¹	7 units: 3 moderate-income units, 4 above moderate-income units / 6 net units: 3 moderate-income net units, 3 above moderate-income net units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No. However, the City would like to consolidate this site with the adjacent Site 49. Although no response was received yet from the property owners of this site the City will continue efforts to reach out to them about consolidating the parcels to develop a housing project.

This parcel is vacant and adjacent to Site 49.

¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 51: 1043 Grant Street



Parcel Number	0080150260
Address	1043 Grant Street
Site Size (acres)	0.29 acres
Current General Plan	Lower Arsenal Mixed Use
Current Zoning	CG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Office Commercial with Overlay
Proposed Zoning	CO with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	6 units: 3 moderate-income units, 3 above moderate-income units
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No

This site currently has one small building on a largely undeveloped parcel. The property owner is interested in redeveloping this site with housing, and the parcel is adjacent to Sites 52 and 53.

Site 52: 1025 Grant Street



Parcel Number	0080150320
Address	1025 Grant Street
Site Size (acres)	0.71 acres
Current General Plan	General Commercial
Current Zoning	CG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Office Commercial with Overlay
Proposed Zoning	CO with Overlay Zone
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, but the zoning and density will change as part of Program 1.06 so by-right requirements do not apply.
Proposed Density (units per acre)	30
Realistic / Net Realistic Units ¹	16 units: 9 lower-income units, 3 moderate-income units, 4 above moderate-income units / 5 net units: 2 lower-income net units, 1 moderate-income net units, 2 above moderate-income net units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No

This site is vacant and adjacent to Sites 51 and 53. The City has received prior residential proposals on this site from the same owner.

¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 53: Grant Street Site



Parcel Number	0080150330
Address	n/a
Site Size (acres)	0.51 acres
Current General Plan	General Commercial
Current Zoning	CG
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Office Commercial with Overlay
Proposed Zoning	CO with Overlay Zone
Vacant or Non-Vacant	Vacant
Repeat Site?	Yes, but the zoning and density will change as part of Program 1.06 so by-right requirements do not apply.
Proposed Density (units per acre)	30
Realistic / Net Realistic Units ¹	11 units: 6 lower-income units, 2 moderate-income units, 3 above moderate-income units / 2 net units: 1 lower-income net unit, 0 moderate-income net units, 1 above moderate-income net unit
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No

This site is vacant and adjacent to Sites 51 and 52. The City has received prior residential proposals on this site from the same owner.

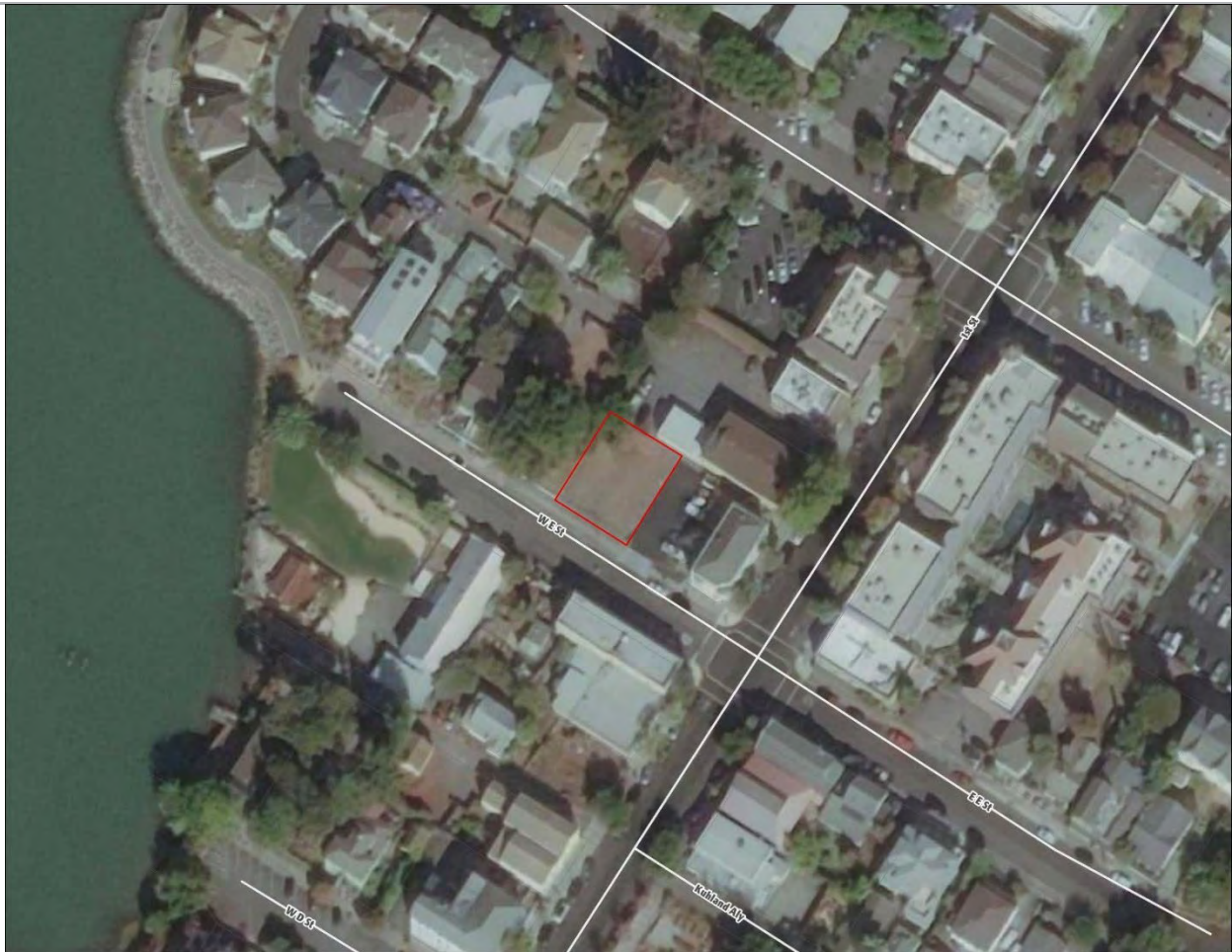
¹ This site is on the Land Inventory and also an Opportunity Site. The net units represent the difference between the number of units that can be accommodated, given the site's existing zoning (i.e., the site's zoning in the Land Inventory), and the additional units that could be accommodated with the site's proposed zoning change.

Site 54: 100 Block of East H Street



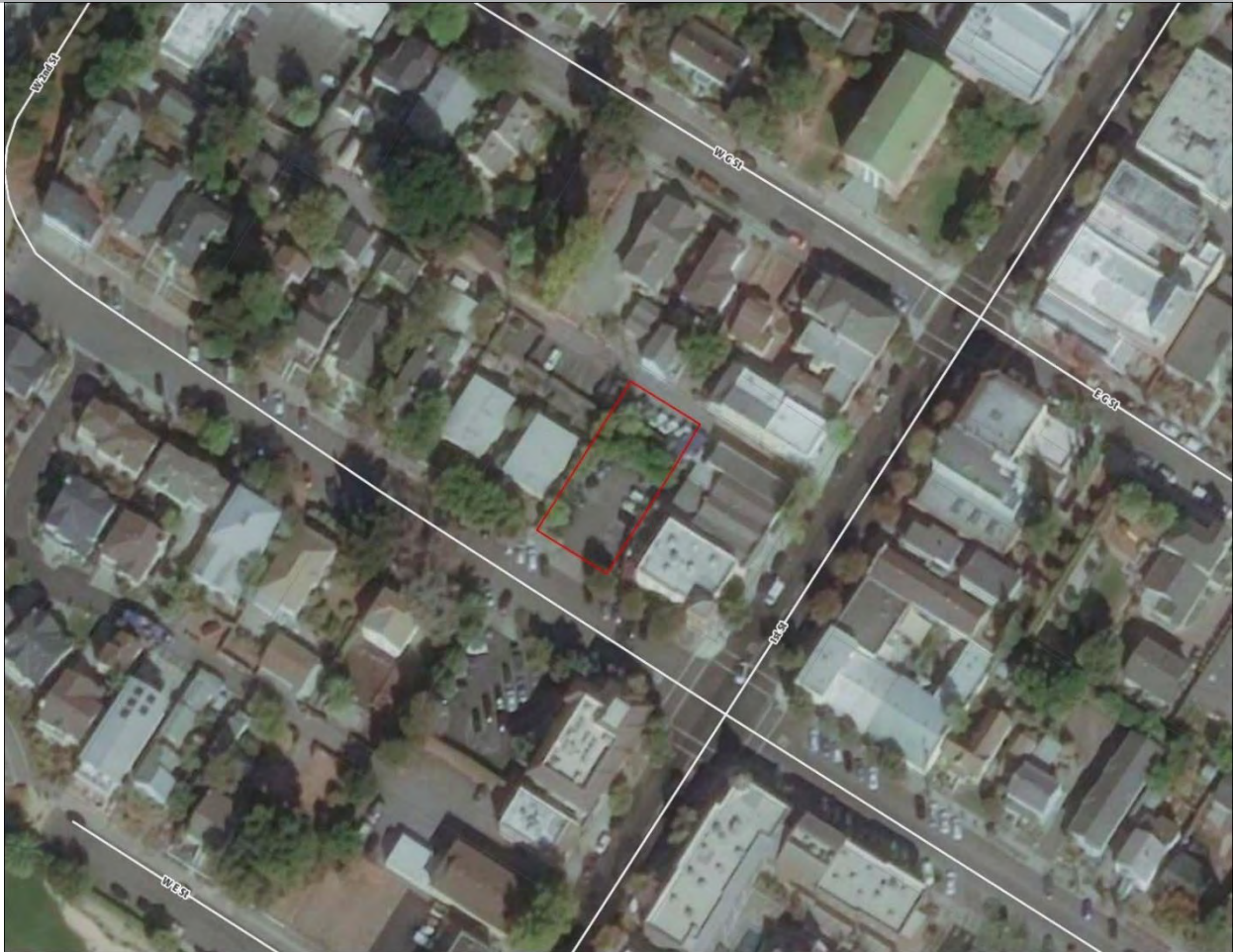
Parcel Number	0089052160
Address	First block of East H Street
Site Size (acres)	0.09 acres
Current General Plan	Downtown Mixed Use
Current Zoning	TC-O
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Downtown Mixed Use with Overlay
Proposed Zoning	TC-O with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	2 units: 1 moderate-income unit, 1 above moderate-income unit
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No
This site is in the Downtown PDA. The current use on this site is a parking lot.	

Site 55: 100 Block of West E Street



Parcel Number	0089173190
Address	First block of West E Street
Site Size (acres)	0.12 acres
Current General Plan	Downtown Mixed Use
Current Zoning	TC-O
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Downtown Mixed Use with Overlay
Proposed Zoning	TC-O with Overlay Zone
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	30
Realistic Units	2 units: 1 moderate-income unit, 1 above moderate-income unit
Property Owner Interest in Residential Development?	Yes
Small or large site if addressing lower income units	No
This site is in the Downtown PDA. This parcel is currently undeveloped.	

Site 56: 125 West F Street



Parcel Number	0089115160
Address	125 West F Street
Site Size (acres)	0.14 acres
Current General Plan	Downtown Commercial
Current Zoning	TC
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Downtown Commercial with Overlay
Proposed Zoning	TC with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	3 units: 1 moderate-income units, 2 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No
This parcel is underutilized with a parking lot. This site is in the Downtown PDA.	

Site 57: 111 West H Street



Parcel Number	0089044320 and 0089044330
Address	111 West H Street
Site Size (acres)	0.25 acres total =0089044320: 0.14 acres, 0089044330: 0.11 acres
Current General Plan	Downtown Mixed Use
Current Zoning	TC-O
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Downtown Mixed Use with Overlay
Proposed Zoning	TC-O with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	5 units: 2 moderate-income units, 3 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No
This site is in the Downtown PDA. The parcels are adjacent and share the same owner. They are currently developed with a parking lot.	

Site 58: 500 Block of East H Street



Parcel Number	0089072170
Address	500 block of East H Street
Site Size (acres)	0.22 acres
Current General Plan	High Density Residential
Current Zoning	RM
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Medium Density Residential with Overlay
Proposed Zoning	RM with Overlay Zone
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	30
Realistic Units	5 units: 2 moderate-income units, 3 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No
This site is vacant and adjacent to Site 71 but does not share a property owner.	

Site 59: 535 East H Street



Parcel Number	0089072160
Address	535 East H Street
Site Size (acres)	0.22 acres
Current General Plan	High Density Residential
Current Zoning	RM
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Medium Density Residential with Overlay
Proposed Zoning	RM with Overlay Zone
Vacant or Non-Vacant	Non-Vacant
Proposed Density (units per acre)	30
Realistic Units	5 units: 2 moderate-income units, 3 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No
This site is adjacent to Sites 70 and 72 but does not share a property owner. This site is occupied with an aging residential structure.	

Site 60: 543 East H Street



Parcel Number	0089072150
Address	543 East H Street
Site Size (acres)	0.21 acres
Current General Plan	High Density Residential
Current Zoning	RM
Rezoning or Change to Land Use Required?	Yes
Proposed General Plan Land Use	Medium Density Residential with Overlay
Proposed Zoning	RM with Overlay Zone
Vacant or Non-Vacant	Vacant
Proposed Density (units per acre)	30
Realistic Units	4 units: 2 moderate-income units, 2 above moderate-income units
Property Owner Interest in Residential Development?	No response received from property owner up to this point
Small or large site if addressing lower income units	No
This site is vacant and adjacent to Site 71 but does not share a property owner.	

3.1.8 Hazards

There are 35 properties in the Sites Inventory that are constrained by environmental conditions: 10 sites are impacted by fire hazards, 14 sites are impacted by inland flooding, and 25 sites are affected by shoreline flooding or sea level rise. The parcels with wildfire hazards are generally located in the grassy, hillsides of the city, as shown in Figure 3.7. Wildfire risk is a widespread issue in the hillside areas of the city closer to Lake Herman, and sites near wildfire hazards are also near existing residential development for various income categories. Areas of the city that are not shown in these maps do not have substantial risk of wildfire hazards.

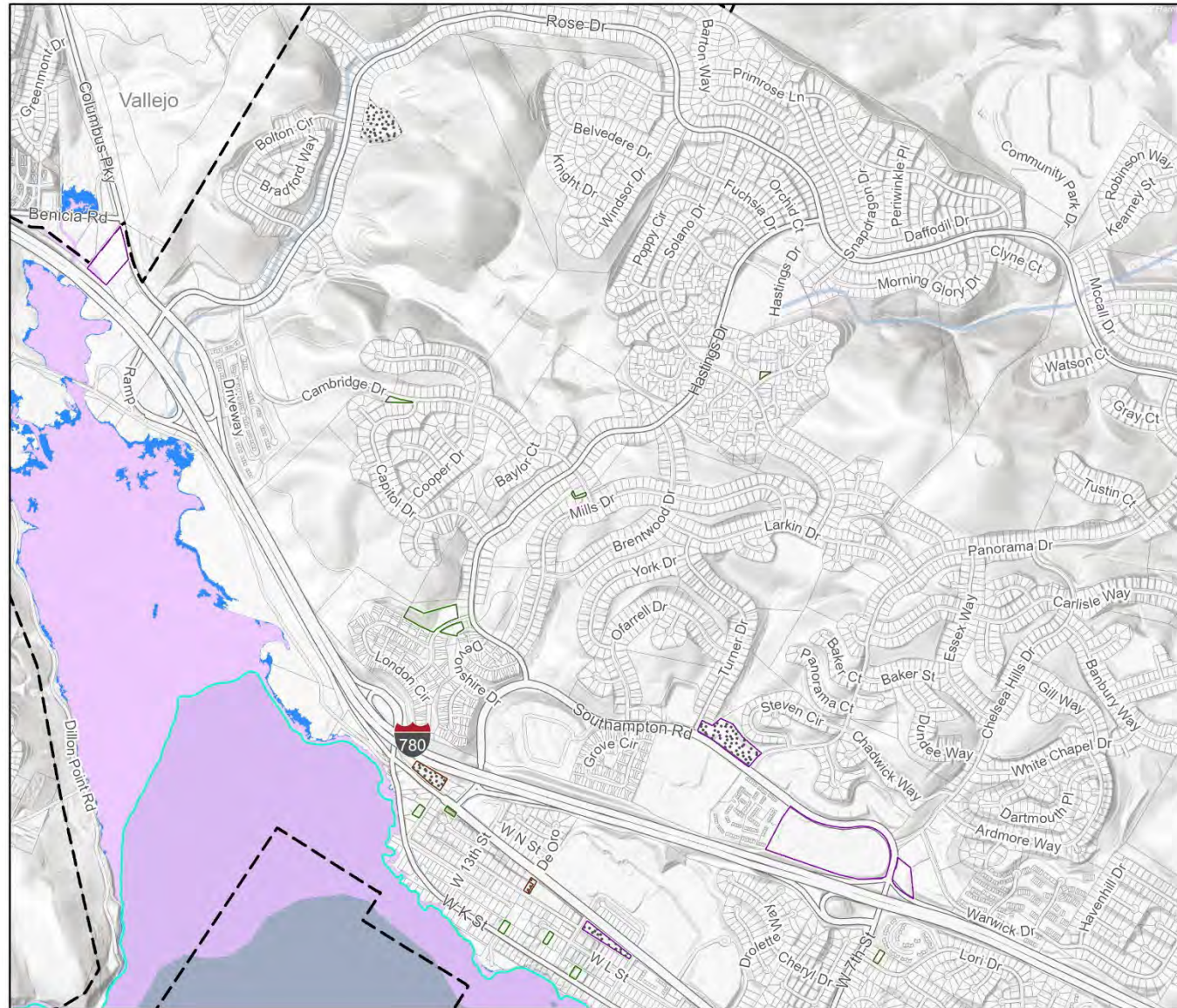
Similarly, the sea level rise anticipated for 2050 and 2100 and shoreline flooding (both for 2050 and 2100), runs along the Carquinez Strait and impacts areas closer to sea level. Given that the city is located on the Carquinez Strait where sea level rise is relatively unavoidable, some threat of water inundation issues cannot be entirely avoided in the city. Sea level rise and shoreline flooding affect 25 sites in the Sites Inventory and existing residential development for various income categories in areas at the lower elevation within the city, as shown in Figures 3.2 through 3.7. Areas of the city that are not shown in these maps do have substantial risk of shoreline flooding or sea level rise.

Inland flooding is caused by heavy rainfall, long periods of moderate rainfall, or clogged drains during periods of light rainfall. The city experiences chronic inland flooding in several places due to proximity to the shoreline and the compounding impacts of high tides, water tables, flow through the Carquinez Strait, and surcharged outfalls. The lower downtown and lower eastside, Benicia Wastewater Treatment Plant, and Benicia Industrial Park have historically experienced flooding. The City's Fire Department supports a sandbag program to help residents and businesses prepare for flooding events in the city. As shown in Figure 3.2, inland flooding affects 14 sites in the Sites Inventory as well as existing residential development for various income categories. Areas of the city that are not shown in these maps do have substantial risk of inland flooding.

The City plans to provide a cost-effective strategy to ensure safe, resilient housing development on these sites. Wildfire, sea level rise, and flood risks are discussed in the Physical Constraints section of this housing element, and the strategies and hazard reduction measures to address these risks are listed in Safety Element.

Figure 3.2.A. City of Benicia Sites Inventory Inland Flooding Map #1

HOUSING ELEMENT
CITY OF BENICIA



Inland Flooding

- Parcels
- City Limit
- Existing Shoreline
- Inland Flooding (Solano County MJHMP)**
 - 100 year floodplain
 - 500 year floodplain
- Zoning**
 - Overlay Zone
- Housing Element Sites**
- Action**
 - Suitably Zoned
 - Suitably Zoned with Upzoning
 - Proposed
 - Needs Zoning Change

0 500 1,000
Feet

Revision Date: 8/23/2022

Figure 3.2.B. City of Benicia Sites Inventory Inland Flooding Map #2

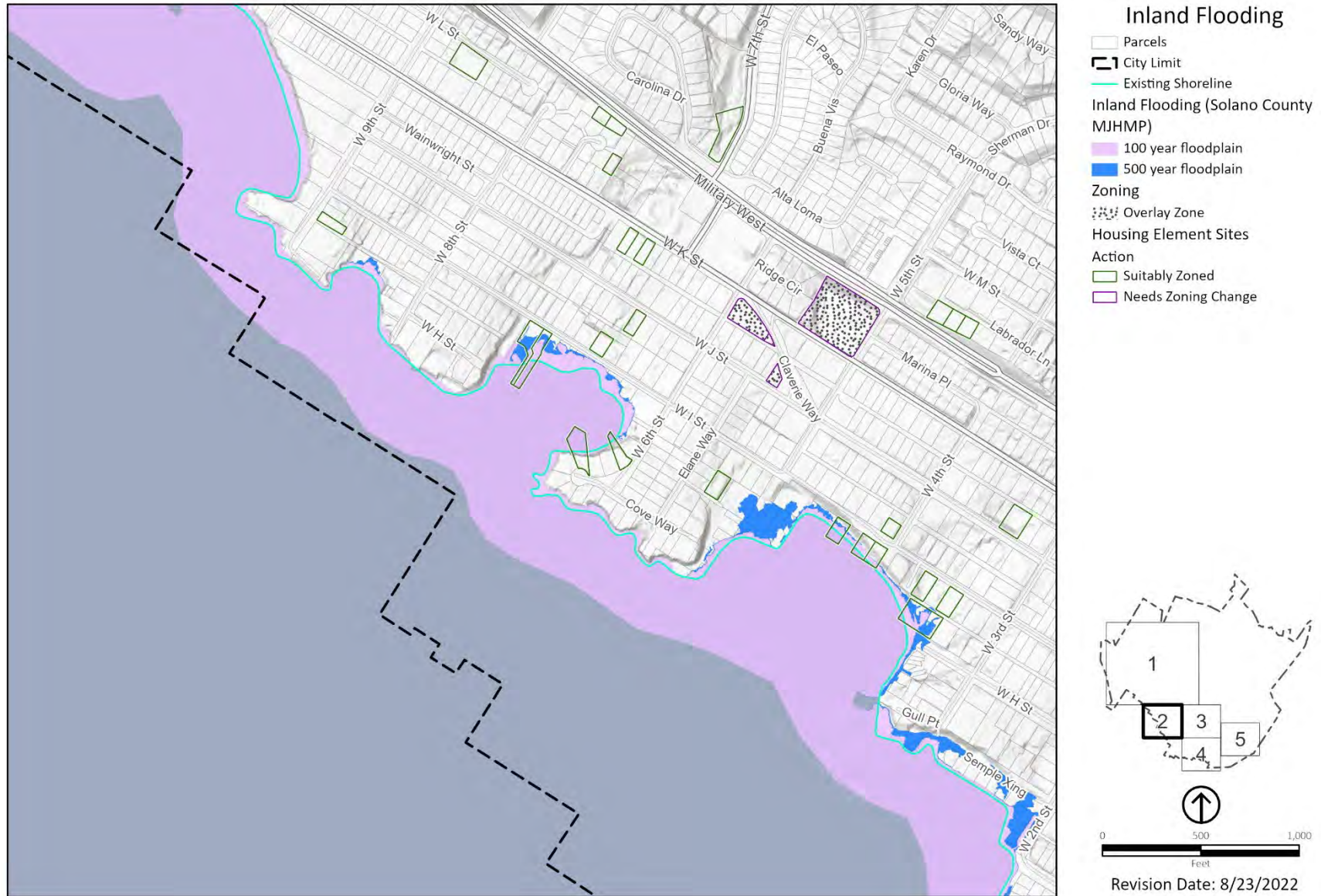
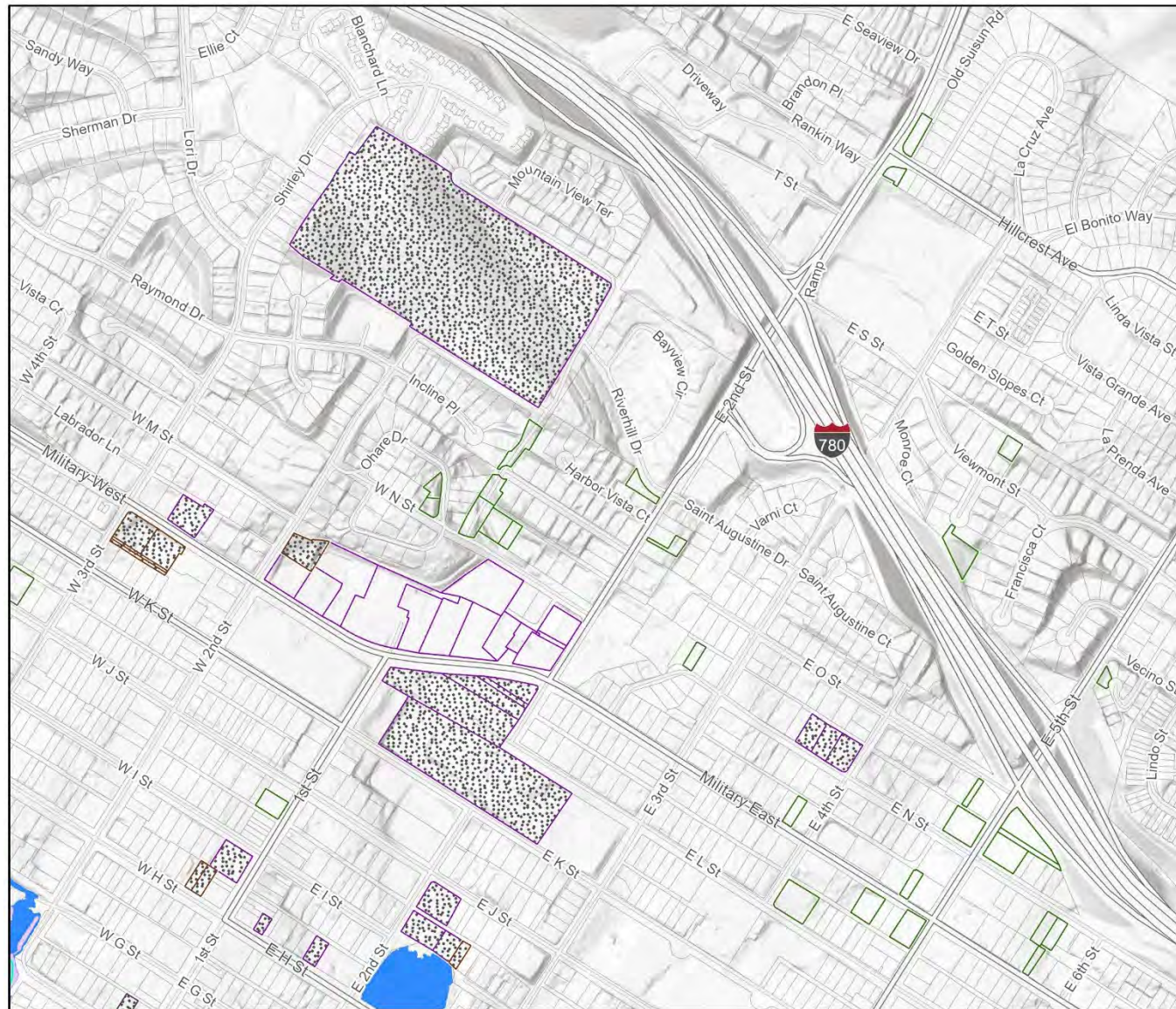


Figure 3.2.C. City of Benicia Sites Inventory Inland Flooding Map #3



- ### Inland Flooding
- Parcels
 - City Limit
 - Existing Shoreline
 - Inland Flooding (Solano County MJHMP)**
 - 100 year floodplain
 - 500 year floodplain
 - Zoning**
 - Overlay Zone
 - Housing Element Sites**
 - Action**
 - Suitably Zoned
 - Suitably Zoned with Upzoning Proposed
 - Needs Zoning Change

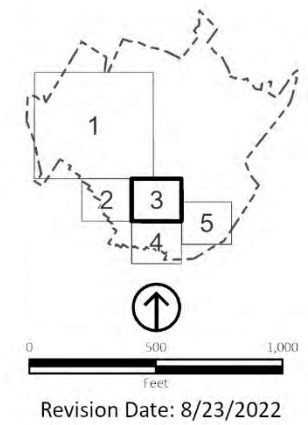


Figure 3.2.D. City of Benicia Sites Inventory Inland Flooding Map #4

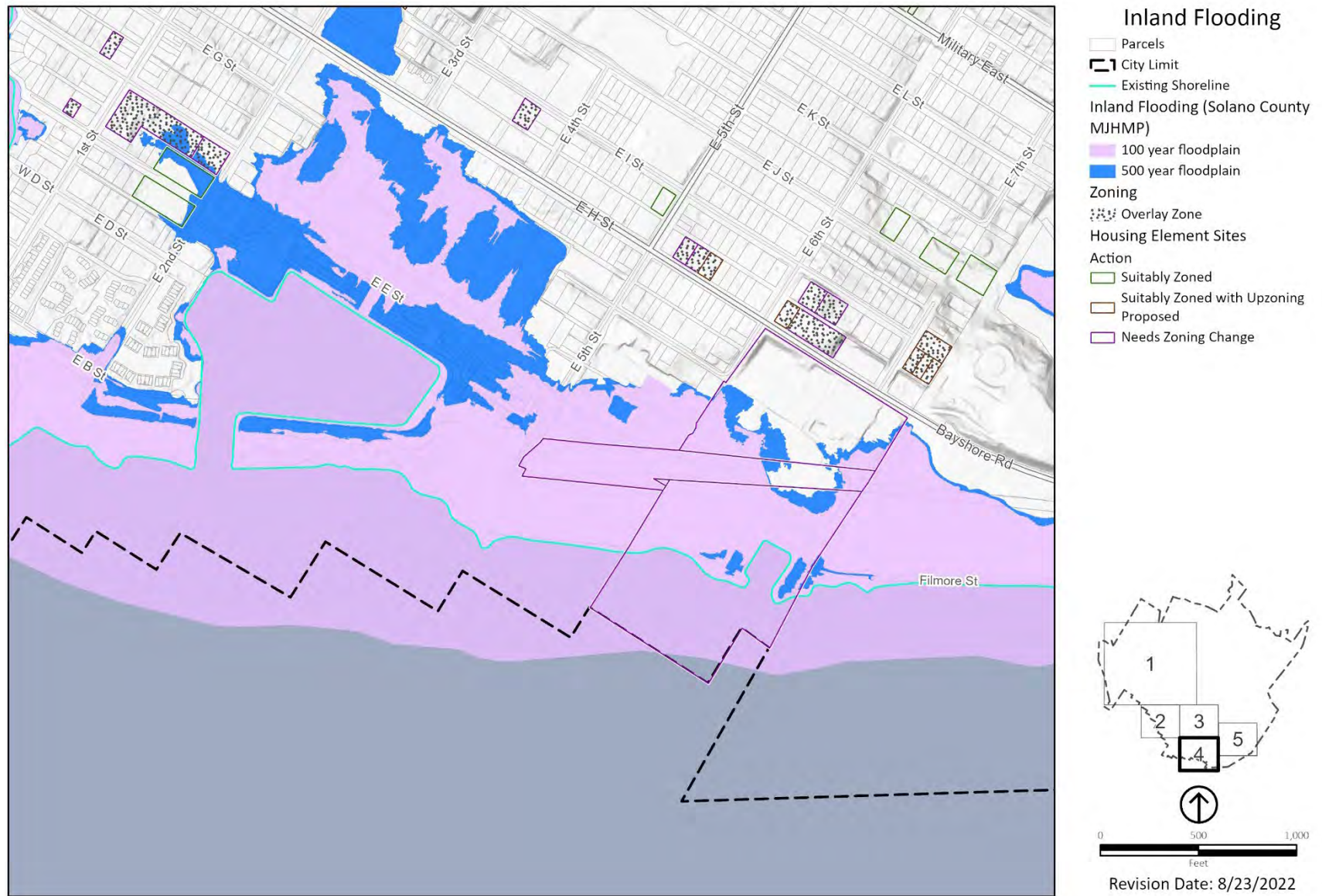
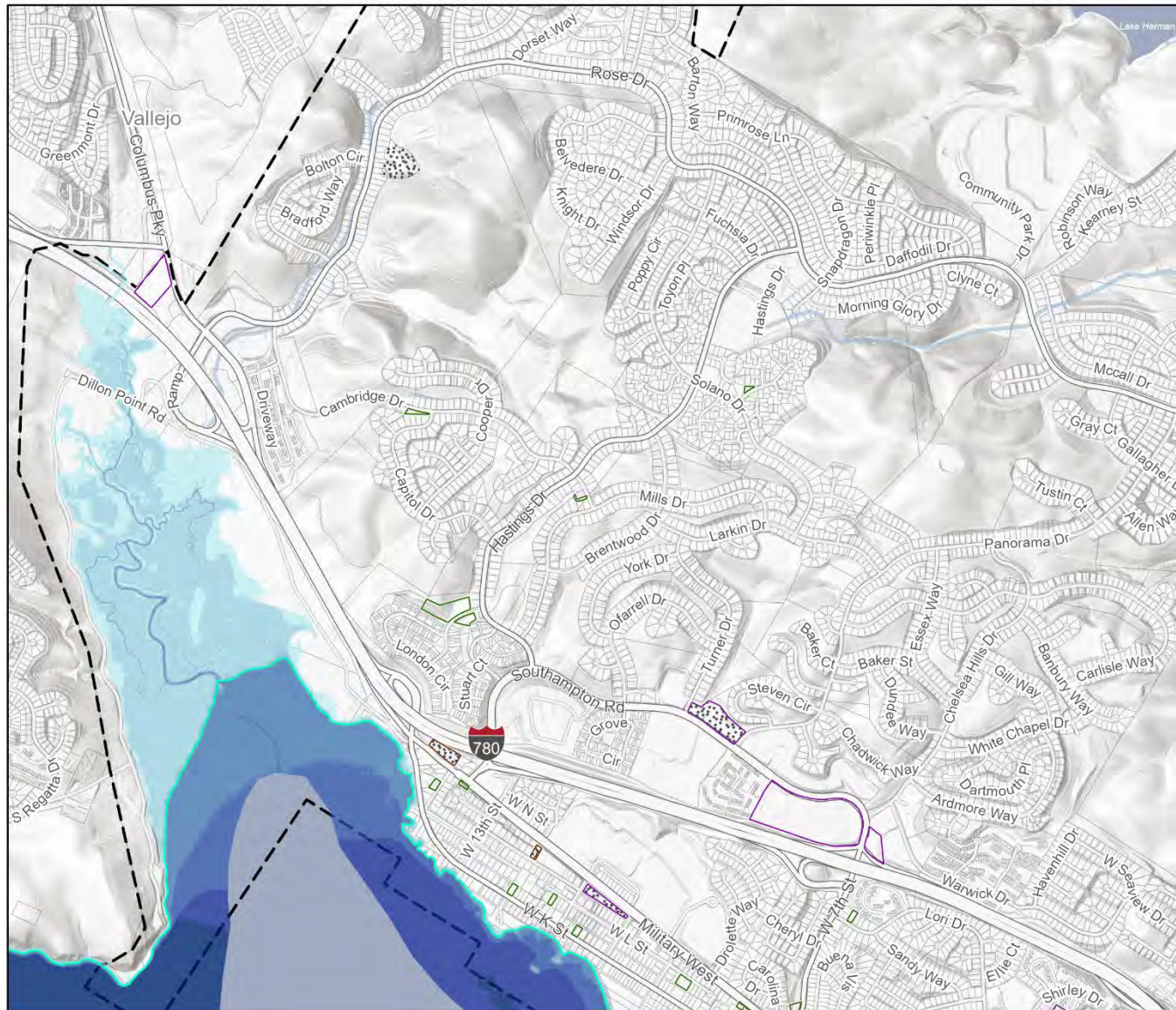
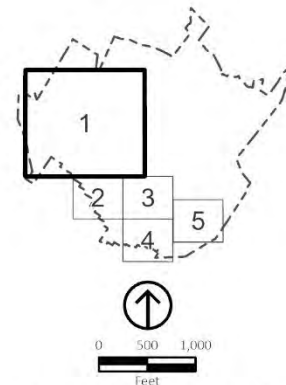


Figure 3.3.A. City of Benicia Sites Inventory Shoreline Flooding 2050 Map #1



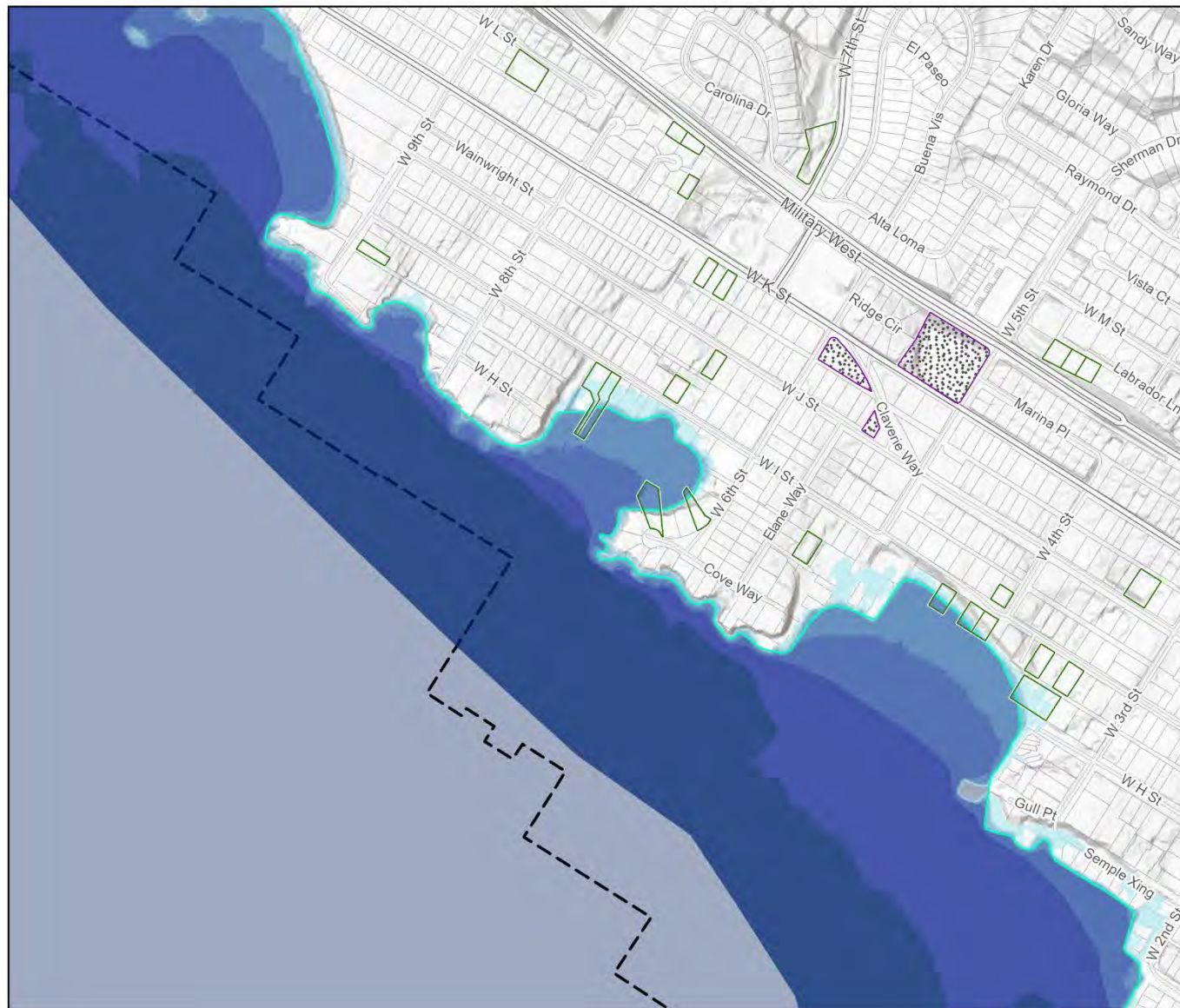
Shoreline Flooding - 2050

- Parcels
- City Limit
- Existing Shoreline
- Shoreline Flooding - 24" with 5-year storm, 2050 (48")
- Depth (ft)
- 0 - 2
- 2 - 4
- 4 - 6
- 6 - 8
- 8 - 10
- 10 - 12
- 12+
- Zoning
- Overlay Zone
- Housing Element Sites
- Action
- Suitably Zoned
- Suitably Zoned with Upzoning
- Proposed
- Needs Zoning Change



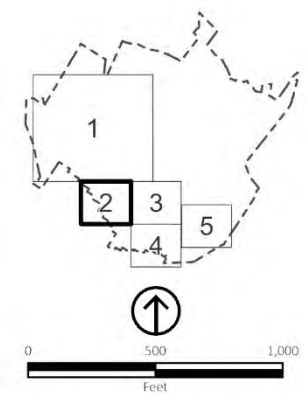
Revision Date: 8/24/2022

Figure 3.3.B. City of Benicia Sites Inventory Shoreline Flooding 2050 Map #2



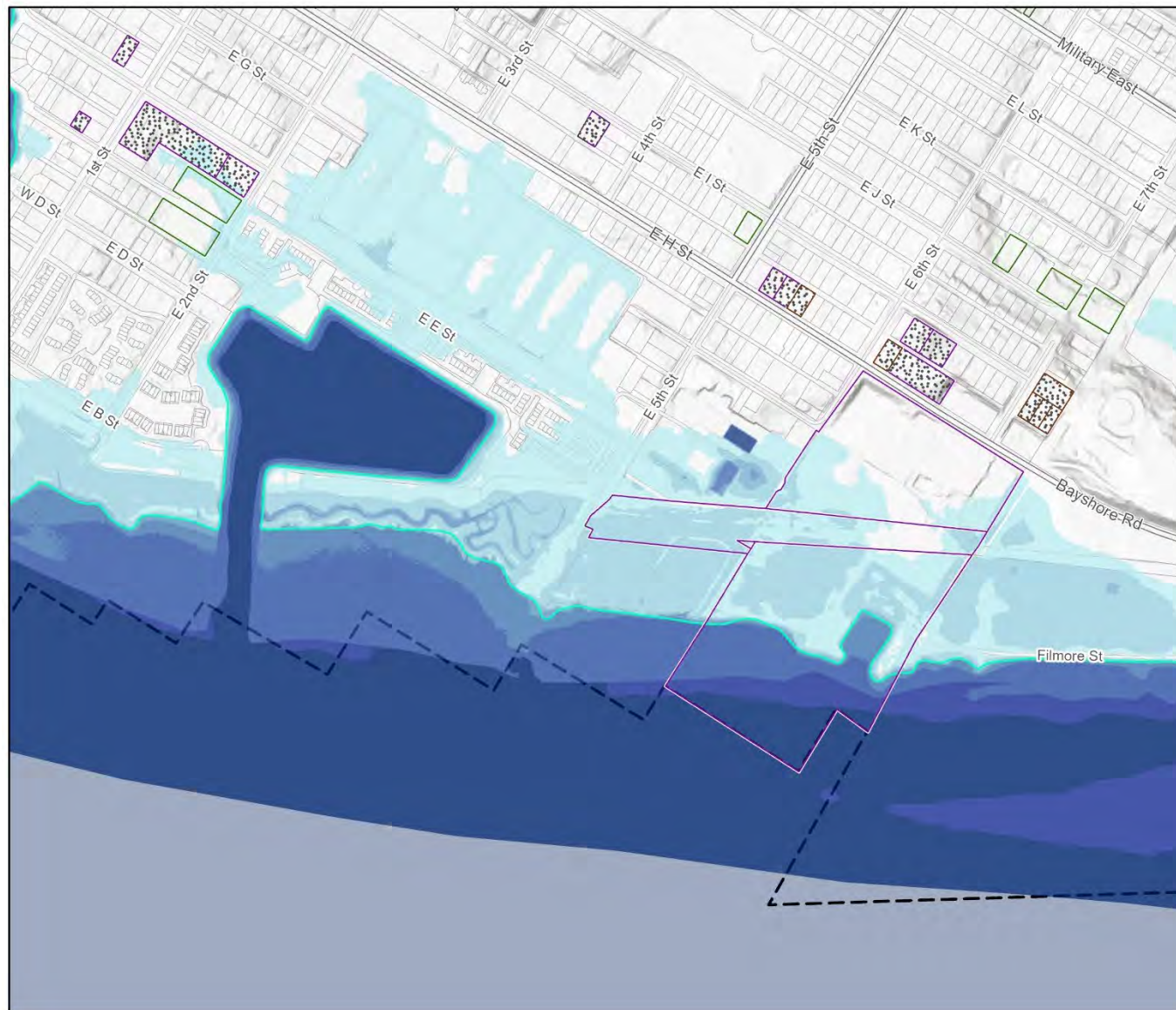
Shoreline Flooding - 2050

- ▭ Parcels
- ▭ City Limit
- Existing Shoreline
- Shoreline Flooding - 24" with 5-year storm, 2050 (48")
- Depth (ft)
- 0 - 2
- 2 - 4
- 4 - 6
- 6 - 8
- 8 - 10
- 10 - 12
- 12+
- Zoning
- ▭ Overlay Zone
- Housing Element Sites
- Action
- ▭ Suitably Zoned
- ▭ Needs Zoning Change



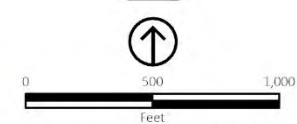
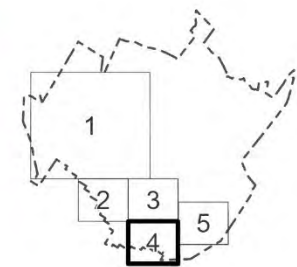
Revision Date: 8/24/2022

Figure 3.3.C. City of Benicia Sites Inventory Shoreline Flooding 2050 Map #3



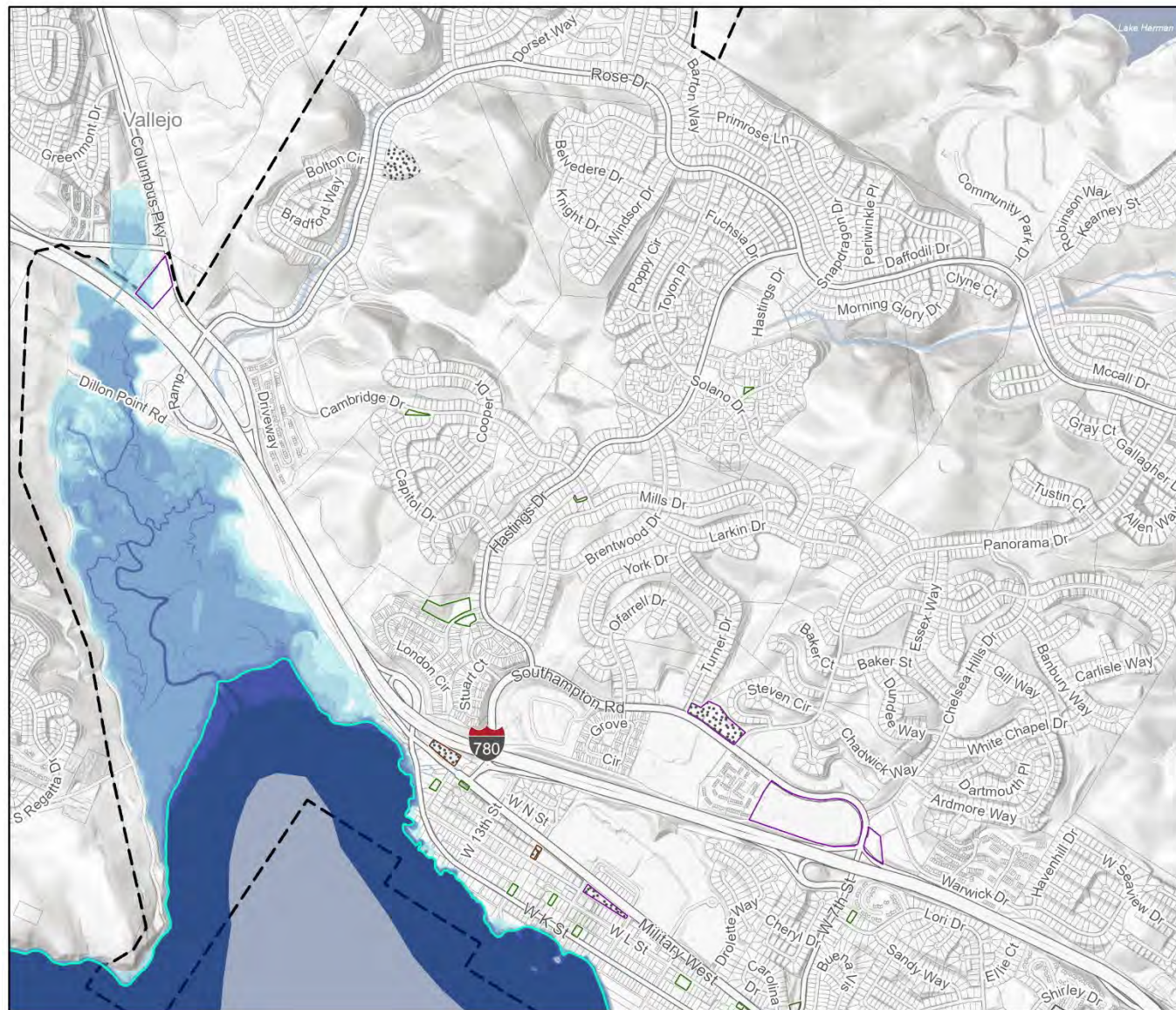
Shoreline Flooding - 2050

- ▭ Parcels
- ▭ City Limit
- Existing Shoreline
- Shoreline Flooding - 24" with 5-year storm, 2050 (48")
- Depth (ft)
- 0 - 2
- 2 - 4
- 4 - 6
- 6 - 8
- 8 - 10
- 10 - 12
- 12+
- Zoning
- ▨ Overlay Zone
- Housing Element Sites
- Action
- ▭ Suitably Zoned
- ▭ Suitably Zoned with Upzoning
- ▭ Proposed
- ▭ Needs Zoning Change



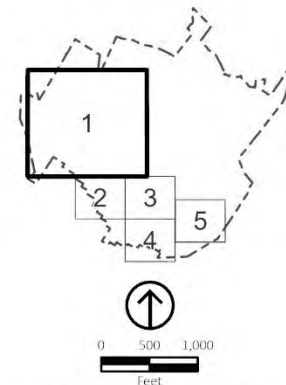
Revision Date: 8/24/2022

Figure 3.4.A. City of Benicia Sites Inventory Shoreline Flooding 2100 Map #1



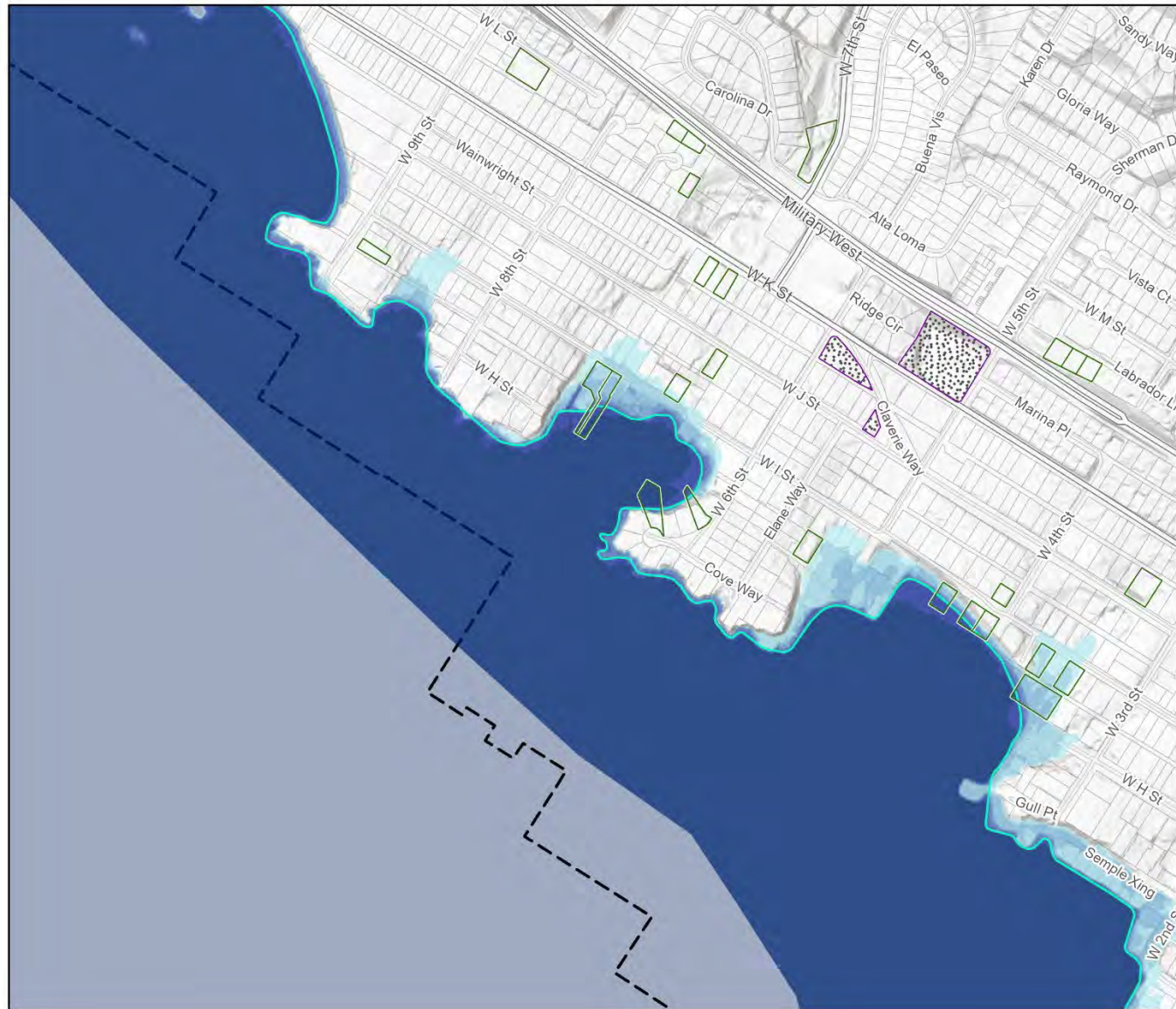
Shoreline Flooding - 2100

- ▭ Parcels
- ⬛ City Limit
- Existing Shoreline
- Shoreline Flooding - 84" with 5-year storm, 2100 (108")
- Depth (ft)
- 0 - 2
- 2 - 4
- 4 - 6
- 6 - 8
- 8 - 10
- 10 - 12
- 12+
- Zoning
- ⋯ Overlay Zone
- Housing Element Sites
- Action
- ▭ Suitably Zoned
- ▭ Suitably Zoned with Upzoning
- ▭ Proposed
- ▭ Needs Zoning Change



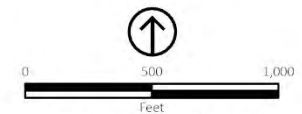
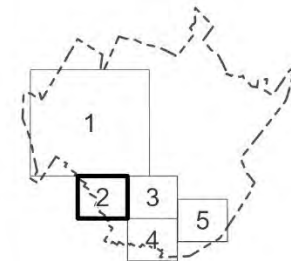
Revision Date: 8/23/2022

Figure 3.4.B. City of Benicia Sites Inventory Shoreline Flooding 2100 Map #2



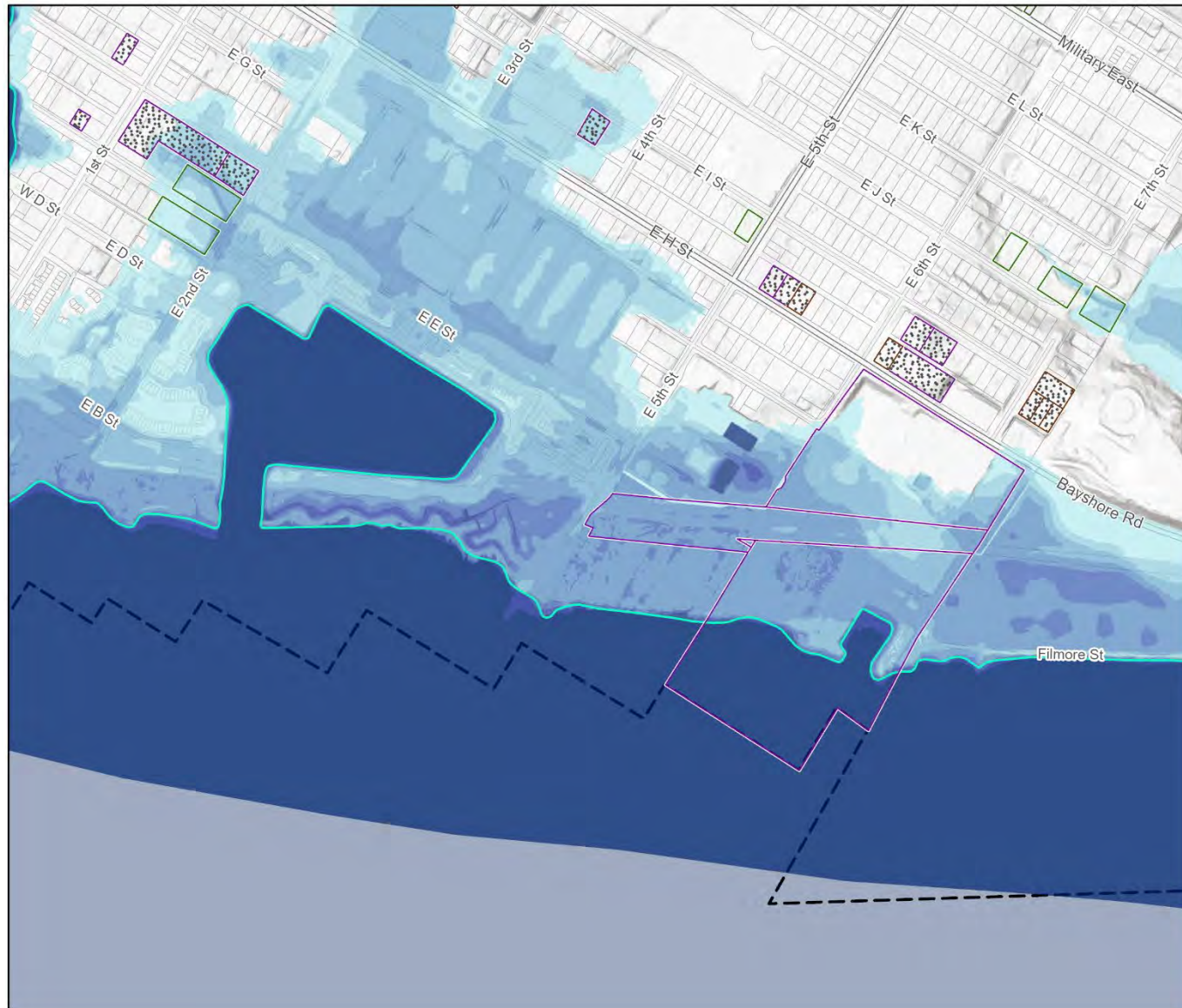
Shoreline Flooding - 2100

- Parcels
- City Limit
- Existing Shoreline
- Shoreline Flooding - 84" with 5-year storm, 2100 (108")
- Depth (ft)
- 0 - 2
- 2 - 4
- 4 - 6
- 6 - 8
- 8 - 10
- 10 - 12
- 12+
- Zoning
- Overlay Zone
- Housing Element Sites
- Action
- Suitably Zoned
- Needs Zoning Change



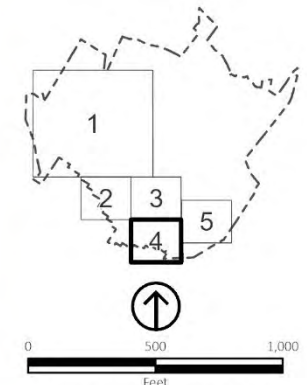
Revision Date: 8/23/2022

Figure 3.4.C. City of Benicia Sites Inventory Shoreline Flooding 2100 Map #3



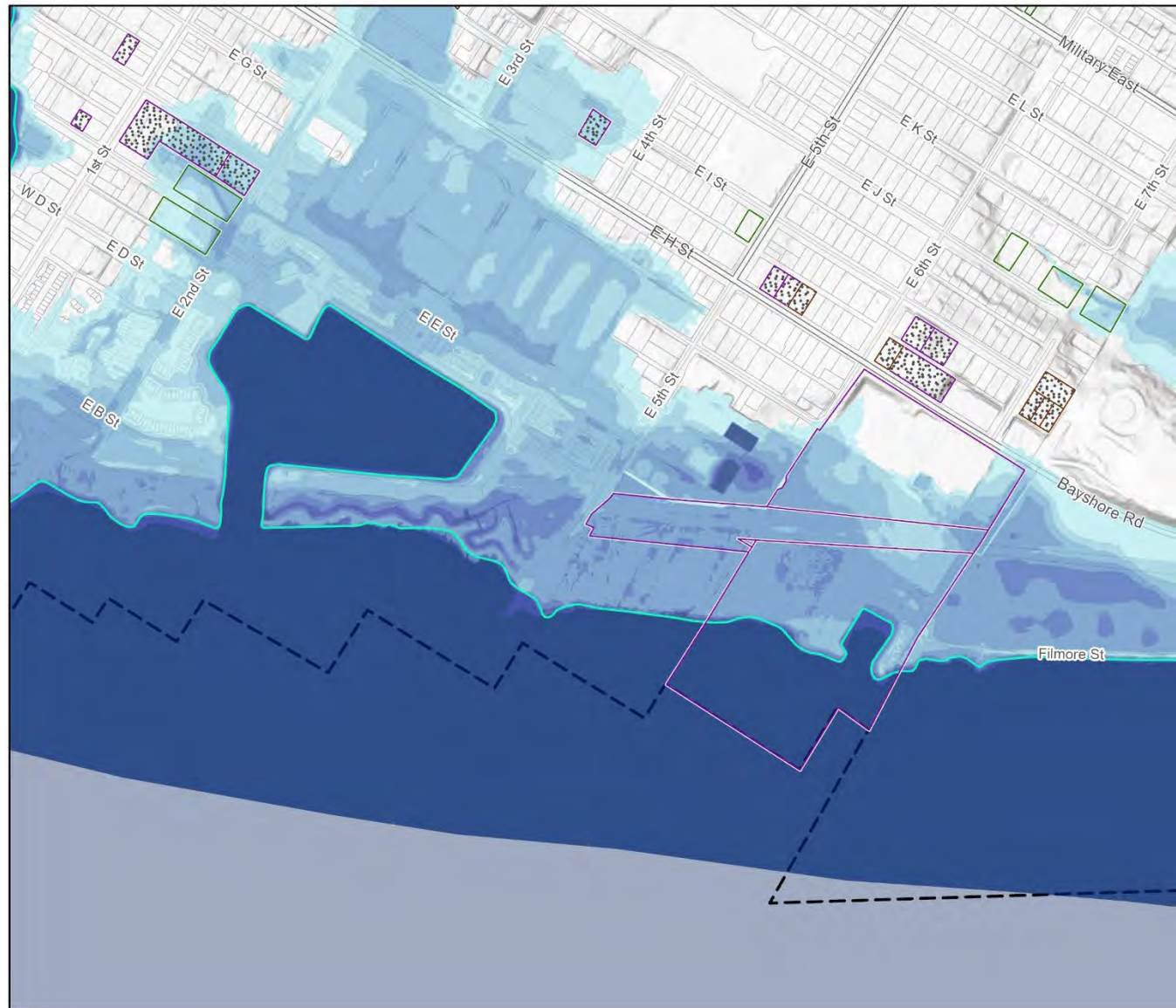
Shoreline Flooding - 2100

- ▭ Parcels
- ▭ City Limit
- Existing Shoreline
- Shoreline Flooding - 84" with 5-year storm, 2100 (108")
- Depth (ft)
- 0 - 2
- 2 - 4
- 4 - 6
- 6 - 8
- 8 - 10
- 10 - 12
- 12+
- Zoning
- ▨ Overlay Zone
- Housing Element Sites
- Action
- ▭ Suitably Zoned
- ▭ Suitably Zoned with Upzoning
- ▭ Proposed
- ▭ Needs Zoning Change



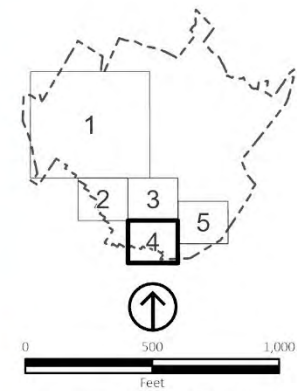
Revision Date: 8/23/2022

Figure 3.4.D. City of Benicia Sites Inventory Shoreline Flooding 2100 Map #4



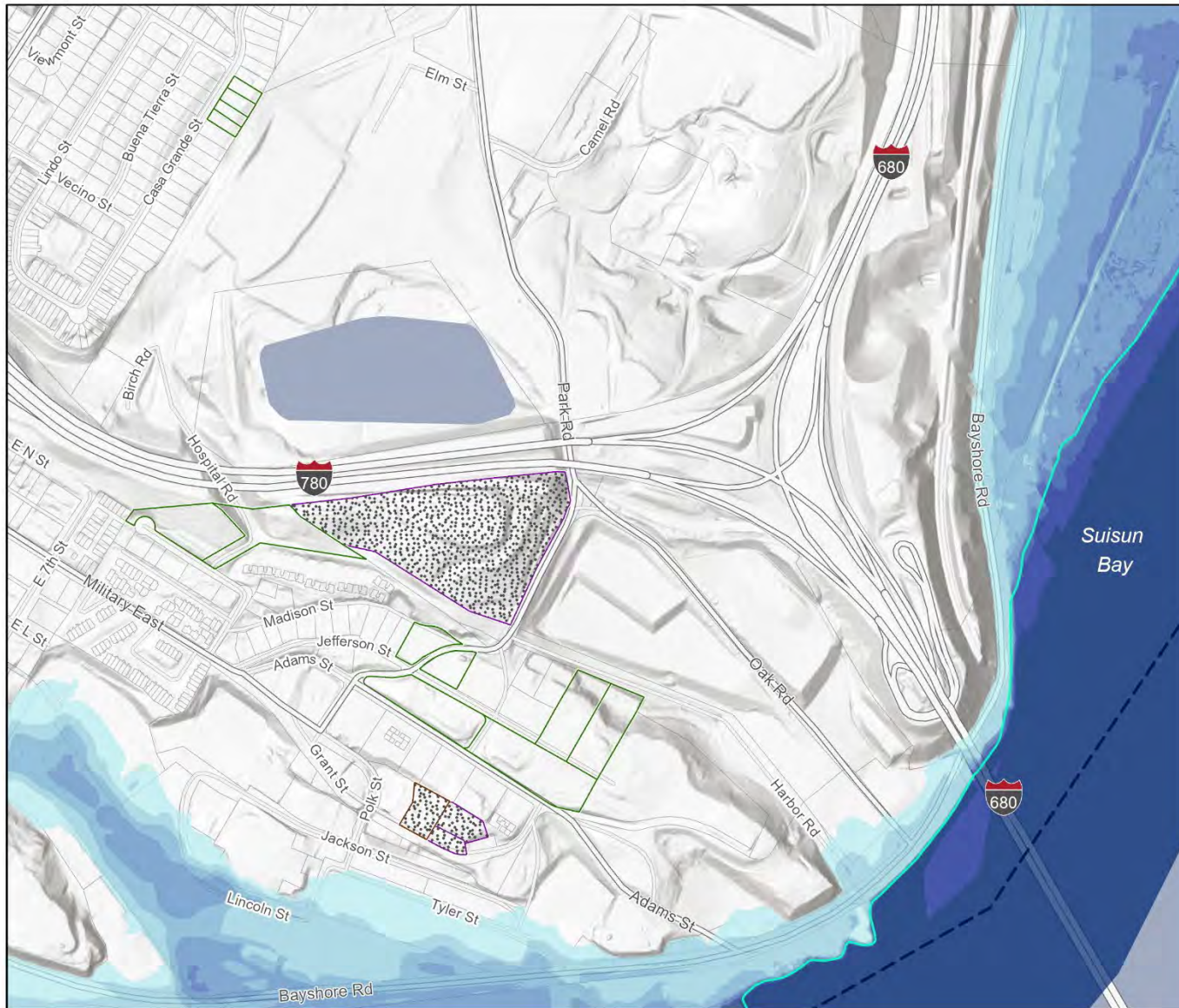
Shoreline Flooding - 2100

- ▭ Parcels
- ▬ City Limit
- Existing Shoreline
- Shoreline Flooding - 84" with 5-year storm, 2100 (108")
- Depth (ft)
- 0 - 2
- 2 - 4
- 4 - 6
- 6 - 8
- 8 - 10
- 10 - 12
- 12+
- Zoning
- ▨ Overlay Zone
- Housing Element Sites
- Action
- ▭ Suitably Zoned
- ▭ Suitably Zoned with Upzoning
- ▭ Proposed
- ▭ Needs Zoning Change



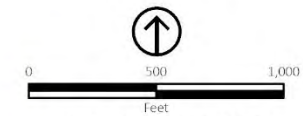
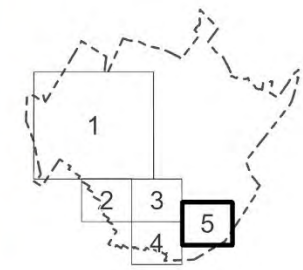
Revision Date: 8/24/2022

Figure 3.4.E. City of Benicia Sites Inventory Shoreline Flooding 2100 Map #5



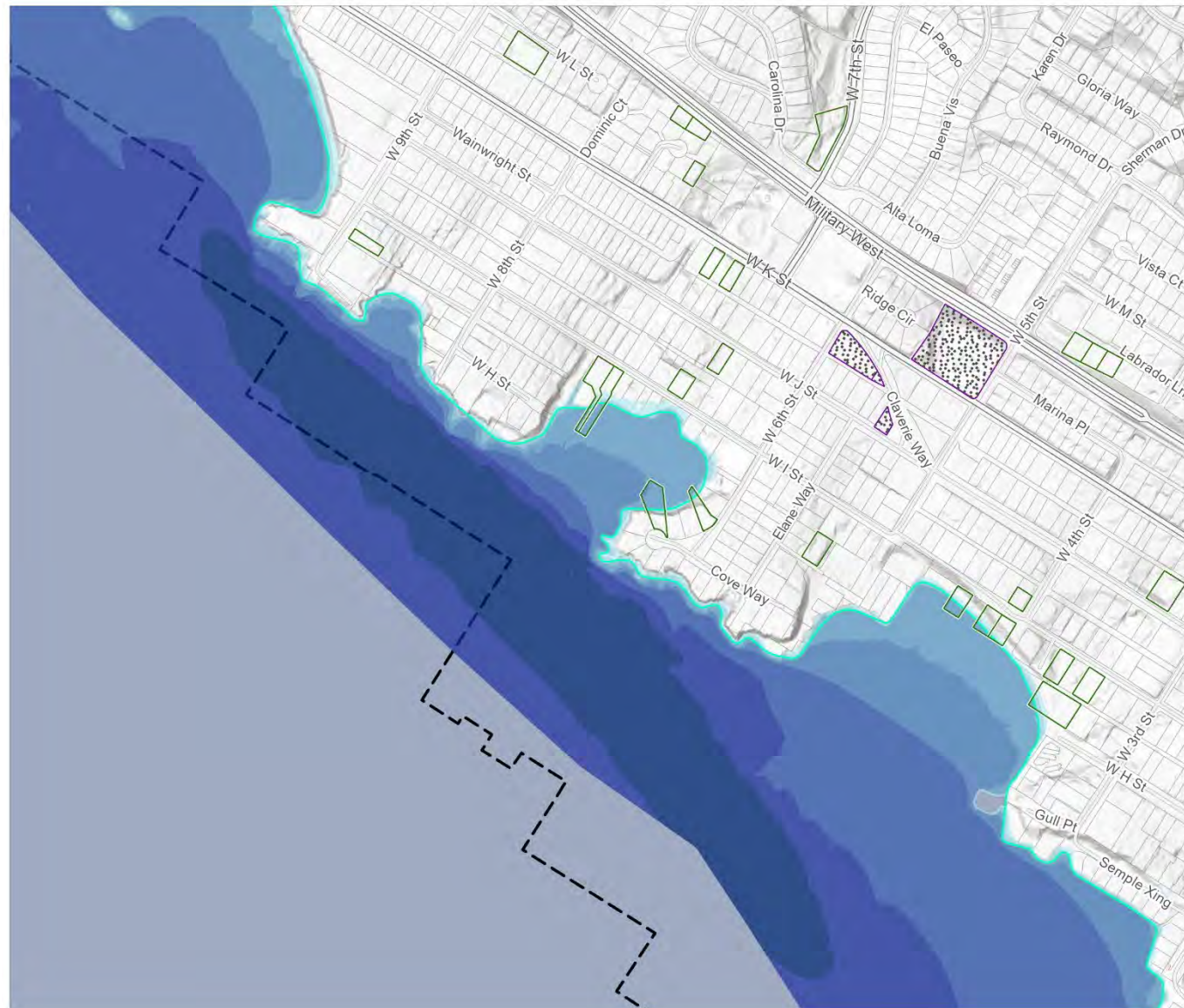
Shoreline Flooding - 2100

- ▭ Parcels
- ▭ City Limit
- Existing Shoreline
- Shoreline Flooding - 84" with 5-year storm, 2100 (108")
- Depth (ft)
- 0 - 2
- 2 - 4
- 4 - 6
- 6 - 8
- 8 - 10
- 10 - 12
- 12+
- Zoning
- ▨ Overlay Zone
- Housing Element Sites
- Action
- ▭ Suitably Zoned
- ▭ Suitably Zoned with Upzoning
- ▭ Proposed
- ▭ Needs Zoning Change



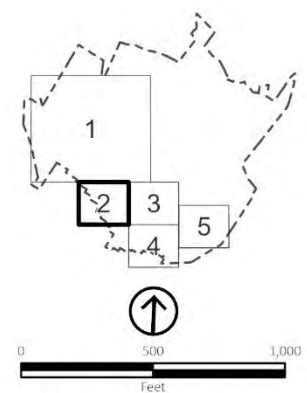
Revision Date: 8/24/2022

Figure 3.5.A. City of Benicia Sites Inventory Sea Level Rise 2050 Map #1



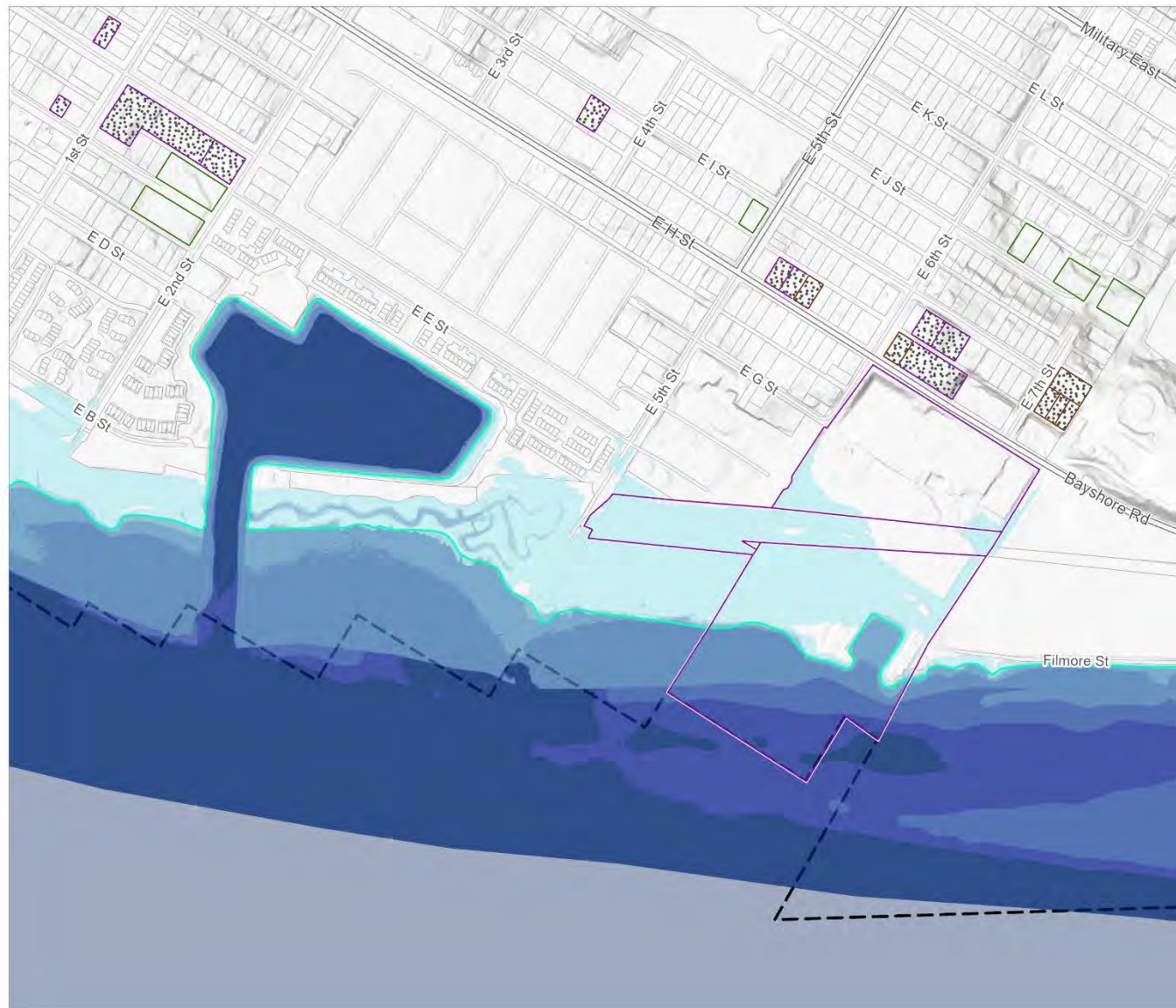
Sea Level Rise - 2050

- ▭ Parcels
- ▭ City Limit
- Existing Shoreline
- Sea Level Rise - 2050 Projection
- Depth (ft)
 - 0 - 2
 - 2 - 4
 - 4 - 6
 - 6 - 8
 - 8 - 10
 - 10 - 12
 - 12+
- Zoning
 - Overlay Zone
- Housing Element Sites
 - Suitably Zoned
 - Needs Zoning Change



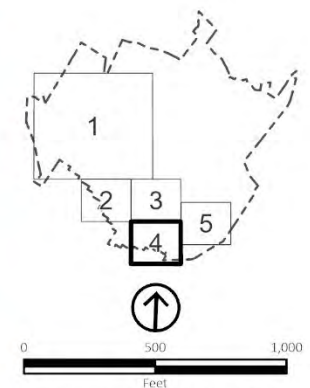
Revision Date: 8/24/2022

Figure 3.5.B. City of Benicia Sites Inventory Sea Level Rise Map 2050 #2



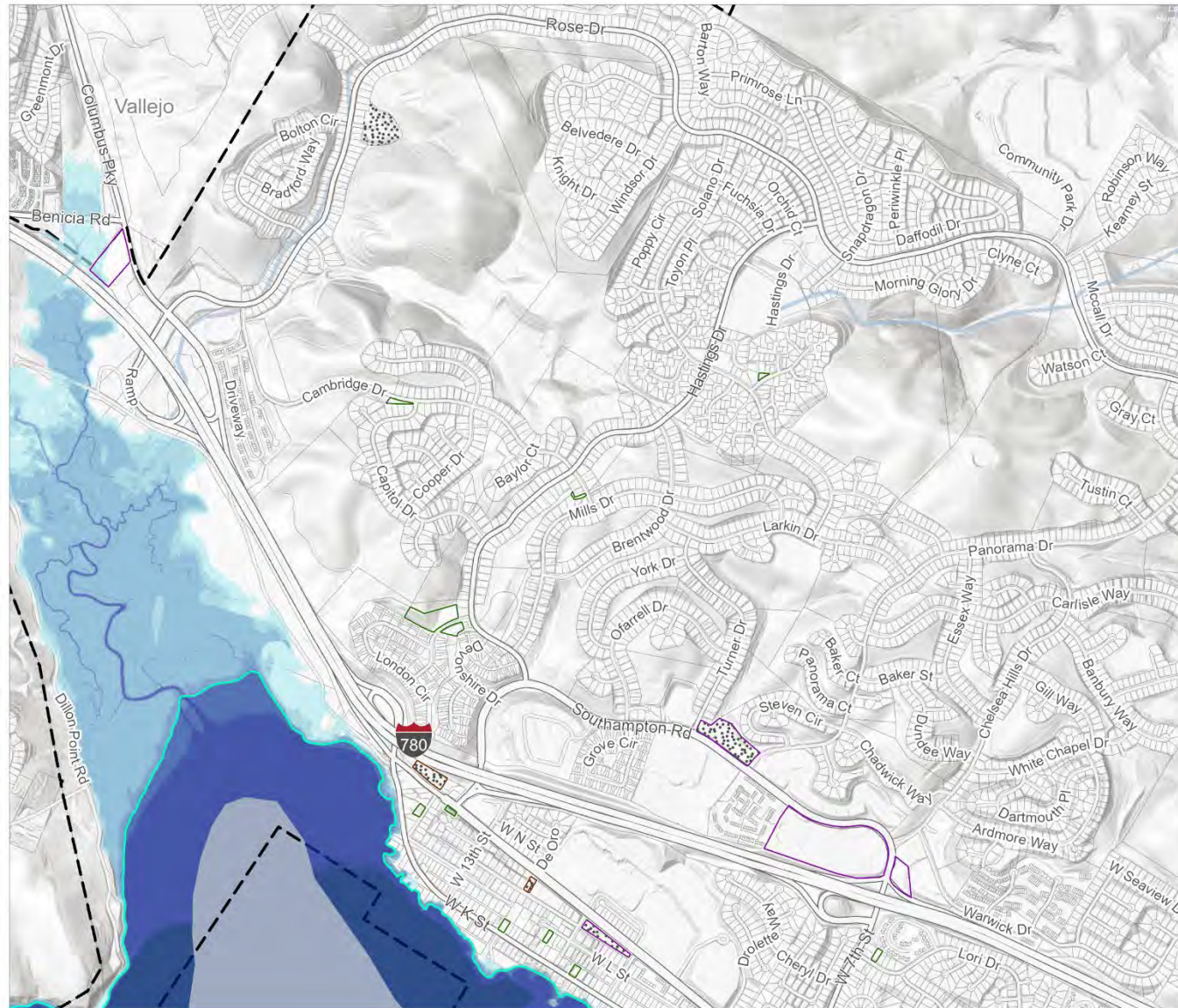
Sea Level Rise - 2050

- Parcels
- City Limit
- Existing Shoreline
- Sea Level Rise - 2050 Projection
- Depth (ft)
 - 0 - 2
 - 2 - 4
 - 4 - 6
 - 6 - 8
 - 8 - 10
 - 10 - 12
 - 12+
- Zoning
 - Overlay Zone
- Housing Element Sites
 - Suitably Zoned
 - Suitably Zoned with Upzoning
 - Proposed
 - Needs Zoning Change



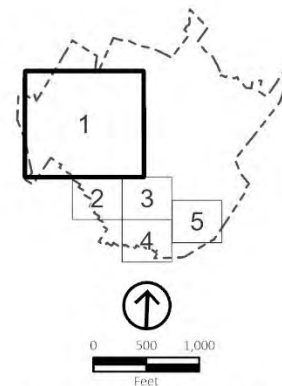
Revision Date: 8/24/2022

Figure 3.6.A. City of Benicia Sites Inventory Sea Level Rise Map 2100 #1



Sea Level Rise - 2100

- ▭ Parcels
- ▭ City Limit
- Existing Shoreline
- Sea Level Rise - 2100 Projection
- Depth (ft)
 - 0 - 2
 - 2 - 4
 - 4 - 6
 - 6 - 8
 - 8 - 10
 - 10 - 12
 - 12+
- Zoning
 - Overlay Zone
- Housing Element Sites
 - Action
 - Suitably Zoned
 - Suitably Zoned with Upzoning
 - Proposed
 - Needs Zoning Change



Revision Date: 8/24/2022

Figure 3.6.B. City of Benicia Sites Inventory Sea Level Rise 2100 Map #2

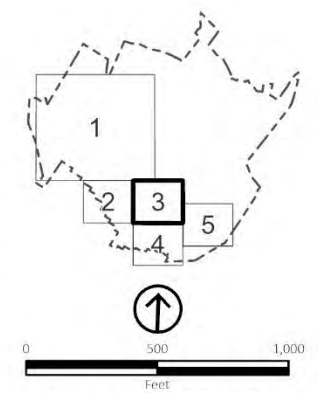


Figure 3.6.C. City of Benicia Sites Inventory Sea Level Rise 2100 Map #3



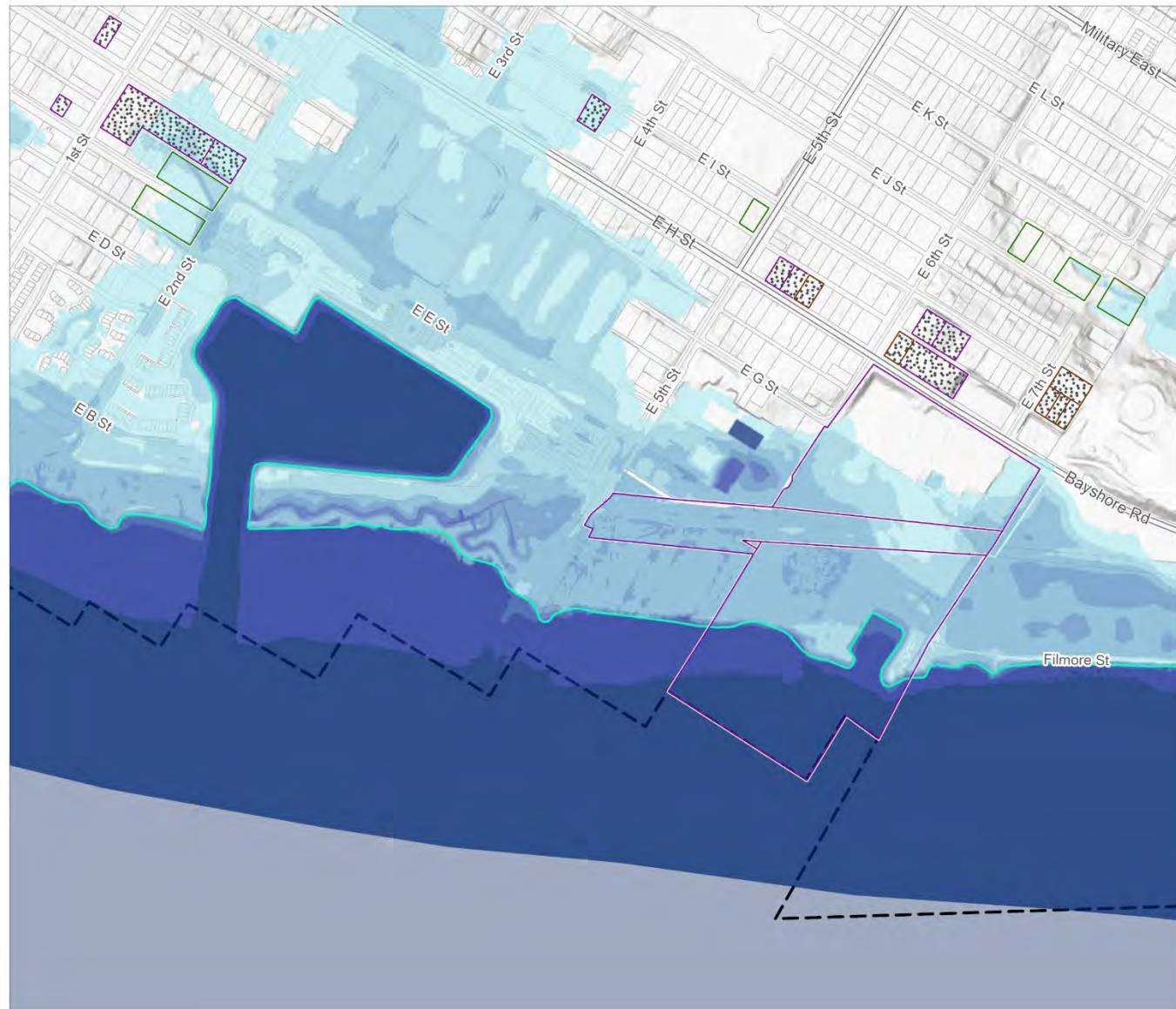
Sea Level Rise - 2100

- ▭ Parcels
- ▭ City Limit
- Sea Level Rise - 2100 Projection
- Depth (ft)
- 0 - 2
- 2 - 4
- Zoning
- Overlay Zone
- Housing Element Sites
- Action
- Suitably Zoned
- Suitably Zoned with Upzoning
- Proposed
- Needs Zoning Change



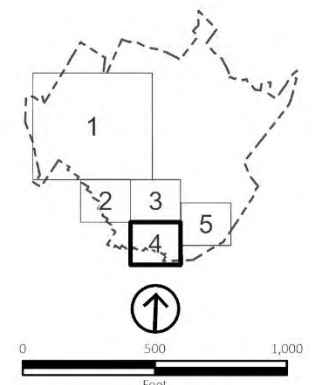
Revision Date: 8/24/2022

Figure 3.6.D. City of Benicia Sites Inventory Sea Level Rise 2100 Map #4



Sea Level Rise - 2100

- ▭ Parcels
- ▭ City Limit
- Existing Shoreline
- Sea Level Rise - 2100 Projection
- Depth (ft)
 - 0 - 2
 - 2 - 4
 - 4 - 6
 - 6 - 8
 - 8 - 10
 - 10 - 12
 - 12+
- Zoning
 - ▨ Overlay Zone
- Housing Element Sites
 - ▭ Suitably Zoned
 - ▭ Suitably Zoned with Upzoning
 - ▭ Proposed
 - ▭ Needs Zoning Change



Revision Date: 8/24/2022

Figure 3.7.A. City of Benicia Sites Inventory Wildfire Map #1

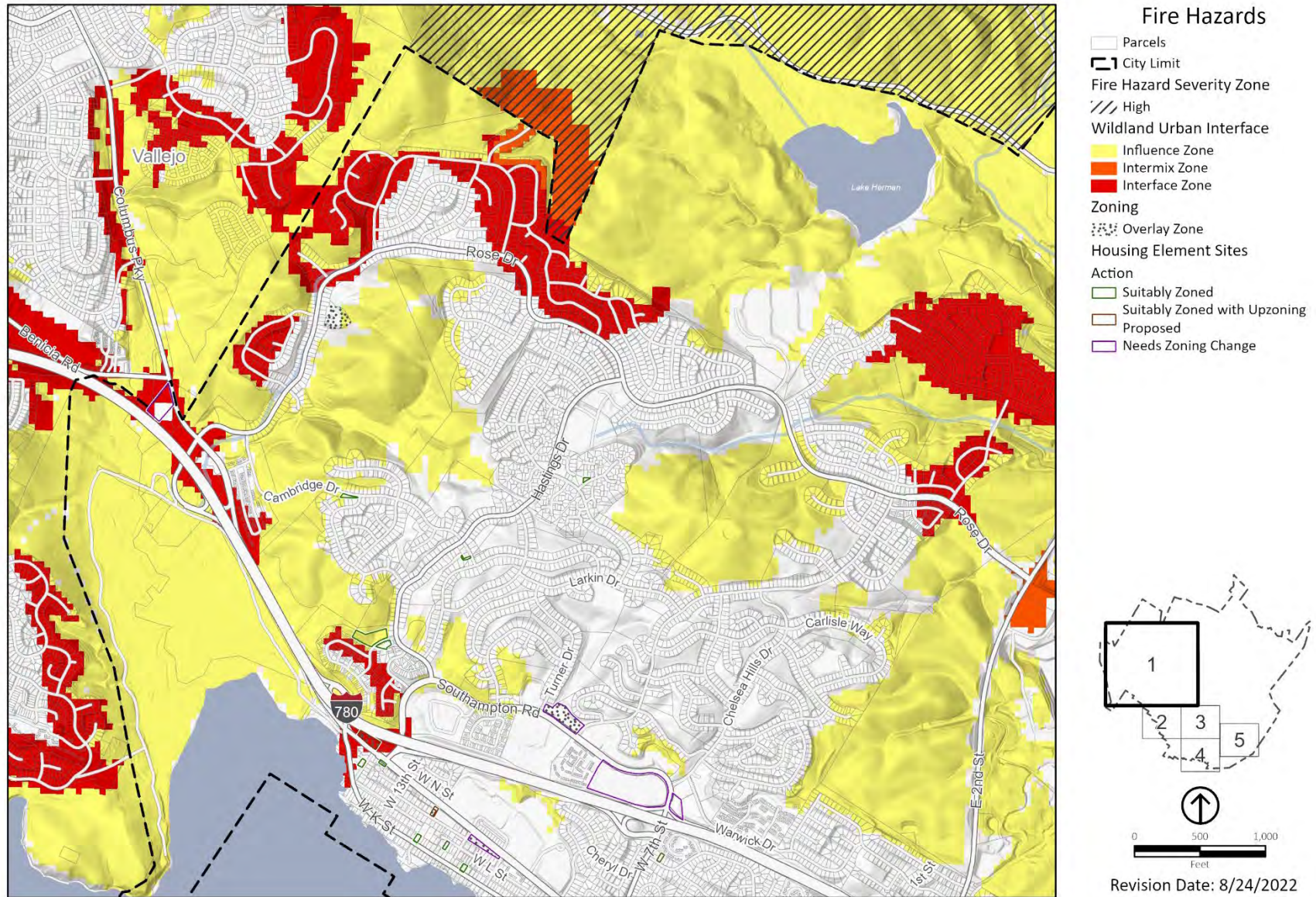
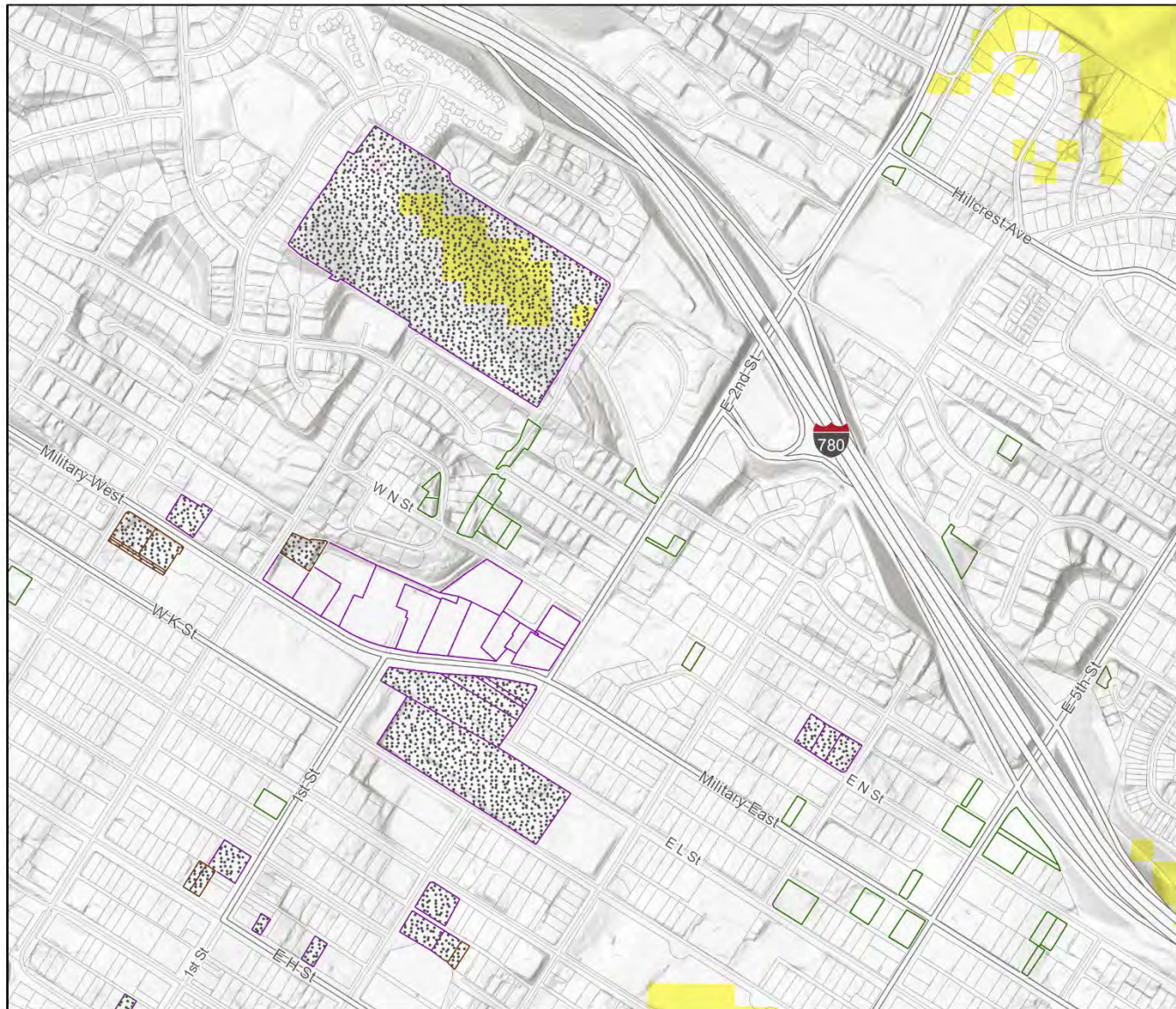
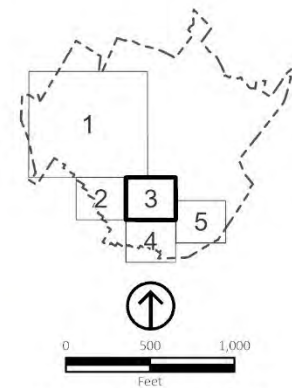


Figure 3.7.B. City of Benicia Sites Inventory Wildfire Map #2

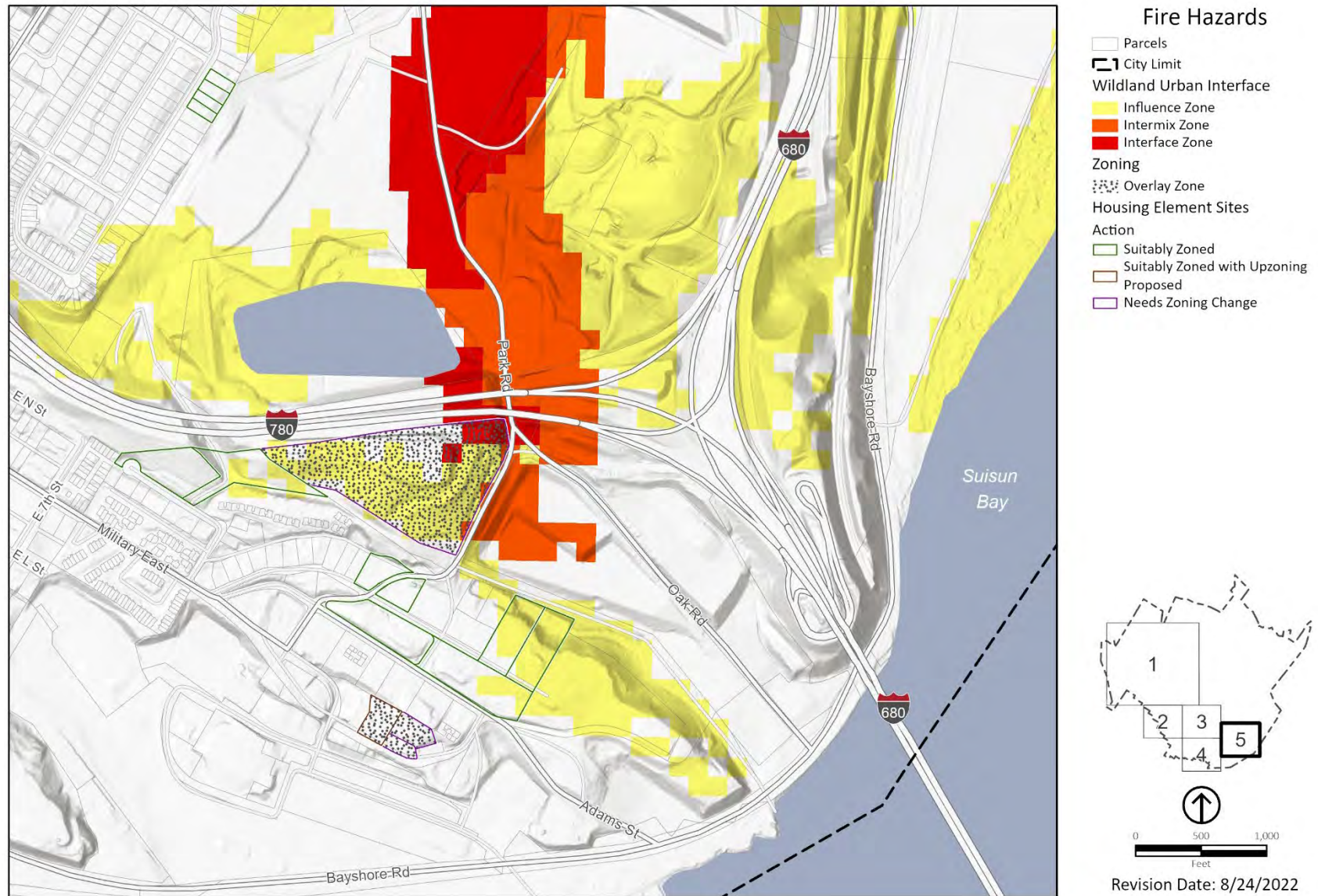


- ### Fire Hazards
- Parcels
 - City Limit
 - Wildland Urban Interface**
 - Influence Zone
 - Zoning**
 - Overlay Zone
 - Housing Element Sites**
 - Action**
 - Suitably Zoned
 - Suitably Zoned with Upzoning
 - Proposed
 - Needs Zoning Change



Revision Date: 8/24/2022

Figure 3.7.C. City of Benicia Sites Inventory Wildfire Map #3



Chapter IV

Housing Resources

4.1 Housing Assistance

The Benicia Housing Authority administers housing choice vouchers and public housing, including senior housing.

Funding for these programs is provided through Community Development Block Grant (CDBG) revolving loan fund monies, Section 8 vouchers, and U.S. Department of Housing and Urban Development (HUD) subsidies.

4.1.1 Housing Choice Voucher Program

The Housing Authority operates the Housing Choice Voucher Program in Benicia with financial assistance from HUD. The program provides subsidies to low-, very low-, and extremely low-income tenants renting privately owned dwellings.

Currently, this program has authorized funding to assist 372 households, of which, 32 percent are extremely low-income households, 18 percent are very-low income households, and 50 percent are low-income households. Assisted tenants generally pay 30 percent of their income towards the total cost of rent and utilities and the voucher covers the difference between the tenant contribution and the total cost of rent and utilities. The Housing Authority inspects the units annually to ensure that the assisted tenants are living in decent, safe, and sanitary dwellings.

The market rent plus average utility costs for the dwelling must be less than the Voucher Payment Standard (VPS) schedule for the number of bedrooms in the dwelling (see below for a discussion of VPS). In some cases, the tenant family may rent a dwelling unit that costs more than the VPS schedule, but in that case, they must pay the overage, which cannot increase their contribution above 40 percent of their income. Participation in the program is voluntary on the part of tenants and landlords.

The Housing Authority provides preference in admission to the program to veterans, persons with disabilities, families with a head of household or spouse who works or attends school or a training program, victims of federally declared disasters, and persons who already live or work in Benicia.

4.1.2 Public Housing Program

The Benicia Housing Authority owns or manages the following affordable housing developments:

Capitol Heights Public Housing

Location: Riverhill Drive and Bayview Circle

Units: 75

Constructed: 1954

Current deed restriction expires: Not applicable (N/A) (this development is a federal project owned by the Benicia Housing Authority)

Casa de Vilarrasa I Senior Housing

Location: 383 East I Street

Units: 40

Constructed: 1984

Current deed restriction expires: 2045

Casa de Vilarrasa II Senior Housing

Location: 921 East 4th Street

Units: 40

Constructed: 1986

Current deed restriction expires: 2045

Bay Ridge Apartments

Location: Rose Drive at Cambridge Drive

Units: 50

Constructed: 2003

Current deed restriction expires: 2034

Burgess Point Apartments

Location: 91 Riverview Terrace

Units: 56

Constructed: 2003

Current deed restriction expires: 2074

The 75-unit Capitol Heights development consists of one-, two-, three-, and four-bedroom units built in 1953 and completely remodeled in the 1990s. Six of the units were remodeled with accessibility features. Admission is limited to families with gross family incomes of 80 percent or less of Solano County's median income. Rent is limited to 30 percent of family income, and the Authority receives federal subsidies to make up the difference between its rent roll and the total costs of operating and maintaining the project. The same preferences listed for admission to the Housing Voucher program also extend to the public housing program. The Capitol Heights units are very popular and vacancies are limited.

The Housing Authority manages the 50-unit Bay Ridge Apartments and the 56 units at Burgess Point Apartments, both built in 2003. The Bay Ridge development was not funded by the Inclusionary Housing Ordinance; however, four of the units were mitigation for the Harbor Walk project, which was subject to the Inclusionary Housing Ordinance.

Fifty of the Bay Ridge units were mitigation for the Water's End subdivision. Although the project predated the inclusionary ordinance, the developer agreed to construct affordable units as part of their agreement with the City.

4.1.3 Senior Housing

The Benicia Housing Authority manages 80 units of senior housing in the Casa de Vilarrasa development. All the Casa de Vilarrasa units have one-bedroom apartments and tenants have access to spacious lobby areas and a community room. Casa de Vilarrasa was built in two phases in 1984 and 1986. The project was refinanced in 2005 when the City authorized a loan of approximately \$1.4 million to fund rehabilitation, with additional loan funds received in 2010, for a total loan amount of over \$1.7 million.

4.2 Voucher Payment Standards

To control the costs of the Housing Choice Voucher program, the federal government sets limits on the amount of subsidy that may be provided to any participating family. The chief mechanism for controlling costs is the rule regarding establishment of VPS. Each year, on or about October 1, HUD publishes Fair Market Rents (FMRs) for every Metropolitan Statistical Area (MSA) and non-metropolitan county in the United States.

The FMRs for any housing market area are HUD's determination of the 40th percentile rent (or 50th percentile rent in certain high-cost areas) for standard quality rental units occupied by recent movers in that market area by bedroom size. The purpose of HUD publishing FMRs is to ensure that a reasonable number of rental units are available for rent to tenants participating in the Housing Choice Voucher program while limiting program costs to the cost of renting modestly priced housing units.

4.3 Financial Resources

Many State of California programs exist to provide cities, communities, and counties financial assistance in the development, preservation, and rehabilitation of units for workforce housing. The Department of Housing and Community Development identifies and provides detailed information on the grants and loans available for affordable and workforce housing, which include those listed in Table 4.1.

Table 4.1: State Financial Resources for Housing Activities

Program Name	Description	Eligible Activities
Local Housing Trust Fund Matching Grant Program	Provides matching grants to local housing trust funds that are funded on an ongoing basis from private contributions or public sources that are not otherwise restricted in use for housing programs.	New Construction Homebuyer Assistance
Single-Family Housing Bond Program (Mortgage Revenue Bonds)	Bonds issued to local lenders and developers so that below-market interest rate loans can be issued to first-time homebuyers.	Homebuyer Assistance
Mortgage Credit Certificates (MCC)	Provides qualified first-time homebuyers with a federal income tax credit that reduces the borrower's federal tax liability, providing additional income, which can be used for mortgage payments.	Homebuyer Assistance
Prop 63 Mental Health Services Act Funds	Funding for capital improvements and operating subsidies for supportive housing for formerly homeless or at-risk individuals with mental disabilities.	Special-Needs Programs New Construction
CalHome Program	Grants awarded to jurisdictions for owner-occupied housing rehabilitation and first-time homebuyer assistance.	Homebuyer Assistance Rehabilitation
Low-income Housing Tax Credit (LIHTC)	A 4-percent annual tax credit that helps owners of rental units develop affordable housing.	Construction of Housing
Affordable Housing Partnership Program (AHPP)	Provides lower-interest-rate California Housing Finance Agency (CHFA) loans to homebuyers who receive local secondary financing.	Homebuyer Assistance
Permanent Local Housing Allocation (PLHA)	PLHA provides a permanent source of funding for all local governments in California to help cities and counties implement plans to increase the affordable housing stock. The two types of assistance are: formula grants to entitlement and non-entitlement jurisdictions, and competitive grants to non-entitlement jurisdictions.	Predevelopment Development Acquisition Rehabilitation Preservation Matching Funds Homelessness Assistance Accessibility Modifications Homeownership Assistance Fiscal Incentives
Local Early Action Planning (LEAP) Grants	The LEAP grants provide over-the-counter grants complemented with technical assistance to local governments for the preparation and adoption of planning documents, and process improvements that accelerate housing production. Facilitate compliance to implement the sixth-cycle Regional Housing Needs Assessment.	Housing Element Updates Updates to Zoning, Plans, or Procedures to Increase or Accelerate Housing Production Pre-Approved Architectural and Site Plans Establishing State-Defined Pro-Housing Policies See Complete List in Program Materials
Senate Bill 2 Technical Assistance Grants	Financial and technical assistance to local governments to update planning documents and the Development Code to streamline housing production, including, but not limited to, general plans, community plans, specific plans, implementation of sustainable communities' strategies, and local coastal programs.	Technical Assistance Planning Document Updates

Program Name	Description	Eligible Activities
Housing and Disability Advocacy Program (HDAP)	Services to assist disabled individuals who are experiencing homelessness apply for disability benefit programs while also providing housing assistance. HDAP has four core requirements: outreach, case management, disability advocacy, and housing assistance.	Rental Assistance
No Place Like Home	Loans to counties or developers in counties for permanent supportive housing for those with mental illness who are homeless or at risk of homelessness.	New Construction
Homeless Emergency Aid Program (HEAP)	A block grant program designed to provide direct assistance to cities, counties, and Continuums of Care to address the homelessness crisis throughout California.	Identified Homelessness Needs Capital Improvements Related to Homelessness Rental Assistance
California Emergency Solutions and Housing (CESH)	Provides funds for activities to assist persons experiencing or at risk of homelessness. Program funds are granted in the form of five-year grants to eligible applicants.	Homelessness Service System Administration New Construction Rental Assistance

Chapter V

Constraints

State housing law requires the City of Benicia (City) to review both governmental and nongovernmental constraints to the construction of affordable housing to remove or mitigate potentially negative effects. This chapter analyzes constraints to housing production and, where necessary, provides recommendations to remove or minimize their impacts.

5.1 Local Government Constraints

Local policies and regulations can affect the quantity and type of residential development. Since governmental actions can constrain the development and the affordability of housing, State law requires the Housing Element to “address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing” (Government Code Section 65583(c)(3)).

The City’s primary policies and regulations that affect residential development and housing affordability include the Zoning Ordinance, the General Plan, the Arsenal Historic Conservation Plan, the Downtown Historic Conservation, the Downtown Mixed Use Master Plan, Objective Standards for Mixed Use and Multifamily Housing, development processing procedures and fees, on- and off-site improvement requirements, and locally adopted supplemental building requirements. In addition to a review of these policies and regulations, an analysis of governmental constraints on housing production for persons with disabilities is included in this section.

5.1.1 Zoning Ordinance

The Zoning Ordinance includes three residential zoning districts, four commercial districts, two mixed-use districts, one industrial district, one open space district, and four form-based zones that allow

residential development. The maximum residential density allowed is 44 units per acre.

These districts are addressed here, followed by specific development regulations for accessory dwelling units and emergency shelter. Tables 5.1 and 5.2 show the types of permits necessary for residential uses in the city.

a) Single-Family Residential (RS) District

The RS district makes up over 80 percent of all residential land in the city. All new residential development in this district must be single-family dwellings, accessory dwelling units, approved accessory structures, or other development permitted by State laws, such as Senate Bill 9. Single-family residences and accessory dwelling units are subject to specific development standards, identified in Benicia Municipal Code Section 17.24 and Section 17.70.060.D (see Table 5.5). The maximum allowable density is seven units per acre. Creation of ADUs and split lots resulting from SB 9 could result in additional density in this district. The RS district is consistent with and implements the Residential Low-Density land use designation of the General Plan.

b) Medium-Density Residential (RM) District

The RM district makes up 12 percent of all residential land. Housing types include duplexes, townhouses, and clustered housing with landscaped open space for resident use. Accessory dwelling units are permitted by right in the RM district, subject to specific development standards identified in Benicia Municipal Code, Section 17.70.060.D (see Table 5.5). The maximum allowable density is 14 units per acre. The RM zoning district is consistent with and implements the Residential, Medium-Density land use designation of the General Plan.

c) High-Density Residential (RH) District

The RH district makes up seven percent of all residential land. Housing types include apartments and townhouses with relatively high land coverage at appropriate locations along the waterfront and the East H Street corridor and near convenience commercial nodes at Southampton Road, East Fifth Street, and West Seventh Street. Accessory dwelling units are permitted by right in the RH district, subject to specific development standards identified in Benicia Municipal Code, Section 17.70.060.D (see Table 5.5). The maximum allowable density is 21 units per acre. The RH zoning district is consistent with and implements the High-Density Residential land use designation of the General Plan.

d) Community Commercial (CC) District

The CC district is applied to areas appropriate for businesses serving the daily needs of nearby residential areas. The zone establishes development standards that prevent adverse effects on residential uses adjoining the CC district. In addition to commercial uses, residential uses (i.e., work/live quarters, non-ground-floor supportive housing, non-ground floor transitional housing, and second-story single-, and multifamily residential) are permitted by right in the CC district. General day care and residential care for seven or more residents are allowed with a Use Permit. The CC district implements the Community Commercial land use designation of the General Plan.

e) Commercial Office (CO) District

The CO district allows/includes offices of residential scale and residential development that is protected from the more intense levels of activity associated with retail commercial development. Second-story single- and multifamily residential, non-ground floor supportive housing, and non-ground floor transitional housing are permitted in the CO district. General day care and residential care for seven or more residents are allowed with a Use Permit. Emergency shelters are also permitted pursuant to Benicia Municipal Code, Section 17.70.390. The CO district implements the Business and Professional Office land use designation of the General Plan.

f) General Commercial (CG) District

The CG district is applied to areas appropriate for the full range of retail and service businesses, including businesses not permitted in other commercial districts because they attract heavy vehicular traffic or have certain adverse impacts. In addition to commercial uses, work/live quarters are permitted in the CG district. Group residential is allowed with a Use Permit. Emergency shelters are also permitted pursuant to Benicia Municipal Code, Section 17.70.390. The CG district is consistent with and implements the General Commercial land use designation of the General Plan.

g) Waterfront Commercial (CW) District

The CW district is applied to areas appropriate for waterfront-related development around the Benicia marina and along the shoreline. In addition to commercial uses, work/live quarters and multifamily residential are permitted in the CW district. Residential care, limited, is also permitted by right in this district. Second-floor single-family residential, non-ground floor supportive housing, and non-ground floor transitional housing are all allowed with a Use Permit. The CW district is consistent with and implements the Waterfront Commercial land use designation of the General Plan.

h) Limited Industrial (IL) District

The IL district is applied to areas appropriate for business and commercial services and light manufacturing. In addition, work/live quarters are allowed with a Use Permit in the IL district. General day care is allowed with a Use Permit. The IL district implements the limited industrial land use designation of the General Plan.

i) Open Space (OS) District

The OS district is applied to areas appropriate for large public or private sites. In addition to open space uses, single-family residential, supportive housing, and transitional housing are permitted in the OS district inside the urban growth boundary. Residential is limited to one dwelling unit and one accessory dwelling unit per site, subject to specific development standards identified in Benicia Municipal Code, Section 17.70.060.D. The OS district implements the Open Space land use designation of the General Plan.

j) Form-Based Zones/Downtown

Land use regulations and development standards for the downtown are regulated by the Downtown Mixed-Use Master Plan. The Downtown Mixed-Use Master Plan sets forth four form-based zones that are designed to ensure that mixed-use development is compatible with and contributes to the character of the street, the downtown, and adjoining neighborhoods (see Table 5.2). These zones implement the mixed-use Downtown land use designation of the General Plan.

Residential development is allowed in four zoning districts in the Downtown. In the Town Core (TC) and the Town Core Open (TC-O), residential is allowed on the upper floors, and on the ground floor behind a street-fronting commercial use. In the Neighborhood General (NG) and Neighborhood General Open (NG-O), residential is allowed on both the ground and upper floors. Additionally, accessory dwelling units are allowed by right in these four zone districts.

k) Mixed-Use Infill (MU-I) District

The purpose of the MU-I district is to encourage the production of new multifamily housing; accommodate a diversity of neighborhood-serving businesses; encourage a mixed-use development pattern that supports walking, biking, and transit; and ensure that the design of infill development is sensitive to its surrounding context. The MU-I category permits a maximum floor-area ratio (FAR) of 2.0 for residential projects (including mixed-use projects). Maximum density is 44 units per gross acre, with additional density allowed for projects providing community benefits specified in Section 17.70.440 of the Benicia Municipal Code. This zone implements the Mixed-Use Infill land use designation of the General Plan.

l) Mixed-Use Limited (MU-L) District

The MU-L district's purpose is to provide opportunity for smaller-scale multifamily housing types and limited commercial uses in infill neighborhood settings. The MU-L category permits a maximum FAR of 1.0, with 1.5 allowed for four-story projects in specified locations. Maximum density is 30 units per acre, with up to four multifamily dwelling units

allowed by right on an existing parcel regardless of the parcel size. This zone implements the Mixed-Use Limited land use designation of the General Plan.

Table 5.1 Zoning Districts Permitting Residential Uses

Residential Uses	Zoning District										
	RS	RM	RH	CC	CO	CG	CW	IL ¹⁰	OS	MU-I	MU-L
Single-Family	p ^{7,8}	p ^{7,8}	p ^{7,8}	p ¹	p ¹	—	p ¹	—	p ²	—	P
Multifamily	—	p ⁶	p ⁶	p ¹	p ¹	—	P	—	—	L ¹¹	P
Group Residential	—	U ^{5,6}	U ^{5,6}	—	—	U	—	—	—	L ¹¹	P
Work/live Unit	—	—	—	P	—	P	P	U	—	L ¹¹	P
Family Day Care, Large (9 to 14 children)	p ⁴	p ⁴	p ⁴	U	U	—	U	U	—	L ¹²	L ¹²
Family Day Care, Small (8 or fewer children)	P	P	P	U	U	—	U	U	—	P	P
Residential Care, General, 7 or more clients ¹³	—	U ^{5,6}	U ^{5,6}	U	U	—	—	—	—	—	—
Residential Care, Limited, 6 or fewer clients ¹³	P	P	P	—	—	—	P	—	—	L ¹¹	P
Day Care Center	U	U	U	U	U	—	U	U	—	U	U
Accessory Dwelling Unit	p ^{7,8}	p ^{7,8}	p ^{7,8}	p ¹	p ¹	—	p ¹	—	p ²	L ¹¹	P
Mobile Homes and Manufactured Housing	p ⁸	p ⁸	p ⁸	p ^{1,8}	p ^{1,8}	—	p ^{1,8}	—	p ^{4,8}	—	P
Emergency Shelter ³	—	p ³	—	—	p ³	p ³	—	—	—	p ³	p ³
Transitional Housing	P	P	P	p ¹	p ¹	—	p ⁹	—	p ²	L ¹¹	P
Supportive Housing	P	P	P	p ¹	p ¹	—	p ⁹	—	p ²	L ¹¹	P
Low-Barrier Navigation Center	—	—	—	—	—	—	—	—	—	—	—
Employee Housing	—	—	—	—	—	—	—	—	—	—	—
Single-Room Occupancy	—	—	—	—	—	—	—	—	—	—	—

Notes: P: Permitted U: Use Permit L: Limited —: Not allowed

- 1 Not permitted on ground level.
- 2 Not permitted on lands outside urban growth boundary. On lands inside the urban growth boundary, limited to one primary dwelling unit and one accessory dwelling unit per site.
- 3 See Benicia Municipal Code (BMC) Section 17.70.390, Emergency shelter.
- 4 Community Development Director shall issue a permit for large family day care homes caring for 9 to 14 children, as defined in Chapter 3.4 of the California Health and Safety Code, upon determining that the proposed large family day care complies with requirements. If the proposed large family day care will not be able to conform to the referenced requirements (see BMC Sections 17.24.020.P.1 - 17.24.020.P.7.c), the community development director shall refer the application to the Planning Commission for a Use Permit, as provided in Chapter 17.104 of the BMC, except that the public notification radius shall be reduced to 300 feet.
- 5 Approval of a Use Permit shall require a finding that (1) the proposed use will have no significant unmitigated environmental impacts, and (2) the building design is compatible with surrounding buildings.
- 6 Design review shall be required; see Chapter 17.108 of the BMC.
- 7 Rooms in a dwelling unit may be rented for occupancy by not more than three persons who are not members of a single housekeeping unit, provided that not more than two bedrooms shall be rented in each unit.
- 8 See BMC Section 17.70.280, Manufactured Homes.
- 9 Not permitted on ground level for a single dwelling unit.
- 10 Evaluate a nonindustrial or noncommercial project against criteria when considering findings for Use Permits or variances. See BMC Sections 17.32.020.L.1 - 17.32.020.L.4.
- 11 A Use Permit is required when the use occupies ground floor space facing the street in locations shown in the Zoning Ordinance. In all other locations, the use is permitted.
- 12 Permit requirements are the same as in the residential districts. See BMC Section 17.24.020.E.
- 13 Program 3.07 proposes to update the City’s requirements for Residential Care Facilities with less than seven and seven or more persons and permit them as a residential use subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

Source: City of Benicia Zoning Ordinance (last updated September 21, 2021)

Table 5.2 Downtown Mixed-Use Master Plan Zoning Districts Permitting Residential Uses

Residential Uses	Form-Based Code Zoning District			
	TC	TC-O	NG	NG-O
Work/Live Unit	—	P	—	P
Mixed-use project residential component	P ¹	P	—	P
Dwelling: Single family	—	—	P	P
Dwelling: Multifamily-Rowhouse	P ¹	P	—	—
Dwelling: Multifamily-Duplex	P ¹	P	P	P
Dwelling: Multifamily-Triplex	P ¹	P	—	—
Dwelling: Multifamily Fourplex	P ¹	P	—	—
Ancillary Building	P	P	P	P
Residential Care, 7 or more clients	P ¹	U	—	U
Residential Care, 6 or fewer clients	P ¹	MUP	—	MUP
Day care center: Child or Adult	P ¹	MUP	MUP	MUP
Day care center: Large Family (7 to 14 children)	P ^{1,2}	P ²	P ²	P ²
Day care center: Small Family (8 or fewer children)	P ¹	P	P	P
Mobile Homes and Manufactured Housing	—	—	—	—
Emergency Shelter	—	—	—	—
Transitional Housing	P ¹	P	P	P
Supportive Housing	P ¹	p	p	p
Low-Barrier Navigation Center	—	—	—	—
Employee Housing	—	—	—	—
Single-Room Occupancy	—	—	—	—
Accessory Dwelling Unit ³	P ¹	P	P	P

Notes: P: Permitted MUP: Minor Use Permit Required - staff review only U: Use Permit Required —: Use not allowed
 1 Allowed only on upper floors or behind ground floor use (except along the waterfront).
 2 See Benicia Municipal Code (BMC) Section 17.24.020.P.
 3 Accessory dwelling units shall comply with the provisions of BMC Section 17.70.060.

Source: City of Benicia Downtown Mixed Use Master Plan, 2007. Amended in January 2019.

5.1.2 Development Standards

Table 5.3 provides development standards for the residential districts. Table 5.4 provides development standards for the Downtown Mixed Use Master Plan Zoning Districts. As discussed in Chapter V, the yield analysis shows that Benicia’s current zoning development standards and General Plan requirements allow for development of residential densities reflected in the General Plan and Zoning Ordinance. The combination of height limits, lot coverage, setbacks, parking, landscaping, and other standards provide no impediment to development. However, to encourage the development of accessory dwelling units, the City has proposed Program 1.12. The City maintains the current Development Code with zoning and development standards on the City’s website.

Table 5.3 Zoning Districts Allowing Residential Uses Development Standards

	Zoning District									OS	MU-I	MU-L	
	RS	RM	RH	CC	CO	CG	CW	IL					
Minimum Site Area (sq. ft.) per unit	6,000	3,000	2,000	2,000	2,000	2,000	2,000	n/a			1,000	1,452	
With sq. ft. density bonus for:											No minimum site area for eligible projects under the Community Benefits Program, BMC 17.70.440	n/a	
Low- or Moderate-Income Housing ²	4,800	2,400	1,600	1,600	1,600	1,600	1,600	n/a					
Elderly Housing ²	—	2,000	1,300	1,300	1,300	1,300	1,300	n/a					
Low-Income Elderly Housing ²	—	1,500	1,000	1,000	1,000	1,000	1,000	n/a					
Minimum Site Area (sq. ft.) ^{3,4,5}	6,000 ¹	6,000 ¹	7,500 ¹	10,000	10,000	7,500	5,000	20,000			n/a	n/a	
Minimum Site Width (ft.)	60 ⁶	60	60	70	70	60	50	100			n/a	n/a	
Setbacks (ft.) ¹⁶													
Front ^{7,8}	20	20	20	15	15	10	15	15-25 ¹⁸			0-15	0-15, depending on site orientation	
Side ^{7,9,10}	5	6; 10 (avg.)	6; 10 (avg.)	n/a	n/a	n/a	n/a	n/a			0-15	5-10	
Corner Side ^{7,9}	10	15	15	n/a	n/a	n/a	n/a	10			0-15	0-15	
Rear ⁷	15	15	15	n/a	n/a	n/a	n/a	n/a			0-15	0-15	
Courts	n/a	See BMC 17.24.030(I)								See Benicia Municipal Code (BMC) 17.36.040	See BMC 17.26.030		
Maximum Height (ft.) ^{11,12}	30	35	35	40	40	40	40	50			40 ²⁰	35-45, based on parcel size or location	
Maximum Coverage	40%	45%	50%	50%	50%	75%	50%	50%			75%	75%	
Maximum Nonresidential (FAR) ¹³	0.4	0.45	0.5	0.8 ¹⁷	0.8 ¹⁷	1.2 ¹⁷	0.8 ¹⁷	n/a			1.2 ¹⁷	1.5 ¹⁹	
Maximum FAR	n/a	n/a	n/a	1.2	1.2	1.2	1.2	0.8			2.0 ¹⁷	1.5 ¹⁹	
Outdoor Living Area	See BMC 17.24.030(M) ²¹			See BMC 17.28.030(K)(L) ²¹				n/a			100 sq. ft. shared space per unit		
Minimum Site Landscaping ^{14,15}	35%	30%	30%	20%	20%	10%	20%	10%					
Fences and Walls	See BMC 17.24.030(P)			See BMC 17.28.030(M)(N)				See BMC 17.32.030(I)(J)				See BMC 17.26.030	
Off-Street Parking and Loading	No portion of a driveway located in a front setback area shall be used for required parking. See BMC Chapter 17.74.			See BMC 17.28.030(O)(P)									

Zoning District											
	RS	RM	RH	CC	CO	CG	CW	IL	OS	MU-I	MU-L
Signs	See BMC Chapter 17.78										
Outdoor Facilities	See BMC 17.70.200, Outdoor facilities, and BMC 17.70.250, Satellite antennas and microwave equipment								See BMC 17.36.040	See BMC 17.26.030	
Parking Required	<p>Single-Family Residential: 2 spaces, including 1 covered/unit.</p> <p>Multifamily Residential: Studios and 1-bedroom - 1.0 spaces/unit; 2 bedroom - 1.5 spaces/unit; 3 or more bedrooms - 2.0 spaces/unit</p> <p>Work/Live Quarters: 1 space per unit</p> <p>Senior Citizens' Housing: 0.50 spaces per unit</p> <p>Residential Care, Limited: 1 space per 3 beds</p> <p>Group Residential: 1 space per 2 beds; plus 1 space per 100 sq. ft. used for assembly purposes</p> <p>Supportive and Transitional Housing: Single-family residential projects are subject to single-family residential use parking requirements. Multifamily residential projects are subject to multifamily residential use parking requirements.</p>										
Notes:											
<ol style="list-style-type: none"> 1 Uses requiring a Use Permit have a minimum of 12,000 square feet 2 See BMC 17.70.270, Affordable housing density bonus. 3 See BMC 17.70.130, Development on substandard lots. 4 See BMC 17.70.140, Development on lots divided by district boundaries. 5 The minimum site area shall be 12,000 square feet for use classifications requiring a Use Permit; see BMC 17.24.020. 6 Reduction of Lot Width. In an RS district, the community development director may approve a tentative parcel map containing up to four lots, and the planning commission may approve a tentative subdivision with five or more lots, with lot widths of less than 60 feet, but not less than 50 feet, if the following criteria are met. See 17.24.030.R.1. to 17.24.030.R.6. for the additional criteria. 7 Permitted Projections into Required Yards. In All Districts, see BMC 17.70.150, Building projections into yards and courts. For accessory structures, see BMC 17.70.050, Nonresidential accessory structures; BMC 17.70.060, Accessory dwelling units; and BMC 17.74.190, Driveways and carports - Design, and location in R districts. 8 See BMC 17.70.160, Front yards in Residential districts. 9 Building Height and Required Yards. The width of a required interior side or rear yard adjoining a building wall exceeding 25 feet in height in Residential zones, excluding any portion of a roof, shall be increased five feet over the basic requirement. 10 In the RM and RH districts, the average yard width shall be 10 feet, and the minimum width 6 feet. 11 See BMC 17.70.180, Exceptions to height limits. 12 Any structure constructed in any Benicia residential area (R district) west of First Street, and further located within the first 150 feet of the shoreline behind the highest tide mark, shall not exceed 24 feet in height (two stories). The height measurement of the structure shall be the maximum vertical dimension measured from the lowest outside surface ground contact with the structure perimeter to the highest structure point. If the structure is to be built upon fill placed on the site after April 10, 1980, the 24-foot dimension shall include the average depth of fill at the structure perimeter. Pursuant to California Elections Code Section 4013, this requirement shall not be repealed or amended except by a vote of the people. If any portion of a structure is within the first 150 feet of the shoreline behind the highest-tide mark, the whole structure shall conform with the 24-foot height limit. 13 In the RM and RH districts, up to 10-percent additional floor area may be allowed for mixed-use projects with 25 percent affordable residential units; see BMC 17.70.270. 14 Planting Areas, Yards Adjoining Streets. All visible portions of a required yard adjoining a street shall be planting area or hardscape that includes parking areas, driveways, and walks, as well as areas covered by ornamental gravel, crushed rock, or similar materials. Interior Yards. In the RM and RH districts, at least 50 percent of each required interior side yard and rear yard shall be planting areas having a minimum width of five feet adjoining a side or rear property line, provided that the width of a required planting area may be reduced to two feet in one side or rear yard adjoining a driveway and an accessory structure may occupy a portion of the planting area in a rear yard. Notwithstanding subsection (N)(2) of this section, a continuous planting area having a minimum width of five feet shall adjoin an RS district. 15 See BMC 17.70.190, Landscaping, irrigation and hydroseeding, and Chapter 17.82 BMC, Trees and Views. 											

Zoning District											
	RS	RM	RH	CC	CO	CG	CW	IL	OS	MU-I	MU-L
16	In the Arsenal Historic District, multifamily, mixed-use residential, transitional housing, and supportive housing projects in commercial zones are subject to the yard requirements in the City's objective planning and design standards for mixed-use residential and multifamily development. See BMC 17.70.430, Objective planning and design standards for mixed-use residential and multifamily development projects.										
17	Mixed use with at least two-thirds residential floor area may have a floor area of up to 2.0 FAR. All other projects shall be limited to 1.2 FAR.										
18	Minimum setback requirements for front yards varies by building height above curb. Buildings less than 18 feet tall require a 15-foot setback, buildings between 18 and 24 feet require a 20-foot setback, and buildings taller than 24 feet require a 25-foot setback.										
19	Maximum 1.5 FAR allowed for four-story building when allowed under BMC 17.26.030, Mixed use limited district. If the building is not four-stories tall, the maximum FAR is 1.0.										
20	Increases may be permitted through the provision of community benefits.										
21	In residential zones, total open space on sites with more than two units must be at least 200 square feet per dwelling unit, and private open space on patios or balconies at least six feet wide and long may fulfill part of this requirement. Shared open space in residential zones, provided by non-street side yards, patios, and terraces (but not driveways, parking lots, or areas required for front or street side yards), must be at least 10 feet wide and long and open to the sky. In commercial zones, an average 60 square feet (with a minimum horizontal dimension of six feet) of private open space is required for each dwelling unit. In commercial zones, courts are required opposite windows in units. The minimum width must be 20 feet opposite a living room window and 14 feet opposite the window of any other habitable room, and the court must extend horizontally 10 feet in both directions from the vertical centerline of the window. Where no interior side yard is required, the width of the court perpendicular to the property line need not exceed 10 feet. A required court shall be open to the sky above the sill of a window requiring the court, provided that eaves may project up to two feet from a wall adjoining a court.										
Source: City of Benicia Zoning Ordinance (last updated 2021)											

Table 5.4 Downtown Mixed Use Master Plan Area Development Standards

	Zoning District			
	TC	TC-O	NG	NG-O
Build To Line (BTL) (Distance from Property Line)				
Front	0 ft.	0 ft.	20 ft. ¹	
Side Street	0 ft.	—	10 ft.	
Rear, Accessory Building	—	—	5 ft.	
Setbacks				
Side	0 ft.	3 ft.	4 ft. one side and 8 ft. other	
Rear	8 ft. Adjacent to NG Zone 5 ft. Adjacent to any other Zone		40 ft. Main Building ²	35 ft. Main Building ²
Building Form				
Primary Street Facade to BTL	80% min ³	80% min ³	50% min	
Side Street Facade to BTL	30% min ³	—	30% min	
Maximum Lot Width	125 ft.	75 ft.	50 ft.	
Maximum Lot Depth	100 ft.	150 ft.	150 ft.	
Maximum Floor Area (FAR)	2.0 ⁴	2.0 ⁴	2.0 ⁴	
Minimum Distance between buildings	—	—	10 ft.	
Maximum Depth of ancillary building	—	—	28 ft.	
Maximum Footprint of ancillary building	—	—	700 sf.	1,000 sf.
Height				
Maximum Height	40 ft. (2.5 stories)	25 ft (2.5 stories)	30 ft. (2.5 stories)	
Minimum Height	22 ft.	16 ft.	—	
Maximum Eave/Top of Parapet	35 ft.	—	—	
Maximum Ancillary Building	25 ft. (2 stories)	25 ft. (2 stories)	15 ft. (1.5 stories)	
Maximum Height of the Finish Ground Floor Level	6 ft., from above sidewalk	12 ft., from above sidewalk	18 ft., from above sidewalk	
Minimum Clear of First Floor Ceiling Height	12 ft.	12 ft.	10 ft.	
Minimum Clear of Upper Floor(s) Ceiling Height	8 ft.	8 ft.	8 ft.	
Parking Required (residential uses)	1 space/unit 0.5 space/studio unit		0.5 space/studio unit 1-2 bedroom unit 1 space/unit 3+ bedroom unit 1 space plus 0.5 space/ bedroom over 2	
Notes:				
All floors must have a primary ground-floor entrance that faces the street				
Loading docks, overhead doors, and other service entries are prohibited on street façades.				
1 May be reduced to meet furthest back adjacent Build to Line if adjacent Build to Line is less than 20 feet from property line.				
2 Setback shall be measured 120 feet from front property line if no alley adjoins the property.				
3 Street façades must be built to Build to Line along first 30 feet from every corner.				
4 Maximum 2.4 FAR if building includes residential use.				
5 Setback shall be 120 feet measured from front property line if no alley adjoins the property.				
Source: City of Benicia Downtown Mixed Use Master Plan, 2007. Amended in January 2019.				

a) Density

The maximum density permitted, defined in terms of the number of units per acre in residential zones and FAR in mixed-use and commercial zones, varies by zone. For the sake of comparison, City staff and consultants have analyzed the FAR maximums and determined appropriate conversions from FAR to units per acre, given local development standards. As a basis for comparison, the City's Zoning Ordinance provides a nonresidential density maximum of 0.5 FAR and a residential density maximum of up to 21 units per acre for the RH zone. Commercial zones allow 0.8 FAR for nonresidential uses and 1.2 FAR for residential uses. Therefore, the assumed density maximum of 21 units per acre is a conservative assessment given nonresidential FAR is lower in the RH zone. In two Downtown zones, the NG and TC zones, a higher density of 29.9 units per acre is applied due to the 2.4 residential FAR maximum in those zones and other development standards encouraging more intense development. The other two Downtown zones, the NG-O and TC-O zones, also permit a 2.4 residential FAR maximum, but other development standards indicate that a density of 21 units per acre is a more realistic conversion. The one exception to this conversion is the IL zone, which permits a select few housing types, as shown in Table 5.1, so 0.8 FAR is not converted to a units per acre metric for the sake of this analysis.

The maximum density ranges from 7 units per acre in the RS zone to 44 units per acre in the MU-I zone. The RM zone allows 14 units per acre and the RH zone allows 21 units per acre, which will support the availability of land suitable for development of housing for very low-, low-, and moderate-income households. The MU-I and MU-L zones allow up to 44 or 30 units per acre, respectively, and projects in both zones are permitted to be 100 percent residential. Residential uses in the commercial zones (CG, CO, CW, and CC) allow up to 21 units per acre. The density allowed in both the mixed-use zones and the commercial zones supports the development of lower-income housing.

b) Building Height

The RS zone has a maximum height of 30 feet and a density of 7 dwelling units per acre. The 30-foot limit is adequate for construction of a single-family

home. The maximum height is 35 feet in the RM and RH zones. The maximum 14 units per acre in the RM zone and 21 units per acre in the RH zone could be accommodated in a three-story structure less than 35 feet in height. Based on this conclusion, the 35-foot maximum height in the RM and RH zones could accommodate at least 21 units per acre.

The maximum height is 40 feet in the commercial zones and 50 feet in the IL zone, which accommodates construction of a three- or four-story building. The maximum 1.2 to 2.0 FAR in commercial zones and IL zone, which varies based on location within the city, could be accommodated in a three- or four-story structure less than 40 feet in height. Based on this conclusion, the 40-foot maximum height in the commercial zones could realistically accommodate up to 2.0 FAR for construction of affordable single-family home or multifamily units. The 50-foot maximum height in the IL zone could realistically accommodate up to 0.8 FAR for the construction of housing types permitted in the Zoning Ordinance.

In the Downtown zones, maximum height varies from 25 feet in the TC-O zone, 30 feet in the NG and NG-O zones, and 40 feet in the TC zone. However, the maximum stories allowed in all four zones is 2.5 stories. While these maximum heights would accommodate construction of a three-story building, building heights are limited to 2.5 stories. The maximum density is 2.4 FAR if the building includes a residential use, and density for fully nonresidential buildings is 2.0 FAR. These densities could accommodate building heights taller than 2.5 stories. While the 2.5 story maximum height in the Downtown zones could accommodate these densities, they could be increased to accommodate three-story building heights with the existing height maximums represented in feet. As part of Program 1.06, the City will examine maximum building heights in the Downtown zones and increase them to allow three-story buildings.

c) Lot Size and Setback Requirements

The RS, RM, and RH zones have required minimum setbacks of 20 feet from the front, a 15-foot rear, a 5-foot side, or 10-foot corner side setback for the RS zone, a 6-foot side or 15-foot corner side setback for the RM and RH zoning districts. The required setbacks for the RS zone allows for use of 45 percent

of the parcel, the RM zone allows for 44 percent utilization, and the RH zone can use 51 percent of the parcel based on the allowed setbacks, which is sufficient to accommodate typical construction.

Both the commercial zones and IL zone do not have side or rear setbacks that provide further flexibility in site design. The CC, CO, and CG zones have front yard setback requirements of 15 feet, which allows for use of 85 to 90 percent of the parcel depending on the minimum parcel size required. The CW zone has a front yard setback of 10 feet, which allows for use of 80 percent of the parcel. The IL zone has a front yard setback that varies from 15 to 25 feet, based on building height. Assuming the largest setback, 25 feet, this still allows for over 87 percent use of the parcel.

In the Downtown, setbacks are reduced - as compared to other zones - to facilitate development. In the TC zone, there are no front or side setbacks. In the TC-O zone, there are no front or side street setbacks, but the interior side setback is 3 feet. In both the TC and TC-O zones, the rear setback varies by location: if the property is adjacent to a property zoned NG, the rear setback is 8 feet, and the setback is 5 feet for all other instances. In the NG and NG-O zones, the front setback is 20 feet, the side street setback is 10 feet, the interior street setback is 4 feet on one side and 8 feet on the other side, and the rear setback from an adjacent structure is 5 feet. In the NG and NG-O zones, the rear setback is 40 feet and 35 feet, respectively, from the main building.

The MU-I and MU-L zones vary setback requirements based on site orientation and use. There are no minimum required lot sizes, but the MU-I and MU-L zones require sites to be at least 1,000 and 1,452 square feet, respectively, per unit. However, site minimum requirements in the MU-I zone are waived if the housing development provides community benefits. In the MU-I zone, front and street side yard setbacks are 0 feet from the back of the sidewalk or property line (whichever is greater) for mixed-use projects and 15 feet back from the sidewalk or 0 feet from the property line (whichever is greater) for residential-only projects. There are no interior side or rear yard setbacks unless a parcel is adjacent to an existing single-family use, in which case it is required to adhere to a 15-foot yard setback from the adjoining single-family residential property line

as stipulated in BMC 17.26.020(B)(4). In the MU-L zone, front and street side setbacks are 15 feet from the sidewalk or 0 feet from the property line (whichever is greater), and interior side setbacks are 5 feet from the property line or 10 feet from an adjacent structure (whichever is greater). Rear setbacks in the MU-I zone are 15 feet if not abutting an alley, and there is no setback if the rear abuts an alley.

Even with these setback and lot coverage requirements, housing dense enough to develop affordable housing can be built, so the City's existing lot size and setback requirements do not present a constraint to developing affordable housing.

5.1.3 Single-Family Units in Multifamily Zones

The City allows single-family dwellings in two multifamily zones, the RM and RH zoning districts. This does not preclude the development of higher-density detached units that may be affordable to moderate- or lower-income households. The Zoning Ordinance includes some mixed-use zones (i.e., TC and TC-O) that do not permit single-family dwellings but do allow multifamily dwellings. Additionally, the Zoning Ordinance includes minimum site area, site width, and site area per unit parameters that require projects to be built on parcels with minimum thresholds. Residential development on parcels enlarged to accommodate multifamily units will be less financially feasible for single-family development. Therefore, the development standards in these zones favor multifamily uses.

5.1.4 Multifamily Housing

Multifamily housing accounts for about 20 percent of the housing stock in the city. The Zoning Ordinance allows multifamily development by right with Design Review in the residential zoning districts RM and RH. The commercial zoning districts encourage both 100 percent residential development and mixed-use development and permit multifamily development in the CW zone on all floors and in the CC and CO zones above the ground floor. In mixed-use zones, specific types of multifamily housing are permitted in the TC-O, NG, NG-O, and MU-L zones. Multifamily uses are permitted by right on upper floors or behind the ground-floor use, except along the waterfront, in the TC zone. In the MU-I zone, multifamily uses are permitted by right except when occupying the

ground level facing streets specified in Chapter 17.26 of the Benicia Municipal, in which case a Use Permit is required.

Senate Bill (SB) 9 (2021) requires ministerial approval of a housing development with no more than two primary units in a single-family zone, the subdivision of a parcel in a single-family zone into two parcels, or both. In December 2021, the City adopted Resolution 21-177 to provide interim guidance to implement SB 9 in compliance with State law. The City plans to prepare an ordinance in Financial Year (FY) 2022/2023 to adopt long-term SB 9 guidance.

5.1.5 Residential Uses in Commercial Zones

The Zoning Ordinance permits single-family residential uses by right in the CC, CO, and CW zones, conditional upon the residential unit being above the ground floor. Multifamily uses are permitted by right in the CW zone, and they are permitted above the ground-floor level in the CC and CO zones. The residential uses allowed in commercial zones provide a significant amount of additional development capacity available for housing at densities up to 44 units per acre. However, development standards may constrain the amount of development feasible on this land. As part of Program 1.06, the City will update development standards to ensure higher-density multifamily residential uses are feasible in those zones.

5.1.6 Manufactured Housing and Mobile Homes

Mobile homes and manufactured housing offer an affordable housing option to many low- and moderate-income households. State law requires jurisdictions to permit manufactured housing, including mobile homes, in single-family residential zones when built on a permanent foundation. Within the city, mobile homes account for two percent of the housing stock and are permitted in the RS, RM, RH, OS, and MU-L zones. In addition, they are permitted in the CC, CO, and CW zones but only above ground-floor uses, so it is unlikely that mobile homes would be sited in those zones given their design limitations. In Chapter 17.70 of the Benicia Municipal Code, the City considers manufactured homes as single-family uses, which are allowed in all zones subject to the same regulations as site-built dwellings, conditional upon meeting the following standards:

1. It must be built on a permanent foundation approved by the building official.
2. It must be constructed in compliance with all City and California Department of Housing and Community Development (HCD) permit requirements.
3. The unit's skirting must extend to the finished grade.
4. The exterior materials of a manufactured home must be compatible with existing development in the immediate neighborhood. Reflective metal finishes are prohibited.
5. The roof must be of concrete or asphalt tile, shakes or shingles, or nonreflective standing seam metal complying with the most recent editions of the California Building Code fire rating approved in the City.
6. The roof must have a minimum 2:12 pitch and eaves or overhangs of at least one foot.
7. Required covered parking must be compatible with the manufactured home design and with other buildings in the area.

All manufactured home parks must have a minimum lot area of four acres and may be allowed only through approval of a Planned Development district. See Section V.1.10, Planned Development, for standards for approval. The Planned Development process is not intended to constrain the placement of mobile home parks, but to provide greater flexibility in the development design than is otherwise possible using zoning regulations.

5.1.7 Accessory Dwelling Units

To encourage establishment of accessory dwelling units on existing developed lots, State law requires cities and counties to either adopt an ordinance based on standards set out in the law authorizing creation of accessory dwelling units in zones that allow single-family or multifamily uses, or where no ordinance has been adopted, to allow accessory dwelling units if they meet standards set out in the State law. The State requires ministerial consideration of accessory dwelling unit applications. Local governments are precluded from prohibiting accessory dwelling units in zones that allow single-family or multifamily uses and may elect

to go beyond the statutory minimum to further the creation of accessory dwelling units.

Accessory dwelling units can be an important source of affordable housing since they are typically smaller in scale than primary units and they do not have direct land costs. Accessory dwelling units can also provide supplemental income to the homeowner, thus allowing the elderly to remain in their homes or moderate-income families to afford houses.

The City adopted Benicia Municipal Code, Section 17.70.060 (Accessory dwelling units), which permits accessory dwellings through an administrative process. According to the Zoning Ordinance, at least one accessory dwelling unit per parcel is permitted by right in any district where single-family or multifamily dwellings are a permitted use and on any lot with an existing or proposed single-family or multifamily dwelling, subject to specific design and development standards. Multiple accessory dwelling units are permitted on the same lot under any of the following circumstances:

- A detached accessory dwelling unit combined with a junior accessory dwelling unit (attached to either the other accessory unit or the primary residence) for a lot with a proposed or existing single-family dwelling.
- Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space.
- Two accessory dwelling units that are on a lot that has an existing multifamily dwelling but are detached from that multifamily dwelling.

The City ministerially approves accessory dwelling units with a building permit in a residential or mixed-use district that comply with Government Code Section 65852.2(e). For accessory dwelling units proposed that do not comply with the subsection (e) of State law, Table 5.5 sets out the design and development standards for those types of accessory dwelling units in the City of Benicia. Accessory dwelling units proposed within the Downtown Mixed-Use Master Plan Area comply with the same standards laid out in Section 17.70.060 of the Benicia Municipal Code. These standards conflict with recent updates to State law governing accessory

dwelling units. Program 1.12 is intended to update the City's accessory dwelling unit regulations to comply with State law.

5.1.8 Special-Needs Housing

In addition to conventional housing, jurisdictions must also provide housing for special-needs populations. These facilities include residential care facilities, transitional and supportive housing, emergency shelters, group care facilities, and agricultural employee housing. Specific Zoning Ordinance provisions for these uses are detailed in Tables 5.1 and 5.2, and a discussion of each housing type follows in this section.

a) Employee Housing

State law asserts that employee housing for six persons or less shall be allowed in the same way residential structures are allowed in zones allowing residential uses and that employee housing for up to 12 units or 36 beds shall be deemed an agricultural use and must be subject to the same regulations as any other agricultural use in the same zone. "No conditional Use Permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone" (Employee Housing Act, California Health and Safety Code Sections 17021.5 and 17021.6).

The Zoning Ordinance neither defines nor addresses "employee housing" as a residential use in Benicia. While the City does not define or allow the employee housing use in agricultural zones, there is no agricultural land use designation in Benicia. Therefore, California Health and Safety Code Sections 17021.6 and 17021.8 do not apply within the city. However, employee housing (housing for six or fewer persons as specified in Health and Safety Code Section 17021.5) is not defined, not considered a single-unit residential use, and not permitted by right in the districts that permit single-unit residential uses. Program 3.05 is proposed to allow housing in full compliance with the Employee Housing Act.

Table 5.5 Accessory Dwelling Unit Standards

Standard	Type of Accessory Dwelling Unit				
	Attached		Detached	Internal	Junior
	Studio/1 BR	2+ BR			
Permit	Permitted by right in zones that allow single-family or multifamily uses				
Maximum unit size	50% of the existing primary dwelling or 850 sq. ft. ¹	51% of the existing primary dwelling or 1,000 sq. ft. ¹	1,200 sq. ft.	50 percent of the existing primary dwelling	500 sq. ft.
Maximum height	Same as primary dwelling		16 ft.	N/A	
Rental of unit	May be rented, although not required. Rental periods must exceed 30 days.				
Setbacks	Front: Same as primary dwelling Side: 4 ft. Rear: 4 ft.			None Required	
	A 5 ft. distance from any existing dwelling shall be maintained.				
Parking	No additional off-street parking stalls shall be required for an accessory dwelling unit.				
	When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, replacement parking stalls are not required for the demolished parking structure.				

Source: City of Benicia Zoning Ordinance (last updated 2020)

b) Residential Care Facilities

According to the Community Care Facilities Act in the California Health and Safety Code, residential care facilities serving six or fewer persons (including foster care) must be permitted by right similar to other residential uses. Such facilities cannot be subject to more stringent development standards, fees, or other standards than other residential uses in the same district. Residential care facilities serving seven or more individuals can be permitted subject to a conditional use permit.

The RS, RM, RH, CW, MU-I, and MU-L zones allow residential care facilities, serving six or fewer residents, by right. Residential care facilities serving seven or more residents are conditionally permitted in the RM, RH, CC, and CO zones. In Program 3.07, to address new State fair housing requirements, the City will amend the Zoning Ordinance to allow residential care facilities serving six or fewer people by right in the CC, CO, and OS zones and to allow residential care facilities serving seven or more residents by right in the RS, CW, MU-I, MU-L, and OS zones.

c) Single-Room Occupancy Facilities

A Single-Room Occupancy (SRO) facility is a residential facility containing individual secured rooms that may have individual or shared kitchen and/or bathroom facilities. It may also include efficiency dwelling units that meet California Building Code requirements. SROs can provide low-cost housing for those in the extremely low- and very low-income categories and can also play a role in the transitioning process from homelessness to more permanent housing. In Benicia, SROs are neither defined nor regulated in the Zoning Ordinance, but the City regulates them under the Group Residential use. Group Residential uses are allowed by right in the MU-L zone. It is allowed with limits in the MU-L zone, and it requires a Use Permit in the RM and RH zones. Program 3.08 will revise the Group Residential definition to clarify that SROs are included under that use.

d) Emergency Shelters, Transitional, and Supportive Housing

In compliance with Chapter 633 of Statutes 2007 (SB 2), jurisdictions are required to permit emergency shelters in at least one zone or on one site without a discretionary permit, and transitional and supportive housing are to be considered residential uses subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

The Benicia Municipal Code allows emergency shelters by right in the RM, CO, CG, MU-L, and MU-I zones. Standards for emergency shelters from Section 17.70.390 are below:

- Emergency shelters shall be located at least 300 feet apart as measured from closest property lines.
- Site landscaping, exterior lighting, and parking facilities shall comply with the provisions of Benicia Municipal Code Chapters 17.70, General Regulations, and 17.74, Off-Street Parking and Loading Regulations. The parking regulations require one parking space per five beds.
- Outdoor recreational facilities shall be enclosed by a fence or a natural barrier (e.g., hedge). If smoking is allowed on site, there shall be a designated outside smoking area and the facility shall conform to the provisions of Benicia Municipal Code Chapter 9.06, Smoke-Free Public Places and Multi-Unit Housing. Outdoor telephone facilities are not permitted.
- The length of stay per individual shall not exceed six months.
- The maximum permitted capacity of an emergency shelter shall be equivalent to the homeless census identified in the most recently adopted Housing Element, less any emergency shelter capacity currently provided within the city. However, the community development director may increase the permitted capacity to serve homeless individuals based on updated data that is compiled or verified by a qualified individual or community organization, if the data demonstrates an increase in the city's

homeless population. Any proposed shelter that exceeds the permitted capacity shall require a Use Permit, in accordance with Section 17.70.390(C) of the Benicia Municipal Code.

- Client waiting and intake areas shall be screened or enclosed and clients shall not be allowed to form a queue outside the facility. Hours of client intake shall be posted.
- The following facilities shall be provided for the exclusive use of residents and staff: shower and restroom facilities, food preparation and/or dining, laundry, and secure storage for personal belongings. The facility may also provide recreation, computer, counseling, child day care or other support facilities as appropriate based on the demonstrated need of the client population.
- The applicant shall provide a management plan that includes the following components: homeless outreach plan, client intake and check-out procedures, description of supportive services that will be provided, identification of management personnel, and designation of a 24-hour contact person. Facility management and security must be provided on site during hours of operation. Contact information for manager and/or a designated contact person authorized to act on behalf of the manager shall be posted both inside and outside the facility for emergency purposes, description of neighborhood outreach and communication strategies, staff training program, clear operational standards and rules (e.g., standards governing expulsions, designated meal times, and lights-out) necessary to ensure compatibility with surrounding uses, including those applicable to use or possession of controlled substances, the use or possession of alcohol, and loitering, site upkeep and maintenance, including provisions to ensure that the site is maintained free of litter and debris, and a statement that the provider will not require participation by clients in any religious or philosophical ritual, service meeting, or rite as a condition of eligibility.

In addition, Section 17.08.020 of the Benicia Municipal Code states that in the administration of its zoning and land use policies regarding homeless shelters, transitional housing, supportive housing, or other housing designed to assist homeless persons or persons with special needs, the City shall comply with all applicable state and federal fair housing laws. The City's transitional housing and supportive housing provisions are consistent with State law, and the City will continue to update them as needed to remain compliant with State law as it evolves. However, the City's regulations for emergency shelters are not compliant with State law because the City imposes the following development standards beyond the objective standards allowed by State law:

- Once the city's local need for emergency shelter is provided through capacity in existing local facilities and/or multi-jurisdictional agreements in accordance with Government Code Section 65583, any additional beds or emergency shelter will be permitted only on approval of a use permit. The local need for emergency shelter shall be determined based upon the most recently adopted Housing Element or in accordance with Government Code Section 65583.
- Once the city's local need for emergency shelter is provided through capacity in existing local facilities and/or multi-jurisdictional agreements in accordance with Government Code Section 65583, the design review exemption provided in BMC 17.108.020(B) is no longer applicable.
- Site landscaping, exterior lighting and parking facilities shall comply with the provisions of Chapters 17.70 and 17.74 BMC.
- Outdoor Facilities. Outdoor recreational facilities shall be enclosed by a fence or a natural barrier (e.g., hedge). If smoking is allowed on site, there shall be a designated outside smoking area and the facility shall conform to the provisions of Chapter 9.06 BMC. Outdoor telephone facilities are not permitted.
- The maximum permitted capacity of an emergency shelter shall be equivalent to the homeless census identified in the most

recent adopted Housing Element, less any emergency shelter capacity currently provided within the city. Any proposed shelter that exceeds the permitted capacity shall require a use permit.

- The following facilities shall be provided for the exclusive use of residents and staff:
 - Shower and restroom facilities.
 - Food preparation and/or dining.
 - Laundry.
- The applicant shall provide a management plan that includes the following components:
 - Homeless outreach plan.
 - Client intake and check-out procedures.
 - Description of supportive services that will be provided.
 - Identification of management personnel and designation of a 24-hour contact person. Facility management and security must be provided on site during hours of operation. Contact information for manager and/or a designated contact person authorized to act on behalf of the manager shall be posted both inside and outside the facility for emergency purposes.
 - Description of neighborhood outreach and communication strategies.
 - Staff training program.
 - Clear operational standards and rules (e.g., standards governing expulsions, designated meal times, and lights-out) necessary to ensure compatibility with surrounding uses, including those applicable to use or possession of controlled substances, the use or possession of alcohol, and loitering.
 - Site upkeep and maintenance, including provisions to ensure that the site is maintained free of litter and debris.
 - A statement that the provider will not require participation by clients in any religious or philosophical ritual, service meeting or rite as a condition of eligibility. (Ord. 14-11 § 9).

As part of Program 3.01, the City will update the development standards for emergency shelters into compliance with State law.

In 2019, the California Legislature adopted AB 101, which requires all local governments, including the City of Benicia, to permit Low-Barrier Navigation Centers for people needing housing as a by-right use in areas that the local government has zoned for mixed uses as well as nonresidential zones that permit multifamily land uses. These centers must provide access to permanent housing options as well as case manager support to connect clients with public benefits (e.g., income, healthcare, shelter, and housing assistance). Local governments may not subject proposed centers within their planning area authority to conditional use permits or discretionary review. Program 3.01 is proposed to comply with AB 101.

5.1.9 General Plan

The City of Benicia General Plan was adopted in 1999. The Community Development and Sustainability Chapter of the 1999 General Plan designates the following land use categories: residential, commercial, mixed-use, industrial, parks/open space, and public/quasi-public. The General Plan designates land for residential use in three residential categories, two mixed-use categories, and five commercial categories. Since 1999, the City has amended the General Plan to include the Downtown Mixed Use Master Plan (2007) and the Eastern Gateway Study Area (2022).

Table 5.6 lists the 1999 General Plan Land Use Designations that allow residential uses. The residential densities described in the table are in dwelling units per net acre. A net acre is the actual area of a given property, exclusive of street rights-of-way.

a) Urban Growth Boundary

Adopted in 1999, Benicia's General Plan set forth the overarching goal of sustainable development, implemented in part with an urban growth boundary (UGB). The purpose of this boundary was to direct growth into areas south of Lake Herman Road and within city limits where services and infrastructure could be provided cost effectively. Conversely, the UGB was also set into place to prevent outward

urban sprawl and the invasion of agricultural and ecologically sensitive land in an effort to protect the rural quality of lands north of Lake Herman Road. The boundary is largely coterminous with Benicia's City Limit Line; lands to the north are under the jurisdiction of Solano County.

In 2003, the purpose and intent of the UGB was strengthened with an affirmative citizen vote on Measure K, clarifying that no urban development requiring municipal services was allowed beyond the UGB, and that no development of any kind in that area could be served with City water or sewer; policies also strengthened the City's resolve to promote compact urban development. Measure K resulted in an amendment to the General Plan consisting of four new policies (General Plan, Chapter 2, Policies 2.1.5 through 2.1.8), some of which outline exceptions from the requirement to comply with housing needs. Measure K will be up for renewal in 2022.

Growth management tools, such as Benicia's UGB, aspire to ensure that new development is well-planned, provides necessary infrastructure, and directs housing in close proximity to basic everyday needs, such as schools, jobs, transit, and services. Benicia is also landlocked on its southerly and easterly border by waters of the Carquinez Strait and Suisun Bay, respectively. Areas north of the boundary are designated Agriculture with a Resource Protection Overlay by Solano County. Most of this land is used for grazing and Solano County zoning regulations require a minimum parcel size of 20 acres.

Table 5.6 Existing General Plan Land Use Designations and Corresponding Zoning Districts

Land Use Designation	Corresponding Zoning District	Density Range (units/net acre)/ Floor to Area Ratio (FAR)	Percentage of Land Area in City
Residential			
Low-Density	RS	0.1-7	69.4% (1,477.8 acres)
Medium-Density	RM	8-14	10.6% (224.8 acres)
High-Density	RH	15-21	6.5% (137.8 acres)
Mixed-Use			
Downtown	TC-O, NG-O	2.0	1.5% (31.5 acres)
Lower Arsenal	PD, IG	2.0	2.0% (42.5 acres)
Mixed-Use Infill	MU-I	2.0	0.5% (10.8 acres)
Mixed-Use Limited	MU-L	1.5 (or 1.0 for buildings less than four stories tall)	0.1% (2.5 acres)
Commercial			
Community	CC	1.2	0.2% (3.8 acres)
Waterfront	CW	0.8 - 1.2	1.1% (24.3 acres)
Business and Professional Office	CO	0.8 - 1.2	0.2% (4.2 acres)
General	CG	1.2	6.5% (137.8 acres)
Downtown	TC, NG	2.0 - 2.4	1.5% (33.0 acres)

Source: City of Benicia General Plan Land Use Element, 2007; Solano County Assessor, 2021.

Measure K’s Policy 2.1.8 allows an amendment to the UGB under three exceptions:

Exception I - Takings. The City Council may amend the UGB if it finds, by at least a four-fifths vote and based on substantial evidence in the record, that:

1. The application of the UGB policies would constitute an unconstitutional taking of a landowner’s property.
2. The amendment and associated land use designation will allow additional land uses only as necessary to avoid unconstitutional taking of the landowner’s property.

Exception II - Housing Supply. The City may grant an exception from the requirements of the Initiative where it determines that doing so is necessary to comply with State law governing the provision of housing. The City may do so only if it first makes each of the following findings based on substantial evidence in the record:

1. A specific provision of State law requires the City to accommodate the proposed housing.
2. No feasible alternative exists that would allow for the required units to be built without siting some or all of them outside the UGB.

Exception III - Reorganization. The General Plan may be reorganized, readopted in different text and/or format, and individual provisions may be renumbered or reordered, in the course of ongoing updates of the General Plan in accordance with the requirements of State law, but Land Use Element policies relating to the UGB shall continue to be included in the General Plan until December 31, 2023, unless earlier repealed or amended pursuant to the procedures set forth above or by the voters of the city.

Benicia’s UGB was not designed to be uncompromising by inadvertently preventing the City from meeting its housing needs. To facilitate growth towards existing urban development and infrastructure, this Housing Element includes

programs that promote infill; these include Program 1.11 that requires the City to comply with State Density Bonus Law and Program 1.12 requiring the City to reduce fees and modify standards for accessory dwelling units to facilitate and encourage increased development. Amending the UGB has not been necessary because such policies help projects achieve greater efficiency of land use through higher densities.

The UGB has a net effect of reducing development potential on open space lands beyond the UGB while directing growth to lands within the boundary. At the same time, this re-direction has a positive environmental impact, in that open space lands outside the UGB are protected. Moreover, it facilitates compact, efficient use of land, consistent with the overarching theme of the General Plan: sustainability. Although this could limit the amount of land that is available to develop for residential use, the environmental and qualitative benefits to the community surpass any potential development constraints. Hillside topography can increase development costs. It is physically not suitable for higher-density development, which is demonstrated in the existing low-density character of development in similarly steep areas near Lake Herman (i.e., the Southampton neighborhood). Yet, as described in Chapter V, the yield analysis shows that even with Benicia's UGB in place, the City can still accommodate its regional housing needs allocation (RHNA) for the 2015 to 2023 cycle.

Establishing a system that encourages development where infrastructure currently exists (through infill development or adaptive reuse) results in reduced cost associated with residential development. The implementation of the UGB does not constrain residential development, but rather it directs residential growth to already urbanized areas. This growth management tool helps to promote more compact, contiguous urban development that is consistent with California's Global Warming Solutions Act and SB 375 in efforts to reduce greenhouse gas emissions through efficient land use planning.

5.1.10 Master Plans

A master plan is an additional tool to facilitate housing development. A master plan can implement the general plan by creating a bridge between

general plan policies and individual development proposals. Ideally, a master plan directs all facets of future development, including the distribution of land use and location of infrastructure.

The City has one master plan, the Downtown Mixed Use Master Plan (DMUMP), that guides development in a smaller, localized area of the city spanning roughly from West Second Street to the west, C Street to the south, East Second Street to the east, and K Street to the north. This land is within the Downtown Historic District, which contains historic landmarks and structures and preserves historic resources. The DMUMP implements the General Plan vision for mixed-use development in the downtown area through a form-based code. As displayed in Table 5.15, the DMUMP relaxes parking requirements in Downtown Benicia to reduce barriers to housing development.

5.1.11 Development Processing Procedures and Fees

Government policies and ordinances regulating development affect the availability and cost of new housing. Although land use controls have the greatest direct impact, development approval procedures and fees can affect housing costs as well.

a) Permit and Development Fees

The City collects fees to help cover the costs of permit processing, inspections, and environmental review. Fees charged for building permits are based on the construction values prescribed by the Building Valuation Data Table as provided by the International Code Council each year. The City also collects development impact fees in accordance with California Government Code Sections 66000-66025 for the provision of services such as roads, signals, parks, sewer, water, and storm drains. These fees are generally assessed on the size and number of units in a residential development and collected at the beginning of the approval process. The fees collected include those for the County as well as the City. The fees collected by the City do not exceed the City's costs for providing these services. The City maintains the current fee schedule on the City website.

Tables 5.7 shows the current planning permit fees for residential development.

Table 5.7 Planning Fees

Fee Category		Fee Amount	
Planning Fees			
Planned Development		\$8,042	
Use Permit - Commission (Residential projects up to 6 units)		\$5,361	
Use Permit - Commission (Residential projects 7 or more units)		\$14,515	
Use Permit - Staff		\$2,144	
Variance (Single-Family Residences)		\$2,144	
Variance (Commission)		\$5,361	
Design Review (Commission; Outside Historic District)		\$2,681	
Design Review (Commission; Historic District)		\$858	
Accessory Dwelling Unit - Administrative Permit		\$181	
Building Permit Review		\$107	
Environmental Review			
Exemption from CEQA (filed)		\$268	
Initial Study		\$5,361	
Negative Declaration		\$5,361	
Mitigated Negative Declaration		\$10,722	
Environmental Impact Report		15% of total contract cost	
Mitigation Monitoring and Reporting Program		\$2,289	
Subdivision Applications			
Parcel Map - 4 Lots or Fewer		\$10,573	
Tentative Map - 4 Lots or Fewer		\$13,960	
Lot Line Adjustment		\$2,144	
Parcel Merger/Split		\$4,289	
	Impact Fees¹	Single- Family	Multifamily
Transportation Fee		\$5,763/du	\$3,227/du
Park Dedication Fee ²		\$10,770/du	\$8,359/du
Parkland Improvement Fee ³		\$8,034/du	\$6,235/du
Capital License Tax		\$1,096/du	\$549/du
Wastewater Capacity Fee		\$14,257/du	\$13,160/du
Water Capacity Fee		\$12,354/du	\$8,423/du
School Impact Fee		\$4.08/sf	
Solano County Public Facilities Fee		\$7,578/du	\$5,348/du
Library Book Fee		\$348/du	\$270/du
Notes:			
1 Each affordable housing unit constructed as part of a multi-family residential development project in Benicia shall pay a reduced fee that is equal to the percentage of affordable housing units created by the project, rounded up to the nearest whole percent, and capped at 50%. For example, if a 20-unit multifamily housing development includes 9 affordable housing units (45%), then the impact fees charged for the affordable housing units in the multifamily development project would be reduced by 45%.			
2 Parkland Dedication Quimby In-Lieu Fee is only charged to parcels created by subdivision when the applicant chooses to pay the fee instead of dedicating parkland. However, the City may elect to accept land dedication, require the payment of an in-lieu fee, or a combination of both.			
3 As a policy decision, the parkland improvement impact fee is not charged to nonresidential uses and waived for those parcels that are subject to the Quimby land dedication or in-lieu fee requirement.			
Source: City of Benicia Master Fee Schedule, 2019; City of Benicia Impact Fees Schedule, 2021.			

Table 5.8 Typical Fees for a New Unit

Fee Category	Fee Amount	
	Single-Family ¹	Multi-Family ²
1 st /2 nd Plan Check	\$2,800	\$3,750
Permit Application Fee	\$80	\$80
Plan Review Fee	\$917	\$1,295
Building Standards Commission	\$18	\$27
Electric / Gas / Mechanical / Plumbing / Ventilation ³	\$2,184	\$8,382
Fire Sprinkler	\$548	\$628
Water Service ⁴	\$139	\$834
Planning Review Fee	\$89	\$89
SMIP Residential Fee ⁵	\$58	\$85
Storm Water and Sewer	\$170	\$520
Plan Retention	\$10	\$10
Capital License	\$1,096	\$3,294
Library	\$348	\$1,620
Park Dedication	\$8,034	\$37,410
Sewer Capacity	\$14,257	\$78,960
Solano County	\$7,578	\$32,088
Transportation Impact	\$5,763	\$19,362
Water Capacity	\$12,354	\$50,538
School Impact	\$12,240	\$19,584
Total Estimated Fees	\$68,683	\$258,556
Total Estimated Fees per Unit	\$68,683	\$43,093

Note:

- Based on one 3,000-square-foot single-family unit with three full baths, laundry, a kitchen with gas appliances, a hood, and a garage utility sink.
- Based on six 800-square-foot multifamily units with one full bath, one and a half bath per unit, laundry, and a kitchen with gas appliances and a hood.
- Includes electrical issuance fee, plumbing issuance fee, mechanical issuance fee, electrical per foot fee, AC unit, furnace, ducts, vent fans, appliance vent, temp power, service panel, fixtures/vents/traps, gas piping, and gas meter. .
- Includes water heater and water piping.
- Determined by the State as 0.013% of building valuation. Building valuation is the cost of development per square foot, multiplied by the assumed square footage of a unit.

Source: City of Benicia Master Fee Schedule, 2019; City of Benicia Impact Fees Schedule, 2021.

As shown in Table 5.7, the fees are either an established flat rate or based on unit size or number of units. Table 5.8 shows the typical fees for new single-family and multifamily development.

Table 5.9 shows the relationship between estimated development impact fees to the overall housing development cost. The fees for the development of single-family units do not represent a significant portion of overall development cost. The fees for the development of multifamily units do not represent a substantial portion of construction costs, 13 percent of which are County fees. This is an indication that fees do not pose a constraint on the development of single-family or multifamily housing.

The City has a formal procedure for expedited permit review under SB 35 for affordable housing projects using a ministerial review process and timeline requirements. While the City does not reduce or waive fees for affordable housing projects, the City has reduced impact fees for affordable housing units, and it gives authority to the Community Development Director to reduce fees. Program 1.14 in Chapter II requires that the City amend the Benicia Municipal Code to include language permitting the City Council to consider waiving or reducing application fees for a project that provides affordable housing units.

Table 5.9 Proportion of Fee in Overall Development Cost for a Typical Residential Development

Development Cost for a Typical Unit		
	Single-Family	Multi-Family ²
Total estimated fees per unit	\$68,683	\$43,093
Typical estimated cost of development per unit ¹	\$792,000	\$211,200
Estimated proportion of fee cost to overall development cost per unit	8%	17%

Note:

- Valuation (labor and material cost).
- County Impact Fees are approximately 13% of the fee for Multifamily Units

Source: City of Benicia Master Fee Schedule, 2019; City of Benicia Impact Fees Schedule, 2021.

b) Planning Permit Procedures

The City’s Zoning Ordinance and Downtown Mixed Use Master Plan regulate the residential types that are permitted, permitted with a Use Permit, permitted with a Planned Development, or prohibited in each zoning district. With the

exception of design review requirements, permitted uses are allowed without discretionary review upon verification that the project complies with all applicable development regulations. Use Permits are subject to approval by the Planning Commission (unless appealed). The findings associated with a Use Permit are that the project is consistent with the Zoning Ordinance, consistent with the General Plan,

not detrimental to the health, safety, and welfare of the public, and compatible with its surroundings.

Table 5.10 provides a list of each housing category in the city and its associated permitting process.

Table 5.10 Housing Types Permitted by Zoning District

Residential Use Category	Zoning Ordinance							Downtown Mixed Use Master Plan			
	RS	RM	RH	CC	CO	CG	CW	TC	TC-O	NG	NG-O
Single-Family ²	P	P	P	p ³	p ³	—	p ³	—	—	P	P
Multifamily ²	—	P	P	p ³	p ³	—	P	p ¹	P	p ⁶	p ⁶
Group Residential	—	U	U	—	—	U	—	Use Classification in the Zoning Ordinance only			
Residential Care < 6	P	P	P	—	—	—	P	p ¹	MUP	—	MUP
Residential Care > 7	—	U	U	U	U	—	—	p ¹	U	—	U
Manufactured Home Parks >4 acres	PD	PD	PD	PD	PD	PD	PD	—	—	—	—
Accessory Dwelling Units	P	P	P	p ³	p ³	—	p ³	p ¹	P	P	P
Work/Live	—	—	—	P	—	P	P	—	P	—	P
Emergency Shelter	—	P	—	—	P	P	—	—	—	—	—
Transitional Housing	P	P	P	p ³	p ³	—	p ⁵	p ³	P	P	P
Supportive Housing	P	P	P	p ¹	p ¹	—	p ⁵	p ³	P	P	P
Low-Barrier Navigation Center	—	—	—	—	—	—	—	—	—	—	—
Single-Room Occupancy	—	—	—	—	—	—	—	—	—	—	—

Notes: P= Permitted U= Use Permit MUP= Minor Use Permit (staff level) PD= Planned Development
 1 Allowed only on upper floors or behind ground-floor use 4 Allowed on lots with a single-family residence
 2 This classification includes mobile home and factory-built housing 5 Not permitted on ground level for a single dwelling unit.
 3 Allowed only on upper floors 6 Only duplexes permitted in this zone.

Source: City of Benicia Zoning Ordinance, 2021; Downtown Mixed Use Master Plan, 2012. Amended in 2019.

The development review and permit process provide the necessary tools to evaluate and approve new development applications that are consistent with the goals and policies of the General Plan and consistent with the purposes of the Zoning Ordinance. Procedures for processing permits differ based on the permit type. The following procedures are common to the City’s permitting process:

1. Pre-application meeting with City staff (for projects requiring Use Permit, design review, or subdivision approval)

2. Filing of application and fees
3. Initial application review - completeness check (30- day review; Government Code 65943)
4. Environmental review (20 days to 1 year)
5. Staff Report and recommendation
6. Permit approval or disapproval

Table 5.11 displays a general overview of typical timelines for approvals and permits. These timelines are similar to other jurisdictions in the Bay Area.

Table 5.11 Timelines for Permit Procedures

Application Type	Estimated Approval Time Period
New Single-family Project, including Accessory Dwelling Units (Outside H District)	Concurrent review with building plan check (10 business days)
New Single-family Project (Inside H District)	12 weeks (Historic Preservation Review Commission)
New Accessory Dwelling Unit (Inside H District)	Concurrent review with building plan check (10 business days)
Multifamily Project	12 weeks (Historic Preservation Review Commission)
Variances - Single-family Residential	6 - 8 weeks (Zoning Administrator)
Variances - Single-family Residential	8 - 12 weeks (Planning Commission)
Projects requiring Initial Study or Environmental Impact Report	Additional 12 weeks to 1 year
Rezone ¹	12 -18 weeks (City Council)
General Plan Amendment	12-18 weeks Negative Declaration or exempt (City Council)
Lot Line Adjustment	4 - 8 weeks (Staff review)
Parcel Map	6 - 10 weeks (Staff review)
Subdivision Map (Project)	12 weeks (Planning Commission)
Conditional Use Permit	8 - 10 weeks (Planning Commission)
Temporary Use Permit	3 weeks (staff review)
Notes:	
1 Rezoning run concurrently with a General Plan amendment when both are required.	
Source: City of Benicia, 2021	

All new residential projects, except single-family homes outside of the (H) Historic Overlay Districts, two story projects in the MU-I and MU-L zones, four unit or fewer projects in the MU-L zone, and accessory dwelling units, are subject to design review. These types of residential development are ministerial and permitted through the building permit process if they are consistent with adopted standards. City staff typically receive a building permit application within four to eight weeks after they issue project approval and entitlement. Multi-

family projects, which typically take 12 weeks for project approval, typically include a pre-application meeting which provides the project applicant with technical assistance at the start of project review.

c) Design Review Procedures

The City’s Design Review procedures are primarily defined by whether or not the proposed project is within one of the City’s two historic districts. Most projects inside the (H) Historic Overlay Districts and multifamily projects greater than 2,500 square feet outside the (H) Historic Overlay District, with exception to the IL, IG, and IW zoning districts, are subject to design review approval by the Historic Preservation Review Commission (HPRC). Single-family residences outside of the historic districts are exempt from design review, as are accessory dwelling units, 4 unit or fewer developments in the MU-L zone, and two story or less developments in the MU-L zone. The Community Development Director conducts design review for projects greater than 50,000 square feet of gross floor area in the IG, IL, IW, and IP districts, for projects outside the industrial districts that involve construction of less than 2,500 square feet of floor area, and for some projects eligible for the community benefits program in the MU-I zone. The Community Development Director may also authorize minor deviations from the Zoning Ordinance, including timing of construction for an accessory structure, projection of detached garage in the RS district, and separation between buildings.

Design guidelines for the (H) Historic Overlay Districts are established by the adopted conservation plans for the two historic districts. These guidelines focus on compatibility through materials, development patterns, and architectural design. All development regulations are established by the Zoning Ordinance and Downtown Mixed Use Master Plan. Design review findings for approval are listed in the Design Review section.

d) Review Authority

Projects may require review by more than one review body. For design review applications, either the Community Development Director will make a determination without a public hearing or staff will provide a recommendation to the HPRC which has the authority to take final action. In some instances, projects eligible for the

community benefits program and located in the MU-I zone may be acted upon by the Planning Commission or City Council. For other development projects, such as Use Permits, variances, and development plans, the authority is divided among the Community Development Director, Planning Commission, and City Council. Table 5.12 lists the review authority for various applications in the City of Benicia.

5.1.12 Inclusionary Housing

In 2000, the City adopted an Inclusionary Housing Ordinance (Benicia Municipal Code Section 17.70.320). Its implementation did not result in the construction of housing units during the previous planning period. The regulations in this section are intended to lead to the development of housing for very low- and low-income households.

Table 5.12 Review Authority

Type of Decision	Role of Review Authority ¹			
	Director or Zoning Administrator	Historic Preservation Review Commission	Planning Commission	City Council
Zoning Permit	Decision	—	—	Appeal
Use Permit	Recommend	—	Decision	Appeal
Variance	Recommend ²	—	Decision	Appeal
Design Review subject to HPRC Approval ³	Recommend	Decision	Appeal	Appeal
Minor Design Review in H Overlay District / Specified Projects in MU-I Zone	Decision	Appeal	Appeal	Appeal
Specified Projects in MU-I Zone	Recommend	—	Decision	Appeal
Development Agreement	Recommend	—	Recommend	Decision
Zoning and Map Amendments	Recommend	—	Recommend	Decision

Notes:

- 1 “Recommend” means that the review authority makes a recommendation to a higher decision-making body; “Decision” means that the review authority makes the final decision on the matter; “Appeal” means that the review authority may consider and decide upon appeals to the decision of an earlier decision-making body.
- 2 Zoning Administrator has full review authority over variances related to single-family residences and makes the decision, not the Planning Commission.
- 3 Non single-family residential projects in the RM, RH, C, OS, PS, PD greater than 2,500 square feet, and any new development in the H overlay districts.
- 4 Projects eligible for the Tier II Community Benefits Program

Source: City of Benicia Zoning Ordinance (last updated 2021)

a) On-Site Construction of Inclusionary Units

Any residential development of 10 for-sale units or more is required to build 10 percent of the units as affordable to very low- and low-income households or, if allowed, choose an in-lieu alternative in agreement with the City (described in the following section). Construction of the inclusionary units as part of the project is preferred. The inclusionary units may be for-sale, owner-occupied units or rental units. The developer must receive City Council approval to construct rental inclusionary units in a homeownership development. Restrictions must be put in place to maintain the inclusionary units'

affordability for at least 30 years. Inclusionary units must be constructed at the same time or earlier than the market-rate units (unless alternate phasing is approved by the City Council) and inclusionary units must be physically distributed throughout the project site, rather than concentrated in one area. Additionally, the design of and number of bedrooms in the inclusionary units must be comparable to that of the market-rate units, as detailed in Section 17.70.320.D.3 of the Benicia Municipal Code.

A written agreement between the City and the developer is required to ensure compliance with Benicia Municipal Code, Section 17.70.320. The

agreement must include details about the timing of construction of the inclusionary units or the in-lieu alternative (dedication of developable land or another in-lieu proposal acceptable to the City Council), the number of inclusionary units at appropriate price or rent levels, the term of affordability, provision for the City's income certification and screening of potential purchasers/renters, a resale control agreement, and/or affordable rental restriction agreement (as applicable), as well as any other reasonable information required by the City for the purposes of ensuring compliance with the ordinance. Allowances and incentives are available for projects with inclusionary units, including density bonus, fee waiver or reduction, modification of development standards, reduction of amenities or square footage, and technical assistance from the City on applying for financial subsidy programs.

b) In-Lieu Alternative Options

Developers may apply to choose an in-lieu alternative of equivalent value to constructing all or part of the required inclusionary units on-site. Developers of projects with inclusionary units have the option with City Council approval:

- To transfer credit for inclusionary units constructed at one location to another location in the city;
- To apply credits for inclusionary units constructed by the developer that exceed the number of units that the developer is required to construct as per the inclusionary ordinance (known as "extra unit credits") and to transfer these credits to another development in the city constructed by the same developer or their affiliate;
- To transfer these extra unit credits to third-party developers to be applied to their development;
- To build inclusionary accessory dwelling units in single- family detached unit developments; or
- To donate a suitable amount of land.

c) Approval Process for In-Lieu Alternative Options

In-lieu alternatives to on-site construction of inclusionary units require discretionary approval by the City Council as part of the entitlement process. While no inclusionary housing was processed by the City during the past planning period, over the past decade, this process has not been found to increase application processing times to more than timeframes typical for new residential developments in Benicia. The developer is required to submit information with their application supporting their selected in-lieu alternative option, including identifying all overriding conditions that prevent the construction of inclusionary units, sufficient independent data (including financial information) that supports the developer's claim that it is not feasible to construct the required inclusionary units, and a detailed analysis of why various concessions and incentives identified in Benicia Municipal Code, Section 17.70.320, cannot mitigate the developer's identified conditions preventing them from constructing the inclusionary units.

Due to the required discretionary approval for an in-lieu alternative, the applicant is provided a lower level of certainty regarding timing of application processing and whether their project will be approved as proposed. To address potential constraints associated with uncertainty, City staff are available to review applications during the design phase and assist developers in exploring options and alternatives to arrive at a project that is agreeable to the developer and the City. The Planning Division staff encourages applicants who wish to explore an in-lieu alternative to meet with staff early in the design process to minimize the amount of time spent in determining a feasible alternative.

Since the Inclusionary Housing Ordinance was adopted, one project has applied for an in-lieu alternative to on-site construction. The Olson Company, developer of the mixed-use Harbor Walk project on First Street, was required to provide four very low- and low-income inclusionary units as part of the development. The developer found it challenging to construct the inclusionary units on the First Street site. Pacific Bay Homes, the developer of the Bay Ridge apartment project on the north side of Highway 780, constructed eight excess inclusionary

units and had “extra unit credits” available. The Olson Company was able to purchase four of the extra unit credits from Pacific Bay Homes to satisfy their inclusionary housing requirements off-site. The agreement finalized between the Olson Company and the City was satisfactory to both parties and provided additional affordable housing units in Benicia.

d) Evaluation

Establishment of these regulations has increased the City’s ability to encourage construction of affordable housing in Benicia including in projects not subject to the ordinance. Increased flexibility during the review process and with City application and development fees is intended to offset increased cost and time required to meet the requirements of this inclusionary section of the Zoning Ordinance. Policy 2.02 is proposed to create additional certainty for developers wishing to exercise the option to choose an in-lieu alternative to construction of on-site inclusionary units. Program 2.01 is proposed to update these regulations to provide more affordable housing through inclusionary requirements while minimizing negative impacts to housing developers.

As of June 2022, the City of Benicia is reviewing the Inclusionary Housing Ordinance. The City Council is considering an adjustment to the affordability requirements and in-lieu options to encourage development of more affordable units in the future. This proposal is in its infancy, and more extensive research will be conducted to ensure that changes to the Inclusionary Housing Ordinance would not increase barriers to housing development.

5.1.13 Density Bonus

The City’s Affordable Housing Density Bonus requirements (Benicia Municipal Code, Section 17.70.270) implement the State’s Density Bonus Law by reference (Government Code Section 65915 et seq.) and support inclusionary housing. The purpose of the affordable housing density bonus is to expand housing opportunities for very low-, low-, and moderate-income persons, seniors, students, transitional foster youth, disabled veterans, and homeless persons throughout the city.

Residential projects of five or more units may qualify for a density bonus over the maximum allowable base density of the district. A density bonus of a certain percentage is granted to projects that have a certain percentage of the total units set aside for households at certain income levels or projects that serve certain groups, as mentioned previously. Generally, the greater percentage of units at lower-income levels, the greater the density bonus that can be requested. The maximum density bonus that can be granted for a project containing affordable units is 50 percent. Projects that include 100 percent affordable units can request a density bonus of up to 80 percent. This type of project can include up to 20 percent of units for moderate income (including the bonus units). Table 5.13 summarizes the application of the City’s density bonus program.

Developer concessions or incentives are granted for a residential project that meets the criteria for a density bonus project. Incentives granted by the City have included, but are not limited to, flexibility in development, architectural or zoning standards, approval of mixed-use zoning in conjunction with the housing project, or other regulatory incentives or concessions proposed by the City or developer. The City allows for up to four concessions or incentives on an individual project, based on Planning Commission approval.

State law also limits parking requirements that may be imposed by the Zoning Ordinance’s parking standards. The City has not updated its Density Bonus ordinance since 2016. Per Program 1.11, the City will review the current ordinance and determine whether updates are needed to comply with current state Density Bonus Law.

5.1.14 Community Benefit Program in Mixed Use Districts

As part of the City’s adoption of the Mixed Use-Infill and Mixed Use-Limited zones in 2022, the City also approved a Community Benefits Program, listed in Chapter 17.70 of the Benicia Municipal Code. The Community Benefits Program allows streamlined review and increased height and density regulations

Table 5.13 Application of Density Bonus Program

Very Low-Income Units		Low-Income Units		Moderate-Income Units	
% Very Low-Income Unit	Permitted % Density Bonus	% Low-Income Units ¹	Permitted % Density Bonus ²	% Moderate-Income Condo/PUD Units ¹	Permitted % Density Bonus ³
5	20	10	20	10	5
6	22.5	11	21.5	14	9
7	25	12	23	18	13
8	27.5	14	26	22	17
9	30	16	29	26	21
10	32.5	18	32	30	25
11	35	20	35	34	29
12	38.75	21	38.75	38	33
13	42.5	22	42.5	40	35
14	46.25	23	46.25	42	42.5
15	50	24	50	44	50

50% Max Density Bonus, except under the 100% affordable development scenario noted below.⁴

Note:

- 1 Not all options for number of units are displayed. All density bonus calculations resulting in fractions are rounded up to the next whole number, in compliance with California Government Code Section 65915(c). California Government Code Section 65915 through 65918, referenced in Section 17.70.270 of the Benicia Municipal Code, has the complete application.
- 2 A 2.5% density bonus granted.
- 3 A 1.0% density bonus granted.
- 4 Developments that are 100% affordable to lower-income households, with the exception of up to 20% of units restricted to moderate-income households, are granted an 80% density bonus for all income-restricted units unless the project is located within one-half mile of an accessible major transit stop, in which case, there is no cap on the density bonus.

Source: City of Benicia Zoning Ordinance, 2021

within the MU-I zone, in exchange for the provision of a defined benefit or benefits, such as affordable housing, artist housing, infrastructure improvements, neighborhood-serving commercial uses, public art, and/or public open spaces. This program is eligible to projects providing at least two-thirds of the floor area as residential use. Incentives are provided in tiers, with Tiers 1 and 2 available to all qualifying projects in the MU-I district, while Tier 3 would only be available for MU-I parcels abutting the Interstate (I-) 780 right-of-way. Incentives for each tier are as follows:

- **Tier 1:** Two community benefits required in exchange for no minimum site area per unit, 75 percent allowed lot coverage, and three stories/40-foot building height maximums. This tier requires Design Review approval from the Community Development Director.
- **Tier 2:** Three community benefits required in exchange for no minimum site area per unit, 80 percent allowed lot coverage, and

four stories/45-foot building height maximums. This tier requires Use Permit approval from the Planning Commission.

- **Tier 3:** Four community benefits required in exchange for no minimum site area per unit, 85 percent allowed lot coverage, and five stories/60-foot building height maximums. This tier requires Development Agreement approval from the City Council.

Overall, these community benefits increase flexibility in site design and incentivizes the provision of amenities that enhance the quality of life for residents and the surrounding community. The Community Benefits Program is not a constraint to housing development and, rather, encourages quality housing development for a range of income levels in the Mixed Use-Infill District.

5.1.15 Historic Preservation

To promote the conservation, preservation, protection and enhancement of Benicia's historical and architecturally significant structures, the City adopted a Historic Overlay District (H) as part of the Benicia Zoning Ordinance in 1987. Accompanying Conservation Plans are intended to deter demolition, alteration, or neglect of historic resources through design review.

Two Historic Conservation Plans have been prepared to implement the Historic Overlay District ordinance: the Downtown Historic Conservation Plan (1990, amended 1992, 2005, 2008, and 2009) and the Arsenal Historic Conservation Plan (1993). These Conservation Plans provide design guidelines for new development and alterations within Historic Districts. The Benicia Arsenal has been officially recognized at the federal level since 1975, when four distinct historic areas were identified and placed on the National Register of Historic Places, and at the state level with its designation as State Historical Landmark No. 176. The intent of the Arsenal Historic Conservation Plan is to reinforce the area's designation and safeguard the historic integrity of the district and historic structures.

Given the quality of Benicia's historical and architecturally significant structures, and the contribution of these structures to the image and quality of life in Benicia, the historic preservation policies and regulations are reasonable and appropriate. Regulations are limited to two areas in Benicia, and as such, these regulations do not pose an unreasonable constraint to residential development in Benicia.

5.1.16 Planned Development

The Planned Development process establishes a procedure for development while eliminating or reducing the rigidity, delays, and inequities that would otherwise result from application of zoning standards and procedures designed primarily for small parcels. Furthermore, Planned Developments allow for orderly review procedures while avoiding the monotony in large developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenities.

Planned Developments can be residential, commercial, industrial, or mixed-use developments, such as commercial/residential. The Zoning Ordinance limits the ability to increase residential unit density. Except where a density bonus is granted, the total number of dwelling units in a Planned Development Plan cannot exceed the number of units permitted by the base zone density. There were no Planned Development Plan applications submitted during the previous Housing Element cycle.

5.1.17 Design Review

In Benicia, design review is required for all multifamily projects except two story projects in the MU-I and MU-L zones. In the Historic Overlay District, design review is required for all residential projects that involve demolition, construction, or change in exterior.

According to Benicia's Zoning Ordinance, Design Review is intended to implement General Plan polices. Therefore, the purposes of these procedures and requirements, which serve as the findings for Design Review, are to:

1. Ensure location and configuration of structures are visually harmonious with their sites and with surrounding sites and structures, and do not unnecessarily block scenic views from other buildings or public parks or dominate their surroundings to an extent inappropriate to their use;
2. Ensure architectural design of structures, their materials, and colors are visually harmonious with surrounding development, the natural landforms, and vegetation;
3. Provide plans for the landscaping of open spaces conform with the requirements of this title, and that they provide visually pleasing settings for structures on the site and on adjoining and nearby sites and blend harmoniously with the natural landscape;
4. Prohibit excessive and unsightly grading of hillsides, and preserve natural landforms and existing vegetation where feasible;

5. Provision of adequate, safe, and efficient parking and circulation areas, which conform to the requirements of this title;
6. Provide a functional, efficient, and attractive site design that is sensitive to existing uses in the area and to the topography and conditions of the site; and
7. Ensure that new development is consistent with specific design guidelines developed for use within the community, where applicable, and to any Specific Plan or Planned Development plan.

Projects undergoing design review are evaluated for architectural design, building massing, and appropriate scale to the surroundings and community. Proposed projects are required to submit architectural drawings and a fully dimensional site plan, including, but not limited to, proposed structures, driveways, walkways, walls, fences and open spaces, property lines, right-of-way lines, etc. A landscaping plan is also required for all residential use projects except single-family residences, and perspective drawings or scale models may also be required at the discretion of the Community Development Director. The project must be consistent with the General Plan, and in compliance with any applicable design guidelines and/or adopted design review policies.

Based on an analysis of evidence and documentation, Benicia’s design review process does not act as a constraint to the development of affordable housing. Both Administrative Design Review and the HPRC review are done within an acceptable timeframe. Additionally, design review is often conducted concurrently with other processing procedures to further streamline the development permit process.

5.1.18 On-and Off-Site Improvement Requirements

Generally, the developer passes on-site and off-site improvement costs to future occupants through housing costs (e.g., rents, sales price).

Benicia requires the installation of certain on-site and off-site improvements to ensure the safety and livability of its residential neighborhoods. On-site improvements are regulated by the Subdivision Ordinance and through standard engineering

specifications, and applicable provisions of the Benicia Municipal Code. On-site improvements typically include required off-street parking, curbs, and utilities, as well as amenities such as landscaping, fencing, streetlights, and park facilities. Off-site improvements typically include the following (some of which are regulated by other agencies):

- Road improvements, including construction of sections of roadway, medians, bridges, sidewalks, bicycle lanes, and lighting.
- Drainage improvements, including improvement to sections of channel, culverts, swales, and pond areas.
- Wastewater collection and treatment.
- Water systems improvements, including lines, storage tanks, and treatment plants.
- Public facilities for fire (Benicia Fire Department), school (Benicia Unified School District), and recreation (Benicia Parks and Community Services).

The site improvements that are under the jurisdiction of the City of Benicia have specific requirements, which are discussed below.

a) Street Improvements

Street improvement requirements are regulated by the Benicia Engineering Design Standards (see Table 5.14).

Table 5.14 Street Improvement Requirements

Street Types	Right-of-Way
Major Arterial (Truck Route)	100 ft.
Major Arterial	84 ft.
Minor Arterial	60 ft. ¹
Collector	49 ft. ¹
Local	45 ft. ¹
Cul-de-Sac	41 ft. ¹
Alley	20 ft.
Note: 1 Plus a 10 ft. Public Service Easement on each side. Source: City of Benicia Engineering Design Standards, 1992. Confirmed in 2022.	

General

Local streets are the primary streets used to support localized traffic and movement within residential areas. Collector streets are generally two lanes wide and serve most residential districts. Collectors connect local streets to minor and major arterials. Arterial streets link residential districts with the highway system.

Sidewalks and Curbs

Sidewalks are to be 4 feet wide in residential areas and a handicapped ramp is required at each intersection curb return.¹

Landscaping

Minimum site landscaping and required planting areas are established in Section 17.70.190 of the Benicia Municipal Code.

A minimum percentage of site landscaping is required in most zones. The required landscaping percentages for each zone allowing residential development are as follows:

RS	35 percent	CO	20 percent
RM	30 percent	CG	10 percent
RH	30 percent	CW	20 percent
CC	20 percent	IL	10 percent

Parking

The City has provisions to reduce parking where less need is demonstrated. The Zoning Ordinance allows for collective provision of parking that serves more than one use of a site. In addition, in lieu of the City's parking requirements, the Zoning Ordinance provides the option for applicants to participate in a future or existing parking district, implement transportation demand management provisions, or use other collective parking mechanisms approved by the City. A Use Permit may be granted that waives all or some of the provisions of basic requirements for off-street parking and loading. The Planning Commission may also reduce parking for other uses provided that the findings are made that the parking

demand is less than the required number of spaces (Benicia Municipal Code, Chapter 17.74).

In pursuit to decrease reliance on fossil fuels, the City has adopted policies to require the provision of electric vehicle (EV) charging stations in new development. The City requires that new single-family homes and townhomes provide space to accommodate a dedicated 208/240-volt branch circuit to accommodate EV charging stations. For multi-family development, the City requires:

- At least 10 percent of the total required parking spaces to be EV charging spaces equipped with an EV charger or an electric socket to connect to EV charging cables;
- An additional 20 percent of the required parking spaces to be equipped with electric vehicle supply equipment (EVSE) capable of supporting future EV charging equipment; and
- All required spaces not equipped with EVSE to be provided with infrastructure to allow for future access to EVSE.

Table 5.15 provides parking standards by use type.

5.1.19 Building Codes

While local regulations and fees increase housing costs, some building and housing regulations and fees are mandated by State law to protect the health, safety, and welfare of the community or to protect existing residents from financial or environmental impacts.

Building codes are enforced to ensure long-term safety for occupants on a per-complaint basis. Benicia enforces the California Building Code, as established by State law, which sets standards for residential and other structures. Local amendments have been made to the codes for administrative purposes, none of which would significantly increase housing costs, and safety. For example, the safety precautions added to the City's Building Code require gas safety shut-off valves and increase swimming pool safety measures that are not included in the state regulations. While these amendments may slightly increase the cost of development, they

¹ City of Benicia, 1992, Benicia Engineering Design Standards.

do not have a significant impact on development costs and ultimately improve the safety and quality of life for residents. Those amendments are called out explicitly in Section 15.04.030 of the Benicia Municipal Code.

The state’s Uniform Housing Code regulates the condition of habitable structures (health and safety standards) and provides for the conservation and rehabilitation of housing. The City responds to code enforcement problems on a complaint basis. The usual process is for a building inspector to conduct a field investigation after a complaint has been submitted. If the complaint is determined to be valid, the immediacy and severity of the problem is evaluated.

Table 5.15 Parking Requirements by Use Type

Land Use Type: Residential Uses	Vehicle Spaces Required	
Districts in the Benicia Zoning Ordinance		
Single-family	2, including 1 covered space/unit	
Multifamily Residential	Studios and one-bedroom units 1 spaces per unit Two-bedroom units 1.5 spaces per unit Three or more bedrooms 2 spaces per unit	
Group Residential	1 per 2 beds; plus 1 per 100 sf used for assembly	
Work/Live Unit	1 per unit	
Day Care, General	1 per 7 children; maximum enrollment based on maximum occupancy load	
Residential Care, 7 or more clients	1 per 3 beds; plus additional specified by Use Permit	
Residential Care, 6 or fewer clients	1 per 3 beds	
Senior Citizens’ Housing	0.5 spaces per unit	
Supportive and Transitional Housing	Single-family residential projects are subject to single-family residential use parking requirements. Multifamily residential projects are subject to multifamily residential use parking requirements.	
Downtown Districts		
	TC and TC-O	NG and NG-O
Residential Uses	0.5 space per studio unit 1 space per unit	0.5 space per studio unit 1-2 bedroom unit: 1 space per unit 3+ bedroom unit: 1 space plus 0.5 space per bedroom over 2
Source: City of Benicia Zoning Ordinance (last updated 2021) and City of Benicia Downtown Mixed Use MasterPlan, 2007		

5.1.20 Governmental Constraints on Housing Production for Persons with Disabilities

As part of the governmental constraints analysis, State law calls for the analysis of potential and actual constraints on the development, maintenance, and improvement of housing for persons with disabilities. Table 5.16 reviews not only the Zoning Ordinance, but also land use policies, permitting practices, and building codes to ensure

compliance with state and federal fair housing laws. Where necessary, the City proposes new policies or programs to remove constraints.

No governmental constraints to development of housing for disabled persons were identified within the city. The City updated the Zoning Ordinance in 2014 to adopt a reasonable accommodation ordinance addressing rules, policies, practices, and procedures that may be necessary to ensure equal

access to housing for those with disabilities. Reasonable accommodations can be requested relating to the various land use, zoning, or rules, policies, practices, and/or procedures of the city. The reasonable accommodation request must meet the following findings, as outlined in Chapter 17.132 of the Benicia Municipal Code, to be approved:

1. The housing which is the subject of the request for reasonable accommodation will be used for an individual(s) with a disability protected under the Act.
2. The request for reasonable accommodation is necessary to make specific housing available to an individual(s) with a disability protected under the Act.
3. The requested reasonable accommodation does not impose an undue financial or administrative burden on the city.
4. The requested accommodation will not require a fundamental alteration of the zoning and building laws, policies, and/or procedures of the city.
5. There are no other reasonable alternatives that would provide an equivalent level of benefit without requiring a modification or exception to the city's applicable rules, standards and practices.
6. The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

Additionally, the City proposes Program 3.02 to review and update the reasonable accommodation procedure findings in Chapter 17.132 of the Benicia Municipal Code for constraints and conflicts with State law.

There are no special permits or requirements for homes or development for disabled persons in zones where the use would be otherwise permitted.

The City permits by-right residential care homes of up to six persons in all residential zones and the CW district. Residential care homes of up to six persons are also permitted by right in the TC zone in Downtown Benicia on upper floors or behind the ground-floor use. A Minor Use Permit is required in the TC-O and NG-O districts. Occupancy of the residential care homes is not restricted to exclude protected categories, such as persons with disabilities. The City also allows the siting of residential care homes of seven or more with approval of a Use Permit in the RM, RH, CC, CO, TC-O, and NG-O districts. This use is permitted by right in the TC zone on upper floors or behind the ground-floor use. The City proposes Program 3.07 to permit residential care homes of seven or more with approval of a Use Permit in the zones that allow residential uses with a Use Permit to ensure the City is compliant with State law.

Through the defined requirements for approval of these residential care homes, greater certainty is provided to the applicant and less impediments to fair housing choice exist for disabled or other persons with special needs. The City proposes Program 3.07 to allow residential care homes of up to six persons by right in all zones that allow residential uses and residential care homes of seven or more with approval of a Use Permit in all zones that allow residential uses.

Table 5.16 Constraints on Housing for Persons with Disabilities

Overarching and General	
Does the City have a process for persons with disabilities to make requests for reasonable accommodation?	The City has a reasonable accommodation ordinance, adopted in 2014. Additionally, the City proposes Program 3.02 to review and update the reasonable accommodation procedure findings in the Zoning Ordinance for constraints and conflicts with State law.
Has the City made efforts to remove constraints on housing for persons with disabilities?	There are no special permits or requirements for homes or development for disabled persons. In most cases, these developments are a permitted use, making them the simplest projects.
Does the City assist in meeting identified needs?	Yes.
Zoning and Land Use	
Has the City reviewed all its zoning laws, policies, and practices for compliance with fair housing law?	Yes, the City has reviewed the land use regulations and practices to ensure compliance with fair housing laws. Furthermore, the City's Zoning Ordinance requires compliance with the Americans with Disabilities Act in Benicia Municipal Code, Section 17.08.020.
Are residential parking standards for persons with disabilities different from other parking standards?	Section 17.74.070 of the Benicia Municipal Code (Parking spaces for the handicapped) mandates the provision of disabled parking spaces in accordance with Chapter 2-71 of Title 24 of the California Administrative Code. If a person with a disability has a specific need, the City can authorize an adjustment to the applicant's off-street parking requirement through the reasonable accommodations process which is simpler than a zoning variance. The Planning Commission can reduce parking requirements if a proposal can demonstrate a reduced parking need.
Does the City have a policy or program for the reduction of parking requirements for special needs housing if a proponent can demonstrate a reduced parking need?	Section 17.74.070 of the Benicia Municipal Code (Parking spaces for the handicapped) mandates the provision of disabled parking spaces in accordance with Chapter 2-71 of Title 24 of the California Administrative Code. The Planning Commission can reduce parking requirements if a proposal can demonstrate a reduced parking need.
Does the locality restrict the siting of group homes?	No. Residential care homes of up to 6 are permitted by right in residential districts. Only residential care homes of 7 or more require approval of a Use Permit (in RM, RH, CC, and CO districts). Program 3.07 will require the City to update the Zoning Ordinance to allow residential care homes of up to six persons by right in all zones that allow residential uses and residential care homes of seven or more with approval of a Use Permit in all zones that allow residential uses.
What zones allow group homes other than those allowed by State law? Are group homes over six persons allowed?	Residential care homes are allowed in the CW and TC districts, in addition to the residential districts. Furthermore, the TC-O and NG-O districts allow them with a Minor Use Permit. Residential care homes of 7 or more are permitted with a Use Permit in the RM, RH, CC, and CO districts. Program 3.07 will require the City to update the Zoning Ordinance to allow residential care homes of up to six persons by right in all zones that allow residential uses and residential care homes of seven or more with approval of a Use Permit in all zones that allow residential uses.
Does the City have occupancy standards in the zoning code that apply specifically to unrelated adults and not to families?	No. Section 17.12.030 of the Benicia Municipal Code provides a definition of family. "Family" means two or more persons living together as a single housekeeping unit in a dwelling unit, provided that this shall not exclude the renting of rooms in a dwelling unit as permitted by district regulations.
Does the Land Use Element regulate the siting of special-needs housing in relationship to one another?	No. There is no minimum distance required between two or more special-needs housing units.
Permits and Processing	
How does the City process a request to retrofit homes for accessibility?	The City processes a request through the Reasonable Accommodate Ordinance outlined in Chapter 17.132 of the Benicia Municipal Code. The City works with applicants with accommodation needs. Often, the City also advises applicants on how to make retrofits in accordance with the California Building Code in cases where applicants do not need a reasonable accommodation to address their constraints. Additionally, the City proposes Program 3.02 to review and update the reasonable accommodation procedure findings in the Zoning Ordinance for constraints and conflicts with State law.
Does the City allow group homes with six or fewer persons by right in zones that allow single-family uses?	No, the City does not allow group homes in the same way that single-family uses are allowed in various zones across the city. Program 3.07 will allow residential care homes of up to six persons by right in all zones that allow residential uses and residential care homes of seven or more with approval of a Use Permit in all zones that allow residential uses.

5.2 Nongovernmental Constraints

The availability and cost of housing is strongly influenced by market factors over which local governments have little or no control. Nonetheless, State law requires that the Housing Element contain a general assessment of these constraints. This assessment can serve as the basis for actions to offset the effects of such constraints. The primary nongovernmental constraints to the development of new housing in Benicia are land costs, construction costs, availability of financing, environmental or physical constraints, and infrastructure capacity.

5.2.1 Land Costs

Costs associated with the acquisition of land include both the market price of raw land and the cost of holding the property throughout the development process. These costs can account for over half of the final sales prices of new homes in very small developments and in areas where land is scarce. Among the variables affecting the cost of land are its location, amenities, availability and proximity of public services, and financing arrangements. Recent listings for unimproved parcels in all areas of Benicia were minimal, and the only listing available in January 2022 was priced at \$29,890 per acre. In May 2022, there was another vacant site available for \$1.7K per acre. While this price is significantly higher than the other vacant parcel, this site has views of the Carquinez Strait, which increases the value of the site. There are additional vacant lots available in the unincorporated areas of the county near Benicia.

5.2.2 Construction Costs

Construction costs vary widely depending on the type, size, and amenities of the development. According to an Economic Analysis of Community Benefits Program prepared by Harris & Associates for the City of Benicia in October 2021, construction costs for typical residential buildings average \$264 per square foot; however, construction costs can run higher per square foot on lots with steep slopes or other environmental constraints.

5.2.3 Availability of Financing

The availability of financing affects the ability to purchase or improve homes. In Solano County, 48,922 loan applications for home purchase or improvements were received in 2020, of which, 73.4 percent were conventional loans. Of the 35,914 conventional loan applications, 86.2 percent were for home purchase and 13.8 percent were for home improvements. Only 11.1 percent of the conventional loans were denied, 17.7 percent were withdrawn or not accepted by applicant, and 59.8 percent were approved and accepted.

There were 13,008 applications for government-assisted home purchase or improvement loans (Veterans Administration, Federal Housing Authority, U.S. Department of Agriculture) in 2020. Of these, 99.4 percent were for home purchase. About 54.8 percent of government-assisted loans were approved and accepted by the applicant. See Table 5.17 for the breakdown of loan applications by type, purpose, and outcome.

Table 5.17 Disposition of Home Loan Applications

	Number	Percent
Type of Loan		
Total	48,922	100.0%
Conventional	35,914	73.4%
Government assisted	13,008	26.6%
<i>FHA-insured</i>	5,420	11.1%
<i>VA-guaranteed</i>	7,563	15.5%
<i>USDA-guaranteed</i>	25	0.1%
Loan Purpose		
Conventional	7,572	100.0%
<i>Home purchase</i>	6,526	86.2%
<i>Home improvement</i>	1,046	13.8%
Government assisted	3,610	100%
<i>Home purchase</i>	3,589	99.4%
<i>Home improvement</i>	21	0.3%
Loan Outcome		
Conventional	35,887	100.0%
<i>Approved and accepted</i>	21,463	59.8%
<i>Denied</i>	3,979	11.1%
<i>Withdrawn or not accepted</i>	6,346	17.7%
<i>Closed/Incomplete</i>	1,705	4.8%
<i>Purchased by institution</i>	2,394	6.7%

	Number	Percent
Government assisted	12,999	100.0%
Approved and accepted	7,129	54.8%
Denied	1,048	8.1%
Withdrawn or not accepted	2,340	18.0%
Closed/Incomplete	765	5.9%
Purchased by institution	1,717	13.2%

Source: Consumer Financial Protection Bureau, 2020

5.2.4 Environmental and Physical Constraints

The following potential physical and environmental constraints may affect development regulated by the City of Benicia by limiting the development potential and/or adding mitigation costs to a project.

a) Environmental Constraints

A cover of non-native grassland and property landscaping dominates vegetation within the city. However, four sensitive plant communities are known to occur in Benicia:

- Northern Coastal Salt Marsh and Coastal Brackish Marsh
- Coast Live Oak Woodland
- Valley Needlegrass Grassland
- Willow Riparian Forest and Willow Scrub

Four special-status plant species are known to occur in Benicia: soft bird's beak (*Cordylanthus mollis* ssp. *mollis*), Delta tule pea (*Lathyrus jepsonii*), Suisun Marsh aster (*Symphotrichum lentum*), and Congdon's tar plant (*Centromadia parryi* ssp. *congdonii*). The City also protects unique vegetation communities that support sensitive species, including the California golden violet (*Viola pedunculata*) populations and eucalyptus groves.

Because the City recognizes the importance of trees for their contribution to community character and environmental health, specific regulations for the removal and maintenance of trees have been established in the Benicia Municipal Code (Chapter 12.24, Trees and Street Trees). Any action on specific protected trees, which include California native trees and heritage trees, requires a tree removal or pruning permit. The requirement for a permit acts as a tool to enhance the residential

environment and ensure the preservation of a natural setting.

Although native vegetation within the city has been substantially altered, the marshlands and tracts of undeveloped land provide habitat for a diverse selection of resident and migrant wildlife. Seven special-status animal species are known to occur in Benicia: the calliope silverspot butterfly (*Speyeria callippe callippe*), golden eagle (*Aquila chrysaetos*), salt marsh harvest mouse (*Reithrodontomys raviventris*), Suisun shrew (*Sorex ornatus sinuosus*), Suisun song sparrow (*Melospiza melodia maxillaris*), California clapper rail (*Rallus obsoletus*), and California black rail (*Laterallus jamaicensis coturniculus*). Barriers to wildlife movement and migration and the removal of raptor nesting sites are to be avoided in future development. The occurrence of any of these species on a site could pose constraints to a housing project.

The majority of the sites that have been identified to accommodate the RHNA are in areas of the city where the natural environment has already been altered. Nevertheless, these vacant and underutilized parcels could contain sensitive plant and animal species. Therefore, any development that is proposed on these sites shall be required to comply with all environmental regulations consistent with the California Environmental Quality Act (CEQA) for habitat protection.

Protecting the City's environmental resources may result in increased cost to the developer; however, the benefit of mitigating environmental impacts exceeds the cost that will be imposed on the developer.

Physical Constraints

Several physical constraints may occur in the city. Parcels with steep slopes may have constraints associated with landslide hazards. Landslides are relatively rare in the developed portions of the city, as compared to in the hilly, undeveloped areas of the city. No sites in the Sites Inventory are in these hilly, undeveloped areas north of the developed areas of the city. Stationary noise sources near potential sites for development may pose constraints. For example, traffic on I-680 and I-780 exceed acceptable noise levels. Housing may be limited within 500 feet of I-680 and I-780 under

CEQA, due to the health hazards of siting sensitive uses near urban roads with over 100,000 vehicles per day unless appropriate mitigation can be identified and implemented. Operational industrial and commercial noise sources near potential sites for development may pose constraints as well. Noise conditions must be evaluated for new housing development consistent with the requirements of the Benicia General Plan and Municipal Code. In areas nearest to industrial uses, noise, light, dust, and other impacts may act as constraints. The City has adopted a disclosure requirement for sites within a quarter mile of an industrial district to inform prospective purchasers and tenants of potential nuisances associated with these uses.

The most common natural hazards in the city are flooding, sea-level rise, and wildfire hazards. Those hazards are discussed in more detail herein.

Flooding and Sea-Level Rise

Low-lying areas of the city are subject to both inland and shoreline flooding during a 100-year or 500-year storm (see the figures in Chapter V). The last severe flooding, and associated economic loss, occurred in 1986. Several areas of the city have chronic flooding almost every year, including neighborhoods along West E Street, First Street, and Industrial Way. The City has adopted management plans to assist in the prevention and mitigation of loss associated with flooding and stormwater infrastructure. The Watershed Storm Drainage System Plan was adopted/completed in June 1982. The Stormwater Management Plan was completed in 2004 and is updated annually. Improvements associated with the implementation of these plans have significantly reduced flooding occurrences.

The City provides notification of property status within federally-designated flood hazard areas and actively implements and enforces the requirements of the National Flood Insurance Program, including through review of site development proposals and permits. The Chief Building Official of the City retains a Floodplain Administrator certification from the Federal Emergency Management Agency (FEMA).

The City requires a MS4 Permit to address stormwater pollution issues in development of private and public projects. This is regulated through the City's Stormwater Management Program, and

requirements include implementation of best management practices (BMPs) during construction and the use of post-construction controls to reduce pollutants discharged from the project site. An Erosion and Sediment Control Plan or a Stormwater Pollution Prevention Plan must be prepared to address construction-related impacts for the following types of projects:

- All projects for a development, including, but not limited to, a rezoning, tentative map, parcel map, conditional use permit, variance, site development permit, design review, or building permit are required to submit an Erosion and Sediment Control Plan per Benicia Municipal Code, Chapter 15.64
- All projects are required to obtain coverage under a State of California National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP)
- All projects are required to develop a plan to manage stormwater drainage during construction per CALGreen 4.106.2 or CALGreen 5.106.1

In addition, the City requires a Stormwater Control Plan for all projects that create or replace 2,500 square feet or more of impervious surface to ensure that runoff is reduced and pollutants are minimized. The Municipal Code also contains several regulations to prevent damage to new development, including the following:

- Chapter 15.48: Provisions for Flood Hazard Reduction.
- Chapter 15.64: Stormwater Management and Discharge Control.
- Chapter 17.58: Shoreline Protection Overlay District.

Wildfire Hazards

Wildfires are a regular part of the ecosystem in California, and they have occurred occasionally near Benicia. Several parts of Benicia lie adjacent to State-designated fire hazard severity zones as well as within or adjacent to the Wildland-Urban Interface zones, as shown in the figures in Chapter V. The City is preparing the Vegetative Fuel Management Program to develop a buffer of

defensible space between residential uses and the City's open space (i.e., where wildfires originate).

Some residential neighborhoods and sites listed in the Sites Inventory are vulnerable to fire risks in Benicia. The existing Safety Element includes policies that minimize fire risk to existing homes and sites identified in the Sites Inventory. The updated Safety Element, which is being prepared currently with this Housing Element, will include additional new policies to further promote hazard reduction. Those policies will enhance public safety without significantly augmenting the cost of development. Therefore, fire hazards pose a mitigatable constraint to housing in Benicia.

5.2.5 Infrastructure Capacity

The proximity, availability, and capacity of infrastructure helps to determine the suitability of water and sewer service available to accommodate the housing needs during the planning period. Each proposed project is evaluated through the permitting process for adequate utility services at the property level and the impact to the system as a whole. On aggregate, the city has capacity at the Benicia Water Treatment Plant (WTP) and the Wastewater Treatment Plant (WWTP), in stormwater infrastructure, and in transportation infrastructure. Each project, based on project design and identified needs, may be required to construct localized modifications to connect to the City's existing systems. These are not barriers to implementation, as they are required for all types of development.

The City finds that the current infrastructure capacity is sufficient to accommodate the 2023-2031 RHNA. If, at some future date, capacity becomes a limiting factor for development in Benicia, priority will be given to affordable housing projects in obtaining sewer and water permits.

a) Wastewater Infrastructure

The City owns and operates all aspects of the wastewater collection and treatment facilities serving Benicia residents. The City's 2011 Wastewater System Master Plan reflects existing conditions and anticipated future growth, including development of a citywide sanitary sewer collection system model to analyze required capacity improvements for major sewers.

Wastewater throughout the city is collected and transported to the WWTP via 24 sewage lift stations, approximately 150 miles of collection system piping, and a three-mile wet weather relief pipeline. The City's WWTP treats and discharges the wastewater to the Carquinez Strait. The WWTP has a present treatment capacity rating of 4.5 million gallons per day (mgd) dry weather flow.

Existing and future flow projections were developed based on land use distributed throughout the city. On average, the City's plant treats 3.2 mgd and projects an average flow of 3.9 mgd in 2035 at buildout of the city with the land uses mapped in the General Plan. Peak wet-weather flows are projected to increase from 18 mgd to 21.8 mgd at buildout. While not all land may be developed by 2035, this conservative analysis indicates that development on sites identified to meet the RHNA this Housing Element will be accommodated by the city's existing wastewater system. However, some sites identified to meet the RHNA will need to be rezoned from their current use to a residential use. The change of uses on these sites may increase wastewater demands on each site. Depending on the development of the remaining sites in the city, this may result in a net increase in wastewater demand across the city. While it is unlikely that all land will be built out during this Housing Element planning period, wastewater demands will be re-evaluated upon rezoning as part of the environmental review process for this Housing Element and the changes to zoning.

b) Water Infrastructure

The City uses the 2012 Water System Master Plan to account for growth projected throughout the city, assess existing facilities to improve operational performance, maintain compliance with drinking water regulations, ensure reliable quantity and quality of water sources, and implement sustainability goals. The City's drinking water supply originates from the Solano County Water Agency via three sources: State Water Project via the North Bay Aqueduct, the federally managed Solano Project, and Putah Creek. Approximately 72 percent of Benicia's water is supplied through the State Water Project, and the remaining 28 percent comes from Lake Berryessa through the Solano Project and Lake Herman, Vallejo, transfers, and other sources.

The average flow of water treated at the WTP in 2011 was 5.0 mgd with a peak of 6.9 mgd in July. The Benicia WTP has a hydraulic capacity of 12 mgd. The City projects treated water demands out through 2035. Under a high-demand scenario, the City anticipates up to an average of 4.11 mgd. The high-demand scenario assumes no significant savings from conservation programs, and it captures the variability of water use in industrial land uses in addition to development on infill lots and large undeveloped parcels in the city.

The City's Urban Water Management Plan prepares the City for drought and increases local resilience to drought and climate change. The City's 2020 Plan includes a drought risk assessment and plans for droughts lasting at least five years over a twenty-year planning horizon.

Given the City's plan to accommodate a high-demand scenario of water needs to serve development and drought planning, the City has adequate water supply needs through the planning period and will provide sufficient connections for the sites identified in the Housing Element.

c) Dry Utilities

The city is primarily served by PG&E and Marin Clean Energy (MCE) for electricity, and residents have many choices for internet providers, with main options including Comcast and AT&T. Future housing development is anticipated in areas currently served (or immediately adjacent to areas served) by electricity and internet service, and utility providers have the planning and capacity to serve future growth in the city.

5.3 Energy Conservation

Maximizing energy efficiency and incorporating energy conservation and green building features into new and existing buildings can help reduce housing costs for homeowners and renters. Reduced dependence on automobiles can result from compact development in an urban setting that provides walkability and proximity to transit and services. Additionally, maximizing energy efficiency helps reduce greenhouse gas emissions. State legislation (AB 32, SB 375, and SB 32), require local governments to implement measures that cut greenhouse gas emissions attributable to land use

decisions. The Housing Element programs can support energy efficiency that benefits both the market and helps to reduce greenhouse gas emissions by:

- Establishing a more compact urban core, bringing residents closer to work and services; therefore, reducing automobile trips and greenhouse gas emissions.
- Implementing passive solar construction techniques that require solar orientation, thermal massing, and other energy-efficient design techniques.
- Encouraging water and space heating by solar energy.

Executive Order S-E-05, signed by Governor Schwarzenegger on June 1, 2005, set into action the first steps in establishing greenhouse gas emission-reduction targets in California. This was followed by the California Global Warming Solutions Act (AB 32) in 2007, which required the California Air Resources Board (CARB) to establish reduction measures. Executive Order B-30-15, signed by former Governor Jerry Brown in 2015, extended the goals of AB 32 and set a 2030 goal of reducing emissions 40 percent from 1990 levels. In 2016, the legislature passed SB 32, which codified an emission-reduction target of 40 percent below 1990 levels by 2030.

SB 375 helps to support reductions required by AB 32 and SB 32, and aims to reduce GHG emissions by linking transportation funding to land use planning. It requires metropolitan planning organizations to create a sustainable communities strategy (SCS) for reducing urban sprawl in their regional transportation plans. Each SCS demonstrates strategies the region will use to achieve the GHG emissions-reduction target set by CARB for 2020 and 2035. Plan Bay Area 2040, adopted by the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) Executive Board, is a state-mandated, integrated long-range transportation and land use plan, which serves as the region's SB 375-compliant SCS. The plan includes the region's goals and strategies to reduce per-capita GHG emissions from cars and light-duty trucks and to support sufficient housing for the region's projected population and job growth. Plan Bay Area 2040 provides the regional plan for transportation investments integrated with projected

land use, as well as funding constraints the region can reasonably expect to see through 2040.

The City of Benicia facilitates energy conservation via:

- Application of State residential building standards that establish energy performance criteria for new residential buildings (Title 24 of the California Administrative Code).
- The City's adopted Climate Action Plan (CAP), which guides greenhouse gas reductions in compliance with AB 32 and SB 375. The following actions from the CAP have been implemented:
 - Adoption of the 2019 CalGreen Code for residential buildings.
 - Establishment of a Property Assessed Clean Energy (PACE) Program.
 - Supporting the use of renewable energy citywide.
 - Amending the zoning code and providing incentives to promote higher-density housing and mixed-use developments.
 - Promotion of local green building projects.
 - Decreasing or banning wood burning.
 - Promoting use of energy-efficient light bulbs.
 - Promoting composting and recycling of construction and demolition waste community wide.
 - Increased recycling activity.
 - Requirements for EV charging stations in new residential development.

Benicia has been a participant in MCE, formerly Marin Clean Energy, a Community Choice Aggregation (CCA) energy provider, since 2014. MCE gives all electric customers in the city the opportunity to purchase renewable energy. Customers at MCE's Local Sol 100 percent tier help fund local solar projects. Other ways that MCE promotes renewable energy and energy efficiency in Benicia include:

- Solar rebate program for income-qualified single-family homes.

- Rebates for income-qualified purchasers of electric vehicles.
- Income-qualified single-family homeowners and renters can receive home energy upgrades, a home energy assessment, and a gift box with energy-savings projects at no cost.
- MCE and the Bay Area Regional Energy Network (BayREN) provide multifamily property owners with rebates and free comprehensive assessments and technical assistance for energy and water savings measures.
- Income-qualified multifamily property owners and renters can receive rebates for energy savings measures via MCE's Low Income Families and Tenants (LIFT) Program.

Pacific Gas and Electric Company (PG&E) provides technical and financial assistance for design, construction, and remodeling of housing. For new construction, PG&E offers design and technical assistance for incorporating efficiency features. Incentives may be available for upgrading air conditioning, lighting, and appliances to more efficient systems. PG&E has programs to incorporate advanced systems, such as photovoltaic roof panels and ground source heat pumps into new projects. Design assistance is available for retrofit projects.

Other ways that PG&E works with its residential customers and local jurisdictions to promote energy conservation include:

- Online home energy analysis that allows customers to identify energy waste.
- Consumer information containing a variety of tips for saving energy during winter heating and summer cooling periods.
- The SmartAC program that helps prevent power interruptions by reducing the energy your air conditioner uses automatically in case of a state or local supply emergency.

- The ClimateSmart program that allows residential customers the opportunity to assist in funding new GHG emissions-reduction projects in California to reduce personal impacts on climate change.
- Consumer information on how to keep pools clean, warm, and energy efficient.
- The Cool Roof program in which PG&E provides rebates to residential customers who replace their roofs with approved materials that reflect the sun's energy.
- Rebates to buy down the cost of electrical appliances and products to encourage energy efficiency.

These opportunities are available to all income levels and housing types.

5.3.1 Energy Consumption

Residential water heating and space heating/cooling are major sources of energy consumption. With the application of energy-efficient design and the use of solar power systems, these sources can be operated on a much more efficient and sustainable manner.

By encouraging solar energy technology for residential heating/cooling in both retrofits and new construction, the City can support energy conservation. There are two distinct approaches to solar heating, active and passive:

- Active systems use mechanical equipment to collect and transport heat, such as a roof plate collector system used in solar water and space heaters.
- Passive systems use certain types of building materials to absorb solar energy and can transmit that energy later, without mechanization.

The best method to encourage use of these solar systems for heating and cooling is to not restrict their use in the zoning and building ordinances and to require subdivision layouts that facilitate solar use.

Residential water heating can be made more energy efficient through the application of solar water heating technologies. Solar water heating uses the sun to heat water, which is then stored for later use; a conventional water heater is needed only as a backup. By cutting the amount of natural gas needed to heat water 50 to 75 percent per building, solar water heating systems can lower energy bills and reduce greenhouse gas emissions. As part of Program 6.02, the City will encourage the use of energy-reduction technologies, such as solar energy.

5.3.2 Greenhouse Gas Emissions

Emissions from human activities, such as electricity production and automobiles, have elevated the concentration of greenhouse gases in the atmosphere. Examples of greenhouse gases include carbon dioxide, methane, nitrous oxide, and hydrofluorocarbons. The increased consumption of fossil fuels (wood, coal, gasoline, etc.) has substantially increased atmospheric levels of greenhouse gases. New housing development may contribute to greenhouse gas emissions, but careful site planning and design, and the selection of environmentally friendly building materials and equipment can significantly reduce these emission levels.

There are significant areas where Benicia can do more to encourage energy conservation in new and existing residential development to reduce the demand on energy production. There are a variety of energy efficiency and greenhouse gas emission-reduction strategies available that can be integrated into land use decisions related to housing.

The City seeks to help minimize the percentage of household income that must be dedicated to energy costs as well as minimize the production of greenhouse gases. Programs have been included to maintain state energy-efficiency standards and to encourage alternative energy-efficient technologies.

Appendix A

Housing Needs Assessment

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Housing Needs Assessment

The Housing Needs Assessment is the section of the Housing Element that presents the characteristics of the jurisdiction's population and housing stock as a means of better understanding the nature and extent of unmet housing needs. The Housing Needs Assessment consists of the following components: (1) Population Characteristics, (2) Household Characteristics, (3) Employment Characteristics, (4) Housing Stock Characteristics, and (5) Special Needs Populations.

REGIONAL EFFORT

As a part of the 2023–2031 Housing Element update, the Cities of Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville, Vallejo, and Unincorporated Solano County participated in a collaborative effort to complete a regional housing needs assessment. The following document represents data for the Solano County Housing Element Collaborative.

DATA SOURCES

The main source of the information for the Housing Needs Assessment was the pre-approved data package for Solano County provided by the Association of Bay Area Governments (ABAG), which is noted in the sources for the data tables in this assessment. The pre-approved data package uses several data sources, including the 2015-2019 American Community Survey (ACS) and the California Department of Finance (DOF). Other sources of information in this section include the following: the California Employment Development Department (EDD), the U.S. Department of Housing and Urban Development (HUD), the U.S. Department of Agriculture (USDA), and local and regional economic data (e.g., home sales prices, rents, wages). It is important to note that the ACS data is a multi-year estimate based on sample data and has a large margin of error, especially for smaller cities. It should be noted that when comparing specific information, the timeframe for the ACS (2015- 2019) data and the timeframe for the CHAS data (2015-2017) data slightly differ and therefore the total will slightly vary.

POPULATION CHARACTERISTICS

POPULATION TRENDS

The DOF provides population estimates for each jurisdiction, shown in **Table 2-1**. Analyzing population change can help assess where there may be a need for new housing and services. As of 2021, more than half the total countywide population were residing in the three most populated jurisdictions (Fairfield, Vallejo, and Vacaville). Rio Vista had the smallest population and Suisun City, Benicia, Dixon and unincorporated County were in the middle. The countywide average annual growth was 0.7 percent between 2000 and 2021. The city with the greatest average annual population changes from 2000 to 2021 was also the smallest city, Rio Vista, with a 5.6-percent increase. Fairfield and Dixon were second and third, with 1.2 and 0.9 percent average annual growth, respectively.

TABLE 2-1 POPULATION GROWTH TRENDS, 2000-2021

Geography	Total Population				2000 - 2021	
	2000	2010	2020	2021	Total Change	Average Annual Growth
Benicia	26,865	26,997	27,175	26,995	0.48%	0.0%
Dixon	16,103	18,351	19,972	19,094	18.57%	0.9%
Fairfield	96,178	105,321	116,981	120,421	25.21%	1.2%
Rio Vista	4,571	7,360	9,987	9,961	117.92%	5.6%
Suisun City	26,118	28,111	29,119	29,266	12.05%	0.6%
Vacaville	88,642	92,428	98,855	101,286	14.26%	0.7%
Vallejo	117,148	115,942	119,063	124,410	6.20%	0.3%
Unincorporated Solano County	19,305	18,834	19,072	18,531	-4.01%	-0.2%
Solano County	394,930	413,344	440,224	449,964	13.94%	0.7%
Bay Area	6,784,348	7,150,739	7,790,537	7,214,162	6.3%	0.3%

Source: ABAG Data Packet, 2021 -- California Department of Finance, E-5 series

AGE CHARACTERISTICS

Although population growth strongly affects total demand for new housing, housing needs are also influenced by age characteristics. Typically, different age groups have distinct lifestyles, family characteristics, and incomes. As people move through each stage of life, their housing needs and preferences also change. Therefore, age characteristics are important in planning for the changing housing needs of residents. **Table 2-2** shows a breakdown of each jurisdiction’s population by age group and median age.

Typical age groups include young children (ages 0-4), school-age children (ages 5-14), high school and college-age students (ages 15-24), young adults (ages 25-34), middle-aged adults (ages 45-54), older adults (55-64), and seniors (ages 65+). A population with a large percentage of seniors may require unique housing near health care, transit, and other services. College students may need more affordable homes. Young adults and middle-aged adults, which make up the workforce, may need homes near employment or transit centers. Dixon and Fairfield have a large proportion of school-age populations and a lower percentage of the workforce populations and seniors. Suisun City, Vacaville, and Vallejo have a large percentage of college-age populations. While Rio Vista has a significantly higher percentage of seniors (median age of 64), Suisun City and Dixon had the lowest median age at about 34, followed by Benicia at 46.

TABLE 2-2 POPULATION BY AGE, 2019

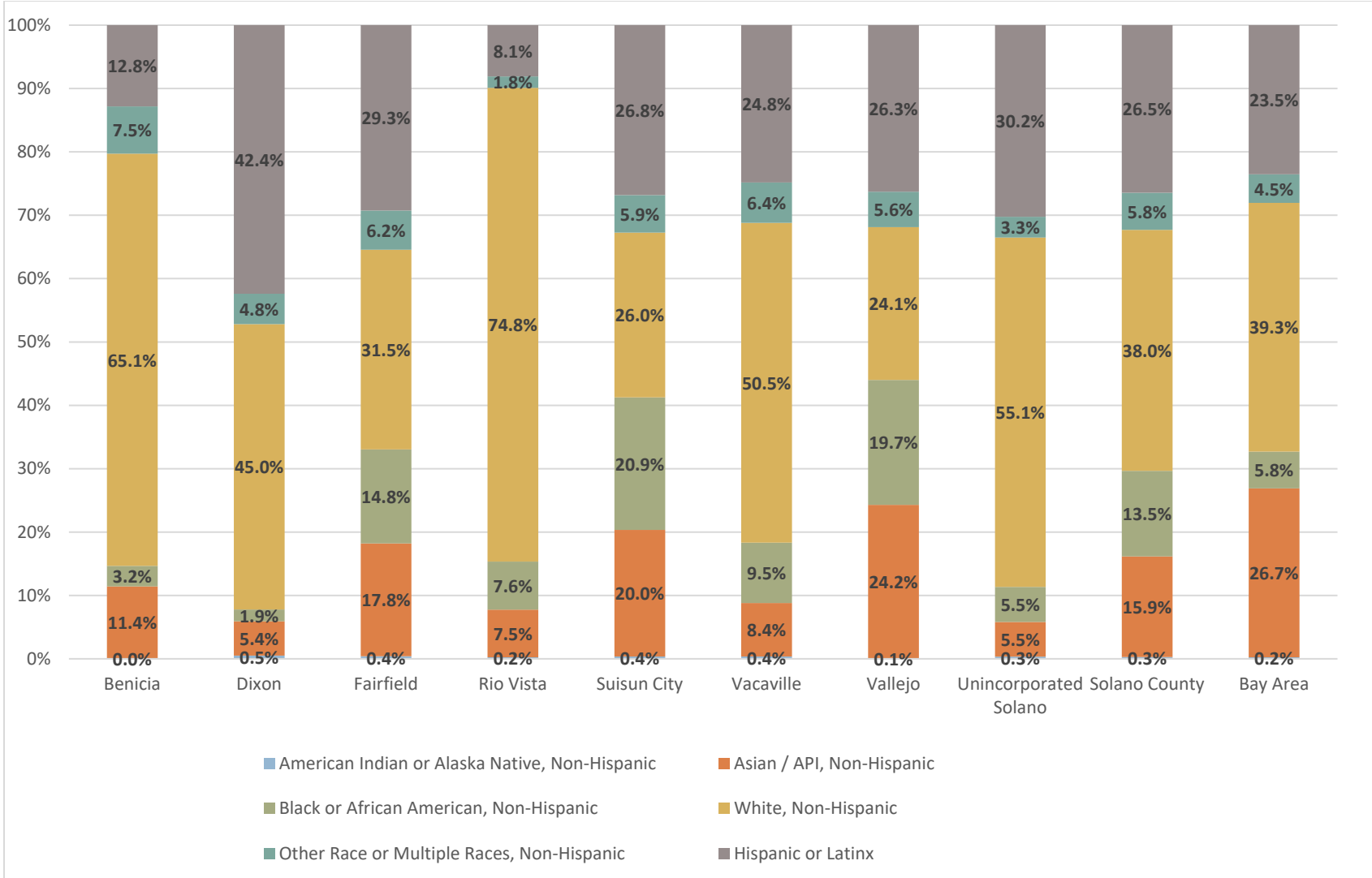
Geography	Age 0-4	Age 5-14	Age 15-24	Age 25-34	Age 35-44	Age 45-54	Age 55-64	Age 65-74	Age 75-84	Age 85+	Median Age
Benicia	4.5%	11.5%	9.8%	9.3%	13.3%	14.5%	17.4%	12.5%	5.1%	2.2%	46.1
Dixon	4.8%	17.3%	15.5%	13.9%	13.0%	12.0%	10.4%	6.7%	4.8%	1.4%	34.0
Fairfield	7.3%	13.9%	13.1%	15.9%	12.9%	12.7%	11.9%	7.2%	3.3%	1.7%	35.3
Rio Vista	1.2%	3.9%	7.2%	4.3%	3.5%	9.8%	21.2%	29.0%	14.4%	5.5%	64.4
Suisun City	6.5%	13.2%	14.7%	16.6%	12.6%	12.3%	12.5%	7.1%	2.8%	1.8%	34.4
Vacaville	5.8%	13.3%	12.3%	15.4%	12.9%	13.5%	12.9%	8.5%	3.7%	1.8%	37.6
Vallejo	6.2%	11.1%	13.0%	15.0%	12.4%	12.5%	14.1%	10.0%	4.1%	1.7%	39.7
Unincorporated Solano County	5.0%	9.0%	10.6%	10.5%	11.2%	14.7%	17.4%	13.4%	5.9%	2.2%	—

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

RACE AND ETHNICITY

Figure 2-1 shows race and ethnicity of residents in Solano County jurisdictions. Racial and ethnic distribution is important because often these characteristics are tied to income, language barriers, and family size. For example, a particular culture may choose to live in a household with multiple generations (grandchildren, parents, grandparents), requiring larger housing units. As shown in **Figure 2-1**, the majority of the population in most jurisdictions – except for the City Suisun City and Vallejo – is White, (non- Hispanic). Countywide, more than half of the population identified as being White non-Hispanic or Latino origin, followed by Hispanic and Asian. The populations of Benicia, Rio Vista, and Unincorporated Solano County were all more than 50 percent White. Vallejo has the lowest percentage of White at 24 percent. The second-largest population group countywide is Hispanic or Latinx, with a high of 42 percent in Dixon, 30 percent in Unincorporated Solano County, and 29 percent in Fairfield. The third-largest population group countywide is Black or African American, with a high of 20 percent in Suisun City and Vallejo. The fourth-largest population group countywide is Asian with a high of 24percent in Vallejo and 20 percent in Suisun City. In comparison, the Bay Area is predominately White, with the remaining population divided between Asian and Hispanic cultures. Overall, Vallejo, Suisun City, and Fairfield were the most racially and ethnically diverse.

FIGURE 2-1 POPULATION BY RACE AND ETHNICITY, 2015-2019



Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

HOUSEHOLD CHARACTERISTICS

The US Census defines a household as consisting of all the people who occupy a housing unit. A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit, such as partners or roomers, is also counted as a household. Data on households does not include people living in group homes. The US Census defines group quarters as places where people live or stay in a group living arrangement that is owned or managed by an organization providing housing and/or services for the residents. Group quarters include such places as college residence halls, residential treatment centers, skilled nursing facilities, group homes, military barracks, prisons, and worker dormitories.

The US Census defines a family as a group of two or more people (one of whom is the householder) related by birth, marriage, or adoption and residing together. However, to facilitate fair housing, and remove constraints (for example for housing for people with disabilities) under State Housing Element law, local jurisdictions are required to define “family” in a manner that does not distinguish between related and unrelated persons and does not impose limitations on the number of people that may constitute a family.

The US Census defines a family household as a household maintained by a householder who is in a family (as defined above) and includes any unrelated people (unrelated subfamily members and/or secondary individuals) who may be residing there. In US Census data, the number of family households is equal to the number of families. However, the count of family household members differs from the count of family members in that the family household members include all people living in the household, whereas family members include only the householder and his/her relatives. In US Census data, a nonfamily household consists of a householder living alone (a one-person household) or where the householder shares the home exclusively with people to whom he/she is not related.

Families often prefer single-family homes to accommodate children, while single persons often occupy smaller apartments or condominiums. Single-person households often include seniors living alone or young adults.

HOUSEHOLD TYPES AND SIZE

The tables on the following pages describe household types, including households with children under 18 and the race of the householder.

Table 2-3 displays household composition as reported by the 2015-2019 ACS. On average, countywide, approximately half of all households are married-couple family households. Of all jurisdictions in Solano County, Dixon (58.3 percent) and Unincorporated Solano County (59.5 percent) had the highest proportion of married-couple households, while Rio Vista (49.8 percent) and Vallejo (43.1 percent) had the smallest proportions of married-couple households. With an average of 22.2 percent of all households countywide, single-person households are the second most common household type with the largest proportions of single-person households in Rio Vista (35.0 percent), Benicia (25.2 percent) and Vallejo (25.1 percent) and the smallest proportions of single-person households in Dixon (14.8 percent) and Fairfield (18.4 percent).

Single-parent households (which are predominantly female-headed) are one-parent households with children under the age of 18 living at home. For these households, living expenses generally require a larger proportion of income relative to two-parent households. Therefore, finding affordable, decent, and safe housing is often more difficult for single-parent households. Additionally, single-parent households have special needs involving access to daycare or childcare, healthcare, and other supportive services. According to the 2015-2019 ACS, Dixon, Suisun City, and Vallejo had more than 15 percent female-headed households. Male-headed households represented 4.7 to 7.7 percent of households, countywide.

TABLE 2-3 HOUSEHOLD TYPE, 2019

Geography	Female-Headed Family Households	Male-Headed Family Households	Married-Couple Family Households	Other Nonfamily Households	Single-person Households	Total Households
Benicia	1,155	532	6,208	555	2,843	11,293
	<i>10.2%</i>	<i>4.7%</i>	<i>55.0%</i>	<i>4.9%</i>	<i>25.2%</i>	<i>100.0%</i>
Dixon	1,017	321	3,536	291	897	6,062
	<i>16.8%</i>	<i>5.3%</i>	<i>58.3%</i>	<i>4.8%</i>	<i>14.8%</i>	<i>100.0%</i>

Geography	Female-Headed Family Households	Male-Headed Family Households	Married-Couple Family Households	Other Nonfamily Households	Single-person Households	Total Households
Fairfield	5,353	2,720	19,949	1,977	6,752	36,751
	14.6%	7.4%	54.3%	5.4%	18.4%	100.0%
Rio Vista	273	39	2,388	417	1,675	4,792
	5.7%	0.8%	49.8%	8.7%	35.0%	100.0%
Suisun City	1,497	714	4,847	412	1,840	9,310
	16.1%	7.7%	52.1%	4.4%	19.8%	100.0%
Vacaville	4,240	1,646	17,539	1,977	7,296	32,698
	13.0%	5.0%	53.6%	6.0%	22.3%	100.0%
Vallejo	7,224	3,129	18,104	3,027	10,564	42,048
	17.2%	7.4%	43.1%	7.2%	25.1%	100.0%
Unincorporated Solano County	546	385	4,115	529	1,336	6,911
	7.9%	5.6%	59.5%	7.7%	19.3%	100.0%
Solano County	21,305	9,486	76,686	9,185	33,203	149,865
	14.2%	6.3%	51.2%	6.1%	22.2%	100.0%
Bay Area	283,770	131,105	1,399,714	242,258	674,587	2,731,434
	10.4%	4.8%	51.2%	8.9%	24.7%	100.0%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

Table 2-4 provides data for the number of households with children. Proportionally, Fairfield and Dixon had the highest number of households with one or more children present. Conversely, Benicia, Rio Vista, Suisun City, Vacaville, Vallejo, and Unincorporated Solano County had the highest proportion of non-child households.

TABLE 2-4 HOUSEHOLDS BY CHILDREN PRESENT, 2019

Geography	Households with 1 or More Children Under 18	Households with no Children
Benicia	3,390	7,903
	30.0%	70.0%
Dixon	2,501	3,561
	41.3%	58.74%
Fairfield	14,955	21,796
	40.7%	59.3%
Rio Vista	411	4,381
	8.6%	91.4%
Suisun City	3,651	5,659
	39.2%	60.8%
Vacaville	11,639	21,059
	35.6%	64.4%
Vallejo	13,938	28,110
	33.1%	66.9%
Unincorporated Solano County	1,772	5,139
	25.6%	74.4%
Solano County	52,257	97,608
	34.9%	65.1%
Bay Area	873,704	1,857,730
	32.0%	68.0%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

Table 2-5 represents the householder by race. Note that each race category also includes Hispanic or Latinx ethnicity. As shown in the table, White race represents the highest number of householders across all jurisdictions, followed by Asian in Vallejo and Suisun City, and Black or African American in Vallejo, Suisun City, and Fairfield. The highest percentages of Hispanic or Latinx households exist in Dixon, Fairfield, Suisun City, and Vallejo.

TABLE 2-5 HOUSEHOLDER BY RACE, 2019

Geography	White	American Indian or Alaska Native	Asian/API	Black or African American	Other Race or Multiple Races	Hispanic or Latinx	Total
Benicia	17,256	25	993	439	899	1,035	20,647
	83.6%	0.1%	4.8%	2.1%	4.4%	5.0%	100.0%
Dixon	8,220	46	314	87	978	1,903	11,548
	71.2%	0.4%	2.7%	0.8%	8.5%	16.5%	100.0%
Fairfield	34,878	148	5832	6,153	4,508	8,575	60,094
	58.0%	0.2%	9.7%	10.2%	7.5%	14.3%	100.0%
Rio Vista	7484	20	343	462	122	255	8,686
	86.2%	0.2%	3.9%	5.3%	1.4%	2.9%	100.0%
Suisun City	7,326	60	1,842	2,021	1045	2,037	14,331
	51.1%	0.4%	12.9%	14.1%	7.3%	14.2%	100.0%
Vacaville	43,766	238	2,382	2,560	3,521	6,388	58,855
	74.4%	0.4%	4.0%	4.3%	6.0%	10.9%	100.0%
Vallejo	31,234	185	9,102	9,759	5,417	8,123	63,820
	48.9%	0.3%	14.3%	15.3%	8.5%	12.7%	100.0%
Unincorporated Solano	9,761	44	325	409	4,508	1,483	16,530
	59.1%	0.3%	2.0%	2.5%	27.3%	9.0%	100.0%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

Note: Each race category also includes Hispanic or Latinx ethnicity.

Household size helps determine the size of housing units needed within a jurisdiction. According to **Table 2-6**, for Benicia, Rio Vista, Vacaville, Vallejo, and Unincorporated Solano County, “large” households (containing five or more persons) represented approximately 6.7 to 12.8 percent of all households in 2019. In Dixon, Fairfield, and Suisun City, large households represented between 16 and 23 percent of all households in 2019. In 2019, in Solano County as a whole (cities and unincorporated areas), over half of all households were comprised of one or two people, about a third of all households were comprised of three or four people and 13.1 percent of all households were large households, with five or more people. The majority of households in the Bay Area are made up of two- to four-person households. The total proportion of two- to four-person households in Solano County is similar to that of the Bay Area, even though there is a range of household compositions within individual cities within Solano County. **Table 2-6** provides data on the number of persons per household.

TABLE 2-6 HOUSEHOLDS BY SIZE, 2019

Geography	1-Person Household	2-Person Household	3-4-Person Household	5-or more Person Household	Total Households
Benicia	2,843	4,274	3,425	751	11,293
	<i>25.2%</i>	<i>37.8%</i>	<i>30.3%</i>	<i>6.7%</i>	<i>100.0%</i>
Dixon	897	1,768	2,001	1,396	6,062
	<i>14.8%</i>	<i>29.2%</i>	<i>33.0%</i>	<i>23.0%</i>	<i>100.0%</i>
Fairfield	6,752	10,927	13,202	5,870	36,751
	<i>18.4%</i>	<i>29.7%</i>	<i>35.9%</i>	<i>16.0%</i>	<i>100.0%</i>
Rio Vista	1,675	2,541	530	46	4,792
	<i>35.0%</i>	<i>53.0%</i>	<i>11.1%</i>	<i>1.0%</i>	<i>100.0%</i>
Suisun City	1,840	2,249	3,722	1,499	9,310
	<i>19.8%</i>	<i>24.2%</i>	<i>40.0%</i>	<i>16.1%</i>	<i>100.0%</i>
Vacaville	7,296	10,500	10,973	3,929	32,698
	<i>22.3%</i>	<i>32.1%</i>	<i>33.6%</i>	<i>12.0%</i>	<i>100.0%</i>
Vallejo	10,564	13,112	12,982	5,390	42,048
	<i>25.1%</i>	<i>31.2%</i>	<i>30.9%</i>	<i>12.8%</i>	<i>100.0%</i>

Geography	1-Person Household	2-Person Household	3-4-Person Household	5-or more Person Household	Total Households
Unincorporated Solano County	1,336	2,919	1,852	804	6,911
	19.3%	42.2%	26.8%	11.6%	100.0%
Solano County	33,203	48,290	48,687	19,685	149,865
	22.2%	32.2%	32.5%	13.1%	100.0%
Bay Area	674,587	871,002	891,588	294,257	2,731,434
	24.7%	31.9%	32.6%	10.8%	100.0%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

OVERCROWDING

Overcrowding is often closely related to household income and the cost of housing. The U.S. Census Bureau considers a household overcrowded when there is more than one person per room, excluding bathrooms, hallways and kitchens, and to be severely overcrowded when there are more than 1.5 occupants per room. A typical home might have a total of five rooms (three bedrooms, living room, and dining room). If more than five people were living in the home, it would be considered overcrowded. Overcrowding is strongly related to household size, particularly for large households, and the availability of suitably sized housing, although in households with small children, sharing a bedroom is common. Overcrowding in households typically results from either a lack of affordable housing (which forces more than one household to live together) and/or a lack of available housing units of adequate size. Overcrowding increases health and safety concerns and stresses the condition of the housing stock and infrastructure. Overcrowding impacts both owners and renters; however, renters are generally more significantly impacted.

According to the 2015-2019 ACS data, and as shown in **Table 2-7** and **Figure 2-2**, countywide, several cities reported overcrowded conditions that exceeded the county average. Dixon had a significant incidence of overcrowded households (5.7 percent) and a moderate percentage of severely overcrowded households (1.9 percent). Countywide, 6.5 percent of renter-occupied households were overcrowded, in comparison to 1.9 percent of owner-occupied households. Cities with higher proportions of owner overcrowding were Dixon and Vallejo. Countywide, renter overcrowding is close to triple that of owner-occupied households. As shown in **Table 2-7**, Dixon, and Fairfield had the highest incidence of renter overcrowding.

Identifying racial groups experiencing overcrowding can indicate housing needs. As shown in **Table 2-8**, of all the cities in Solano County, Dixon, Fairfield, and Vallejo are the most diverse. On average, countywide of all racial groups in Solano County, Other Race or Multiple Races groups reported 10.9 percent of overcrowding conditions and 6 percent of Hispanic/Latinx households reported overcrowding conditions. Of all the cities in Solano County, the most diverse cities had the highest percentages of overcrowding for Black/African American, Other Race or Multiple Races, Hispanic/Latinx groups with the exception of Unincorporated Solano County. According to **Table 2-8**, of the total racial groups reporting overcrowding, the groups experiencing the most overcrowding were Other Race or Multiple Races (10.4 percent) and Hispanic/Latinx (17.0 percent).

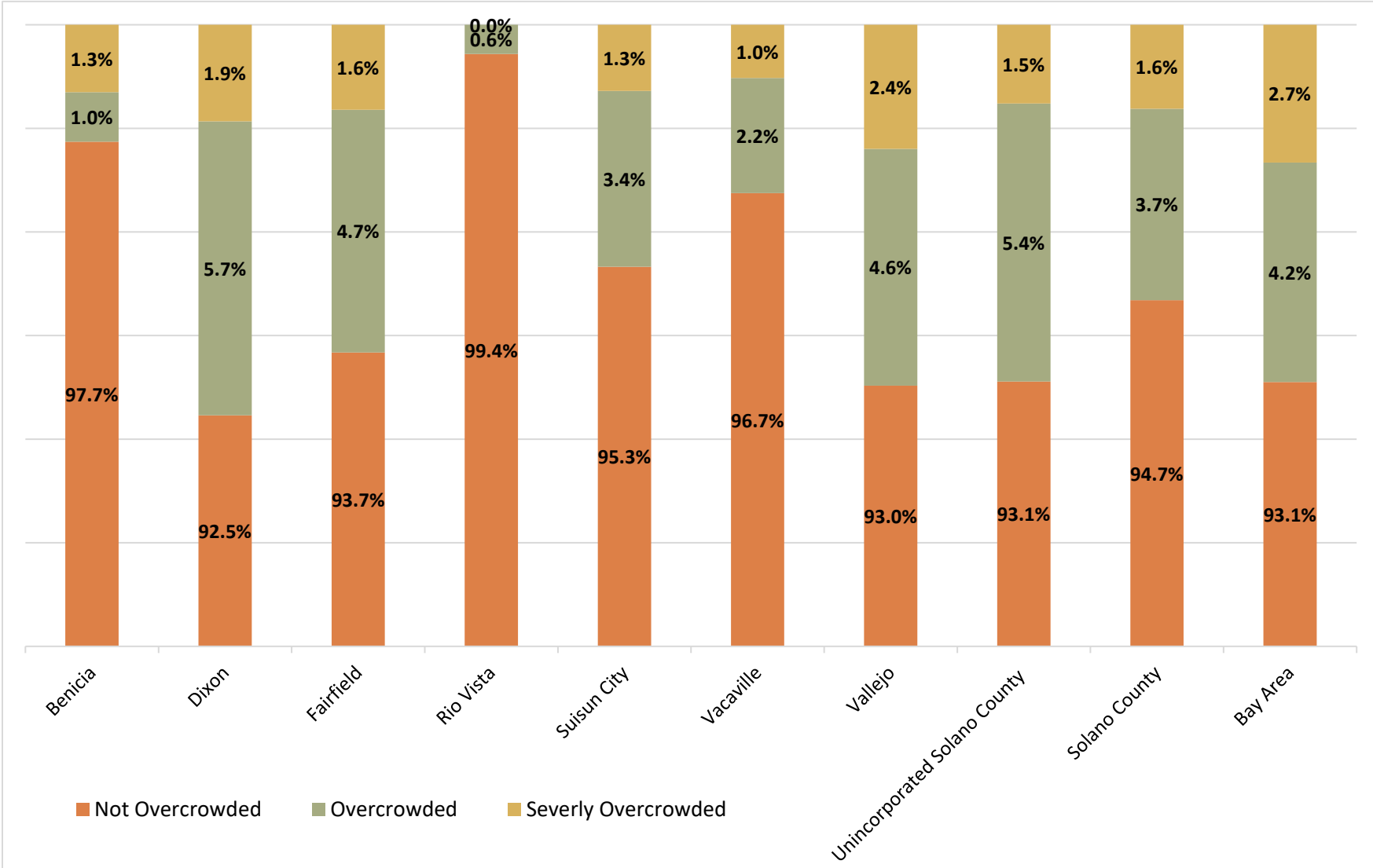
TABLE 2-7 OVERCROWDING BY TENURE, 2015-2019

Geography	Owner Occupied Households		Renter Occupied Households		Total Households	
	Overcrowded	Severely Overcrowded	Overcrowded	Severely Overcrowded	Overcrowded	Severely Overcrowded
Benicia	20	58	88	89	108	147
	0.2%	0.7%	2.8%	2.8%	1.0%	1.3%
Dixon	90	14	254	99	344	113
	2.1%	0.3%	13.9%	5.4%	5.7%	1.9%
Fairfield	402	123	1,320	480	1722	603
	1.8%	0.6%	8.8%	3.2%	4.7%	1.6%
Rio Vista	0	0	27	0	27	0
	0.0%	0.0%	3.0%	0	0.6%	0.0%
Suisun City	116	80	200	39	316	119
	2.0%	1.4%	5.7%	1.1%	3.4%	1.3%
Vacaville	378	51	349	285	727	336
	1.9%	0.3%	2.8%	2.3%	2.2%	1.0%

Geography	Owner Occupied Households		Renter Occupied Households		Total Households	
	Overcrowded	Severely Overcrowded	Overcrowded	Severely Overcrowded	Overcrowded	Severely Overcrowded
Vallejo	710	214	1,213	793	1,923	1,007
	3.0%	0.9%	6.5%	4.2%	4.6%	2.4%
Unincorporated Solano County	--	--	--	--	--	--
	--	--	--	--	--	--
Solano County	1,791	624	3,747	1,806	5,538	2,430
	1.9%	0.7%	6.5%	3.1%	3.7%	1.6%

Source: ABAG Data Packet, 2021 – American Community Survey (ACS), 2015-2019

FIGURE 2-2 OVERCROWDING SEVERITY, 2019



Source: ABAG Data Packet, 2021 -- American Community Survey (ACS), 2015-2019

TABLE 2-8 OVERCROWDING BY RACE, 2019

Geography	American Indian or Alaska Native	Asian / API	Black or African American	Hispanic or Latinx	Other Race or Multiple Races	White	White, Non-Hispanic
	More than 1.0 Occupants per Room						
Benicia	0.0%	0.8%	2.5%	6.7%	7.1%	1.9%	1.8%
Dixon	0.0%	0.0%	26.4%	16.8%	10.5%	7.1%	3.2%
Fairfield	0.0%	5.0%	1.8%	17.0%	10.4%	7.2%	2.7%
Rio Vista	0.0%	0.0%	0.0%	0.0%	0.0%	0.7%	0.7%
Suisun City	0.0%	2.9%	2.3%	11.0%	6.2%	6.2%	3.1%
Vacaville	9.7%	4.5%	1.8%	8.3%	6.2%	2.8%	1.5%
Vallejo	0.0%	8.0%	5.3%	15.6%	17.6%	4.1%	2.2%
Unincorporated Solano County	22.7%	5.8%	0.0%	24.5%	29.3%	3.5%	2.1%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

Note – all categories include both Hispanic and Non-Hispanic populations unless otherwise noted.

INCOME DEFINITIONS AND INCOME LIMITS

The state and federal governments classify household income into several categories based on the relationship to the county area median income (AMI), adjusted for household size. The U.S. Department of Housing and Urban Development (HUD) estimate of AMI is used to set income limits for eligibility in federal housing programs. The income categories include:

- Extremely low-income households: Up to 30 percent AMI
- Very low-income households: 31–50 percent of AMI
- Low-income households: 51–80 percent of AMI
- Moderate-income households: 81–120 percent of AMI
- Above moderate-income households: Above 120 percent of AMI

The term “lower income” refers to all households earning 80 percent or less of AMI. It combines the categories of low-, very-low and extremely low-incomes. Income limits for all counties in California are calculated by HCD for Solano County (see **Table 2-9**). According to HCD, the AMI for a four-person household in Solano County was \$99,300 in 2021.

TABLE 2-9 MAXIMUM HOUSEHOLD INCOME BY HOUSEHOLD SIZE, SOLANO COUNTY, 2021

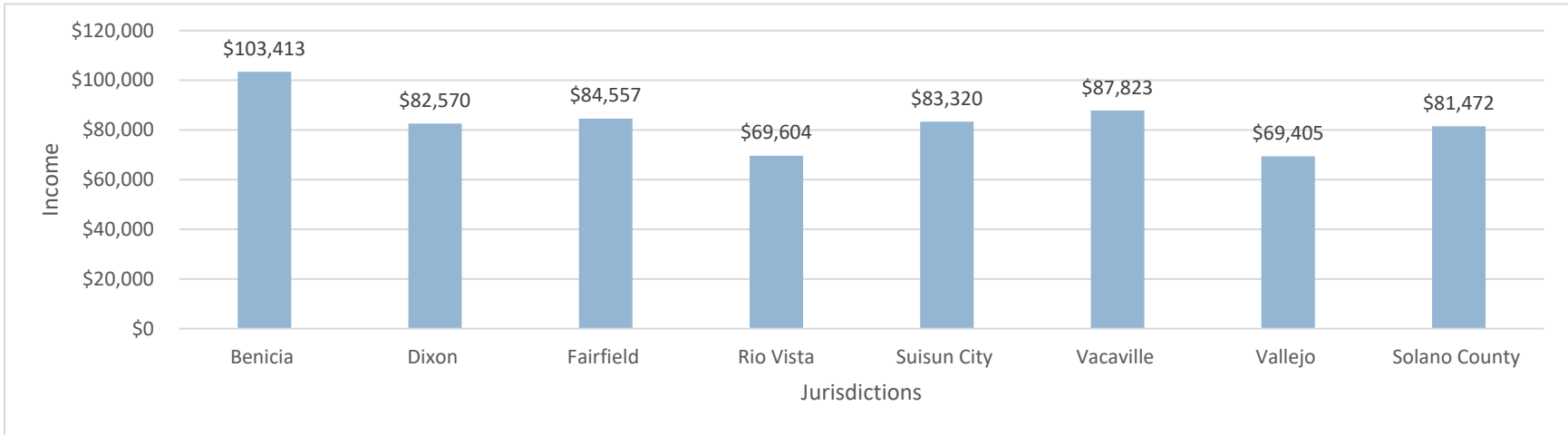
Income Category	Persons Per Household				
	1	2	3	4	5
Extremely Low	\$20,450	\$23,350	\$26,250	\$29,150	\$31,500
Very Low	\$34,000	\$38,850	\$43,700	\$48,550	\$52,450
Low	\$54,350	\$62,100	\$69,850	\$77,600	\$83,850
Median	\$69,500	\$79,450	\$89,350	\$99,300	\$107,250
Moderate	\$83,400	\$95,300	\$107,250	\$119,150	\$128,700

Source: HCD State Income Limits for Solano County, 2021

Figure 2-3 shows the median household income for all jurisdictions in Solano County, as reported by the 2015-2019 ACS. This median income includes all households, regardless of household size. The median household income in the United States was \$62,843 in 2019, lower than the Solano County median of \$81,472. Benicia had the highest median household income in 2019 with \$103,413, well above the county median. The city with the lowest median income was Rio Vista with \$69,604, followed by Vallejo at \$69,405. Median Income for the unincorporated county was not available.

Table 2-10 describes households by income level. Vallejo has the largest proportion of households with lower incomes (43.9 percent), followed by Rio Vista (41.1 percent), Dixon (38.7 percent), Fairfield (36.1 percent), and Suisun City (36.5 percent). Countywide, an average of 36.8 percent of all households were lower-income households. Lower-income households (80 percent or less of AMI) have a greater risk of being displaced from their community, as compared with households with higher incomes. The cities with the greatest proportions of households with lower incomes were Vallejo (33.1 percent), Rio Vista (41.1 percent), and Suisun City (36.5 percent). In contrast, about 75.3 percent of households in Benicia had incomes that were over 80 percent of AMI.

FIGURE 2-3 MEDIAN HOUSEHOLD INCOMES IN SOLANO COUNTY



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

TABLE 2-10 HOUSEHOLDS BY HOUSEHOLD INCOME, 2017

Geography	Extremely Low- Income 0%-30% of AMI	Very Low - Income 31%-50% of AMI	Low-Income 51%-80% of AMI	Median-Income 81%-100% of AMI	Above Median- Income >100% of AMI	Total Households
Income Level	<\$29,150	<\$48,550	<\$77,600	<\$ 99,300	>\$119,150	
Benicia	968	595	1,200	940	7,490	11,193
	8.6%	5.3%	10.7%	8.4%	66.9%	100.0%
Dixon	629	725	930	510	3,105	5,899
	10.7%	12.3%	15.8%	8.6%	52.6%	100.0%
Fairfield	3,637	3,855	5,425	3,570	19,285	35,772
	10.2%	10.8%	15.2%	10.0%	53.9%	100.0%
Rio Vista	439	535	750	290	2,185	4,199
	10.5%	12.7%	17.9%	6.9%	52.0%	100.0%
Suisun City	848	809	1,719	860	5,009	9,245
	9.2%	8.8%	18.6%	9.3%	54.2%	100.0%
Vacaville	2,994	2,840	4,914	3,224	18,455	32,427
	9.2%	8.8%	15.2%	9.9%	56.9%	100.0%
Vallejo	6,250	5,080	6,949	4,035	19,330	41,644
	15.0%	12.2%	16.7%	9.7%	46.4%	100.0%
Unincorporated Solano County	585	575	1,038	941	3,841	6,980
	8.4%	8.2%	14.9%	13.5%	55.0%	100.0%
Solano County	16,350	15,014	22,925	14,370	78,700	147,359
	11.1%	10.2%	15.6%	9.8%	53.4%	100.0%
Bay Area	396,952	294,189	350,599	245,810	1,413,483	2,701,033
	14.7%	10.9%	13.0%	9.1%	52.3%	100.0%

Source: ABAG Data Packet, 2021 -- CHAS, 2013-2017

Overpayment

State and federal housing law defines overpayment (or cost burdened) as a household paying 30-49 percent of gross income for housing expenses and severe overpayment (or severely cost burdened) as a household paying more than 50 percent of gross income for housing expenses. Housing overpayment and severe overpayment are especially problematic for lower-income households that have limited resources for other living expenses and is an important measure of the affordability of housing within a community. Overpayment and severe overpayment for housing is based on the total cost of shelter compared to a household's income. According to the U.S. Census, shelter cost is the monthly owner costs (mortgages, deeds of trust, contracts to purchase or similar debts on the property, taxes, and insurance) or the gross rent (contract rent plus the estimated average monthly cost of utilities). Overpayment and severe overpayment are also most often interrelated with income levels; however, there are some households that choose to overpay to live in neighborhoods with good access to services and resources – particularly schools.

As reported in **Table 2-11**, Vallejo had the highest proportion of households overpaying or severely overpaying for housing between 2015 and 2019, with a total of 17,750 households (42.2 percent), followed by Suisun City (3,476 households, 37.3 percent) and Fairfield (13,389 households, 36.4 percent). Overpaying or severely overpaying for housing among homeowners was most common in Vallejo (7,287 , 31.2 percent), Suisun City (1,754 households, 30.2 percent) and Rio Vista (1,096 households, 28.2 percent). Overpaying or severely overpaying for housing among renters was most common in Vallejo (10,463 households, 55.9 percent), Fairfield (7,745 households, 51.8 percent) and Vacaville (6,485 households, 52.2 percent).

TABLE 2-11 OVERPAYING BY TENURE, 2015-2019

Geography	Overpayment Category	Owner Occupied		Renter Occupied		Totals	
		Number	Percentage	Number	Percentage	Number	Percentage
Benicia	Not Overpaying	5,809	71.7%	1,445	45.3%	7,254	64.2%
	Overpaying	1,490	18.4%	820	25.7%	2,310	20.5%
	Severely Overpaying	775	9.6%	784	24.6%	1,559	13.8%
	Not Computed	29	0.4%	141	4.4%	170	1.5%
	Total	8,103	100.0%	3,190	100.0%	11,293	100.0%
Dixon	Not Overpaying	3,065	72.3%	1,055	57.8%	4,120	68.0%
	Overpaying	884	20.9%	251	13.8%	1,135	18.7%
	Severely Overpaying	274	6.5%	441	24.2%	715	11.8%
	Not Computed	15	0.4%	77	4.2%	92	1.5%
	Total	4,238	100.0%	1,824	100%	6,062	100.0%
Fairfield	Not Overpaying	16,013	73.5%	6,629	44.3%	22,642	61.6%
	Overpaying	3,450	15.8%	4,320	28.9%	7,770	21.1%
	Severely Overpaying	2,194	10.1%	3,425	22.9%	5,619	15.3%
	Not Computed	132	0.6%	588	3.9%	720	2.0%
	Total	21,789	100.0%	14,962	100.0%	36,751	100.0%
Rio Vista	Not Overpaying	2,697	69.4%	393	43.5%	3,090	64.5%
	Overpaying	648	16.7%	123	13.6%	771	16.1%
	Severely Overpaying	448	11.5%	211	23.3%	659	13.8%
	Not Computed	95	2.4%	177	19.6%	272	5.7%
	Total	3,888	100.0%	904	100.0%	4,792	100.0%

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Geography	Overpayment Category	Owner Occupied		Renter Occupied		Totals	
		Number	Percentage	Number	Percentage	Number	Percentage
Suisun City	Not Overpaying	4,009	69.3%	1,712	48.5%	5,721	61.5%
	Overpaying	1,154	20.0%	908	25.7%	2,062	22.1%
	Severely Overpaying	600	10.4%	814	23.1%	1,414	15.2%
	Not Computed	20	0.3%	93	2.6%	113	1.2%
	Total	5,783	100.0%	3,527	100.0%	9,310	100.0%
Vacaville	Not Overpaying	14,969	73.8%	5,555	44.8%	20,524	62.8%
	Overpaying	3,411	16.8%	3,774	30.4%	7,185	22.0%
	Severely Overpaying	1,802	8.9%	2,711	21.8%	4,513	13.8%
	Not Computed	104	0.5%	372	3.0%	476	1.5%
	Total	20,286	100%	12,412	100.0%	32,698	100.0%
Vallejo	Not Overpaying	15,910	68.2%	7,568	40.5%	23,478	55.8%
	Overpaying	4,457	19.1%	4,588	24.5%	9,045	21.5%
	Severely Overpaying	2,830	12.1%	5,875	31.4%	8,705	20.7%
	Not Computed	142	0.6%	678	3.6%	820	2.0%
	Total	23,339	100.0%	18,709	100.0%	42,048	100.0%
Unincorporated Solano County	Not Overpaying	3,386	71.7%	1,201	54.9%	4,587	66.4%
	Overpaying	651	13.8%	368	16.8%	1,019	14.7%
	Severely Overpaying	633	13.4%	331	15.1%	964	13.9%
	Not Computed	53	1.1%	288	13.2%	341	4.9%
	Total	4,723	100.0%	2,188	100.0%	6,911	100.0%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

Lower-Income Households Overpaying

One of the indicators of housing need when analyzing the relationship between income and costs associated with available housing resources is overpayment. Generally, households that pay more than 30 percent of their income on housing cost are considered to be overpaying for housing or cost burdened, while households that pay 50 percent or more are considered to be severely overpaying or severely cost burdened.

Tables 2-12, 2-13, and 2-14 show that countywide, 35.6 percent of the total households spend more than 30 percent of their income on housing costs with the majority falling into the lower income category, at 24.3 percent of total households. Approximately 15 percent of the County's households are both lower income and severely cost burdened. Extremely low-income households constitute 10 percent of the County's households, of which, more than half overpay for housing, and almost all are severely cost burdened, at 7.9 percent and 7.1 percent of total households respectively. A distinction must be made, however, that not all lower-income households, even extremely low-income households, are cost burdened.

A comparison of renters and homeowners experiencing overpayment puts risk of displacement into better perspective and assists in the establishment of policies and programs to reduce this risk. Renters make up 39.3 percent of the total county households, with almost one-half of renters (19.4 percent of total county households) reporting overpayment of 30 percent of their income. Approximately 50 percent of renter households (19.9 percent of total households) fall within the lower-income categories (less than 80 percent of Area Median Family Income (HAMFI)). Almost all the lower-income rental households, at 15.4 percent of total county households, report overpayment. Lower-income rental households reporting severe overpayment constitute 9.6 percent of total county households. The most at-risk of displacement population are extremely low-income (ELI) rental households (0-30 percent of MFI). ELI households comprise 6.9 percent of the total county households and represent 17.6 percent of renters. Of total renters approximately 80 percent are cost burdened, making up 5.5 percent of total households. This indicates that almost 13 percent of total renters are the most at risk of displacement from overpayment.

Homeowners throughout the county are also affected by overpayment, particularly lower-income households. Homeowners constitute 60.7 percent of the county's households, of which, 26.8 percent (16.3 percent of total households) are overburdened. Approximately 27 percent of owner-occupied households (14.5 percent of total households) fall within the lower-income categories (less than 80 percent of MFI). Almost 60 percent of the lower-income owner households, at 8.9 percent of total county households, report overpayment. Statistics indicate that 38.2 percent of lower-income owner-occupied households report severe overpayment, constituting 5.5 percent of total county households. Extremely low-income (ELI) owner households (0-30 percent of MFI) comprise 3.1 percent of the total County households,

representing just 5.2 percent of owners. Of this group, approximately 75.3 percent are overburdened, embodying 2.4 percent of total households, and 64 percent of ELI owners are severely overburdened. This indicates that 3.3 percent of total homeowners are the most at risk of displacement from overpayment.

Looking at overpayment and income statistics for individual cities, when focusing on the populations most at risk of displacement, a range of differences are evident. In Benicia, owner occupied comprise 71 percent of total households, of which, 23.8 percent report overpayment (16.9 percent). Of the 29 percent rental households, 50 percent are overburdened (14.6 percent of households). Of the overburdened renters, 28.8 percent fall into the ELI category, and 12.4 percent of overburdened owners fall into the ELI category. Over 66 percent of both ELI owners and renters are extremely cost burdened, representing 1.8 and 3.7 percent of the total households respectively.

In comparison, in Vallejo, owner occupied households comprise 54.9 percent of total households, of which, 29.3 percent report overpayment (16.1 percent of households). Of the 45.1-percent of rental households, 53.2 percent are overburdened (24.0 percent of households). Of the overburdened renters, 35.6 percent fall into the ELI category, and 16 percent of overburdened owners fall into the ELI category. Over 32 percent of ELI renters and 14 percent of homeowners are extremely cost burdened, representing 8.5 and 2.6 percent of the total households respectively.

Dixon reports a high percentage of both renter and homeowner households overpaying for housing. Owner households comprise 61.7 percent of total households, of which, 45.6 percent report overpayment (20.1 percent). Of the 20.1 percent rental households, 86.7 percent are overburdened (14.0 percent of households). Of the overburdened renters, 21.8 percent fall into the ELI category, yet only 5.6 percent of overburdened owners fall into the ELI category. Almost all of the ELI renters, at 95.8 percent, and 78.3 percent of ELI homeowners are extremely cost burdened, representing 5.7 and 1.5 percent of the total households respectively.

Regardless of median income in the county and its cities, housing costs remain a challenge for a substantial number of residents. Throughout the county, extremely low-income homeowners, and in particular lower-income renters, experience a cost burden, with a large percentage significantly overpaying for housing. This can be an issue for seniors as well as for working families, single parents, and others who face changing life circumstances. The sudden loss of employment, a health care emergency, or a family crisis can quickly result in a heavy cost burden, with limited affordable options available, putting these populations at risk of displacement, overcrowding, or residing in low-resource areas.

TABLE 2-12 LOWER-INCOME HOUSEHOLDS OVERPAYING: BENICIA, DIXON, FAIRFIELD

Total Household Characteristics	Benicia		Dixon		Fairfield	
	Number	Percentage of Total Households	Number	Percentage of Total Households	Number	Percentage of Total Households
Total occupied units (households)	11,130	100.0%	6,015	1	36,350	36,350
Total Renter households	3,225	29.0%	1,880	31.3%	15,110	41.6%
Total Owner Households	7,905	71.0%	4,135	68.7%	21,235	58.4%
Total lower income (0-80% of HAMFI) households	2,535	22.8%	2,045	34.0%	11,875	32.7%
Lower income renters (0-80%)	1,320	11.9%	1,090	18.1%	7,150	19.7%
Lower income owners (0-80%)	1,215	10.9%	955	15.9%	4,725	13.0%
Extremely low-income (ELI) renters (0-30%)	620	5.6%	355	5.9%	2,215	6.1%
Extremely low-income (ELI) owners (0-30%)	295	2.7%	115	1.9%	925	2.5%
Lower income households paying more than 50%	1,290	11.6%	780	12.97%	5,120	14.1%
Lower income renter HH severely overpaying	730	6.6%	480	8.0%	3,375	9.3%
Lower income owner HH severely overpaying	550	4.9%	295	4.9%	1,745	4.8%
Extremely Low Income (0-30%)	610	5.5%	430	7.1%	2,140	5.9%
ELI Renter HH severely overpaying	415	3.7%	340	5.7%	1,570	4.3%
ELI Owner HH severely overpaying	195	1.8%	90	1.5%	570	1.6%
Income between 30%-50%	285	2.6%	245	4.1%	1,805	5.0%
Income between 50% -80%	395	3.5%	105	1.7%	1,175	3.2%
Lower income households paying more than 30%	1,855	16.7%	1,415	23.5%	8,580	23.6%
Lower income renter HH overpaying	1,020	9.2%	775	12.9%	5,725	15.7%
Lower income owner HH overpaying	820	7.4%	640	10.6%	2,855	7.9%

Total Household Characteristics	Benicia		Dixon		Fairfield	
	Number	Percentage of Total Households	Number	Percentage of Total Households	Number	Percentage of Total Households
Extremely Low Income (0-30%)	710	6.4%	445	7.4%	2,445	6.7%
ELI Renter HH overpaying	470	4.2%	340	5.7%	1,720	4.7%
ELI Owner HH overpaying	235	2.1%	105	1.7%	725	2.0%
Income between 30%-50%	385	3.5%	470	7.8%	3,040	8.4%
Income between 50% -80%	760	6.8%	500	8.3%	500	1.4%
Total Households Overpaying	3,515	31.6%	2,050	34.1%	12,805	35.2%
Total Renter Households Overpaying	1,630	14.6%	840	14.0%	7,555	20.8%
Total Owner Households Overpaying	1,885	16.9%	1,210	20.1%	5,250	14.4%

Source: 2014-2018 CHAS Data Sets <https://www.buduser.gov/portal/datasets/cp.html>

TABLE 2-13 LOWER-INCOME HOUSEHOLDS OVERPAYING: RIO VISTA, SUISUN CITY, VACAVILLE

Total Household Characteristics	Rio Vista		Suisun City		Vacaville	
	Number	Percentage of Total Households	Number	Percentage of Total Households	Number	Percentage of Total Households
Total occupied units (households)	4,285	100.0%	9,320	100.0%	32,920	100.0%
Total Renter households	745	17.4%	3,655	39.2%	12,960	39.4%
Total Owner Households	3,545	82.7%	5,660	60.7%	19,960	60.6%
Total lower income (0-80% of HAMFI) households	1570	36.6%	3,130	33.6%	10,630	32.3%
Lower income renters (0-80%)	295	6.9%	1,715	18.4%	6,285	19.1%
Lower income owners (0-80%)	1,275	29.8%	1,415	15.2%	4,345	13.2%
Extremely low-income (ELI) renters (0-30%)	140	3.3%	610	6.5%	1,940	5.9%
Extremely low-income (ELI) owners (0-30%)	390	9.1%	225	2.4%	955	2.9%
Lower income households paying more than 50%	575	13.4%	1,275	13.7%	4,280	13.0%
Lower income renter HH severely overpaying	200	4.7%	775	8.3%	2,590	7.9%
Lower income owner HH severely overpaying	365	8.5%	505	5.4%	1,690	5.1%
Extremely Low Income (0-30%)	310	7.2%	580	6.2%	1,925	5.8%
ELI Renter HH severely overpaying	90	2.1%	440	4.7%	1,325	4.0%
ELI Owner HH severely overpaying	260	6.1%	145	1.6%	600	1.8%
Income between 30%-50%	90	2.1%	380	4.1%	1,270	3.9%
Income between 50% -80%	175	4.1%	315	3.4%	1,085	3.3%
Lower income households paying more than 30%	830	19.4%	2,165	23.2%	7,410	22.5%
Lower income renter HH overpaying	200	4.7%	1,300	13.9%	4,695	14.3%
Lower income owner HH overpaying	620	14.5%	870	9.3%	2,720	8.3%
Extremely Low Income (0-30%)	355	8.3%	615	6.6%	2,135	6.5%

Total Household Characteristics	Rio Vista		Suisun City		Vacaville	
	Number	Percentage of Total Households	Number	Percentage of Total Households	Number	Percentage of Total Households
ELI Renter HH overpaying	90	2.1%	465	5.0%	1,445	4.4%
ELI Owner HH overpaying	260	6.1%	155	1.7%	690	2.1%
Income between 30%-50%	140	3.3%	450	4.8%	1,945	5.9%
Income between 50% -80%	335	7.8%	1,100	11.8%	3,330	10.1%
Total Households Overpaying	1,220	28.5%	3,135	33.6%	11,370	34.5%
Total Renter Households Overpaying	245	5.7%	1,595	17.1%	6,195	18.8%
Total Owner Households Overpaying	975	22.8%	1,540	16.5%	5,175	15.7%

Source: 2014-2018 CHAS Data Sets <https://www.buduser.gov/portal/datasets/cp.html>

TABLE 2-14 LOWER-INCOME HOUSEHOLDS OVERPAYING: VALLEJO, SOLANO COUNTY

Total Household Characteristics	Vallejo		Solano County	
	Number	Percentage of Total Households	Number	Percentage of Total Households
Total occupied units (households)	41,990	100.0%	149,065	100.0%
Total Renter households	18,930	45.1%	58,645	39.3%
Total Owner Households	23,060	54.9%	90,420	60.7%
Total lower income (0-80% of HAMFI) households	17,360	41.3%	51,215	34.4%
Lower income renters (0-80%)	10,810	25.7%	29,675	19.9%
Lower income owners (0-80%)	6,550	15.6%	21,540	14.5%
Extremely low-income (ELI) renters (0-30%)	4,245	10.1%	10,325	6.9%
Extremely low-income (ELI) owners (0-30%)	1,430	3.4%	4,675	3.1%
Lower income households paying more than 50%	8,365	19.9%	22,495	15.1%
Lower income renter HH severely overpaying	5,770	13.7%	14,260	9.6%
Lower income owner HH severely overpaying	2,595	6.2%	8,235	5.5%
Extremely Low Income (0-30%)	4,215	10.0%	10,580	7.1%
ELI Renter HH severely overpaying	3,265	7.8%	7,585	5.1%
ELI Owner HH severely overpaying	950	2.3%	2,995	2.0%
Income between 30%-50%	2,550	6.1%	6,875	4.6%
Income between 50% -80%	1,600	3.8%	5,040	3.4%
Lower income households paying more than 30%	12,695	30.2%	36,225	24.3%
Lower income renter HH overpaying	8,685	20.7%	23,005	15.4%
Lower income owner HH overpaying	4,005	9.5%	13,220	8.9%
Extremely Low Income (0-30%)	4,670	11.1%	11,785	7.9%
ELI Renter HH overpaying	3,585	8.5%	8,265	5.5%

Total Household Characteristics	Vallejo		Solano County	
	Number	Percentage of Total Households	Number	Percentage of Total Households
ELI Owner HH overpaying	1,085	2.6%	3,520	2.4%
Income between 30%-50%	3,770	9.0%	10,580	7.1%
Income between 50% -80%	4,255	10.1%	13,860	9.3%
Total Households Overpaying	16,835	40.1%	53,120	35.6%
Total Renter Households Overpaying	10,070	24.0%	28,860	19.4%
Total Owner Households Overpaying	6,765	16.1%	24,260	16.3%

Source: 2014-2018 CHAS Data Sets <https://www.buduser.gov/portal/datasets/cp.html>

EMPLOYMENT CHARACTERISTICS

The economy has an important impact on housing needs. Employment growth typically results in increased housing demand in areas that serve as regional employment centers. Moreover, the type of occupation and income levels for new employment also affect housing demand. This section describes the economic and employment patterns and how these patterns influence housing needs.

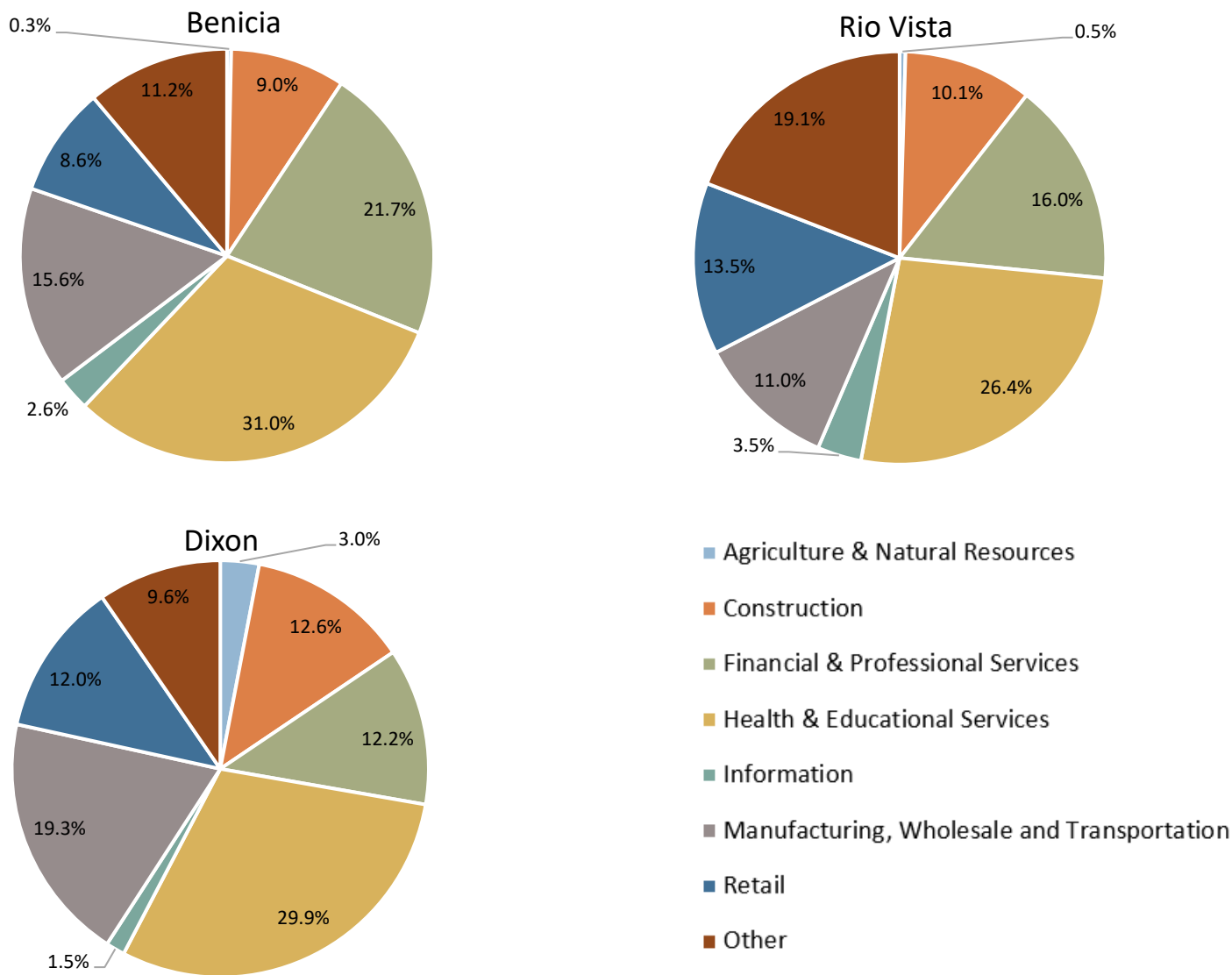
EMPLOYMENT BY INDUSTRY

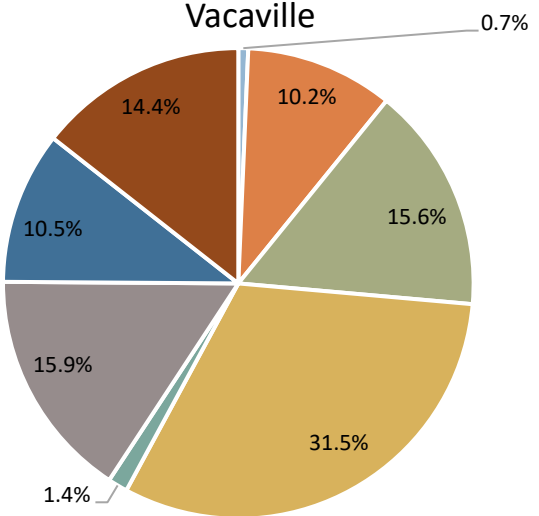
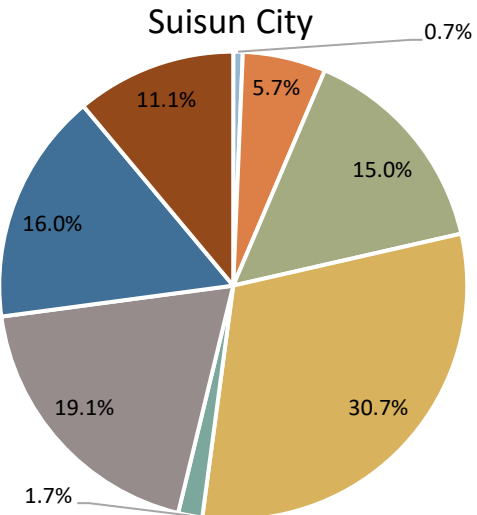
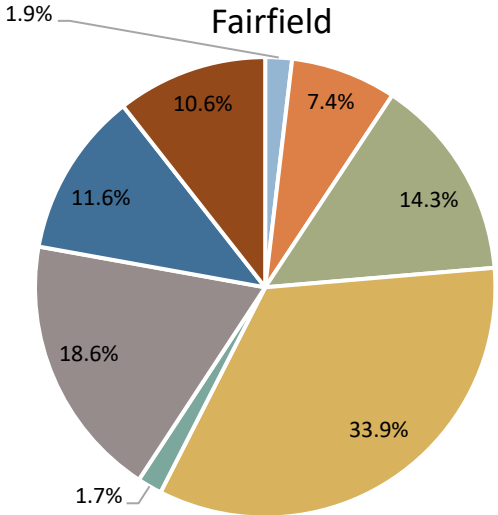
Occupations held by residents determine the income earned by a household and their corresponding ability to afford housing. Higher-paying jobs provide broader housing opportunities for residents, while lower-paying jobs limit housing options. Understanding employment and occupation patterns can provide insight into present housing needs.

Table 2-15 and **Figure 2-4** shows employment by industry for each jurisdiction. In the following analysis, “residents” refers to those in the civilian, employed population aged 16 and older. Residents of Benicia are most commonly employed in the health and educational services, and financial and professional services sectors (21.7 percent). The health and educational services industry is also the most common sector of employment for residents for all of Solano County.

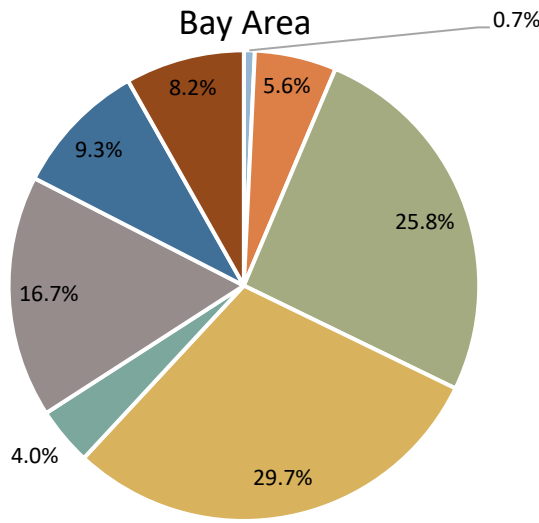
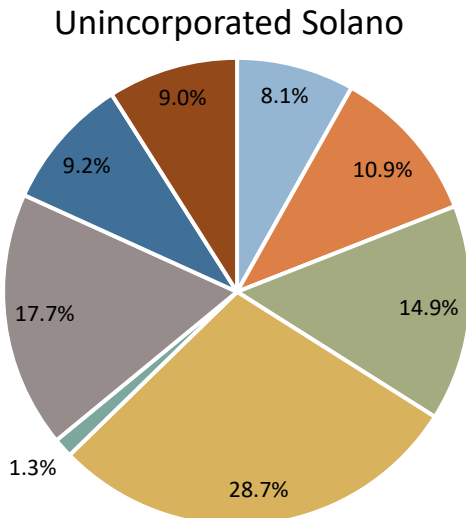
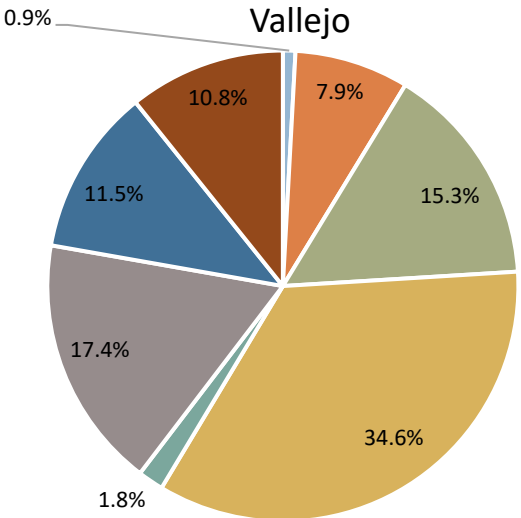
At 19.3 percent, Dixon is the jurisdiction with the largest proportion of its residents employed in the manufacturing, wholesale, and transportation sector, though Suisun City, Fairfield, Vallejo, and Unincorporated Solano County also have significant proportions of residents employed in that sector. Countywide, only two percent of residents are in the agricultural and natural resources sector; however, most of that is in Unincorporated Solano County, making up eight percent of the employment industry.

FIGURE 2-4 EMPLOYMENT BY INDUSTRY





- Agriculture & Natural Resources
- Construction
- Financial & Professional Services
- Health & Educational Services
- Information
- Manufacturing, Wholesale and Transportation
- Retail
- Other



- Agriculture & Natural Resources
- Construction
- Financial & Professional Services
- Health & Educational Services
- Information
- Manufacturing, Wholesale and Transportation
- Retail
- Other

TABLE 2-15 RESIDENT EMPLOYMENT BY INDUSTRY, 2015-2019

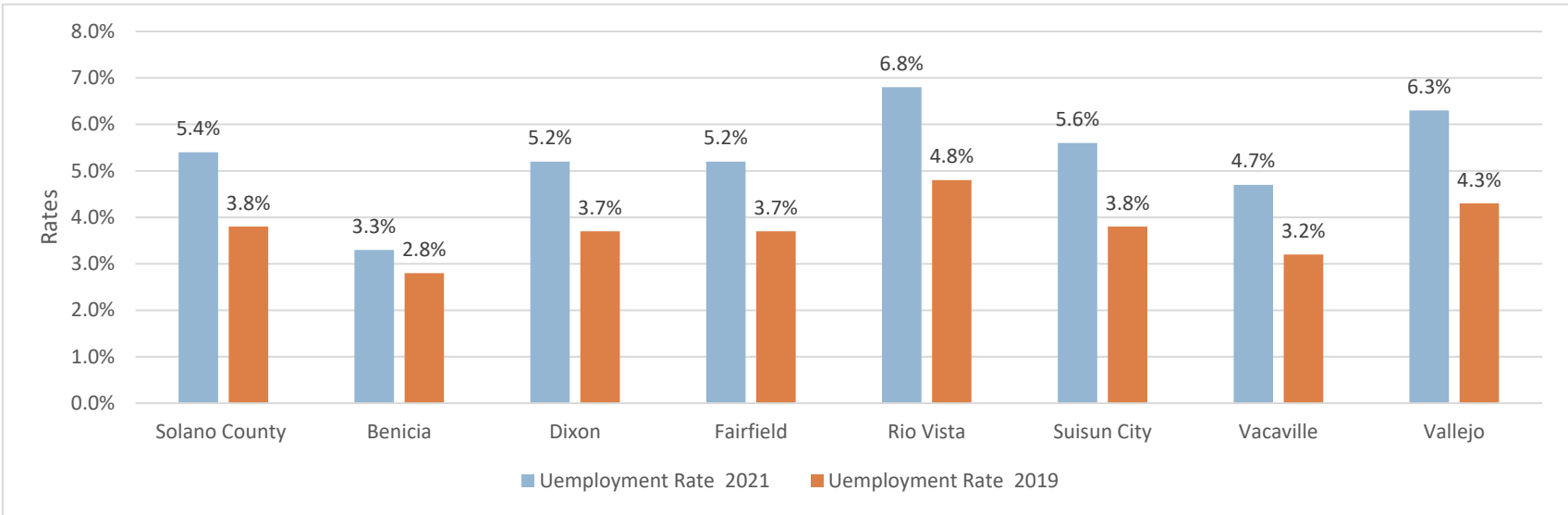
Geography	Agriculture & Natural Resources	Construction	Financial & Professional Services	Health & Educational Services	Information	Manufacturing, Wholesale & Transportation	Retail	Other	Total
Benicia	49	1,322	3,199	4,564	386	2,291	1,260	1,641	14,712
	0.3%	9.0%	21.7%	31.0%	2.6%	15.6%	8.6%	11.2%	100.0%
Dixon	299	1,250	1,214	2,981	146	1,922	1,192	956	9,960
	3.0%	12.6%	12.2%	29.9%	1.5%	19.3%	12.0%	9.6%	100.0%
Fairfield	1,021	4,043	7,802	18,424	943	10,113	6,302	5,757	54,405
	1.9%	7.4%	14.3%	33.9%	1.7%	18.6%	11.6%	10.6%	100.0%
Rio Vista	12	260	413	682	89	283	347	493	2,579
	0.5%	10.1%	16.0%	26.4%	3.5%	11.0%	13.5%	19.1%	100.0%
Suisun City	95	833	2,177	4,445	242	2,767	2,324	1,604	14,487
	0.7%	5.7%	15.0%	30.7%	1.7%	19.1%	16.0%	11.1%	100.0%
Vacaville	295	4,430	6,778	13,714	591	6,908	4,565	6,277	43,558
	0.7%	10.2%	15.6%	31.5%	1.4%	15.9%	10.5%	14.4%	100.0%
Vallejo	496	4,530	8,834	19,956	1,016	10,036	6,619	6,205	57,692
	0.9%	7.9%	15.3%	34.6%	1.8%	17.4%	11.5%	10.8%	100.0%
Unincorporated Solano County	780	1,045	1,431	2,754	129	1,700	883	863	9,585
	8.1%	10.9%	14.9%	28.7%	1.3%	17.7%	9.2%	9.0%	100.0%
Solano County	3,047	17,713	31,848	67,520	3,542	36,020	23,492	23,796	206,978
	1.5%	8.6%	15.4%	32.6%	1.7%	17.4%	11.3%	11.5%	100.0%
Bay Area	30,159	226,029	1,039,526	1,195,343	160,226	670,251	373,083	329,480	4,024,097
	0.7%	5.6%	25.8%	29.7%	4.0%	16.7%	9.3%	8.2%	100.0%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

UNEMPLOYMENT

According to the California Employment Development Department (EDD), in 2021 the statewide unemployment rate was 6.9 percent. Unemployment rates are based off of people filing for unemployment benefits. The unemployment rate reflects individuals 16 years or older, not members of the Armed Services, and are not in institutions such as prisons, mental hospitals, or nursing homes. The unemployment rate in Solano County was lower than the statewide rate at 5.4 percent. **Figure 2-5** shows unemployment in Solano County by jurisdiction. The city with the highest unemployment rate was Rio Vista (6.8 percent), followed by Vallejo (6.3 percent). Benicia had the lowest unemployment rate (3.3 percent), followed by Vacaville (4.7 percent). Both Fairfield and Dixon had an equal unemployment rate of 5.2 percent with Suisun City at 5.6 percent. In comparison, in 2019 the unemployment rates were lower. The City of Rio Vista had the highest unemployment rate, respectively followed by the City of Vallejo at 4.3 percent. effects of the COVID-19 pandemic are still being reflected to an extent for all the cities within Solano County. The pandemic caused a high unemployment rate in 2020 (9.5 percent) for Solano County and decreased in 2021 to 5.4 percent.

FIGURE 2-5 UNEMPLOYMENT RATE (2021)



Source: Monthly Labor Force Data for Cities and Census Designated Places (CDP)– EDD, 2019 and 2021

LABOR FORCE TRENDS

Table 2-18 shows employment projections by industry sector in Solano County from 2018 to 2028. According to EDD data, industry employment in Solano County is expected to grow by 15,300 jobs between 2018 and 2028, to an estimated 168,600 by 2028. Total nonfarm employment is projected to gain approximately 14,500 jobs by 2022. This has potential to impact a segment of residents in the county currently employed in that field of work, contributing towards risk of displacement as manual labor jobs decrease. The healthcare and social assistance; professional and business services; trade, transportation, and utilities; state government; and education sectors are expected to account for more than 50 percent of all nonfarm job growth. The largest projected growth sectors are healthcare and social assistance and educational services industries at 19.7 percent each.

TABLE 2-16 SOLANO COUNTY JOB GROWTH BY INDUSTRY SECTOR (2018)

Industry Title	Estimated Employment 2018 ^{1, 2}	Projected Employment 2028	Percentage Change 2018-2028
Total Employment	153,300	168,600	10.0%
Mining and Logging	600	500	-16.7%
Construction	11,200	12,000	7.1%
Manufacturing	12,700	13,500	6.3%
Trade, Transportation, and Utilities	27,800	29,500	6.1%
Information	1,100	1,200	9.1%
Financial Activities	5,200	5,500	5.8%
Professional and Business Services	10,100	11,900	17.8%
Educational Services (Private), Healthcare, and Social Assistance	28,400	34,000	19.7%
Leisure and Hospitality	15,600	17,700	13.5%
Other Services (excludes 814-Private Household Workers)	4,500	4,700	4.4%

Industry Title	Estimated Employment 2018 ^{1, 2}	Projected Employment 2028	Percentage Change 2018-2028
Government	24,900	26,100	4.8%
Federal Government	3,500	4,100	17.1%
State and Local Government	21,300	22,000	3.3%
Type of Employment			
Total Farm	1,700	1,600	-5.9%
Total Nonfarm	142,100	156,600	10.2%
Self-Employment ³	9,400	10,200	8.5%
Private Household Workers ⁴	100	200	100.0%

Source: Employment Development Department, 2018

Notes:

1. Data sources: U.S. Bureau of Labor Statistics' Current Employment Statistics (CES) March 2019 benchmark and Quarterly Census of Employment and Wages (QCEW) industry employment.
2. Industry detail may not add up to totals due to independent rounding and suppression.
3. Self-employed persons work for profit or fees in their own business, profession, trade, or farm. Only the unincorporated self-employed are included in this category. The estimated and projected employment numbers include all workers who are primarily self-employed and wage and salary workers who hold a secondary job as a self-employed worker.
4. Private household workers are employed as domestic workers whose primary activities are to maintain the household. Industry employment is based on QCEW.

HOUSING STOCK CHARACTERISTICS

This section describes the housing characteristics and conditions that affect housing needs in Solano County. Important housing stock characteristics include housing type, tenure, vacancy rates, age, condition, cost, and affordability.

HOUSING TYPE

According to California’s DOF (see **Table 2-17**), the cities with the highest percentage of single-family units were Rio Vista (93.2 percent), Unincorporated Solano County (90.3), Suisun City (85.8 percent), and Dixon (81.4 percent). The cities with the lowest percentage of single-family units were Vallejo (70.2 percent), Benicia (73.4 percent), and Vacaville (74.6 percent). However, all jurisdictions had very high percentages of single-family units, at above 70 percent across the county. On average for all the cities, about 16.9 percent of the housing stock was composed of multifamily units. Unincorporated Solano County had the highest stock of mobile homes (6.8 percent) followed by Rio Vista (3.5 percent). As a whole, Solano County housing stock is 76.1 percent single-family units, 21 percent multifamily units, and 2.9 percent mobile homes. Much of the single-family housing stock is concentrated in Rio Vista and Unincorporated Solano County.

TABLE 2-17 HOUSING TYPE, 2021

Geography	Single-Family Homes	Multifamily: Two to Four Units	Multifamily: Five-Plus Units	Mobile Homes	Total
Benicia	8,332	1,176	1,611	238	11,357
	73.4%	10.4%	14.2%	2.1%	100.0%
Dixon	5,458	420	782	48	6,708
	81.4%	6.3%	11.7%	0.7%	100.0%
Fairfield	31,060	2,015	6,403	999	40,477
	76.7%	5.0%	15.8%	2.5%	100.0%
Rio Vista	4,764	25	141	179	5,109
	93.2%	0.5%	2.8%	3.5%	100.0%
	8,209	382	788	184	9,563

Geography	Single-Family Homes	Multifamily: Two to Four Units	Multifamily: Five-Plus Units	Mobile Homes	Total
Suisun City	85.8%	4.0%	8.2%	1.9%	100.0%
Vacaville	26,911	2,259	5,747	1,136	36,053
	74.6%	6.3%	15.9%	3.2%	100.0%
Vallejo	31,470	4,863	7,141	1,358	44,832
	70.2%	10.8%	15.9%	3.0%	100.0%
Unincorporated Solano County	6,566	156	56	494	7,272
	90.3%	2.1%	0.8%	6.8%	100.0%
Solano County	122,770	11,296	22,669	4,636	161,371
	76.1%	7.0%	14.0%	2.9%	100.0%

Source: Department of Finance E-5 City/County Population and Housing Estimates, 2021

HOUSING TENURE

Housing tenure (owner vs. renter) influences several aspects of the local housing market. Residential mobility is influenced by tenure, with ownership housing turning over at a much lower rate than rental housing. This is not directly related to the type of unit, where most single-family units and certain types of multifamily (duplex-fourplex, condos) may be owner-occupied. However, single-family units, especially older stock and multifamily units (duplex-fourplex and condos) are also often converted to rental stock.

As shown in **Table 2-18**, the cities with the highest proportions of owner-occupied households were Rio Vista (81.1 percent), Benicia (71.8 percent), Dixon (69.9 percent), Unincorporated Solano County (68.3 percent), Suisun City (62.1 percent), and Vacaville (62 percent). The cities with the highest proportions of renter-occupied households were Vallejo (44.5 percent) and Fairfield (40.7 percent). Fairfield and Vallejo are split down the middle, respectively.

TABLE 2-18 HOUSING TENURE, 2019

Geography	Total Households	Owner Occupied		Renter Occupied	
		Households	Percentage	Households	Percentage
Benicia	11,293	8,103	71.8%	3,190	28.2%
Dixon	6,062	4,238	69.9%	1,824	30.1%
Fairfield	36,751	21,789	59.3%	14,962	40.7%
Rio Vista	4,792	3,888	81.1%	904	18.9%
Suisun City	9,310	5,783	62.1%	3,527	37.9%
Vacaville	32,698	20,286	62.0%	12,412	38.0%
Vallejo	42,048	23,339	55.5%	18,709	44.5%
Unincorporated Solano County	6,911	4,723	68.3%	2,188	31.7%
Solano County	149,865	92,149	61.5%	57,716	38.5%
Bay Area	2,731,434	1,531,955	56.1%	1,199,479	43.9%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

VACANCY RATE

Table 2-19 shows housing units and vacancies in Solano County and the cities according to the California DOF. Vacancy rates of 5.0 to 6.0 percent for rental housing and 1.5 to 2.0 percent for ownership housing are generally considered optimum. A higher vacancy rate may indicate an excess supply of units, a softer market, and result in lower housing prices. A lower vacancy rate may indicate a shortage of housing and high competition for available housing, which generally leads to higher housing prices and diminished affordability. As **Table 2-19** shows, the vacancy rate for all cities within Solano County is 5.3 percent. The cities with the highest vacancy rate are Unincorporated Solano County (8.9 percent), Vallejo (7.3), and Rio Vista (6.6 percent). As shown in **Table 2-20** for units that were “other vacant,” about 40.5 percent of housing units in that category were within Unincorporated Solano County and 39.8 percent were in Vallejo. In addition, as shown in **Table 2-18**, Rio Vista had the highest owner-occupied households and so their high vacancy rate can be attributed to the vacant units by type, where almost 20 percent of vacant units are for seasonal, recreational, or occasional use. The cities with the lowest vacancy rates were Dixon and Suisun City.

TABLE 2-19 VACANCY RATE BY OCCUPANCY STATUS, 2021

Geography	Total Housing Units	Occupied Housing Units	Vacant Housing Units	Vacancy Rate
Benicia	11,035	10,832	203	4.6%
Dixon	6,708	6,505	203	3.0%
Fairfield	40,477	38,829	1,648	4.1%
Rio Vista	5,109	4,773	336	6.6%
Suisun City	9,563	9,231	332	3.5%
Vacaville	36,053	34,521	1,532	4.2%
Vallejo	44,832	41,563	3,269	7.3%
Unincorporated Solano County	7,272	6,623	649	8.9%
Solano County	161,371	152,877	8,494	5.3%

Source: Department of Finance E-5 City/County Population and Housing Estimates, 2021

Table 2-20 shows the occupancy status of the housing stock according to the 2015-2019 ACS. Many of the cities within Solano County have vacant units that are classified as “other vacant.” For instance, the cities with the highest “other vacant” units were Vacaville (49.5 percent), Fairfield, 48.9 percent, Suisun City (41.8 percent), Unincorporated Solano County (40.5 percent), and Benicia (39.4 percent). According to the U.S. Census Bureau, “other vacant” units are classified as such when the unit does not fit into any of the year-round vacant categories. Other reasons include no one lives in the unit and the owner does not want to sell, unit is being used for storage, owner is elderly and living in a nursing home or with family members, or the unit is foreclosed, being repaired/renovated, or held for settlement of an estate. The seasonal and recreational use (vacation homes) vacancy rate is usually not indicative of underserved populations, but it does contribute toward unavailability of certain types of housing. Unincorporated Solano County and Benicia have the largest proportions of their vacant units classified as seasonal, recreational, or occasional use (32.6 percent and 19.5 percent respectively). It should be noted that new development that occurred after 2019 is not reflected in this data.

TABLE 2-20 VACANT UNITS BY TYPE, 2015-2019

Geography	For Rent	For Sale	For Seasonal, Recreational, or Occasional use	Other vacant ¹	Rented, Not Occupied	Sold, Not Occupied	Total Vacant Units
Benicia	167	9	96	194	17	10	493
	33.9%	1.8%	19.5%	39.4%	3.4%	2.0%	100.0%
Dixon	165	27	0	64	71	0	327
	50.5%	8.3%	0.0%	19.6%	21.7%	0.0%	100.0%
Fairfield	392	155	119	792	35	128	1,621
	24.2%	9.6%	7.3%	48.9%	2.2%	7.9%	100.0%
Rio Vista	33	45	50	28	127	55	338
	9.8%	13.3%	14.8%	8.3%	37.6%	16.3%	100.0%
Suisun City	27	51	48	142	0	72	340
	7.9%	15.0%	14.1%	41.8%	0.0%	21.2%	100.0%
Vacaville	299	103	158	732	95	91	1,478
	20.2%	7.0%	10.7%	49.5%	6.4%	6.2%	100.0%

Geography	For Rent	For Sale	For Seasonal, Recreational, or Occasional use	Other vacant ¹	Rented, Not Occupied	Sold, Not Occupied	Total Vacant Units
Vallejo	924	216	144	992	73	146	2,495
	37.0%	8.7%	5.8%	39.8%	2.9%	5.9%	100.0%
Unincorporated Solano County	66	128	275	341	33	0	843
	7.8%	15.2%	32.6%	40.5%	3.9%	0.0%	100.0%
Solano County	2,073	734	890	3,285	451	502	7,935
	26.1%	9.3%	11.2%	41.4%	5.7%	6.3%	100.0%
Bay Area	41,117	10,057	37,301	61,722	10,647	11,816	172,660
	23.8%	5.8%	21.6%	35.7%	6.2%	6.8%	100.0%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

¹ Common reasons a housing unit is labeled “other vacant” is that no one lives in the unit and the owner does not want to sell, is using the unit for storage, or is elderly and living in a nursing home or with family members. Additional reasons are that the unit is being held for settlement of an estate, is being repaired or renovated, is being foreclosed (foreclosures may appear in any of the vacant or occupied categories).

HOUSING CONDITIONS

Housing conditions are an important indicator of quality of life. Like any physical asset, housing ages and deteriorates over time. If not regularly maintained, structures can deteriorate and discourage reinvestment, depress neighborhood property values, and even become health hazards. Thus, maintaining and improving housing quality is an important goal for communities.

An indication of the quality of the housing stock is its general age. Typically, housing over 30 years old is likely to have rehabilitation needs that may include plumbing, roof repairs, foundation work, and other repairs. In addition, tenure may impact the condition of housing, as landlords may not maintain rental units the same as owners would maintain their homes. **Table 2-21** displays the age of Solano County’s housing stock starting from before 1939 up until 2010 and later, according to the 2015-2019 ACS. In all jurisdictions, about one-third of the housing stock is less than 30 years old. The cities with the highest percentage of new housing (built 2010 or later) are Rio Vista (6.1 percent), followed by Unincorporated Solano County (5.9 percent). The remaining two-thirds of the housing stock is over 50 years old, meaning rehabilitation needs could be necessary in certain homes.

TABLE 2-21 HOUSING UNITS BY YEAR STRUCTURE WAS BUILT

Geography	Built 1939 or earlier	Built 1940 to 1959	Built 1960 to 1979	Built 1980 to 1999	Built 2000 to 2009	Built 2010 or later	Total
Benicia	785	1,088	3,884	5,290	723	16	11,786
	6.7%	9.2%	33.0%	44.9%	6.1%	0.1%	100.0%
Dixon	456	1,182	1,762	2,486	274	229	6,389
	7.1%	18.5%	27.6%	38.9%	4.3%	3.6%	100.0%
Fairfield	3,513	6,241	11,485	14,471	2,245	417	38,372
	9.2%	16.3%	29.9%	37.7%	5.9%	1.1%	100.0%
Rio Vista	657	690	1,026	1,834	612	311	5,130
	12.8%	13.5%	20.0%	35.8%	11.9%	6.1%	100.0%
Suisun City	239	1,240	3,124	4,664	201	182	9,650
	2.5%	12.8%	32.4%	48.3%	2.1%	1.9%	100.0%
Vacaville	2,065	4,279	12,043	13,600	1,749	440	34,176
	6.0%	12.5%	35.2%	39.8%	5.1%	1.3%	100.0%
Vallejo	6,020	10,071	11,747	12,679	3,715	311	44,543
	13.5%	22.6%	26.4%	28.5%	8.3%	0.7%	100.0%
Unincorporated Solano County	872	1,321	1,782	2,537	781	461	7,754
	11.2%	17.0%	23.0%	32.7%	10.1%	5.9%	100.0%
Total	14,607	26,112	46,853	57,561	10,300	2,367	157,800
	9.3%	16.5%	29.7%	36.5%	6.5%	1.5%	100.0%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

LOCAL KNOWLEDGE ON HOUSING CONDITIONS

Based on conversations with staff, code enforcement, and local police departments, **Table 2-22** provides a percentage of the housing stock needing some type of rehabilitation.

TABLE 2-22 PERCENTAGE OF HOUSING NEEDING REHABILITATION

Geography	Percentage of Housing Needing Rehabilitation
Benicia	0.13%
Dixon	Data Pending
Fairfield	Data Pending
Rio Vista	Data Pending
Suisun City	Data Pending
Vacaville	<10%
Vallejo	Data Pending
Unincorporated Solano County	10%

Source: Solano County jurisdictions, 2022

HOUSING PRODUCTION

Table 2-23 shows the number of housing units by income level that were developed during the previous planning period (2014-2022). Fairfield, followed by Vacaville, had the most production from 2014-2020 with 3,288 building permits issued and 2,386 building permits issued, respectively. The majority of the new housing was market-rate, affordable only to moderate- and above moderate-income households. Of the 197 total units permitted in unincorporated Solano County 42 percent were affordable to lower income households.

TABLE 2-23 HOUSING PERMITTING 2015-2020

Income Group	Very Low-Income Units	Low Income Units	Moderate Income Units	Above Moderate-Income Units	Total Units
Benicia	1	3	8	18	30
	3.3%	10.0%	26.7%	60.0%	100.0%
Dixon	0	54	145	350	549
	0.0%	9.8%	26.4%	63.8%	100.0%
Fairfield	94	95	364	2,735	3,288
	2.9%	2.9%	11.1%	83.2%	100.0%
Rio Vista	0	4	155	438	597
	0.0%	0.7%	26.0%	73.4%	100.0%
Suisun City	0	0	0	85	85
	0.0%	0.0%	0.0%	100.0%	100.0%
Vacaville	48	109	565	1,664	2,386
	2.0%	4.6%	23.7%	69.7%	100.0%
Vallejo	0	0	0	251	251
	0.0%	0.0%	0.0%	100.0%	100.0%
Unincorporated Solano County	6	83	32	76	197
	3.0%	42.1%	16.2%	38.6%	100.0%

Source: HCD 5th Cycle Annual Progress Report Permit Summary

HOUSING COST AND AFFORDABILITY

One of the major barriers to housing availability is the cost of housing. To provide housing to all economic levels in the community, a wide variety of housing opportunities at various prices should be made available. Housing affordability is dependent on income and housing costs. According to the U.S. Department of Housing and Urban Development (HUD) and HCD, housing is considered “affordable” if the monthly housing cost is no more than 30 percent of a household’s gross income. According to the 2015-2019 ACS, **Table 2-24** shows the home values of owner-occupied units in Solano County. As of 2019, home values countywide trended much lower than in the Bay Area as a whole. For example, 35 percent of Bay Area homes were valued at over one million dollars, whereas only 2.1 percent of homes throughout Solano County were valued over one million dollars. Those were largely in Unincorporated Solano County, where 17.9 percent of the homes were valued over one million dollars. In all cities in Solano County, that proportion was much smaller (on average, approximately 1.3 percent). The jurisdictions in Solano County with the largest proportions of homes valued under \$500,000 were Rio Vista (94.3 percent), Suisun City (94.1 percent) and Dixon (84.5 percent).

Sales Prices

TABLE 2-24 HOME VALUES OF OWNER-OCCUPIED UNITS, 2015-2019

Geography	Units Valued Less than 250k	Units Valued \$250k-\$500k	Units Valued \$500k-\$750k	Units Valued \$750k-\$1M	Units Valued \$1M-\$1.5M	Units Valued \$1M-\$2M	Units Valued \$2M+
Benicia	7.4%	25.5%	49.8%	13.9%	2.0%	0.9%	0.4%
Dixon	14.9%	69.6%	12.3%	2.4%	0.6%	0.3%	0.0%
Rio Vista	13.0%	81.3%	5.7%	0.0%	0.0%	0.0%	0.0%
Suisun City	8.9%	85.2%	3.8%	0.3%	0.0%	0.0%	1.8%
Vacaville	10.6%	63.7%	22.9%	2.1%	0.4%	0.1%	0.1%
Vallejo	21.2%	59.4%	17.0%	1.3%	0.5%	0.1%	0.4%
Fairfield	14.6%	57.3%	23.5%	3.2%	0.8%	0.1%	0.6%

Geography	Units Valued Less than 250k	Units Valued \$250k-\$500k	Units Valued \$500k-\$750k	Units Valued \$750k-\$1M	Units Valued \$1M-\$1.5M	Units Valued \$1M-\$2M	Units Valued \$2M+
Unincorporated Solano County	11.9%	20.5%	30.8%	18.9%	12.1%	3.3%	2.5%
Solano County	14.2%	57.9%	21.9%	3.9%	1.2%	0.3%	0.5%
Bay Area	6.1%	16.3%	22.5%	20.1%	17.9%	7.9%	9.2%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

Table 2-25 shows the median sales price for each jurisdiction in Solano County in 2021. According to Zillow and Realtor.com, the majority of jurisdictions in Solano County had relatively consistent median sales price, with the majority ranging from \$552,000 to \$596,000. The jurisdiction with the highest median sales price is Unincorporated Solano County, which is most likely due to the limited data available. The jurisdiction with the second-highest median price is Benicia at \$695,000, followed by Dixon at \$596,500.

TABLE 2-25 MEDIAN SALES PRICE, 2021

Geography	Median Sales Price
Benicia	\$695,000
Dixon	\$596,500
Fairfield	\$575,000
Rio Vista	\$480,000
Suisun City	\$552,500
Vacaville	\$585,000
Vallejo	\$560,000
Solano County	\$569,000

Geography	Median Sales Price
Unincorporated Solano County	\$630,000*
Average Countywide Median Sales Price	\$606,823

Source: Zillow.com and Realtor.com, December 2021

¹ Due to the limited number of listings, it is important to note that the high and low listing for unincorporated Solano County was \$449,000 and 1.1 million, respectively.

Rental Prices

Table 2-26 shows contract rents and median contract rent for all the jurisdictions within Solano County. Similar to home values described above, as of 2019, rents countywide trended lower than in the Bay Area as a whole. Median contract rent for the Bay Area as a whole was \$1,849, while throughout Solano County it was \$1,421. As described above, as compared with other jurisdictions in Solano County, Unincorporated Solano County had the largest proportion (17.9 percent) of high value homes (over one million dollars). However, that trend did not continue with rentals. Only three percent of homes in Unincorporated County are higher priced rentals (over \$2,500). Higher priced rentals (over \$2,500) are more common in Benicia, (11.5 percent) and Fairfield (6.1 percent). Jurisdictions in Solano County with the greatest proportion of lower priced rentals (less than \$1,500) were Rio Vista (87.9 percent), Dixon (75.4 percent) and Unincorporated Solano County (65.2 percent). Jurisdictions in Solano County with the greatest proportion of mid-priced rentals (between \$1,500 and \$2,500) were Suisun City (58.1 percent), Benicia (50 percent) and Vacaville (46.3 percent).

TABLE 2-26 CONTRACT RENTS FOR RENTER-OCCUPIED UNITS, 2015-2019

Geography	Rent less than \$500	Rent \$500-\$1,000	Rent \$1,000-\$1,500	Rent \$1,500-\$2,000	Rent \$2,000-\$2,500	Rent \$2,500-\$3,000	Rent \$3,000 or more	Median Contract Rent
Benicia	4.6%	6.7%	27.1%	32.4%	17.7%	8.4%	3.2%	\$1,679
Dixon	3.1%	15.6%	56.6%	15.7%	8.3%	0.7%	0.0%	\$1,277
Fairfield	3.7%	17.4%	34.0%	23.9%	14.8%	4.8%	1.3%	\$1,427
Rio Vista	0.0%	28.7%	59.1%	9.5%	2.6%	0.0%	0.0%	\$1,172
Suisun City	5.7%	15.6%	19.5%	48.8%	9.2%	1.0%	0.0%	\$1,593
Vacaville	7.3%	14.9%	28.9%	33.4%	12.9%	2.3%	0.4%	\$1,483
Vallejo	5.2%	19.5%	35.1%	28.3%	8.5%	2.9%	0.5%	\$1,348
Unincorporated Solano County	9.7%	24.5%	30.9%	21.6%	10.1%	2.7%	0.4%	\$1,227
Solano County	5.3%	17.2%	32.9%	28.9%	11.6%	3.3%	0.8%	\$1,421
Bay Area	6.1%	10.2%	18.9%	22.8%	17.3%	11.7%	13.0%	\$1,849

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data releases, starting with 2005-2009 through 2015-2019

Table 2-25 shows the rental costs in all the cities within Solano County, based on a survey of listings for available rentals that ranged in size from two to four bedrooms. As shown in **Table 2-18**, about 38.5 percent of Solano County households are renters. Although renters tend to live in multifamily units, the overall housing stock for Solano County is 14 percent multifamily and about 76.1 percent single family. Based on the stock, many single-family units may be used for renting. According to Zillow and Realtor.com, the cities with the highest median rent were Dixon and Fairfield, the prices for homes with two, three or four bedrooms ranged between \$1,850 and \$3,800, respectively. The city with the lowest median rent was Rio Vista at \$2,331. The rest of the cities' median rents were between \$2,603 and \$2,982. Median rents shown in **Table 2-25** are lower than those shown in **Table 2-26**. Although data in **Table 2-25** was drawn from a significantly smaller sample size, the differences between the two tables are likely chiefly attributable to the timeframes when the data was collected (2015-2019 vs. 2021).

TABLE 2-27 RENTAL RATES, 2021

Geography	Median Rent (includes 2-, 3-, & 4- Bedrooms)	Range of Prices	Number of Listings
Benicia	\$2,613	\$1,795 – \$3,700	13
Dixon	\$2,982	\$1,850 – \$3,549	5
Fairfield	\$2,901	\$1,845 – \$3,800	34
Rio Vista	\$2,331	\$1,795 – \$3,300	10
Suisun City	\$2,825	\$1,925 – \$3,300	6
Vacaville	\$2,729	\$1,825 – \$3,549	25
Vallejo	\$2,603	\$1,600 – \$3,655	47
Unincorporated Solano County*	n/a	n/a	n/a

Source: Zillow and Realtor.com, 2021

*Data for Unincorporated Solano County was not available.

Housing Affordability

Table 2-27 provides the affordable rents and maximum purchase price, based on the HCD income limits for a household of four in Solano County. The table also shows median rents and sales prices. As shown in **Table 2-28**, the maximum affordable rent is \$373 monthly for an acutely low-income household, \$729 monthly for an extremely low-income household, \$1,214 for a very low-income household, \$1,940 for a low-income household, and \$2,979 for a moderate-income household. The average of the median rents in the cities in Solano County (data on Unincorporated County was unavailable) for two-, three-, and four-bedroom units was \$2,712, and therefore out of the affordability range for all lower income groups. Many lower-income households do not have access to affordable large units to accommodate larger families, thus resulting in overcrowding and subject to overpayment leading to potential displacement. The limited availability of affordable housing indicates a need for programs to assist with housing vouchers and other jurisdictional, state, and federal programs for provision of rental housing at prices affordable to lower incomes.

As of December 2021, the average of the median sales prices in each of the jurisdictions in Solano County for all single-family homes \$606,823 (Table 2-25). The maximum affordable purchase price for a four-person household is \$74,050 for an acutely low-income household, \$144,870 for an extremely low-income household, \$241,285 for a very low-income household, \$385,658 for a low-income household, and \$592,154 for a moderate-income household. Looking at the maximum affordable purchase price and the median sales prices for all jurisdictions, moderate- and above moderate-income households in Dixon, Fairfield, Rio Vista, Suisun City, Vacaville, and Vallejo could afford existing and newly constructed homes. Unincorporated Solano County moderate income households are within reach of the median sales prices. Lower income households are not within reach of an affordable option. Due to lower-income households' limited income, these households would require assistance through City, County, state, or federal homebuyers' programs. For example, a down payment assistance loan program can help a household that can afford monthly mortgage payments and other housing related costs but due to their limited income, has difficulty saving enough money for a down payment. A Below Market Rate program can offer a household the opportunity to purchase a home at a price significantly lower than market rate, which can set them up with an affordable monthly mortgage payment. Sometimes these programs can be used in conjunction on the same home purchase.

TABLE 2-28 HOUSING AFFORDABILITY BY INCOME LEVEL

	Income Level (Based on a 4-Person Household)				
	Acutely Low	Extremely Low	Very Low	Low	Moderate
Annual Income	\$14,900	\$29,150	\$48,550	\$77,600	\$119,150
Monthly Income	\$1,242	\$2,429	\$4,046	\$6,467	\$9,929
Maximum Monthly Gross Rent ¹	\$373	\$729	\$1,214	\$1,940	\$2,979
Median Rent ³	\$2,712				
Maximum Purchase Price ²	\$74,050	\$144,870	\$241,285	\$385,658	\$592,154
Median Sales Price ⁴	\$606,823				

Source: California Department of Housing and Community Development 2021 State Income Limits

Notes:

1. Affordable cost 30 percent of gross household income spent on housing.
2. Affordable housing sales price is based on conventional 30-year loans at 4.88-percent interest and a 5-percent down payment.
3. Average of the median rents in all cities in Solano County (data on Unincorporated Solano County unavailable) (see Table 2-27).
4. Average of the median sales prices in each jurisdiction in Solano County (see Table 2-25).

SPECIAL-NEEDS POPULATIONS

Certain groups have greater difficulty in finding acceptable, affordable housing due to special circumstances relating to employment and income, household characteristics, and disabilities, among others. These “special-needs” groups include seniors, persons with disabilities, large households, single-parent households (female-headed households with children, in particular), homeless persons, and farmworkers.

SENIORS

Seniors have many different housing needs, depending on their age, level of income, current tenure status, cultural background, and health status. Seniors are defined as persons 65 years and older, and senior households are those households headed by a person 65 years and older. Senior households may need assistance with personal and financial affairs, networks of care to provide services and daily assistance, and even possible architectural design features that could accommodate disabilities that would help ensure continued independent living.

According to the 2015-2019 ACS, approximately 48.9 percent of the population (5,792 persons) in Rio Vista were seniors (65 years or older). In Unincorporated Solano County, 21.6 percent of the population were seniors, 19.8 percent in Benicia, 15.8 percent in Vallejo, 14 percent in Vacaville, 13 percent in Dixon, 12.2 percent in Fairfield, and 11.7 percent in Suisun City.

Senior-headed households made up approximately 55.4 percent (2,655 households) of the households in Rio Vista, 37.9 percent in Unincorporated Solano County, above 30 percent in the rest of the cities (30 to 18 percent), and a small proportion (7.1 percent) in Fairfield, respectively. **Table 2-29** shows senior households by income and tenure.

TABLE 2-29 SENIOR HOUSEHOLDS BY INCOME AND TENURE

Geography	Tenure	Extremely Low Income 0%-30% of AMI	Very Low Income 31%-50% of AMI	Low Income 51%-80% of AMI	Median Income 81%-100% of AMI	Above Median Income >100% of AMI	Totals All households
Benicia	Owner Occupied	165	210	310	350	1,915	2,950
	<i>Percentage</i>	<i>5.6%</i>	<i>7.1%</i>	<i>10.5%</i>	<i>11.9%</i>	<i>64.9%</i>	36.4%
	Renter Occupied	145	80	79	60	160	524
	<i>Percentage</i>	<i>27.7%</i>	<i>15.3%</i>	<i>15.1%</i>	<i>11.5%</i>	<i>30.5%</i>	16.4%
Dixon	Owner Occupied	54	150	180	34	675	1,093
	<i>Percentage</i>	<i>4.9%</i>	<i>13.7%</i>	<i>16.5%</i>	<i>3.1%</i>	<i>61.8%</i>	25.8%
	Renter Occupied	0	115	10	10	20	155
	<i>Percentage</i>	<i>0.0%</i>	<i>74.2%</i>	<i>6.5%</i>	<i>6.5%</i>	<i>12.9%</i>	8.5%
Fairfield	Owner Occupied	174	150	335	332	1,280	2,271
	<i>Percentage</i>	<i>7.7%</i>	<i>6.6%</i>	<i>14.8%</i>	<i>14.6%</i>	<i>56.4%</i>	18.4%
	Renter Occupied	61	91	61	42	101	356
	<i>Percentage</i>	<i>17.1%</i>	<i>25.6%</i>	<i>17.1%</i>	<i>11.8%</i>	<i>28.4%</i>	7.1%
Rio Vista	Owner Occupied	180	310	460	165	1,215	2,330
	<i>Percentage</i>	<i>7.7%</i>	<i>13.3%</i>	<i>19.7%</i>	<i>7.1%</i>	<i>52.1%</i>	59.9%
	Renter Occupied	0	65	80	0	180	325
	<i>Percentage</i>	<i>0.0%</i>	<i>20.0%</i>	<i>24.6%</i>	<i>0.0%</i>	<i>55.4%</i>	36.0%
Suisun City	Owner Occupied	59	200	250	170	585	1,264
	<i>Percentage</i>	<i>4.7%</i>	<i>15.8%</i>	<i>19.8%</i>	<i>13.4%</i>	<i>46.3%</i>	21.9%
	Renter Occupied	79	35	115	30	155	414
	<i>Percentage</i>	<i>19.1%</i>	<i>8.5%</i>	<i>27.8%</i>	<i>7.2%</i>	<i>37.4%</i>	11.7%

Geography	Tenure	Extremely Low Income 0%-30% of AMI	Very Low Income 31%-50% of AMI	Low Income 51%-80% of AMI	Median Income 81%-100% of AMI	Above Median Income >100% of AMI	Totals All households
Vacaville	Owner Occupied	533	690	975	650	3,050	5,898
	<i>Percentage</i>	<i>9.0%</i>	<i>11.7%</i>	<i>16.5%</i>	<i>11.0%</i>	<i>51.7%</i>	<i>29.1%</i>
	Renter Occupied	535	360	455	244	560	2,154
	<i>Percentage</i>	<i>24.8%</i>	<i>16.7%</i>	<i>21.1%</i>	<i>11.3%</i>	<i>26.0%</i>	<i>17.4%</i>
Vallejo	Owner Occupied	835	1045	1495	835	3650	7,860
	<i>Percentage</i>	<i>10.6%</i>	<i>13.3%</i>	<i>19.0%</i>	<i>10.6%</i>	<i>46.4%</i>	<i>33.7%</i>
	Renter Occupied	945	720	725	239	574	3,203
	<i>Percentage</i>	<i>29.5%</i>	<i>22.5%</i>	<i>22.6%</i>	<i>7.5%</i>	<i>17.9%</i>	<i>25.8%</i>
Unincorporated Solano County	Owner Occupied	174	150	335	322	1280	2,261
	<i>Percentage</i>	<i>7.7%</i>	<i>6.6%</i>	<i>14.8%</i>	<i>14.2%</i>	<i>56.6%</i>	<i>47.9%</i>
	Renter Occupied	61	91	61	42	101	356
	<i>Percentage</i>	<i>17.1%</i>	<i>25.6%</i>	<i>17.1%</i>	<i>11.8%</i>	<i>28.4%</i>	<i>16.3%</i>

Source: ABAG Data Packet, 2021 -- CHAS, 2013-2017

Table 2-30 shows overpayment status for the 38,850 total senior-headed households in Solano County that are overpaying or “cost burdened.” Overpaying is defined as households that spend more than 30 percent of their income, including utilities, on housing, while severely overpaying occurs when households pay 50 percent or more of their gross income for housing. As shown in **Table 2-30**, approximately 21 percent of all senior households in the Cities of Dixon, Fairfield, Suisun City and Vacaville are overpaying for housing. Between 17 and 19 percent of all senior households are overpaying for housing, in Benicia, Rio Vista, Vallejo and Unincorporated Solano; Suisun City, Vacaville and Vallejo have the greatest proportions of low-income senior households that are overpaying.

TABLE 2-30 SENIOR HOUSEHOLDS BY INCOME LEVEL OVERPAYING FOR HOUSING

Geography	Overpayment Status	Extremely Low Income	Very Low Income	Low Income	Median Income	Greater than Median
Benicia	Not Overpaying	84	160	369	420	6,500
	<i>Percentage</i>	<i>1.1%</i>	<i>2.1%</i>	<i>4.9%</i>	<i>5.6%</i>	<i>86.3%</i>
	Overpaying	40	144	484	410	895
	<i>Percentage</i>	<i>2.0%</i>	<i>7.3%</i>	<i>24.5%</i>	<i>20.8%</i>	<i>45.4%</i>
	Severely Overpaying	715	290	335	114	95
	<i>Percentage</i>	<i>46.2%</i>	<i>18.7%</i>	<i>21.6%</i>	<i>7.4%</i>	<i>6.1%</i>
Dixon	Not Overpaying	29	145	440	344	2,735
	<i>Percentage</i>	<i>0.8%</i>	<i>3.9%</i>	<i>11.9%</i>	<i>9.3%</i>	<i>74.1%</i>
	Overpaying	15	385	385	160	345
	<i>Percentage</i>	<i>1.2%</i>	<i>29.8%</i>	<i>29.8%</i>	<i>12.4%</i>	<i>26.7%</i>
	Severely Overpaying	569	195	100	20	15
	<i>Percentage</i>	<i>63.3%</i>	<i>21.7%</i>	<i>11.1%</i>	<i>2.2%</i>	<i>1.7%</i>
Fairfield	Not Overpaying	409	604	2,270	2,225	16,905
	<i>Percentage</i>	<i>1.8%</i>	<i>2.7%</i>	<i>10.1%</i>	<i>9.9%</i>	<i>75.4%</i>
	Overpaying	385	1605	2150	1160	2165
	<i>Percentage</i>	<i>5.2%</i>	<i>21.5%</i>	<i>28.8%</i>	<i>15.5%</i>	<i>29.0%</i>
	Severely Overpaying	2540	1630	1005	203	210
	<i>Percentage</i>	<i>45.5%</i>	<i>29.2%</i>	<i>18.0%</i>	<i>3.6%</i>	<i>3.8%</i>
Rio Vista	Not Overpaying	40	260	355	215	1920
	<i>Percentage</i>	<i>1.4%</i>	<i>9.3%</i>	<i>12.7%</i>	<i>7.7%</i>	<i>68.8%</i>
	Overpaying	39	130	204	55	270
	<i>Percentage</i>	<i>5.6%</i>	<i>18.6%</i>	<i>29.2%</i>	<i>7.9%</i>	<i>38.7%</i>
	Severely Overpaying	255	160	189	20	0
	<i>Percentage</i>	<i>40.9%</i>	<i>25.6%</i>	<i>30.3%</i>	<i>3.2%</i>	<i>0.0%</i>

Geography	Overpayment Status	Extremely Low Income	Very Low Income	Low Income	Median Income	Greater than Median
Suisun City	Not Overpaying	89	225	535	335	4700
	<i>Percentage</i>	<i>1.5%</i>	<i>3.8%</i>	<i>9.1%</i>	<i>5.7%</i>	<i>79.9%</i>
	Overpaying	99	160	895	479	315
	<i>Percentage</i>	<i>5.1%</i>	<i>8.2%</i>	<i>45.9%</i>	<i>24.6%</i>	<i>16.2%</i>
	Severely Overpaying	555	430	295	50	0
	<i>Percentage</i>	<i>41.7%</i>	<i>32.3%</i>	<i>22.2%</i>	<i>3.8%</i>	<i>0.0%</i>
Vacaville	Not Overpaying	544	620	1,620	1,690	16,300
	<i>Percentage</i>	<i>2.6%</i>	<i>3.0%</i>	<i>7.8%</i>	<i>8.1%</i>	<i>78.5%</i>
	Overpaying	223	755	2450	1355	2050
	<i>Percentage</i>	<i>3.3%</i>	<i>11.0%</i>	<i>35.9%</i>	<i>19.8%</i>	<i>30.0%</i>
	Severely Overpaying	2054	1475	840	169	120
	<i>Percentage</i>	<i>44.1%</i>	<i>31.7%</i>	<i>18.0%</i>	<i>3.6%</i>	<i>2.6%</i>
Vallejo	Not Overpaying	624	1,120	2,680	2,395	17,275
	<i>Percentage</i>	<i>2.6%</i>	<i>4.6%</i>	<i>11.1%</i>	<i>9.9%</i>	<i>71.7%</i>
	Overpaying	549	1460	2820	1,425	1,930
	<i>Percentage</i>	<i>6.7%</i>	<i>17.8%</i>	<i>34.5%</i>	<i>17.4%</i>	<i>23.6%</i>
	Severely Overpaying	4,700	2,490	1,455	214	138
	<i>Percentage</i>	<i>52.2%</i>	<i>27.7%</i>	<i>16.2%</i>	<i>2.4%</i>	<i>1.5%</i>
Unincorporated Solano	Not Overpaying	111	171	531	566	3,330
	<i>Percentage</i>	<i>2.4%</i>	<i>3.6%</i>	<i>11.3%</i>	<i>12.0%</i>	<i>70.7%</i>
	Overpaying	85	156	312	246	410
	<i>Percentage</i>	<i>7.0%</i>	<i>12.9%</i>	<i>25.8%</i>	<i>20.3%</i>	<i>33.9%</i>
	Severely Overpaying	372	250	221	115	67
	<i>Percentage</i>	<i>36.3%</i>	<i>24.4%</i>	<i>21.6%</i>	<i>11.2%</i>	<i>6.5%</i>

Source: ABAG Data Packet, 2021 -- CHAS, 2013-2017

PERSONS WITH DISABILITIES

Physical, mental, and/or developmental disabilities may prevent a person from working, may restrict one's mobility, or may make it difficult to care for oneself. Persons with disabilities have special housing needs often related to the limited ability to earn a sufficient income and a lack of accessible and affordable housing. Some residents have disabilities that require living in a supportive or institutional setting.

The Americans with Disabilities Act (ADA) defines an individual with a disability as “as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.”

The U.S. Census collects data for several categories of disability. The ACS defines six aspects of disability: hearing, vision, cognitive, ambulatory, self-care, and independent living.

- **Hearing difficulty:** deafness or serious difficulty hearing
- **Vision difficulty:** blindness or serious difficulty seeing even when wearing glasses
- **Cognitive difficulty:** serious difficulty concentrating, remembering, or making decisions due to a physical, mental, or emotional condition
- **Ambulatory difficulty:** serious difficulty walking or climbing stairs
- **Self-care difficulty:** difficulty dressing or bathing (Activities of Daily Living [ADL])

People with disabilities have distinct housing needs depending on the nature and severity of the disability. People with physical disabilities generally require modifications to housing, such as wheelchair ramps, elevators or lifts, wide doorways, accessible cabinetry, modified fixtures and appliances. If a disability prevents someone from operating a vehicle, then proximity to services and access to public transportation are also important. People with severe or mental disabilities may also require supportive housing, nursing facilities, or care facilities. If a physical disability prevents someone from working or limits their income, then cost of housing and related modifications can be difficult to afford.

Table 2-31 reports the number of persons with a disability in each jurisdiction. Rio Vista had the highest percentage of residents with a disability (26.2 percent), with the remaining jurisdictions at a similar percentage ranging from 11.1 to 12.7 percent. Rio Vista’s high percentages of disability can be attributed to the larger senior population. **Table 2-32** provides a breakdown of the types of disability in each community. It is not uncommon for someone to have more than one type of disability.

TABLE 2-31 POPULATION BY DISABILITY STATUS, 2015-2019

Geography	With a Disability	Percentage	Total Population
Benicia	3,130	11.1%	28,143
Dixon	2,214	11.1%	20,022
Fairfield	13,038	11.6%	112,613
Rio Vista	2,341	26.2%	8,926
Suisun City	3,627	12.5%	29,039
Vacaville	10,709	11.8%	90,559
Vallejo	15,100	12.5%	120,683
Unincorporated Solano County	2,483	12.7%	19,498
Solano County	52,642	12.3%	429,483
Total	735,533	-	7,655,295

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

TABLE 2-32 DISABILITY BY TYPE, 2015-2019

Disability	Ambulatory difficulty	Hearing difficulty	Independent living difficulty	Cognitive difficulty	Vision difficulty	Self-care difficulty
Benicia	5.2%	4.4%	3.3%	3.3%	2.0%	1.5%
Dixon	4.2%	3.5%	3.4%	3.1%	2.6%	1.7%
Fairfield	5.6%	4.3%	3.8%	3.1%	2.5%	1.7%
Rio Vista	13.3%	10.4%	8.0%	7.4%	3.9%	3.8%
Suisun City	5.9%	5.1%	5.1%	2.9%	2.8%	1.7%
Vacaville	5.7%	3.9%	3.5%	3.3%	2.2%	1.2%
Vallejo	6.9%	4.9%	4.7%	3.4%	2.7%	2.1%
Unincorporated Solano County	7.0%	4.8%	4.5%	3.7%	2.1%	1.6%

Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

PERSONS WITH DEVELOPMENTAL DISABILITIES

According to Section 4512 of the Welfare and Institutions Code, “developmental disability” means a disability that originates before an individual reaches 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. It includes intellectual disabilities, cerebral palsy, epilepsy, and autism. This term also includes disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with intellectual disabilities but does not include other conditions that are solely physical in nature. Many people with developmental disabilities can live and work independently within a conventional housing environment. People with more severe disabilities require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for those with developmental disabilities is the transition from the person’s living situation as a child to an appropriate level of independence as an adult.

The California Department of Developmental Services provides community-based services to approximately 360,000 persons with developmental disabilities and their families through a statewide system of regional centers, developmental centers, and community-based facilities. The North Bay Regional Center (NBRC) is 1 of 21 regional centers in California that provides point-of-entry services for people with developmental disabilities. The center is a nonprofit community agency that provides advocacy, services, support, and care coordination to children and adults diagnosed with intellectual and developmental disabilities and their families in Napa, Sonoma, and Solano Counties.

NBRC provides services to developmentally disabled persons throughout Napa, Sonoma, and Solano Counties and acts as a coordinating agency for multiple service providers in the region. They provide a resource to those needing diagnosis and evaluation, individual program planning, prevention services, crisis intervention, family support services, as determined on a case-by-case basis, advocacy, consultation with other agencies, program evaluation, community education, community resource development, and coordination of services with community providers such as school, health, welfare, and recreation resources.

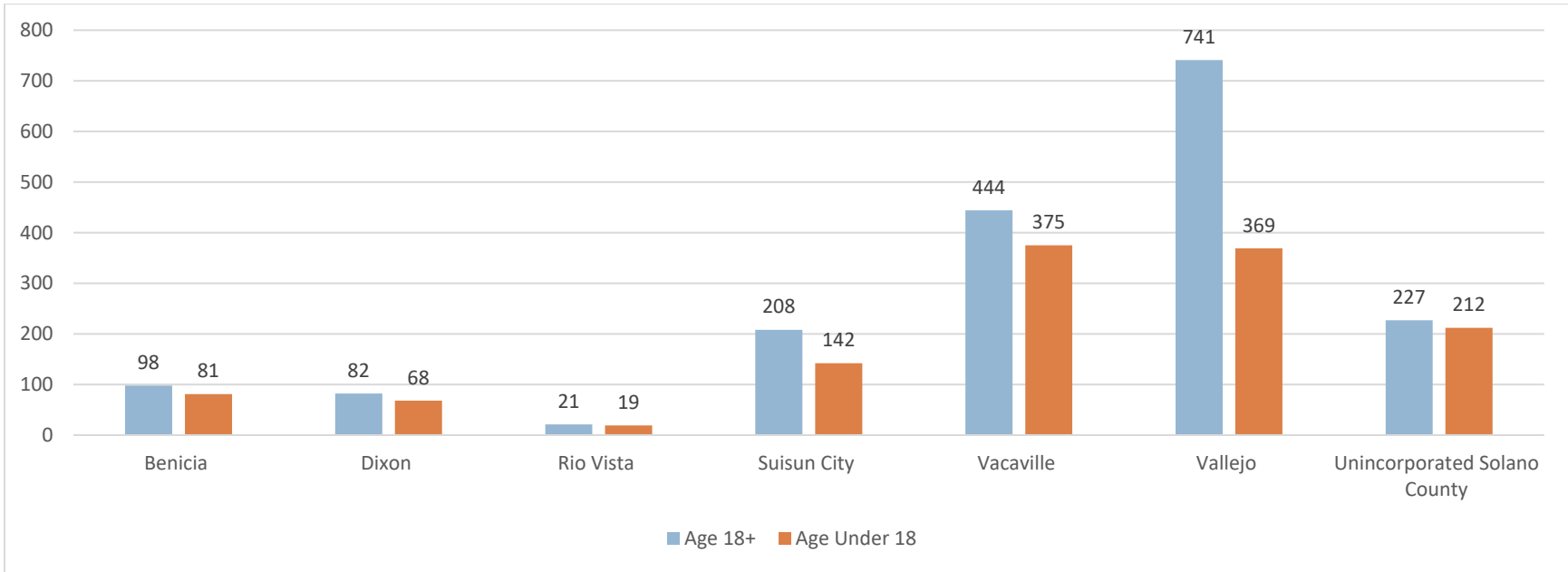
A number of housing types are appropriate for people living with a developmental disability: rent-subsidized homes, licensed and unlicensed single-family homes, rentals in combination with Section 8 Housing Choice Vouchers, special programs for home purchase, HUD housing, and Senate Bill 962 homes (Senate Bill 962 homes are adult residential homes for persons with specialized health care needs). Supportive housing and group living opportunities for persons with developmental disabilities can be an important resource for those individuals who can transition from the home of a parent or guardian to independent living.

The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving this need group. Incorporating barrier-free design in all new multifamily housing (as required by California and federal fair housing laws) is especially important to provide the widest range of choices for disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income or cared for by households with limited financial resources.

According to **Figure 2-6** and **Table 2-33** and the most recent data by the California Department of Developmental Services from 2020, there were a total of 4,272 persons with developmental disabilities in Solano County. Within Benicia, Dixon, Rio Vista, and Suisun City, there were 81, 68, 19, and 142 persons under the age of 18, respectively, with a developmental disability. For Vacaville, Vallejo, and Unincorporated Solano County, there were 375, 369, and 212 persons under the age of 18, respectively, with a developmental disability. Based on 2020 consumer count data by the California Department of Developmental Services, 70 to 85 percent of persons with developmental disabilities

were living at home with a parent, family, or guardian. Finding affordable housing with appropriate features and accessibility to supporting services within the household’s affordability range may be a challenge because many persons with disabilities live on disability incomes or fixed income

FIGURE 2-6 POPULATION WITH DEVELOPMENTAL DISABILITIES BY AGE



Source: ABAG Data Packet, 2021 -- California Department of Developmental Services, Consumer Count by California Age Group (2020)

TABLE 2-33 POPULATION WITH DEVELOPMENTAL DISABILITIES BY RESIDENCE

Geography	Home of Parent / Family /Guardian	Independent / Supported Living	Other	Foster / Family Home	Intermediate Care Facility	Community Care Facility	Totals
Benicia	159	17	5	5	0	0	186
<i>Percentage</i>	<i>85.5%</i>	<i>9.1%</i>	<i>2.7%</i>	<i>2.7%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>100.0%</i>
Fairfield	834	177	110	28	15	9	1173
<i>Percentage</i>	<i>71.1%</i>	<i>15.1%</i>	<i>9.4%</i>	<i>2.4%</i>	<i>1.3%</i>	<i>0.8%</i>	<i>100.0%</i>
Dixon	130	12	5	5	0	0	152
<i>Percentage</i>	<i>85.5%</i>	<i>7.9%</i>	<i>3.3%</i>	<i>3.3%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>100.0%</i>
Rio Vista	35	5	5	5	0	0	50
<i>Percentage</i>	<i>70.0%</i>	<i>10.0%</i>	<i>10.0%</i>	<i>10.0%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>100.0%</i>
Suisun City	268	31	28	23	0	0	350
<i>Percentage</i>	<i>76.6%</i>	<i>8.9%</i>	<i>8.0%</i>	<i>6.6%</i>	<i>0.0%</i>	<i>0.0%</i>	<i>100.0%</i>
Vacaville	640	97	57	16	4	4	818
<i>Percentage</i>	<i>78.2%</i>	<i>11.9%</i>	<i>7.0%</i>	<i>2.0%</i>	<i>0.5%</i>	<i>0.5%</i>	<i>100.0%</i>
Vallejo	736	142	128	56	23	15	1100
<i>Percentage</i>	<i>66.9%</i>	<i>12.9%</i>	<i>11.6%</i>	<i>5.1%</i>	<i>2.1%</i>	<i>1.4%</i>	<i>100.0%</i>
Unincorporated Solano County	350	50	30	8	3	2	443
<i>Percentage</i>	<i>79.0%</i>	<i>11.3%</i>	<i>6.8%</i>	<i>1.8%</i>	<i>0.7%</i>	<i>0.5%</i>	<i>100.0%</i>

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020)

LARGE HOUSEHOLDS

Large households are defined as households with five or more members. Large households comprise a special-needs group because of the need for larger dwelling units with 3 or more bedrooms, which are often in limited supply and therefore command higher prices. To save for other basic necessities, such as food, clothing, and medical care, it is common for lower-income, large households to reside in smaller dwelling units, frequently resulting in overcrowding.

As shown in **Table 2-34**, the jurisdictions in Solano County with the greatest proportion of large households (five or more members) were Dixon (18.3 percent), Fairfield (14.6 percent) and Suisun City (13.4 percent). As shown in **Table 2-35**, a relatively large proportion of each of these three city's housing stocks has three or more bedrooms (75 percent in Dixon, 71 percent in Fairfield and Suisun City 81 percent). Although the supply of units with three or more bedrooms may appear to be adequate to accommodate the needs of large families in these communities (and throughout Solano County), larger households may not actually be residing in these units, as the price for larger units may be a barrier to ownership or rental, leaving a portion of this population underserved. As well, large households may choose to reside in the larger housing units that are above their financial means, thus resulting in overpayment and the potential for displacement. This situation applies to all of the jurisdictions in Solano County.

The U.S. Census Bureau considers a household to be overcrowded when there is more than one person per room, excluding bathrooms, hallways and kitchens. As shown in **Figure 2-2**, the jurisdictions in Solano County with the highest rates of homes that were considered overcrowded were Dixon (7.5 percent), Vallejo (7 percent), Unincorporated Solano County (6.9 percent) and Fairfield (6.3 percent). More larger homes in these communities may be needed.

A majority of Solano County's rental housing stock consists of individual single-family homes for rent, and multifamily multiplex and apartment buildings. In fact, about 70 to 80 percent of the county's housing stock consists of single-family homes, with the remainder multifamily units and mobile homes. According to **Table 2-35**, in Unincorporated Solano County and all cities except in Suisun City, homes with three or more bedrooms are overwhelmingly occupied by owners rather than renters.

TABLE 2-34 HOUSEHOLD SIZE BY INCOME LEVEL, 2013-2017

Geography	Income Level	Large Families of 5+ Persons	
		Number	Percent of Total Households
Benicia	0%-80% AMI	104	0.9%
	81%-100% AMI	55	0.5%
	100%+ AMI	535	4.8%
	All Incomes	694	6.3%
Dixon	0%-80% AMI	619	10.5%
	81%-100% AMI	195	3.3%
	100%+ AMI	260	4.4%
	All Incomes	1,074	18.3%
Fairfield	0%-80% AMI	1,935	5.5%
	81%-100% AMI	630	1.8%
	100%+ AMI	2,625	7.4%
	All Incomes	5,190	14.6%
Rio Vista	0%-80% AMI	48	1.2%
	81%-100% AMI	-	0.0%
	100%+ AMI	60	1.5%
	All Incomes	108	2.6%
Suisun City	0%-80% AMI	455	5.0%
	81%-100% AMI	89	1.0%
	100%+ AMI	685	7.5%
	All Incomes	1,229	13.4%

Geography	Income Level	Large Families of 5+ Persons	
		Number	Percent of Total Households
Vacaville	0%-80% AMI	883	2.7%
	81%-100% AMI	405	1.3%
	100%+ AMI	2,190	6.8%
	All Incomes	3,478	10.8%
Vallejo	0%-80% AMI	1,719	4.2%
	81%-100% AMI	570	1.4%
	100%+ AMI	2,225	5.4%
	All Incomes	4,514	10.9%
Unincorporated Solano	0%-80% AMI	227	3.3%
	81%-100% AMI	221	3.2%
	100%+ AMI	205	3.0%
	All Incomes	653	9.4%

Source: ABAG Data Packet, 2021 -- CHAS, 2013-2017

TABLE 2-35 HOUSING UNITS BY NUMBER OF BEDROOM, 2015-2019

Number of Bedrooms	0 Bedrooms		1 Bedrooms		2 Bedrooms		3-4 Bedrooms		5 or More Bedrooms		Percent of All Homes in Jurisdiction with 3+ Bedrooms
	Owner	Renter	Owner	Renter	Owner	Renter	Owner	Renter	Owner	Renter	
Benicia	68	149	185	542	1,193	1,324	6,189	1,121	468	54	7,832
<i>Percentage</i>	<i>0.8%</i>	<i>4.7%</i>	<i>2.3%</i>	<i>17.0%</i>	<i>14.7%</i>	<i>41.5%</i>	<i>76.4%</i>	<i>35.1%</i>	<i>5.8%</i>	<i>1.7%</i>	<i>69%</i>
Dixon	14	45	24	374	351	685	3,692	710	157	10	4,569
<i>Percentage</i>	<i>0.3%</i>	<i>2.5%</i>	<i>0.6%</i>	<i>20.5%</i>	<i>8.3%</i>	<i>37.6%</i>	<i>87.1%</i>	<i>38.9%</i>	<i>3.7%</i>	<i>0.5%</i>	<i>75%</i>
Fairfield	78	545	252	2,718	1,560	5,596	17,514	5,969	2,385	134	2,260
<i>Percentage</i>	<i>0.4%</i>	<i>3.6%</i>	<i>1.2%</i>	<i>18.2%</i>	<i>7.2%</i>	<i>37.4%</i>	<i>80.4%</i>	<i>39.9%</i>	<i>10.9%</i>	<i>0.9%</i>	<i>71%</i>
Rio Vista	0	21	0	181	2,532	396	1,343	306	13	0	2,260
<i>Percentage</i>	<i>0.0%</i>	<i>2.3%</i>	<i>0.0%</i>	<i>20.0%</i>	<i>65.1%</i>	<i>43.8%</i>	<i>34.5%</i>	<i>33.8%</i>	<i>0.3%</i>	<i>0.0%</i>	<i>47%</i>
Suisun City	94	33	0	524	302	820	5,337	2,078	50	72	7,537
<i>Percentage</i>	<i>1.6%</i>	<i>0.9%</i>	<i>0.0%</i>	<i>14.9%</i>	<i>5.2%</i>	<i>23.2%</i>	<i>92.3%</i>	<i>58.9%</i>	<i>0.9%</i>	<i>2.0%</i>	<i>81%</i>
Vacaville	78	367	289	2,662	2,464	4,364	16,001	4,881	1,454	138	22,474
<i>Percentage</i>	<i>0.4%</i>	<i>3.0%</i>	<i>1.4%</i>	<i>21.4%</i>	<i>12.1%</i>	<i>35.2%</i>	<i>78.9%</i>	<i>39.3%</i>	<i>7.2%</i>	<i>1.1%</i>	<i>69%</i>
Vallejo	128	990	468	4,178	4,293	6,324	17,289	6,916	1,161	301	4,554
<i>Percentage</i>	<i>0.5%</i>	<i>5.3%</i>	<i>2.0%</i>	<i>22.3%</i>	<i>18.4%</i>	<i>33.8%</i>	<i>74.1%</i>	<i>37.0%</i>	<i>5.0%</i>	<i>1.6%</i>	<i>75%</i>
Unincorporated Solano County	72	19	261	367	811	827	3,293	915	286	60	4,554
<i>Percentage</i>	<i>1.5%</i>	<i>0.9%</i>	<i>5.5%</i>	<i>16.8%</i>	<i>17.2%</i>	<i>37.8%</i>	<i>69.7%</i>	<i>41.8%</i>	<i>6.1%</i>	<i>2.7%</i>	<i>66%</i>

Source: ABAG Data Packet, 2021 -- California Department of Finance, E-5 series

SINGLE-PARENT HOUSEHOLDS

Single-parent households (which are predominantly female-headed) are one-parent households with children under the age of 18 living at home. For these households, living expenses generally require a larger proportion of income relative to two-parent households. Therefore, finding affordable, decent, and safe housing is often more difficult for single-parent households. Additionally, single-parent households have special needs involving access to daycare or childcare, healthcare, and other supportive services.

According to the 2015-2019 ACS, Solano County had about 14.2 percent (21,305) female-headed family households and 6.3 percent (9,486) male-headed family households. In all of Solano County, single-headed households represent approximately 20.5 percent of all family households in Solano County (see **Table 2-36**). In comparison, in the Bay Area, 15.2 percent were single-headed households (male or female). **Figure 2-7** shows single-headed family household types by percentage for Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville, Vallejo, Unincorporated Solano County, and the Bay Area.

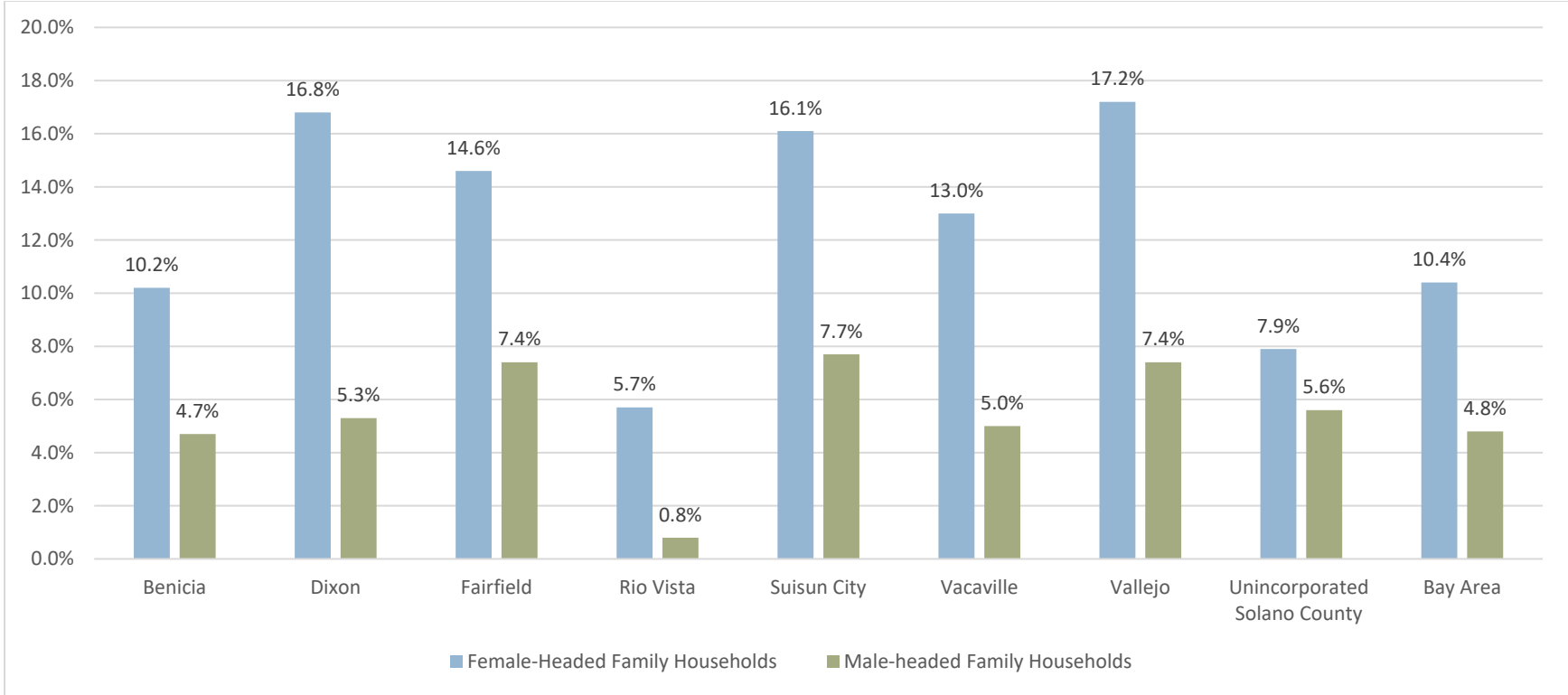
Single-parent households, particularly those headed by women, are likely to have greater demand for childcare and other social services than two-parent households. As shown in **Figure 2-8**, an average of about 75 percent of female-headed households in poverty have one or more children and conversely, an average of about a quarter of female-headed households in poverty do not have children in the household. Among female-headed households in poverty, having one or more children in the household was most common in Vacaville, Fairfield, Dixon and Benicia. In Rio Vista it was less common to have children in the households of female-headed households in poverty. Because female-headed, single-parent households often have limited incomes, these households may have trouble finding adequate, affordable housing, or may overpay for housing to accommodate family size or have access to services and resources.

TABLE 2-36 SINGLE-PARENT HOUSEHOLDS, 2015-2019

Geography	Female-Headed Family Households		Male-Headed Family Households		Total Single-Parent Households	
	Number	Percentage	Number	Percentage	Number	Percentage
Benicia	1,155	10.2%	532	4.7%	1,687	14.9%
Dixon	1,017	16.8%	321	5.3%	1,338	22.1%
Rio Vista	273	5.7%	39	0.8%	312	6.5%
Fairfield	5,353	14.6%	2,720	7.4%	2,211	23.7%
Suisun City	1,497	16.1%	714	7.7%	5,886	18.0%
Vacaville	4,240	13.0%	1,646	5.0%	10,353	24.6%
Vallejo	7,224	17.2%	3,129	7.4%	8,073	22.0%
Unincorporated Solano County	546	7.9%	385	5.6%	931	13.5%
Solano County	21,305	14.2%	9,486	6.3%	30,791	20.5%
Bay Area	283,770	10.4%	131,105	4.8%	414,875	15.2%

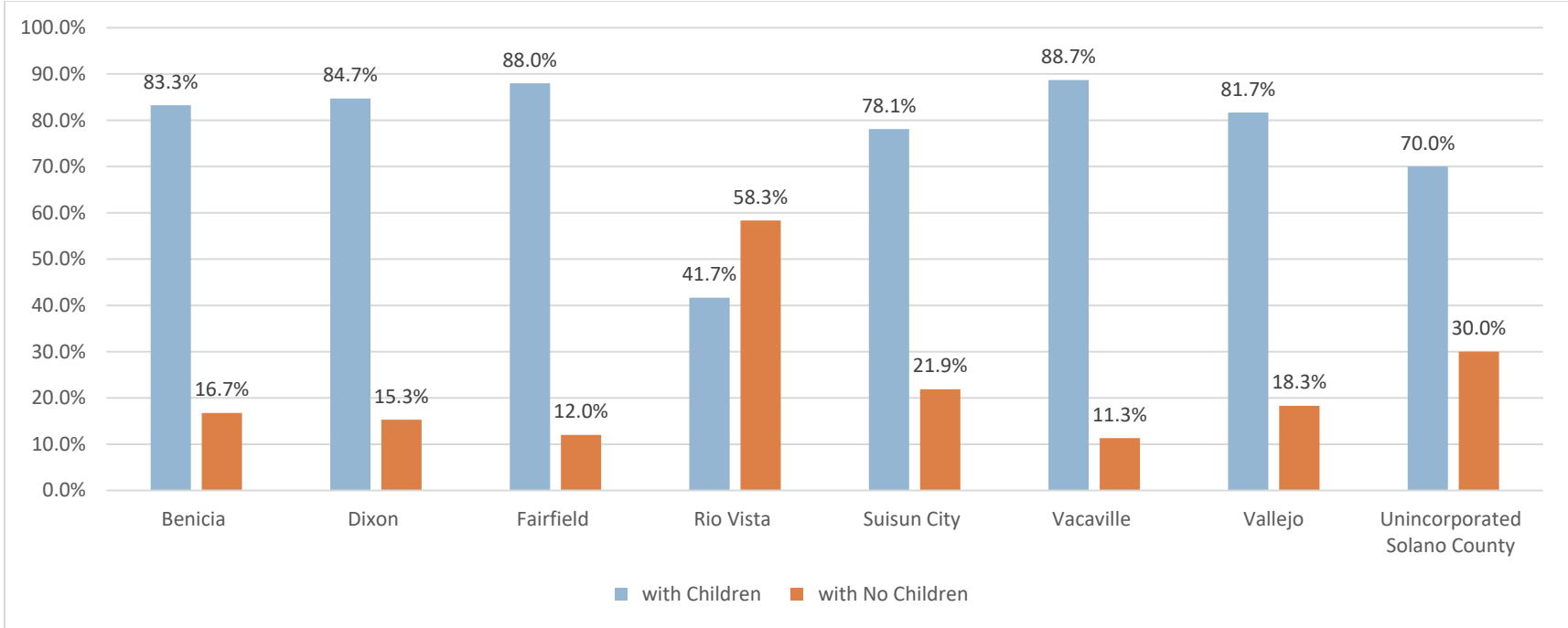
Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

FIGURE 2-7 SINGLE-PARENT HOUSEHOLDS



Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

FIGURE 2-8 FEMALE-HEADED HOUSEHOLD BY POVERTY STATUS, 2015-2019



Source: ABAG Data Packet, 2021 -- U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

FARMWORKERS

Farmworkers are generally considered to have special housing needs because of limited incomes and the unstable nature of employment (i.e., having to move throughout the year from one harvest to the next). According to the 2019 ACS Census, there were 3,047 persons employed in the agriculture, forestry, fishing, and hunting industry in all of Solano County. Solano County has both a large flux of seasonal workers and a substantial base of year-round farmworkers who reside permanently in the county. The 2017 USDA Census of Agriculture reports that there were 849 farms in Solano County, employing a total of 2,513 workers. Of the 2,513 farmworkers in the county, 1,453 workers (58 percent) work 150 days or more each year. The remaining 42 percent work less than 150 days per year. Larger farms provide the main source of farm employment for farmworkers. According to the Census of Agriculture, 954 farmworkers (38 percent) were employed on farms with

10 or more workers. According to the California Department of Education California Longitudinal Pupil Achievement Data System (CALPADS), there were about 446 migrant workers throughout Solano County. While these estimates are at the county level (including the cities) and are not specifically for the unincorporated area, it is likely the vast majority of farmworkers work within Unincorporated Solano County where most of the agricultural production in the county takes place. Typically, farmworker positions, unless they own the business, do not pay well and these persons may have trouble finding adequate housing in the county.

EXTREMELY LOW-INCOME HOUSEHOLDS

An extremely low-income household is defined as a household earning 30 percent or less than the area median. According to HCD, the median income for a four-person household in Solano County was \$99,300 in 2021. Based on the above definition, an extremely low-income household of four earns less than \$29,150 a year. Employees earning the minimum wage in California (\$14 per hour) and working 40 hours a week would be considered extremely low income, as their total annual earnings would be \$29,120.

According to Comprehensive Housing Affordability Strategy (CHAS) 2013-2017 data (ABAG Housing Element Data Package, 2021), Benicia, Unincorporated Solano County, and Dixon had 585 (8.4 percent), 968 (8.6 percent), and 629 (10.7 percent) of households that fell into the extremely low-income category. For Fairfield (3,637 households) and Rio Vista (439, 10.2-10.5 percent) of households were extremely low income, respectively. Both Suisun City (848 households) and Vacaville (2,994 households) had 9.2 percent of households that fell into the extremely low-income category. About 6,250 households in Vacaville (15 percent) fell into the extremely low-income category and 585 households, approximately 8.4 percent, were extremely low income in Unincorporated Solano County.

Households with extremely low incomes have a variety of housing situations and needs. This population includes persons who are homeless, persons with disabilities, farmworkers, college students, single parents, seniors living on fixed incomes, and the long-term unemployed. Some extremely low-income individuals and households are homeless. As noted previously, this population also includes minimum wage workers or part-time employees. For some extremely low-income residents, housing may not be an issue—for example, domestic workers and students may live in in-law units at low (or no) rents. Other extremely low-income residents spend a substantial amount of their monthly incomes on housing or may alternate between homelessness and temporary living arrangements with friends and relatives. Households and individuals with extremely low incomes may experience the greatest challenges in finding suitable, affordable housing. Extremely low-income households often have a combination of housing challenges related to income, credit status, disability or mobility status, family size, household characteristics, supportive service needs, or exacerbated by a lack of affordable housing opportunities. Many extremely low-income

households seek rental housing and most likely face overpayment, overcrowding, or substandard housing conditions and also face the risk of displacement. Some extremely low-income households could have members with mental or other disabilities and special needs.

Each city in the county has individual programs to assist extremely low-income households. As of 2021, there are a total of 375 beds in emergency shelters in Solano County, about 121 beds in transitional housing and 431 beds for permanent housing. Each city works collectively with local non-profits as well as the Community Action Partnership Solano, Joint Powers Authority (CAP Solano JPA) to assist those in need and to help residents locate suitable housing in the area.

HOMELESS

Homeless individuals and families have perhaps the most immediate housing need of any group. They also have one of the most difficult sets of housing needs to meet, due to both the diversity and complexity of factors that lead to homelessness and to community opposition to the siting of facilities that serve homeless clients. California law requires that Housing Elements estimate the need for emergency shelter for homeless people.

The Sheltered Homeless Point-in-Time (PIT) Count is conducted annually in Solano County and is a requirement to receive homeless assistance funding from HUD. Solano County conducted its Housing Inventory and Sheltered count on January 25, 2021. The JPA conducted the Sheltered PIT count by sending demographic questionnaires to all emergency shelter and transitional housing providers prior to the night of the count. The Sheltered PIT survey that accounts for all the sheltered individuals experiencing homelessness counted on this night. The total number of individuals experiencing sheltered homelessness for 2021 was 397, a significant increase from 230 sheltered people in 2020. The count was conducted in the winter, when seasonal demand is likely at its highest. As of 2021, there are a total of 375 beds in emergency shelters in Solano County, about 121 beds in transitional housing, and 431 beds for permanent housing.

Homelessness is often the result of multiple factors that converge in a person's life. The combination of loss of employment, inability to find a job because of the need for retraining, and the high housing costs in Solano County has led to some individuals and families losing their housing. Divorce can also lead to the homelessness as a dual income household becomes a single income household. As shown in **Table 2-37**, for others, the loss of housing is due to chronic health problems, physical disabilities, mental health disabilities, or drug and alcohol addictions along with an inability to access the services and long-term support needed to address these conditions. According to California Housing Partnership, 10,159 low-income renter households do not have access to affordable homes and renters in Solano County would

need to earn 2.2 times the minimum wage to afford the average asking rent in Solano County. From this data, a primary cause of homelessness is the lack of affordable housing and low incomes. **Table 2-38** reflects the number of homeless individuals in each city according to the Chief of Police and other local knowledge.

TABLE 2-37 CHARACTERISTICS FOR THE POPULATION EXPERIENCING HOMELESSNESS

Jurisdiction	Variable	Sheltered - Emergency Shelter	Sheltered - Transitional Housing
All Cities and Unincorporated Solano County	Chronic Substance Abuse	77	20
	HIV/AIDS	3	0
	Severely Mentally Ill	114	25
	Veterans	9	12
	Victims of Domestic Violence	65	7

Source: U.S. Department of Housing and Urban Development (HUD), *Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2021)*

TABLE 2-38 LOCAL KNOWLEDGE ON PERSONS EXPERIENCING HOMELESSNESS

Jurisdiction	Number of Homeless Persons
Benicia	100 ¹
Dixon	Pending Data
Fairfield	Pending Data
Rio Vista	3 ¹
Suisun City	Pending Data
Vacaville	115 ¹
Vallejo	600 ²
Unincorporated Solano County	Pending Data

Sources: Solano County jurisdictions, March and June 2022

¹Local Police Department

²Resource Connect Solano

Table 2-39 demonstrates the number of students in local schools experiencing homelessness. The cities with the highest number of students in local schools experiencing homelessness are Dixon (205) and Fairfield (206). The cities with the lowest numbers of students in local schools experiencing homeless are Suisun City, Benicia, Rio Vista, and Unincorporated Solano County. In comparison to past years (2018-19, 2017-18, and 2016-17), the number of students experiencing homelessness has decreased. This can be attributed to work by CAP Solano- JPA who have expanded their functions over the years, such as increased grant application and allocation of funding to local youth homeless service providers in Solano County.

TABLE 2-39 STUDENTS IN LOCAL PUBLIC SCHOOLS EXPERIENCING HOMELESSNESS

Geography	2016-17	2017-18	2018-19	2019-20
Benicia	33	54	42	0
Dixon	236	258	235	205
Fairfield	489	443	422	206
Rio Vista	0	0	0	0
Suisun City	112	80	49	16
Vacaville	131	169	196	140
Vallejo	260	302	325	162
Unincorporated Solano County	0	0	0	0
Solano County	1,261	1,306	1,269	729
Bay Area	14,990	15,142	15,427	13,718

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)

ANALYSIS OF AT-RISK HOUSING

As required by California Government Code Section 65583, the Housing Element must analyze the extent to which below-market rate units are at risk of converting to market-rate housing. If there are at-risk units, the element should include programs to encourage preservation of these units or to replace any that are converted to market rate. The units to be considered are any units that were constructed using federal assistance programs, state or local mortgage revenue bonds, redevelopment tax increments, in-lieu fees or an inclusionary housing ordinance, or density bonuses. Housing is considered to be “at risk” if it is eligible to be converted to non-low-income housing due to: (1) the termination of a rental subsidy contract, (2) mortgage prepayment, or (3) the expiration of affordability restrictions. The time period applicable in making this determination is the 10-year period following the last mandated update of the Housing Element, which, in this case with all jurisdictions in Solano County, is January 31, 2023. There are currently 351 units at risk of converting to market rate in the next 10 years (each project at risk is denoted in bold in **Table 2-40**).

Inventory of Affordable Units

All federal and state subsidized rental housing is listed in **Table 2-40**. All cities within Solano County have assisted units and Benicia, Dixon, Fairfield, and Vallejo all have units at risk of converting to market rate within the next 10 years. have projects at-risk of converting to market rate.

TABLE 2-40 ASSISTED UNITS AT RISK OF CONVERSION

Name	Address	Total Units	Affordable Units	Funding	Affordability Expiration
BENICIA					
Casa de Vilarrasa II	921 E 4th St	24	24	HCD	2016
The Calms at Burgess Point	91 Riverview Terrace	56	55	LIHTC	2074
Total Units		80	79		
Total Units At-Risk of Converting			24		

Solano County Regional Housing Element Collaborative
2023-2031 Regional Housing Needs Assessment

Name	Address	Total Units	Affordable Units	Funding	Affordability Expiration
DIXON					
Bristol Apartments	1550 Valley Glen Drive	102	101	LIHTC	2060
Second Street Senior Apartments	211 East D Street	81	80	LIHTC	2061
Lincoln Creek Apartments	1395 North Lincoln Street	172	141	LIHTC	2060
Moonlight Apartments	425 West Chestnut Street	56	55	LIHTC; USDA	2064
Heritage Commons	191 Heritage Lane	59	59	LIHTC; CalHFA	2067
Valley Glen Apartments	1830 Gold St.	59	58	LIHTC; USDA	2067
Heritage Commons Phase 2	193 Heritage Lane	60	59	LIHTC	2068
Heritage Commons Phase III	197 Heritage Lane	44	43	LIHTC	2074
Dixon Manor	1270 Linford Lane	32	6	CalHFA	2031
Total Units		665	602		
Total Units At-Risk of Converting			6		
FAIRFIELD					
Bennington Apartments (AKA Sheffield Green)	2780 North Texas Street	132	27	CalHFA	2024
Avery Parks (AKA Quail Terrace)	2000 Claybank Road	136	33	CalHFA	2025
Woodsong Village Apartments	2999 North Texas Street	112	110	LIHTC	2027
Parkway Plaza	188 E. Alaska Ave	100	99	HUD	2030
Kennedy Court	1401 Union Ave	32	32	LIHTC	2050
Sunset Manor Apartments	855 East Tabor Avenue	148	146	LIHTC	2052
Woodside Court Apartments	555 Alaska Avenue	129	127	LIHTC	2053
Fairfield Vista Apartments	201 Pennsylvania Avenue	60	59	LIHTC	2053
Dover Woods Senior Apartments	2801 Dover Avenue	200	198	LIHTC	2058
Hampton Place / Gateway Village	2000 Pennsylvania Avenue	56	55	LIHTC; HCD	2058

Solano County Regional Housing Element Collaborative
2023-2031 Regional Housing Needs Assessment

Name	Address	Total Units	Affordable Units	Funding	Affordability Expiration
Union Square II	608 Kennedy Court	24	24	LIHTC; HCD	2059
Fairfield Heights Apartments	1917 Grande Circle	52	51	LIHTC	2060
Laurel Gardens Apartments	201 East Alaska Avenue	30	29	LIHTC; HCD	2062
Senior Manor	1101 Union Ave.	84	83	LIHTC	2063
Signature at Fairfield	1189 Tabor Avenue	93	92	LIHTC; CalHFA	2065
Monument Arms Apartments	261 East Alaska Avenue	92	88	LIHTC; HUD	2069
Sunset Creek Apartments	840 E. Travis Boulevard	76	75	LIHTC	2072
Fairfield Apartments (Parkside Villa Apartments & Rockwell Manor Apartments) - Site A	1650 Park Lane	128	126	LIHTC; HUD	2073
One Lake Family Apartments		190	188	LIHTC	2074
Total Units		1,874	1,642		
Total Units At-Risk of Converting			269		
RIO VISTA					
Casitas Del Rio Apartments	250 St. Joseph Street	40	39	LIHTC; USDA	2059
Total Units		40	39		
Total Units At-Risk of Converting			0		
SUISUN CITY					
Village II	506 Civic Center Blvd	106	105	LIHTC; HUD	2065
Cottonwood Creek Apartments	202 Railroad Avenue	94	93	LIHTC; HCD	2062
Breezewood Village Apartments	1359 Worley Road	81	80	LIHTC	2062
Total Units		281	278		
Total Units At-Risk of Converting			0		

Solano County Regional Housing Element Collaborative
2023-2031 Regional Housing Needs Assessment

Name	Address	Total Units	Affordable Units	Funding	Affordability Expiration
VACAVILLE					
Twin Oaks Apartments	2390 Nut Tree Road	46	46	LIHTC; HUD	2067
Vacaville Autumn Leaves	2470 Nut Tree Rd	56	56	HUD	2039
Vacaville Gables	100 Gables Ave.	65	64	LIHTC	2052
Saratoga Senior Apartments	1101 Burton Drive	108	107	LIHTC; CalHFA	2053
Vacaville Meadows	131 Gable Avenue	65	50	LIHTC	2055
Vacaville Hillside Seniors	454 Markham Ave	15	12	LIHTC	2055
Saratoga Senior Apartments Phase II	1151 Burton Drive	120	119	LIHTC	2056
Lincoln Corner Apartments	130 Scoggins Court	134	101	LIHTC; HCD	2058
Rocky Hill Apartments & Bennett Hill Apartments (Site A)	225 Bennett Hill Court	64	63	LIHTC	2068
Callen Street Apartments	1355 Callen Street	66	65	LIHTC	2068
Rocky Hill Veterans	582 Rocky Hill Road	39	38	LIHTC; HCD	2075
Meadows Court / Holly Lane Apartments (Site A)	531 Rocky Hill Rd	82	80	LIHTC	2070
Alamo Garden Apartments	1501 Alamo Drive	182	181	LIHTC	2071
Pony Express Senior Apartments	220 Aegean Way	60	59	LIHTC	2074
Total Units		1102	1041		
Total Units At-Risk of Converting			0		
VALLEJO					
Longshore Cove Apartments	201 Maine Street	236	234	LIHTC; HUD	2073
Carolina Heights	135 Carolina Street	152	151	LIHTC; HUD	2070
Marina Tower	601 Sacramento Street	151	150	LIHTC; HUD	2060
Marina Towers Annex	575 Sacramento Street	57	56	LIHTC; HUD; CalHFA	2056
Casa De Vallejo Apartments	1825 Sonoma Blvd.	136	136	LIHTC; HUD	2060

Solano County Regional Housing Element Collaborative
2023-2031 Regional Housing Needs Assessment

Name	Address	Total Units	Affordable Units	Funding	Affordability Expiration
Ascension Arms	301 Butte St	75	42	HUD	2029
Seabreeze Apartments	100 Larissa Ln	184	71	HUD	2036
Redwood Shores	400 Redwood Street	120	119	HUD	2037
Friendship Estates Apartments	2700 Tuolumne Street	76	74	LIHTC	2052
Solano Vista Senior Apartments	40 Valle Vista Avenue	96	95	LIHTC	2072
Sereno Village Apartments	750 Sereno Drive	125	124	LIHTC	2057
Bay View Vista Apartments	445 Redwood Street	194	192	LIHTC	2055
Avian Glen	301 Avian Drive	87	85	LIHTC; HCD	2064
Temple Art Lofts	707 Main Street	29	28	LIHTC	2067
Harbor Park Apartments	969 Porter Street	182	73	LIHTC	2070
<i>Total Units</i>		<i>1,900</i>	<i>1,630</i>		
<i>Total Units At-Risk of Converting</i>			<i>42</i>		
UNINCORPORATED SOLANO CO.	<i>No Federal or State Assisted Developments</i>				

Sources: California Housing Partnership, Preservation Database 2021.

Preservation Resources

The types of resources needed for preserving at-risk units fall into three categories: (1) financial resources available to purchase existing units or develop replacement units; (2) entities with the intent and ability to purchase and/or manage at-risk units; and (3) programs to provide replacement funding for potentially lost Housing Choice Voucher Program rent subsidies, otherwise known as the Section 8 program.

A variety of federal and state programs are available for potential acquisition, subsidy, or replacement of at-risk units. Due to both the high costs of developing and preserving housing and limitations on the amounts and uses of funds, a variety of funding sources would be required. Several sources of funding are available to Solano County for preservation of assisted, multifamily rental housing units to assist with purchasing units or providing rental subsidies, including Community Development Block Grant (CDBG) or HOME funds. For older buildings with expiring affordability, funding for substantial rehabilitation may also give the County an opportunity to reinstate affordability requirements. HUD may provide Section 8 Tenant Protection Vouchers to subsidize rents for tenants in properties at risk of loss because of expiration due to loss of affordability associated with mortgage prepayment.

When affordable housing units have the potential to convert to market rate, due typically to the expiration of an affordable housing agreement or expiration of funding, there is a risk that tenants in those affordable units will be displaced. Certain companies and organizations can be certified as eligible to purchase buildings where a federally assisted mortgage is due to be prepaid.

Qualified Entities

The following qualified entities were listed as potential purchasers of at-risk units in Solano County:

- ACLC, Inc
- Mid-Peninsula Housing Coalition Mutual Housing California
- Affordable Housing Associates SWJ Housing
- Affordable Housing Foundation Volunteers of America National Services
- Sacramento Valley Organizing Community
- Pacific Community Services, Inc.

- Anka Behavioral Health
- Housing Corporation of America
- Mutual Housing California
- SWJ Housing
- Volunteers of America National Services

The Section 8 Housing Choice Voucher Program is another affordability option that individuals may apply for through the Benicia Housing Authority (BHA), Solano County Housing Authority (SCHA), Suisun City Housing Authority (SCH), and Vacaville Housing Authority (VHA). Section 8 increases affordable housing choices for very low-income households by allowing families to choose privately owned rental housing. Section 8–supported housing may be either project-based for a portion of an entire apartment building, or subsidies may be provided in the form of vouchers for individual, independent units.

The BHA administers approximately 294 active housing choice vouchers. The SCHA allocated 368 vouchers including 45 Veterans Administration Supportive Housing (HUD-VASH) Vouchers and 53 Mainstream Vouchers for non-elderly disabled households. The SCH administers approximately 192 housing choice vouchers and the VHA administers approximately 1,366 vouchers and vouchers including the Veterans Administration Supportive Housing (HUD-VASH), Family Unification Program (FUP), Mainstream Voucher Program, and Emergency Housing Voucher Program Vouchers.

Strategies for Preserving Affordable Housing

Acquisition - For units at risk of conversion, qualified non-profit entities must be offered the opportunity to purchase buildings to maintain affordability.

The factors that must be used to determine the cost of preserving low-income housing include property acquisition, rehabilitation, and financing. Actual acquisition costs depend on several variables, such as condition, size, location, existing financing, and availability of financing (governmental and market). Looking at multifamily buildings throughout the county, prices ranged from \$165,000 per unit for a 10-unit building in Suisun City to \$215,000 per unit for a 5-unit multifamily unit in Vallejo. While most units listed for sale in March 2022 were in incorporated jurisdictions of Solano County, purchasing residential units in Unincorporated Solano County will likely have a similar

price range depending on where in the county the units are located. Additionally, if the property needs significant rehabilitation, or financing is difficult to obtain, it is important to consider these factors in the cost analysis. It is important to note that a major financing tool, Low Income Housing Tax Credits (LIHTC), currently do not prioritize acquisition and rehabilitation projects, but instead fund new construction projects. This makes the effort to preserve units much more difficult.

Preservation - Housing affordability can also be preserved by seeking alternative means of subsidizing rents, such as the Section 8 Housing Choice Voucher program described previously. Under Section 8, HUD pays the difference between what tenants can pay (defined as 30 percent of household income) and what HUD estimates as the fair-market rent on the unit. Based on HUD's 2022 fair-market rents, the total cost to subsidize rental costs for a very low-income four-person household for 20 years would be \$111,180 for a two-bedroom home and \$256,980 for a three-bedroom home. This is typically done through Project Based contracts with the Housing Authority that administers a Project Based Program and has available vouchers.

Replacement with New Construction – Another alternative to preserve the overall number of affordable housing units in the county is to construct new units to replace other affordable housing stock that has been converted to market-rate housing. Multifamily replacement property would be constructed with the same number of units, with the same number of bedrooms and amenities as the one removed from the affordable housing stock.

The cost of new affordable housing can vary greatly depending on factors such as location, density, unit sizes, construction materials, type of construction (fair/good), and on- and off-site improvements. Looking at a sample project with 188 assisted units and one manager's unit, the cost for land acquisition is approximately \$30,319 per unit, or \$5,700,000 total. Costs for multifamily construction are approximately \$162 per square foot. This is based on costs calculated for a two-story building in Solano County with 20 units and an average unit size of 800 square feet each. The total construction costs for the building are \$2,593,864, based on the total cost of building this development, it can be estimated that the per-unit cost to replace low-income housing would be \$124,949 per unit. These construction costs include labor, materials, and equipment but do not include costs of buying land or off-street parking.¹

¹ 2022 National Building Cost Manual and 2022 945-33,91,90,34,89,85,93,71,35,12,92, and 956-87,20,18,94,90,25,96 zip code modifiers Craftsman Book Company.

Cost of Preservation Versus Replacement

The cost to the cities within Solano County of preserving units that are projected to expire between 2024 and 2074 is estimated to be less in most cases than replacing the units through new construction. Replacing the units with rehabilitated units may be cost-effective in some instances. Actual costs involved in each option will depend on the rental and real estate market situations at the time the affordability restrictions on these projects expire.

Extending low-income use restrictions to preserve the units as affordable may require financial incentives to the project owners. Other scenarios for preservation would involve purchase of the affordable units by a nonprofit or public agency, or local subsidies to offset the difference between affordable and market rents. Scenarios for preservation depend on the type of project at risk.

Funding Sources for Preservation

The types of resources needed for preserving at-risk units fall into three categories: financial resources available to purchase existing units or develop replacement units; entities with the intent and ability to purchase and/or manage at-risk units; and programs to provide replacement funding for potential reductions in funding for Housing Choice Voucher Program rent subsidies (previously known as the Section 8 Program).

A variety of federal, state, and local programs are available for potential acquisition, subsidy, or replacement of at-risk units. Due to both the high costs of developing and preserving housing and limitations on the amounts and uses of funds, multiple funding sources would be required. The following summarizes federal and state financial resources available to the cities within Solano County for preservation of assisted, multifamily rental housing units.

Federal Programs

Community Development Block Grant (CDBG)—This program is intended to enhance and preserve the jurisdictions affordable housing stock. CDBG funds are awarded to the County on a formula basis for housing and community development activities. Eligible activities include acquisition, rehabilitation, economic development, and public services. CDBG funds benefit primarily persons/households with incomes not exceeding 80 percent of the county median family income.

HOME Investment Partnerships—HOME funding is a flexible grant program that is awarded to the jurisdictions on a formula basis for housing activities that take into account local market conditions, inadequate housing, poverty, and housing production costs. The formula for determining funding amount and eligibility is based on several factors, including the number of units in a jurisdiction that are substandard or unaffordable, the age of a jurisdiction’s housing, and the number of families living below the poverty line. HOME funding is provided to jurisdictions to either assist rental housing or home ownership through acquisition, construction, reconstruction, and/or rehabilitation of affordable housing, as well as possible property acquisition, site improvements, and other expenses related to the provision of affordable housing and projects that serve a group identified as having special needs related to housing.

Housing Choice Voucher (Section 8) Program—This program provides rental assistance payments to owners of private market-rate units on behalf of very low-income tenants.

Section 811/202 Program—Nonprofit organizations and consumer cooperatives are eligible to receive zero-interest capital advances from HUD for the construction of very low-income rental housing for senior citizens and persons with disabilities. Project-based assistance, or capital advances, is also provided in conjunction with this program. Section 811 can be used to develop group homes, independent living facilities, and intermediate care facilities. Eligible activities include acquisition, rehabilitation, new construction, and rental assistance.

HUD Low-Income Housing Preservation and Resident Homeownership Act (LIHPRHA)—LIHPRHA was enacted in response to concern over the prepayment of HUD-assisted housing. When an assisted housing project pays off the loan, they are then eligible to convert to market-rate, thus resulting in a loss of affordable housing. The legislation addresses the prepayment of units assisted under Section 221(d)(3) and Section 236 (Section 236 replaced the Section 221(d)(3) program in 1968). Generally, the law facilitates the preservation of these low-income units by providing incentives to property owners to either retain their units as low income or to sell the project to priority purchasers (tenants, nonprofits, or governmental agencies.) Pursuant to LIHPRHA, HUD must offer a package of incentives to property owners to extend the low-income use restrictions. These incentives would ensure an 8-percent return for property owners on the recalculated equity of their property, provided the rents necessary to yield this return fall within a specified federal cost limit. The cost limits are either 120 percent of the fair market rate (FMR), or the prevailing rent in the local market. If HUD can provide the owner with this return, the owner cannot prepay the mortgage. The owner must either stay in the program or offer to sell the project (a “voluntary” sale) to a priority purchaser for a 12-month period or other purchasers for an additional 3 months. The owner is required to document this choice in a plan of action.

If HUD cannot provide the owner with the 8-percent return, i.e., the rents required would exceed federal cost limits, the owner may prepay only after offering the sale to priority purchasers for 12 months, or other qualified buyers for an additional 3 months (a “mandatory” sale) and filing a plan of action that demonstrates that conversion will not adversely impact affordable housing or displace tenants. According to the California Housing Partnership Corporation, most projects in California will fall within federal cost limits, except those with exceptionally high rental value or condominium conversion potential.

Projects that are preserved under either of these methods are required to maintain affordability restrictions for the remaining useful life of the project, which is defined minimally as 50 years. Despite these requirements, property owners may still be able to prepay the loan. First, the owner may prepay the property loan if no bona fide offer to purchase the property is made. Second, HUD may not provide some of the discretionary monies to priority purchasers in preservation sales. Finally, the overall success of the preservation efforts is contingent on congressional appropriation of sufficient funding to HUD.

State Programs

California Housing Finance Agency (CHFA) Multiple Rental Housing Programs—This program provides below-market-rate financing to builders and developers of multiple-family and elderly rental housing. Tax-exempt bonds provide below-market-rate mortgage money. Eligible activities include new construction, rehabilitation, and acquisition of properties with 20 to 150 units.

Affordable Housing Sustainable Communities Program (AHSC)—This program provides grants and/or loans, or any combination t, that will achieve GHG emissions reductions and benefit Disadvantaged Communities through increasing accessibility of affordable housing, employment centers, and key destinations via low-carbon transportation.

Low-Income Housing Tax Credit (LIHTC)—This program provides tax credits to individuals and corporations that invest in low-income rental housing. Tax credits are sold to corporations and people with high tax liability, and proceeds are used to create housing. Eligible activities include new construction, rehabilitation, and acquisition.

California Community Reinvestment Corporation (CCRC)—This private, nonprofit mortgage banking consortium provides long-term debt financing for affordable multifamily rental housing. Eligible activities include new construction, rehabilitation, and acquisition.

Nonprofit Entities—Nonprofit entities serving the county can be contacted to gauge their interest and ability in acquiring and/or managing units at risk of conversion. (See partial list above in Qualified Entities.)

Program Efforts to Preserve At-Risk Units

The following housing programs have been developed to address the preservation of assisted very low-income units eligible to convert to market rate. Each individual City’s Planning Department, Economic Development Department, and/or Housing Development will be responsible for implementing the programs. Funding for implementation could be provided through the funding sources cited above.

Each city in Solano County will maintain contact with owners of at-risk units as the use restriction expiration dates approach. Each city and Solano County will communicate to the owners the importance of the units to the supply of affordable housing in the county as well as its desire to preserve the units as affordable.

Rental Subsidies—If HUD funding is discontinued at some point within the next planning period to subsidize affordable units and other methods to preserve the at-risk units fail, the County will determine if it can assign financial resources to provide rental assistance to very low-income tenants to cover the difference between their current rents and market rents as well as continue to promote the development of affordable housing. If the owners of a project at risk of converting their units to market rate, the County or cities will evaluate the feasibility of implementing available options to preserve bond-financed units at risk of conversion: (1) offer rental subsidies using HOME or other available funding; (2) work with the property owner to refinance the mortgage at lower interest rates; (3) work with nonprofit entities to evaluate the potential for acquisition of the complex (although, if only a portion of the units are at risk, this may not be feasible); (4) consider acquisition and rehabilitation of the project.

Appendix B

Assessment of Fair Housing

ASSESSMENT OF FAIR HOUSING

INTRODUCTION

Assembly Bill (AB) 686 requires that all housing elements due on or after January 1, 2021, contain an Assessment of Fair Housing (AFH) consistent with the core elements of the analysis required by the federal Affirmatively Furthering Fair Housing (AFFH) Final Rule of July 16, 2015. Under California law, AFFH means “taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.”

California Government Code Section 65583 (10)(A)(ii) requires local jurisdictions to analyze racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs, including displacement risk. Although this is the Housing Element for the City of Benicia, Government Code Section 65583 (subds. (c)(9), (c)(10), 8899.50, subds. (a), (b), (c)) requires all local jurisdictions to address patterns locally and regionally to compare conditions at the local level to the rest of the region. To that end, the Solano County Housing Element Collaborative, comprised of the cities of Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville, Vallejo, and the County of Solano prepared a regional Assessment of Fair Housing (AFH) and each participating jurisdiction prepared a local AFH.

This appendix is organized by fair housing topics. For each topic, the regional assessment is first, followed by the local assessment. Strategies to address the identified issues are included throughout the appendix. Through discussions with housing service providers, fair housing advocates, and this assessment of fair housing issues, the City identified factors that contribute to fair housing issues. These contributing factors are included in **Table 3-10, Factors that Contribute to Fair Housing Issues** with associated actions to meaningfully affirmatively further fair housing related to these factors. Additional programs to affirmatively further fair housing are included in Chapter 2, Goals, Policies, and Programs.

This appendix also includes an analysis of the Housing Element’s sites inventory as compared with fair housing factors. The location of housing in relation to resources and opportunities is integral to addressing disparities in housing needs and opportunity and to fostering inclusive communities where all residents have access to opportunity. This is particularly important for lower-income households. Assembly Bill (AB) 686 added a new requirement for housing elements to analyze the distribution of projected units by income category and access to high resource areas and other fair housing indicators compared to citywide patterns to understand how the projected locations of units will affirmatively further fair housing.

OUTREACH

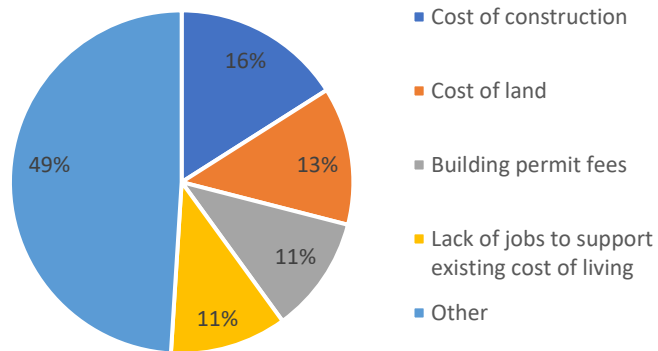
Regional Outreach Efforts

Workshops

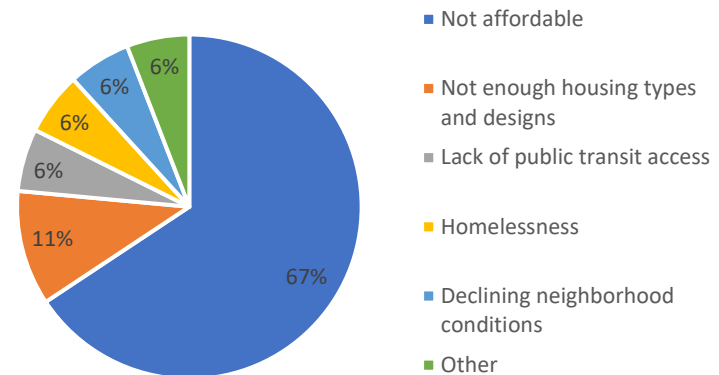
As discussed in the Public Participation section, the Solano County Collaborative took diligent efforts to encourage public and service provider participation, particularly service providers for vulnerable populations, in the Housing Element update process at both the regional and local scale. These efforts included six Housing Element community workshops between January and June 2022 and seven regional service provider consultations between December 2021 and February 2022. Each of the workshops was advertised with flyers in English, Spanish, and Tagalog, and conducted virtually to increase accessibility for residents throughout the county and in response to the COVID-19 pandemic. Live Spanish translation was offered at the first two sets of workshops, and a pre-recorded version in Tagalog. However, no participants opted for this option at any of the workshops, so the third set of workshops provided pre-recorded Spanish and Tagalog versions rather than live translation, though materials were still made available prior to the workshop in both languages.

The first two workshops were held over two days: during the lunch hour on Wednesday, January 26, 2022, and the evening of Thursday, January 27, 2022, to ensure maximum participation from Solano County jurisdictions, local organizations, service providers for vulnerable populations, and the community. The workshops were held online with a variety of technological methods to connect. The objectives of the workshop were to educate the public about the update process, identify specific needs and opportunities, share information about the Solano County Collaborative to help make informed conclusions and identify needs, and allow participants to share their insights on how housing opportunities can be improved locally and on a regional level. To gauge these opinions, participants were polled on topics that focused on housing assets, housing strategies, housing barriers, and preferences for location of new housing. The results of key points of the poll related to fair housing are summarized herein.

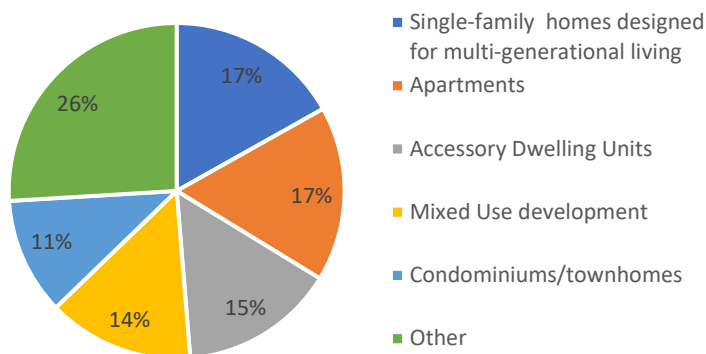
What are the greatest barriers to providing housing in your community?



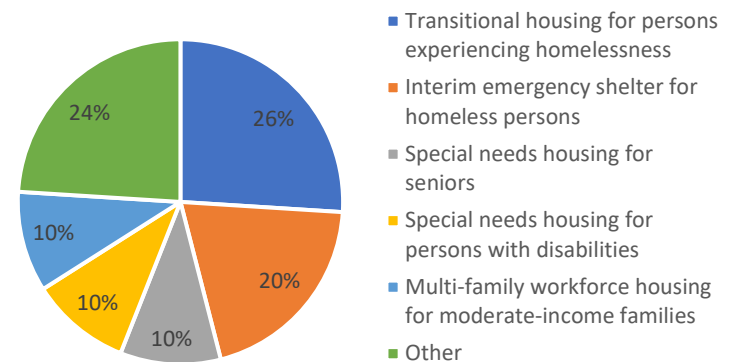
What do you consider the greatest issue related to housing?



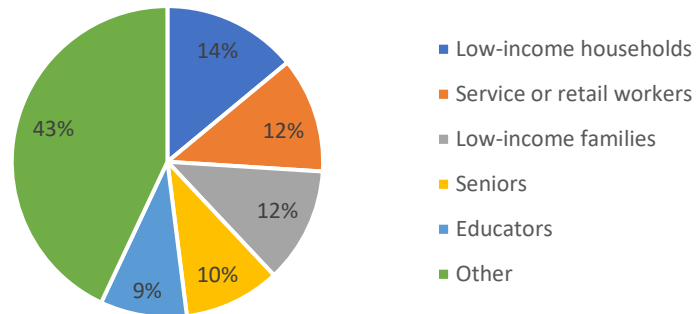
What types of housing would you like to see more of?



What populations are most in need of housing?



What populations do you believe are underserved?



During the workshop, participants generally considered low-income households and low-income families to be the same population, but in some cases discussed families as those with children and households as those without. In both cases, low-income refers to a household or family unit of four persons earning between \$48,550 and \$77,600 in Solano County in 2021, as presented in Table 2-9, Maximum Household Income by Household Size, Solano County in the Housing Needs Assessment. The federal poverty level in 2021 for a four-person household was \$26,500, which closely aligns with the extremely low-income category in Solano County.

Workshop discussion focused on the process, clarifications on the definition of overcrowding, mixed-income on commercial sites, and how mixed-income housing typically has better results than concentrated lower-income development. However, participants expressed that developers and lenders typically do not prefer mixed-income projects, thus presenting an additional barrier to the provision of housing, particularly integrated affordable housing. Overall, the primary fair housing themes that emerged were the costs associated with development of housing, particularly affordable units, the overarching issue of high cost of market-rate housing, shortages of affordable housing, the limited employment opportunities that offer livable wages, the challenges that lower-income households are facing, and providing housing opportunities for underserved populations, particularly those who are experiencing homelessness or are at risk of becoming homeless.

On March 30, 2022, two interactive, online workshops were held. There were approximately 18 attendees at the morning workshop and 9 at the evening workshop. Both workshops were attended with representatives from the Solano County jurisdictions, various local organizations, and service providers. The content provided a summary of the analysis conducted in the housing needs assessment and

discussions were guided by participant insights on how housing opportunities can be improved locally and on a regional level. Again, feedback on specific needs was sought out. Translation was available by request. During the workshops, the topics mentioned by participants included the relationship between location of affordable housing and access to employment, services, mobility, amenities, and recreation; special-needs populations, particularly seniors and their needs as they age; and the challenges of income discrepancies with the shortage of affordable housing resources throughout the county. Participants established clarity regarding what types of professions lower-income households really encompass, such as educators, public service employees, retail, and hospitality workers, which suggested that the Collaborative foster greater collaboration between jurisdictions to increase supply of housing for this very integral segment of the population.

On June 1, 2022, the Solano County Collaborative held two Fair Housing Workshops virtually to present an overview of the Assessment of Fair Housing and gather feedback from participants on their experiences with fair housing. One workshop was held over the lunch hour, and one was held in the evening to offer two opportunities for potential participants. Across both workshops, approximately 36.4 percent of participants were from Benicia, 18.2 percent were from Vacaville, 13.6 percent were from Vallejo, 9.1 percent were from Fairfield, and 9.1 percent were from Suisun City. There were no participants from Dixon, Rio Vista, or the unincorporated area, and there were an additional 13.6 percent that did not live in Solano County but had some other interest in the Housing Element process. For both workshops, the Collaborative offered Spanish and Tagalog translation of materials and a recording of the presentation, in addition to hosting the meeting in English. At previous workshops, as discussed, there was no interest in live translation and therefore recordings were determined to be sufficient.

Approximately 35.0 percent of respondents reported that the greatest barrier to obtaining or keeping housing that they, a friend, or relative has experienced is that affordable options are too far from jobs, schools, and other resources. In addition, 15.0 percent identified accessibility issues as a barrier to housing, 10.0 identified substandard conditions, and an additional 10.0 identified landlord refusal to rent as barriers. Nearly one-third of respondents also reported having experienced overcrowding at some point in Solano County to be able to afford housing costs. When asked what their experience has been with housing mobility, as it relates to unit size, price, and other factors, 28.6 reported that it has been very challenging and 33.3 reported that it has been somewhat challenging. This supports feedback from local service providers that there is a shortage of appropriately sized and affordable options in Solano County. Further, half of respondents reported that there is no transit or alternative methods of transportation for them to navigate their communities, which furthers concerns about proximity of affordable housing to jobs and schools.

At the end of the workshop, the Collaborative asked participants to identify their top three priorities for increasing housing mobility and access to opportunities, improving the condition of their neighborhood, and reducing displacement risk. The top-three strategies to increase housing mobility were creation of targeted investment programs, such as down payment assistance (19.1 percent of respondents), incentivizing development of mixed-income housing (17.0 percent), and a tie between citywide registries of affordable rental options and

targeted outreach to underserved groups to increase awareness of assistance programs (12.8 percent each). However, in open discussion, participants stated that many local, state, and federal assistance programs are already available, the barrier to fair housing is awareness of these opportunities. They identified a need for easier resource navigation for residents. The top strategies for improving neighborhood conditions were implementing proactive code enforcement for substandard housing (17.8 percent) and a three-way tie between targeted investment in parks and other recreational facilities, community committees made up of residents of underserved groups, and addressing the negative impacts of nonresidential uses on residential uses (15.6 percent each). Finally, the top strategies for reducing displacement were rent stabilization (27.0 percent), rent review or mediation board as well as foreclosure assistance and multilingual legal services (24.3 percent), and expanded density bonuses (18.9 percent).

The feedback received during this workshop informed this analysis and programs identified in this Housing Element.

Survey

The flyers inviting participants to the regional Housing Element workshops included an option for respondents to take a survey similar to the poll conducted at the first two workshops in January 2022, to prioritize their perspective on housing issues facing the county and its jurisdictions. A total of 57 responses were logged, the majority of which were homeowners (71.9 percent). Of participants, approximately 86.0 percent reported living in a single-family detached or attached home and 68.4 percent had lived in Solano County for over five years. However, a smaller proportion (56.1 percent) report working within the county, which may indicate a shortage of jobs suitable for residents within their jurisdiction. The top types of housing that participants wanted to see built throughout the county were small/affordable single-family homes (57.9 percent), senior housing (47.4 percent), supportive housing/assisted living (43.9 percent), accessory dwelling units (ADUs; 35.1 percent), townhomes and condominiums/duplexes (35.1 and 31.6 percent, respectively), tiny homes (29.8 percent), large-acreage detached homes (28.1 percent), and apartments (24.6 percent). Among the respondents, the greatest barriers to building housing in their communities were (in order of ranking): cost of construction, opposition to new housing development projects, lack of adequate infrastructure, lack of availability of land, and lack of jobs to support existing cost of living. Supporting these responses was feedback on what the barriers to obtaining housing were specifically within the respondents' jurisdictions, with 52.6 percent identifying home prices and rents being too high, followed by lack of public infrastructure, and the real-estate market, which ties back to the cost of housing barrier. A desire for yards and green space was also identified as a barrier associated with multifamily and/or higher-density residential types.

Responses to the survey indicated that the top-three underserved populations included homeless residents, seniors, single-parent households, and persons with disabilities. Respondents also indicated across the board a need for integration of affordable housing throughout communities to create mixed-income neighborhoods, roadway improvements, and a diverse range of housing types. Integration of new developments into the existing neighborhood fabric, addressing the “missing middle” housing types, and accessibility were also identified as needs.

Consultations

From December 2021 through February 2022, seven consultations were conducted with local nonprofits and service providers for vulnerable populations and fair housing advocates to receive one-on-one, targeted input from those who provide services for those most in need of housing or with special housing needs. In each of the consultations, service providers and fair housing advocates were asked some or all of the following questions, depending on the type of organization they represented:

Opportunities and concerns: What three top opportunities do you see for the future of housing in Solano County? What are your three top concerns for the future of housing?

Housing preferences: What types of housing do your clients prefer? Is there adequate rental housing in the county? Are there opportunities for home ownership? Are there accessible rental units for seniors and persons with disabilities?

Housing barriers/needs: What are the biggest barriers to finding affordable, decent housing? Are there specific unmet housing needs in the community?

Housing conditions: How do you feel about the physical condition of housing in the county? What opportunities do you see to improve housing in the future?

Unhoused persons: How many unhoused persons are in the county?

Housing equity: What factors limit or deny civil rights, fair housing choice, or equitable access to opportunity? What actions can be taken to transform racially and ethnically concentrated areas of poverty into areas of opportunity (without displacement)? What actions can be taken to make living patterns more integrated and balanced?

The Collaborative contacted 12 organizations and received responses from the following:

- North Bay Housing Coalition, December 9, 2021
- Community Action Partnership Solano, Joint Powers Authority, December 14, 2021
- Legal Services of Northern California, December 22, 2021
- Fair Housing Advocates of Northern California, January 6, 2022
- Solano-Napa Habitat for Humanity, January 28, 2022

- Agency on Aging, January 24, 2022
- Urban Habitat, February 16, 2022

The one-on-one interviews with service providers and fair housing advocates raised observations and concerns related to housing issues facing the residents of Solano County, with several common themes emerging. First was the demand for a range of affordable and accessible housing types for the large concentration of special needs populations in the county, including seniors, large families, disabled persons, and low-income households, many of which were identified as being Hispanic and Latinx. The need for additional rental housing was identified by most interviewees. Additionally, service providers noted a shortage of housing resources for those who are experiencing homelessness and emphasized the need for a coordinated countywide central agency to be created to provide full-time services based on the growing demand, specifically housing-first projects across the county. This was noted in addition to a growing population of lower-income households and homeless residents, therefore identifying locations for pallet and cargo housing within the jurisdictions, as well as providing permanent supportive housing with wrap-around services and case management is crucial. One housing service provider disclosed that they have funding for assisting jurisdictions with needed affordable housing, acquisition of the actual acreage is the barrier, which is another theme identified in these consultations.

Strategies associated with housing condition relating to preservation and maintenance of the existing housing stock for affordable housing opportunities was a second subject of importance among service providers and fair housing advocates. Income constraints often result in people living in substandard or overcrowded housing conditions, most often in rental situations, which service providers and fair housing advocates identified as often resulting in displacement and homelessness. Service providers and fair housing advocates also identified that there are substantial racial disparities in housing among communities of color, recommending that jurisdictions can do more through code enforcement, primarily ensuring there is water and heating in low-income housing units, or passing ordinances that protect tenants from living in substandard housing. During the consultations, service providers and fair housing advocates expressed a need for proactive and “protective” tenant protections, such as rent control, just-cause protections, and other housing protection laws to keep more individuals housed, as eviction is the most common fair housing issue complaint encountered by service providers and fair housing advocates. In situations such as this, tenants require access to additional legal assistance to prevent displacement due to harassment or wrongful eviction.

Additionally, service providers and fair housing advocates identified a need for landlord education and enforcement regarding fair housing laws and rental discrimination practices, in combination with jurisdictions contracting with fair housing providers for a comprehensive system to identify affordable housing resources and tenant protection, particularly for seniors, the disabled, gender equality/familial status, and communities of color. Consultations identified a need for workshops on fair housing laws for residents and housing providers. The goal of these would be to inform housing providers on their rights and responsibilities under fair housing laws, and provide education on discrimination, aiming to reduce the number of instances that result in fair housing complaints throughout the county. A tenant workshop

counterpart was also suggested to inform residents on their tenant rights. Service providers and fair housing advocates identified acquisition of older, single-family housing stock, which might require repairs, for conversion to assisted affordable housing units as an opportunity to address shortages.

Barriers to development of affordable housing constitute a third major theme, including land costs, the length of entitlement processes, California Environmental Quality Act (CEQA) requirements, development fees, and other permitting processes, compounded by severe infrastructure constraints, particularly sewer and septic systems. All housing providers interviewed expressed that new low-income housing simply is not cost effective for developers, and that properties owned by jurisdictions are a valuable resource for providing lower-income housing, including homeownership opportunities through organizations such as Habitat for Humanity, who assist communities of color and veterans to attain homeownership, which have been historically underserved in the homeowner market, particularly in areas of Solano County. Incentivizing and subsidizing the construction of ADUs on existing residential properties is recommended to help address the barriers associated with cost of land and shortage of viable acreage for development of units for lower-income and disabled and/or senior households. In addition, one housing provider discussed Community Land Trusts as an underutilized opportunity to create permanent affordability, as well as the availability of CalHome funding for implementing this option.

A final recurring theme around barriers to affordable housing that service providers and fair housing advocates identified was the current and historic challenges lower-income households face in obtaining financial assistance, such as lending discrimination, which was a prevalent issue in Vallejo. On the flip side, it was also noted that there is a disconnect between the number of applicants for Housing Choice Vouchers (HCVs) and availability of units that accept them. Education and outreach efforts of current fair housing practices to landlords and sellers was recommended.

Feedback received during the regional consultations was shaped by individual discussions and the experiences of each service provider, fair housing advocate, or community organization. Therefore, some questions did not receive direct responses. For example, no interviewees identified strategies to reduce racially or ethnically concentrated areas of poverty; they instead focused on feedback they deemed relevant to their target population or experiences. The summary presented here reports feedback that was received.

Local Outreach Efforts

The City offers translation and teletypewriter (TTY) services upon request, but it has not had a documented need for translation or interpretation into other languages for public outreach; therefore, the City has not offered this during the Housing Element update outreach process. However, the City recognizes the importance of an inclusive approach to planning for the City's future. Therefore, to ensure ongoing accessibility of outreach to all members of the community, the City has included **Program 5.02** to survey residents to determine whether there is a need for translation services and will continue to offer TTY services upon request in the meantime.

Community Workshop

On Wednesday, March 2, 2022, the City held a community workshop to educate residents about the update process, solicit input on possible housing sites, and receive feedback on housing opportunities and needs. The comments and questions received at this workshop were primarily regarding the location of sites to meet the Regional Housing Needs Assessment (RHNA) allocation, though two comments were received supporting development of multifamily housing on or near Military West and the possibility of rezoning General Commercial to allow multifamily housing, to meet the demand for this housing type. No additional comments related to fair housing were received, all other comments are included in Chapter 1 of this Housing Element.

Open Houses

On March 31, 2022, the City held an online open house to educate residents about the update process and solicit input on local housing preferences, local housing needs, housing creation strategies, and fair housing. This meeting was held a second time on April 6, 2022, in person. At each open house, there were topics of discussion: fair housing, potential sites for housing, preferred housing types, and barriers to housing. During the virtual open house, feedback was solicited through open discussion as well as interactive polling and Google Forms surveys. During the in-person workshop, there were four stations that attendees could visit at their own pace. During these events, participants noted that attendance is likely limited for some community members based on access to resources, with those with greater access more likely to be able to attend, but also less likely to experience fair housing issues. To address this and ensure all members of the community are engaged in the planning process, the City has identified **Program 5.01** to improve outreach efforts to underserved groups.

Consultations

In November and December 2021, staff reached out to four local community organizations who provide services to impacted populations to offer the opportunity for each to provide one-on-one input on housing needs and programs. All organizations provided feedback via one-on-one interviews or with email responses. Representatives from the following organizations were interviewed:

- Carquinez Village, November 18, 2021
- Benicia Community Action Council, November 18, 2021
- Benicia Housing Authority, December 8, 2021
- Family Resource Center, December 16, 2021

Overwhelmingly, the consultation process revealed that the City of Benicia has an insufficient stock of affordable housing. The Benicia Housing Authority cited a lack of available land for new construction, the high cost of construction materials, and administrative constraints (i.e., staff time, agency capacity) as barriers to creating a feasible financing package. The lack of affordable housing stock affects different populations in the city more than others. Service providers have identified that low- and moderate-income homeowners and renters, seniors, schoolteachers, and young couples struggle to find affordable housing in Benicia. Additionally, one service provider reported challenges for older adults with mobility issues to locate affordable and accessible housing options. However, they did cite that fair housing complaints directed to the Benicia Housing Authority have been used to address reasonable accommodation concerns. To accommodate the varied housing needs of populations within Benicia, service providers identified a need for a range of housing types at affordable levels. To address these concerns, the City has identified **Program 1.06, 1.12, 1.15 and 2.01** to facilitate the development of affordable housing options, ADUs, inclusionary units, single-room occupancy (SRO) units, and more.

Additionally, service providers identified that some housing providers are reluctant and resistant to accepting Housing Choice Vouchers (HCV) (Section 8), despite legal requirements. This, paired with a shortage of HCVs to meet demand, has created barriers to lower-income households finding affordable housing options. **Program 5.01** has been included in this Housing Element to work with local fair housing providers to educate housing providers on source of income discrimination, particularly regarding HCVs, and enforce fair housing laws as needed.

FAIR HOUSING ISSUES

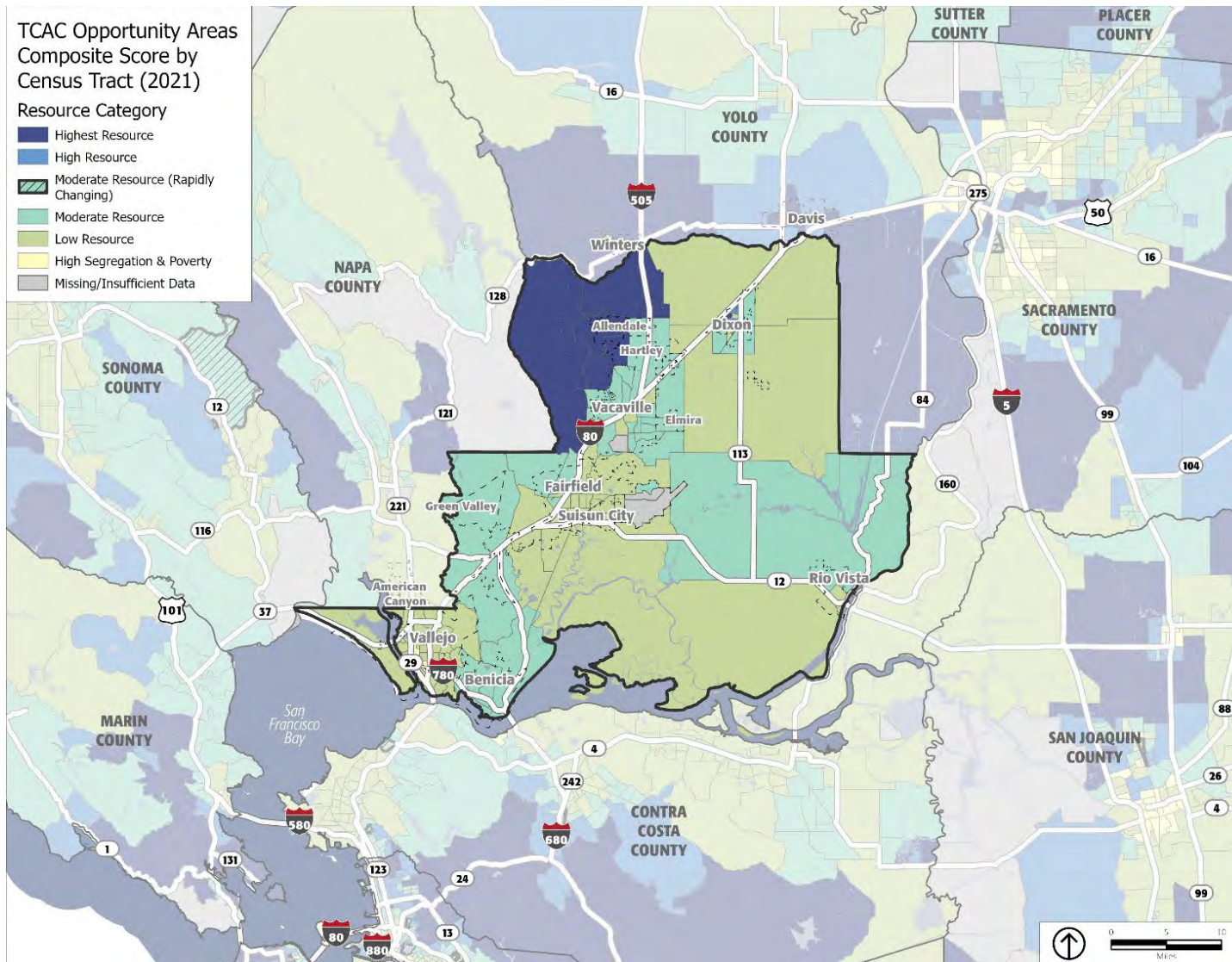
California Government Code Section 65583 (10)(A)(ii) requires every jurisdiction to analyze racially or ethnically concentrated areas of poverty (R/ECAP), disparities in access to opportunity, and disproportionate housing needs, including displacement risk. Since 2017, the Tax Credit Allocation Committee (TCAC) and Department of Housing and Community Development (HCD) have developed annual maps of access to resources such as high-paying job opportunities; proficient schools; safe and clean neighborhoods; and other healthy economic, social, and environmental indicators to provide evidence-based research for policy recommendations. This effort has been dubbed “opportunity mapping” and is available to all jurisdictions to assess access to opportunities within their community.

The TCAC/HCD Opportunity Maps can help to identify areas within the community that provide strong access to opportunity for residents or, conversely, provide low access to opportunity. The information from the opportunity mapping can help to highlight the need for housing element policies and programs that would help to remediate conditions in low-resource areas and areas of high segregation and poverty and to encourage better access for lower-income households and communities of color to housing in high-resource areas. TCAC/HCD categorized census tracts into high, moderate, or low resource areas based on a composite score of economic, educational, and environmental factors that can perpetuate poverty and segregation, such as school proficiency, median income, and median housing prices. The TCAC/HCD Opportunity Maps use a regional index score to determine categorization as high, moderate, and low resource.

Areas designated as “highest resource” are the top 20-percent highest-scoring census tracts in the region. It is expected that residents in these census tracts have access to the best outcomes in terms of health, economic opportunities, and education attainment. Census tracts designated “high resource” score in the 21st to 40th percentile compared to the region. Residents of these census tracts have access to highly positive outcomes for health, economic, and education attainment. “Moderate resource” areas are in the 41st to 70th percentile and those designated as “moderate resource (rapidly changing)” have experienced rapid increases in key indicators of opportunity, such as increasing median income, home values, and an increase in job opportunities. Residents in these census tracts have access to either somewhat positive outcomes in terms of health, economic attainment, and education; or positive outcomes in a certain area (e.g., score high for health, education) but not all areas (e.g., may score poorly for economic attainment). Low resource areas are those that score above the 70th percentile and indicate a lack of access to positive outcomes and poor access to opportunities. The final designation are those areas identified as having “high segregation and poverty;” these are census tracts that have an overrepresentation of people of color compared to the county as a whole, and at least 30.0 percent of the population in these areas is below the federal poverty line (\$26,500 annually for a family of four in 2021).

As seen in **Figure 3-1, Regional TCAC/HCD Opportunity Areas**, most of Solano County, particularly in the unincorporated area, is designated as low resource or moderate resource. The City of Vallejo has been designated entirely as a low resource area, with three pockets identified as areas of high segregation and poverty: the Wilson Park neighborhood southwest of Solano Avenue (which includes a portion of unincorporated territory), the area west of Sutter Street to the waterfront between Florida Street to the north and Curtola Parkway to the south, and the area north of Florida Street between Sonoma Boulevard and Amador Street along Broadway Street. In contrast, the neighboring City of Benicia is designated entirely as a moderate resource area. The City of Suisun City and most of Fairfield are designated as low resource, with moderate resource areas in northeastern Fairfield and the Cordelia area of Fairfield. The City of Vacaville is similarly designated, with low resource areas along Interstate 80, northeast of Davis Street, with the remainder designated as moderate resource. The City of Rio Vista is also split, with moderate resource areas northwest of Church Road and low resource areas to the southeast. The City of Dixon has the greatest variation in resource area designations among the incorporated cities of Solano County. In Dixon, the southern and eastern areas are primarily moderate resource areas, high and high resource areas are in the center of the city with the exception of the Northwest Park neighborhood, east of Parkgreen Drive. Low resource areas are in the Northwest Park neighborhood and south of W. A Street between Pitt School Road and S. Almond Street. In the unincorporated county, high and highest resource areas are generally in the northeast and northwest corners, with low resource areas surrounding the cities of Dixon and Fairfield, and moderate resource areas elsewhere. Given that much of Solano County is sparsely populated, with large agricultural areas, the low and moderate resource areas may not accurately represent the access to opportunities for residents of unincorporated communities, where there is typically a concentration of resources.

FIGURE 3-1: REGIONAL TCAC/HCD OPPORTUNITY AREAS



Source: TCAC/HCD, 2021

Patterns of Integration and Segregation

Segregation exists when there are concentrations of a population, usually a protected class, in a certain area. Segregation can result from local policies to the availability and accessibility of housing that meets the needs of that population, or a community culture or amenity that attracts the population. In the context of fair housing, segregation may indicate an issue where it creates disparities in access to opportunity, is a result of negative experiences such as discrimination or disproportionate housing need, or other concerns. Integration, in contrast, usually indicates a more balanced representation of a variety of population characteristics and is often considered to reflect fair housing opportunities and mobility. This analysis assesses four characteristics that may indicate patterns of integration or segregation throughout the region and local Solano County jurisdictions: income distribution, racial and ethnic characteristics, familial status, and disability rates.

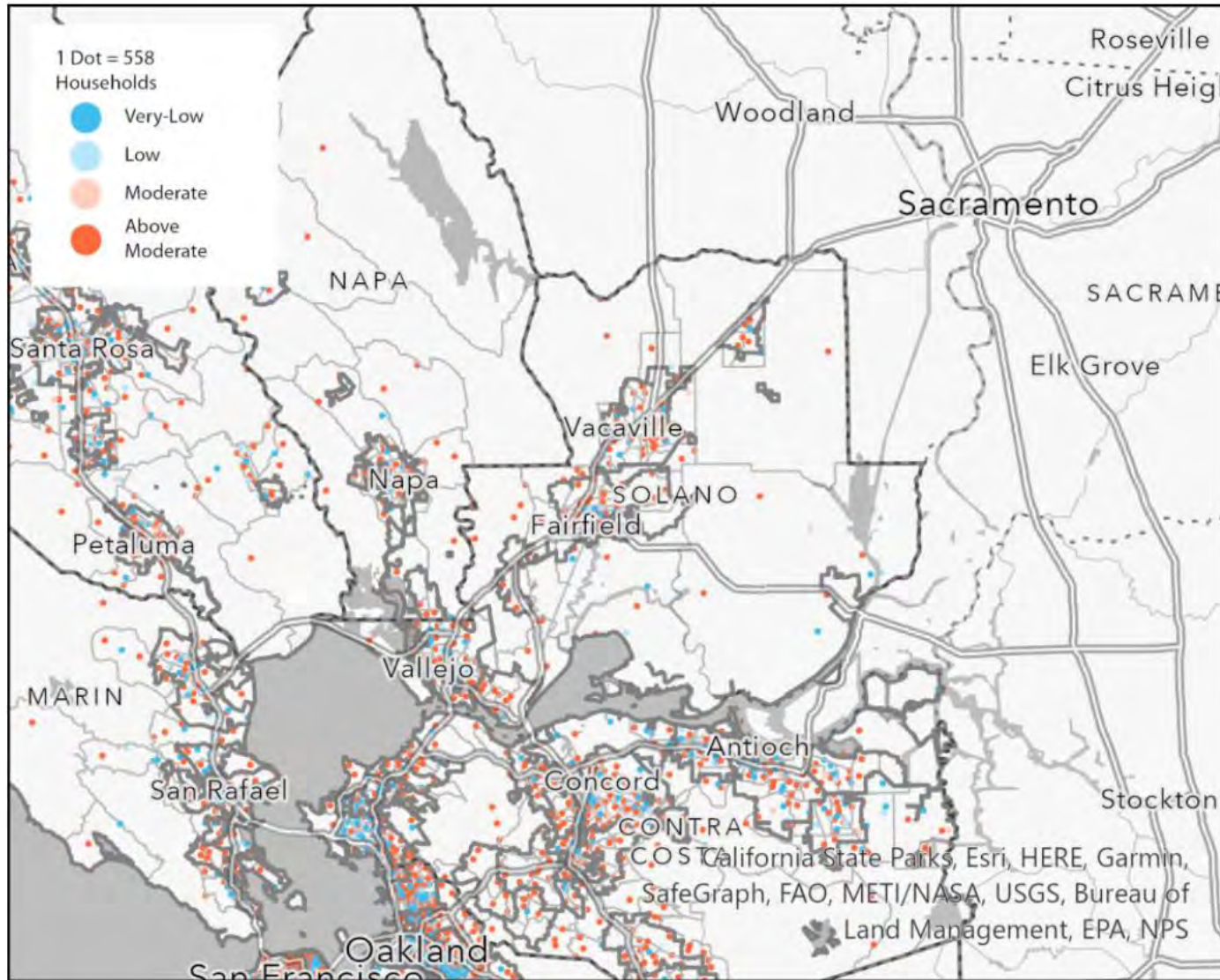
Income Distribution

Regional Patterns

At the regional level, income distribution can be measured between jurisdictions. **Figure 3-2, Income Dot Map**, presents the spatial distribution of income groups in Solano County and surrounding Bay Area jurisdictions. There are higher concentrations of very low- and low-income households in Bay Area jurisdictions such as the cities of Emeryville and Oakland, than are found in Solano County. While there are concentrations of lower-income households in the cities of Fairfield and Suisun City, generally the distribution of incomes in Solano County more closely reflects those patterns found in neighboring Napa County than most Bay Area counties.

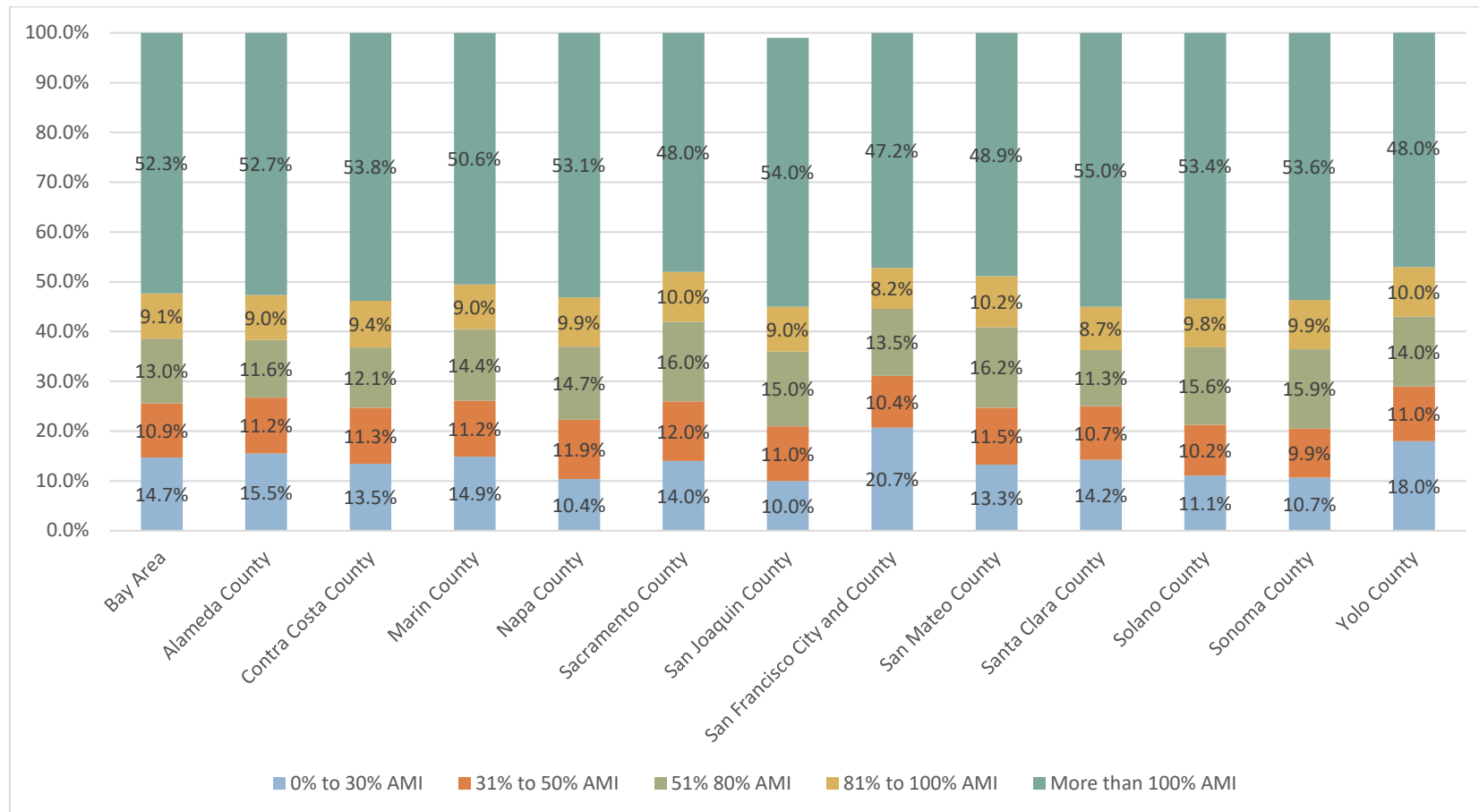
When comparing income groups between Bay Area counties and neighboring Sacramento region counties (**Figure 3-3, Income Groups in Surrounding Region**), patterns in Solano County closely mirror many of the Bay Area counties, supporting the patterns shown in **Figure 3-2, Income Dot Map**. **Figure 3-4, Regional Median Income**, presents the geographic patterns of median income in Solano County compared to the region. Throughout the region, the highest median income is often found in medium-density urban areas, such as in the cities of Fairfield, Vacaville, Walnut Creek, San Rafael, and others. In areas with a higher-density population and uses, such as along the San Francisco and San Pablo Bays, there are more lower-income households. Solano County reflects these income distribution trends found in the region.

FIGURE 3-2: INCOME DOT MAP



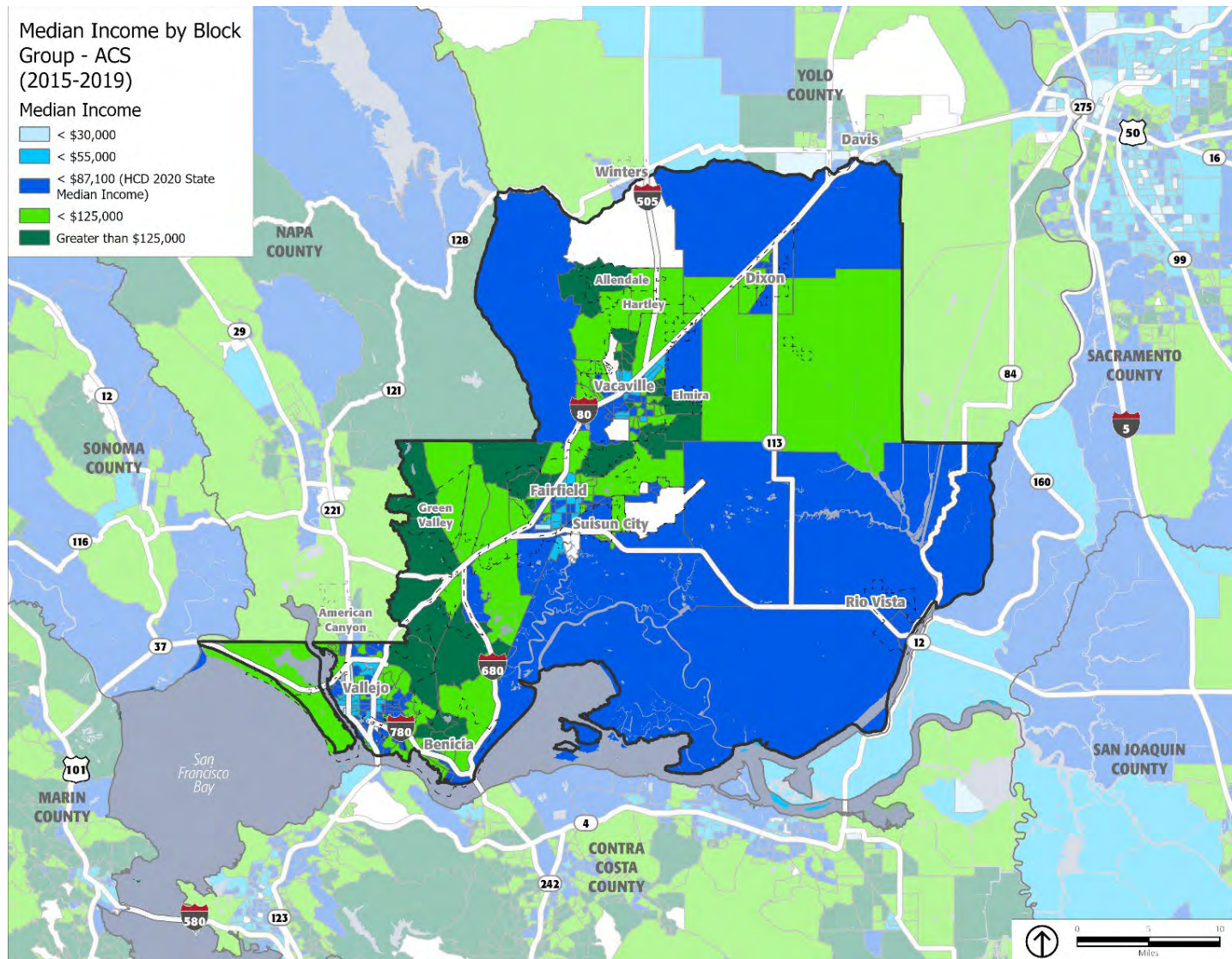
Source: HUD, 2015, ACS 2011-2015, ABAG, 2022

FIGURE 3-3: INCOME GROUPS IN SURROUNDING REGION



Source: ABAG Data Packets, 2021; HUD CHAS, 2013-2017 release

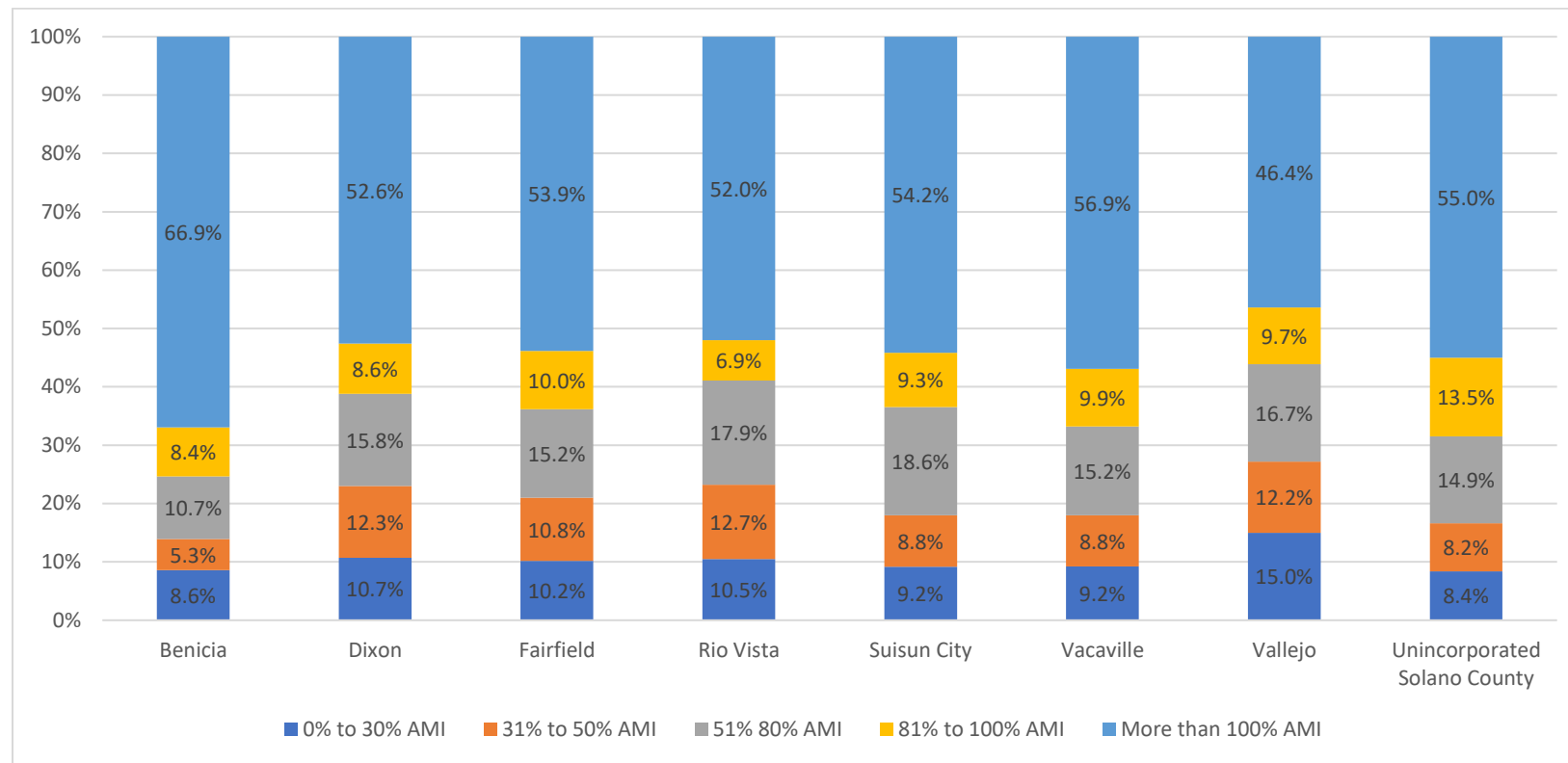
FIGURE 3-4: REGIONAL MEDIAN INCOME



Source: 2015-2019 ACS

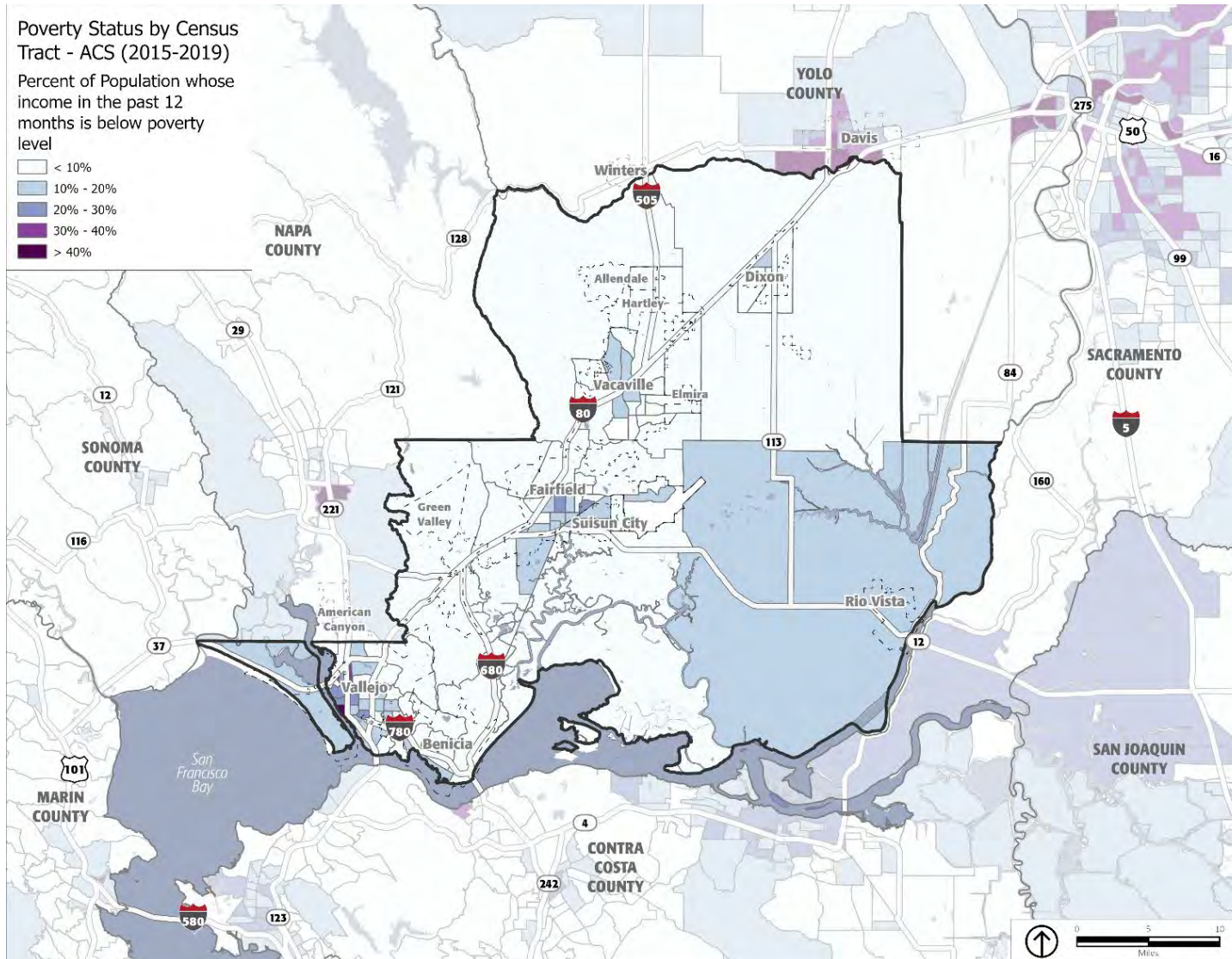
Within Solano County, the City of Benicia has the largest proportion of moderate- and above moderate-income households, earning more than 100.0 percent of the Area Median Income (AMI) (**Figure 3-5, Income Groups within Solano County Jurisdictions**). The distribution of income groups within Solano County may be representative of the availability of affordable or accessible housing and other opportunities that create mixed-income communities. As shown in **Figure 3-4, Regional Median Income**, the cities of Fairfield, Suisun City, and Vallejo have several block groups that have median incomes falling into the extremely low- and very low-income categories, corresponding with high rates of poverty shown in **Figure 3-6, Regional Poverty Rates**. While all jurisdictions in Solano County have areas in which at least 10.0 percent of the population falls below the poverty line, the City of Vallejo has the largest concentration of these households.

FIGURE 3-5: INCOME GROUPS WITHIN SOLANO COUNTY JURISDICTIONS



Source: ABAG Data Packets, 2021; HUD CHAS, 2013-2017 release

FIGURE 3-6: REGIONAL POVERTY RATES



Source: 2015-2019 ACS

Local Patterns

Locally, TCAC/HCD Opportunity Area maps designate the entirety of Benicia as a moderate-resource area (see **Figure 3-7, Local TCAC/HCD Opportunity Areas**). As identified in the regional analysis, moderate resource areas are those in the 41st to 70th percentile and those designated as “moderate resource (rapidly changing)” have experienced rapid increases in key indicators of opportunity, such as increasing median income, home values, and an increase in job opportunities. A description of other resource area designations, not found in Benicia, are included in the regional analysis.

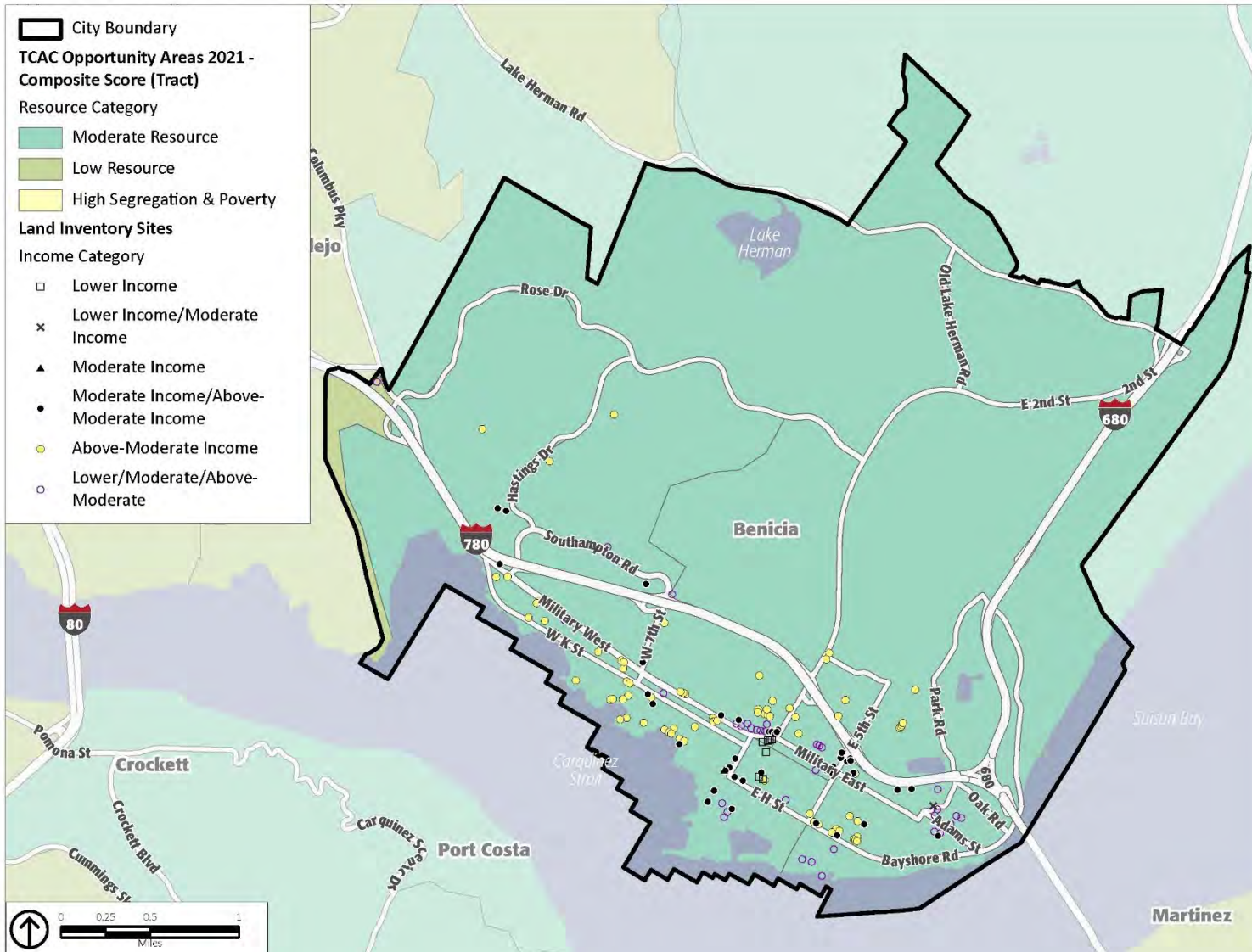
While all of Benicia is considered moderate resource, median household income varies between different parts of the city. The city’s highest median household income block groups, which range from \$132,946 to \$174,306, are found in the Berkshire neighborhood on the north side of the city, bounded by Reservoir Road and East 2nd Street to the east, Rose Drive to the west, and Cambridge Drive and Panorama Drive to the south (**Figure 3-8, Local Median Income**). Figure 3-8 presents the spatial distribution of income groups in Benicia, with lower median incomes typically found in the southeastern areas of the city. Homes in neighborhoods with higher median incomes are primarily single-unit residences on small local roads and cul-de-sacs adjacent to vacant land, parks, and recreational areas. These neighborhoods have very few, if any, non-residential uses.

The City’s lowest median household income block groups are found in areas along Interstate (I-) 780 and I-680 in parts of the Highlands, Francesca Terrace, Pointe Benicia, Clipper Bay, Bridgeview, West Manor, and Southampton neighborhoods, generally extending from the south and southeast sides of the highway to the waterfront. However, the city’s block group with the lowest median household income (\$71,276), is found just outside of this area, in the Southampton neighborhood adjacent to I-780 on its north side, between the highway and Southampton Road. This neighborhood is still closer to the highway and the city’s non-residential uses as compared with the city’s higher-income areas. Block groups in these relatively lower-income neighborhoods all have median household incomes of \$71,276 to \$76,477, below the statewide median (<\$87,100) and slightly below the Solano County low-income limit (\$77,600), as reported by HCD for 2021. Generally, homes in these areas are closer to industrial and commercial uses and highways than in the higher-income parts of Benicia. The remainder of the city’s block groups see median incomes between \$87,100 and \$125,000, higher than the statewide median but lower than the city’s highest-income neighborhoods.

As previously described, all Benicia neighborhoods receive a moderate-resource designation even across discrepancies in median household income, indicating that other factors may outweigh variation in household income. Therefore, differences between neighborhoods in terms of median household income do not necessarily indicate meaningful differences in terms of access to local opportunities and resources. However, most block groups with incomes below the statewide median fall into the TCAC/HCD Opportunity Area Environmental Score’s lowest category, “Less Positive Environmental Outcomes,” indicating that lower-income households have lesser access to environmentally positive outcomes (**Figure 3-9, Local TCAC/HCD Environmental Score**). The TCAC/HCD Environmental Score

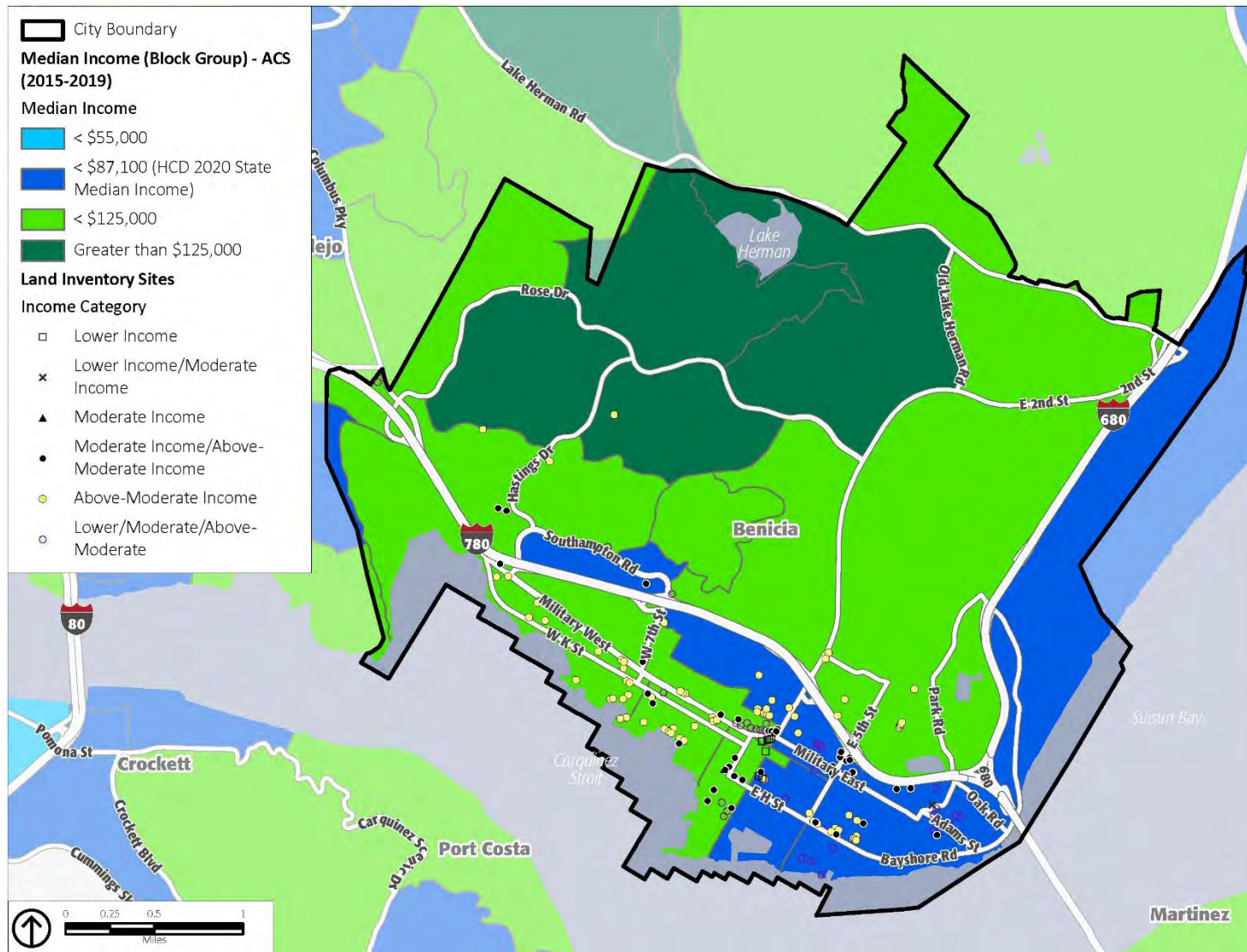
presents the degree to which residents are exposed to pollutants, including Ozone, PM2.5, diesel, drinking water contaminants, pesticide use, toxic releases, traffic density, and children's lead risk from housing. The environmental effect of hazardous waste is integrated with the exposure score for a total environmental domain score, with higher scores representing potential negative environmental conditions.

FIGURE 3-7: LOCAL TCAC/HCD OPPORTUNITY AREAS



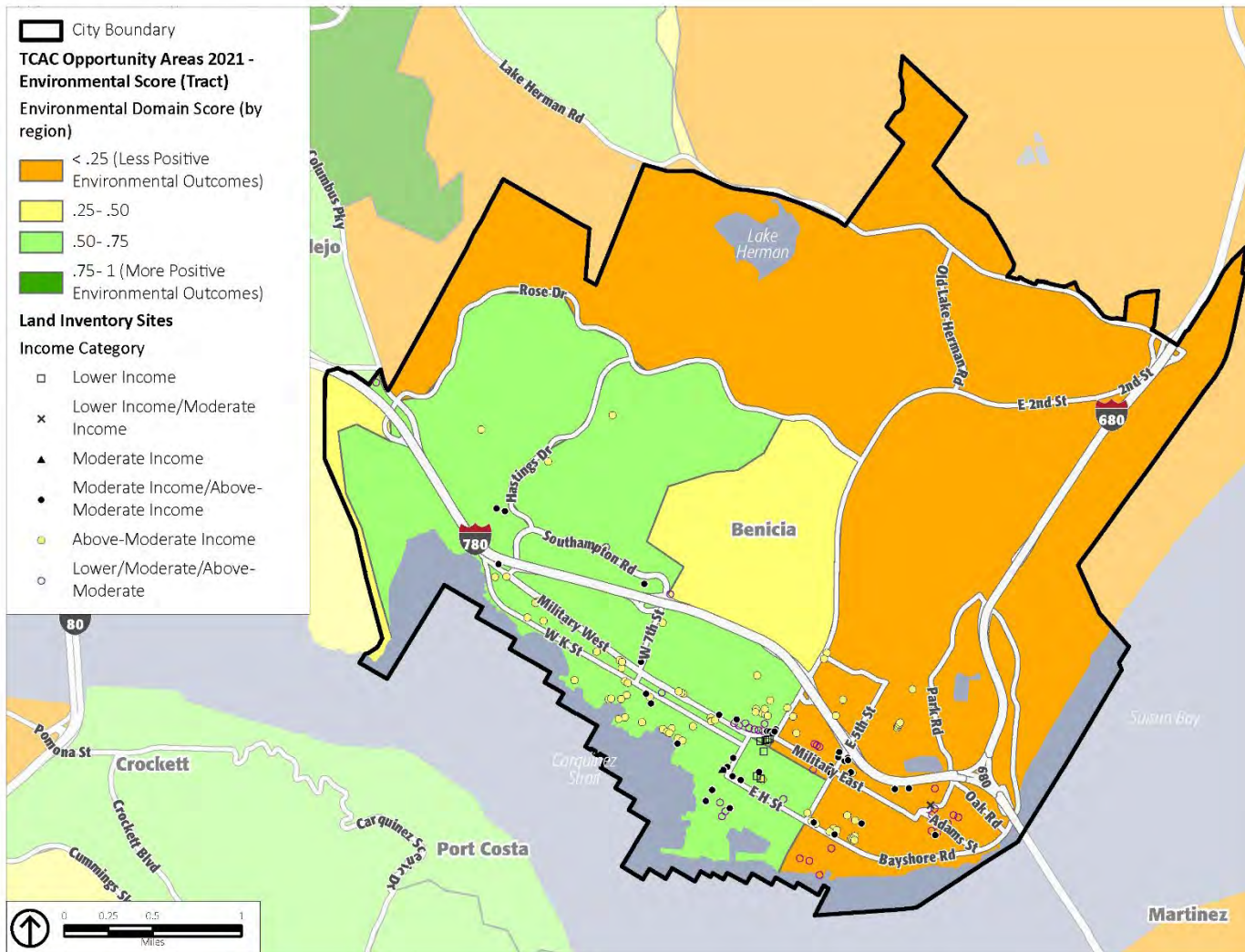
Source: TCAC/HCD, 2021; City of Benicia, 2022

FIGURE 3-8: LOCAL MEDIAN INCOME



Source: 2015-2019 ACS; City of Benicia, 2022

FIGURE 3-9: LOCAL TCAC/HCD ENVIRONMENTAL SCORE



Source: TCAC/HCD, 2021; City of Benicia, 2022

Like other Solano County jurisdictions, Benicia sees a range of lower- and higher-income neighborhoods. Regionally, Benicia's highest-income block group (\$174,306) is among the highest in the county; similarly high-income block groups are found in Vacaville (\$161,750), Fairfield (\$172,283), and Vallejo (\$168,750), as well as unincorporated areas near these jurisdictions. Benicia's lowest-income block group (\$71,276) is not among Solano County's lowest-income groups, which are found in Vallejo (\$21,270) and Fairfield (\$25,962). Benicia also demonstrates a pattern of lower-income households closer to industrial uses and highways that is also consistently found in other parts of Solano County.

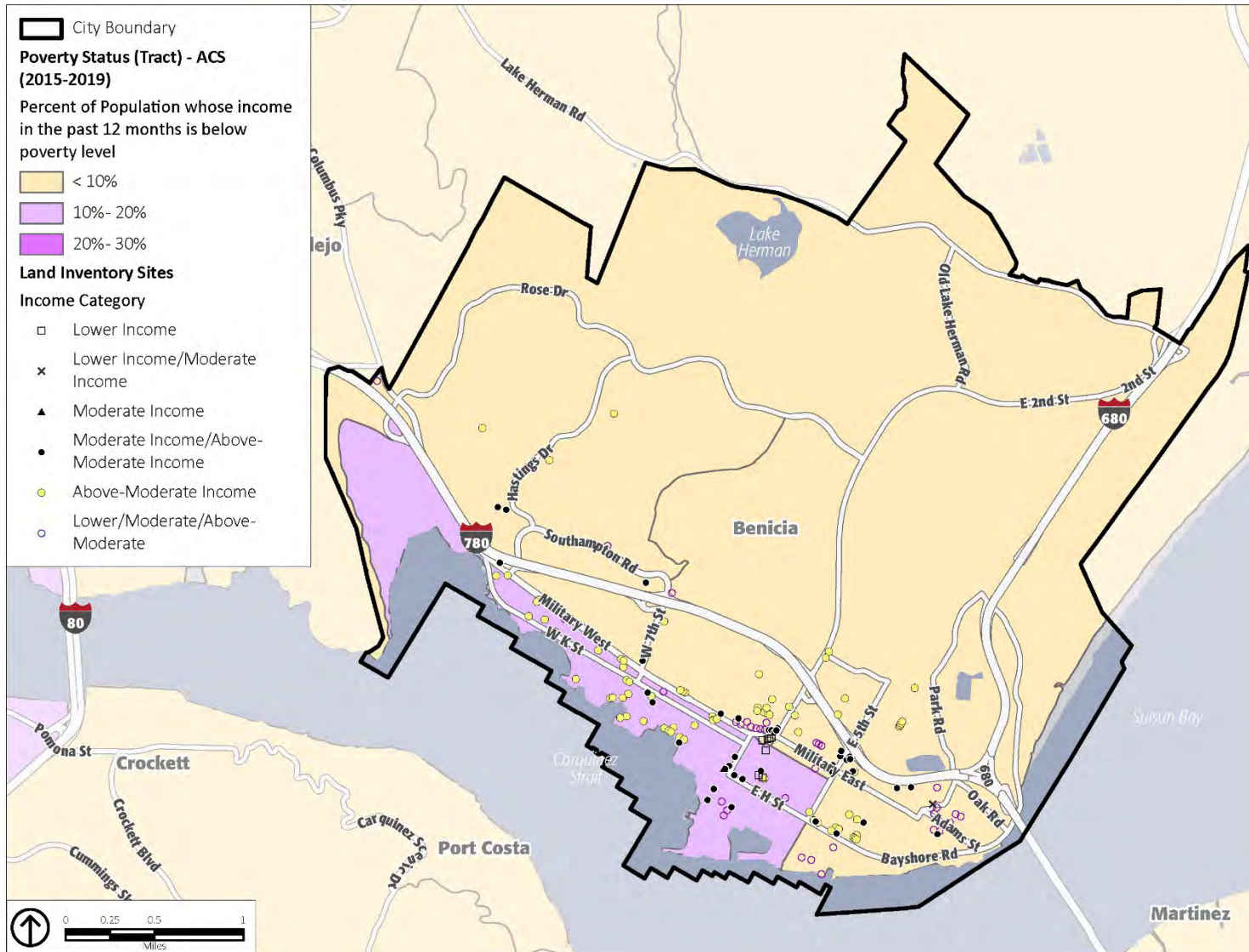
In Benicia, 8.6 percent of households make less than 30.0 percent AMI, which is considered extremely low income.¹ Rates of population living in poverty by census tract are below 10.0 percent in nearly all Benicia census tracts, placing Benicia among the county's lowest-poverty jurisdictions (**Figure 3-10, Local Poverty Rates**). **Figure 3-10** presents the percent of the population in each census tract that earns an income at or below the federal poverty rate of \$26,500 for a family of four in 2021. One tract bounded by Military West Street to the north, East 5th Street to the east, the waterfront to the south, and Benicia State Park to the west, is an exception with a rate of 10.2 percent. This tract is home to many of the city's relatively smaller units on low-lying areas closer to the Port terminal, and denser, more affordable housing options, including the Rancho Benicia, Holiday Lodge, and East N Street mobile home parks. The relatively low rates of poverty found in Benicia may indicate that high costs of housing are a barrier to access for lower-income households seeking housing in the city, forcing these households to seek housing in more affordable areas within the county or region.

Benicia has seen consistent trends in the spatial distribution of median household income between 2010 and 2019. Areas between the highways and waterfront are the primary location of the city's relatively lower-income households, with relatively higher-income households found to the northwest of the highway right-of-way.

The City has committed to **Programs 1.01, 1.03, 1.05, 1.06, 1.12, 1.15, 2.01, and 3.08** to improve opportunity access in lower-income neighborhoods, promote the development of affordable housing in high-resource areas where housing cost is a barrier to access, and help to connect lower-income households with affordable options to facilitate mobility opportunities.

¹ ABAG MTC Housing Needs Data Report, 2021

FIGURE 3-10: LOCAL POVERTY RATES



Source: 2015-2019 ACS; City of Benicia, 2022

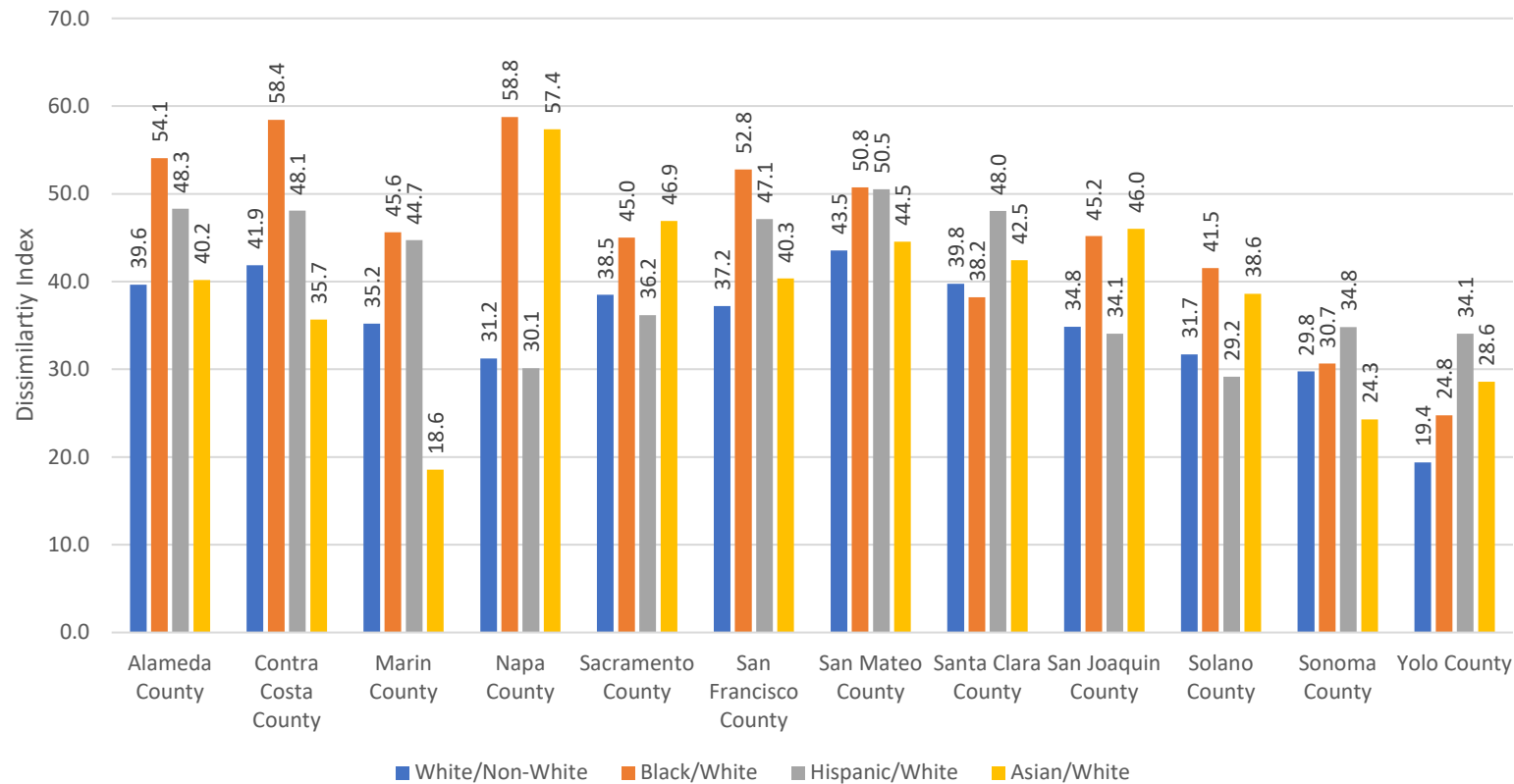
Racial and Ethnic Characteristics

Regional Patterns

The Dissimilarity Index measures the percentage of a certain racial or ethnic group's population that would have to move to a different census tract to be evenly distributed within a jurisdiction or region, and thus achieve balanced integration between all racial and ethnic groups within that jurisdiction. The higher the Dissimilarity Index score is, the higher the level of segregation is currently. For example, if a jurisdiction's Black/White Dissimilarity Index was 60, then 60.0 percent of Black residents would need to move to a different neighborhood for Black and White residents to be evenly distributed across the jurisdiction. According to the United States Department of Housing and Urban Development (HUD), Dissimilarity Indices of less than 39 are considered to indicate low segregation, indices between 50 and 54 indicate moderate segregation, and indices greater than 55 indicate high segregation.

According to HUD's Dissimilarity Index based on the 2010 Census, Black residents throughout most of the region experience the highest levels of segregation; followed by Hispanic residents in most counties; and Asian residents in Napa, Sacramento, and Solano Counties (**Figure 3-11, Dissimilarity Indices in the Region**). Yolo and San Joaquin Counties are the only jurisdictions in which these patterns differ. In Sonoma and Yolo Counties, all racial and ethnic groups face relatively low levels of segregation. Overall, Solano County has greater integration across all racial and ethnic groups than all counties in the Association of Bay Area Governments (ABAG) and greater region, with the exception of Marin, Sonoma, and Yolo Counties.

FIGURE 3-11: DISSIMILARITY INDICES IN THE REGION



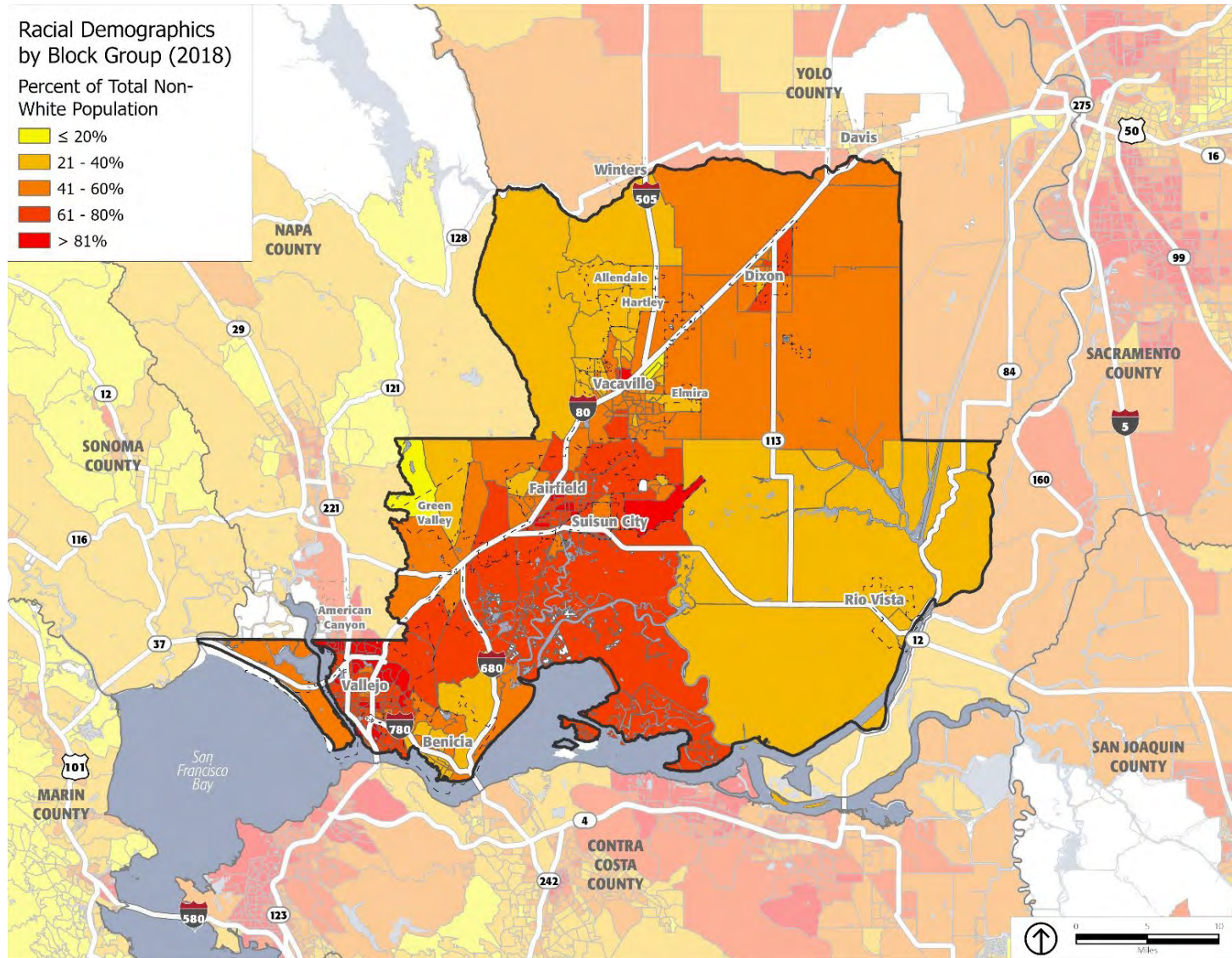
Source: HUD Affirmatively Furthering Fair Housing Mapping Tool, 2020; 2010 U.S. Census

While Solano County has relatively low dissimilarity indices compared to the region and surrounding counties, the population is predominantly White in most areas, with the exception of areas within the cities of Vallejo, Fairfield, and Dixon (**Figure 3-12, Regional Racial Demographics**). **Figure 3-12** presents the percent of the population in each block group in the County that identifies as non-White. The northern portion of the ABAG region has similar racial and ethnic patterns, with most of Marin, Sonoma, and Napa Counties being predominantly White, while there is a larger proportion of non-White populations adjacent to the San Francisco Bay in more urbanized areas. Similarly, in Yolo and San Joaquin Counties, and the southwestern portion of Sacramento County, the population

predominantly identifies as Hispanic. These racial and ethnic trends in the ABAG and Sacramento regions reflect patterns of urbanization and income distribution that reflect the trends in Solano County. Where there is greater urbanization and higher rates of poverty, such as in and near the City of Vallejo, there is greater diversity, meaning a higher proportion on non-White households (**Figure 3-13, Regional Diversity Index**, and **Figure 3-12, Regional Racial Demographics**). The Diversity Index shown in **Figure 3-13** is based on a variety of variables, including race, ethnicity, age, income, gender identify, and more. **Figure 3-13** presents the degree to which there is a range of identities in each block group.

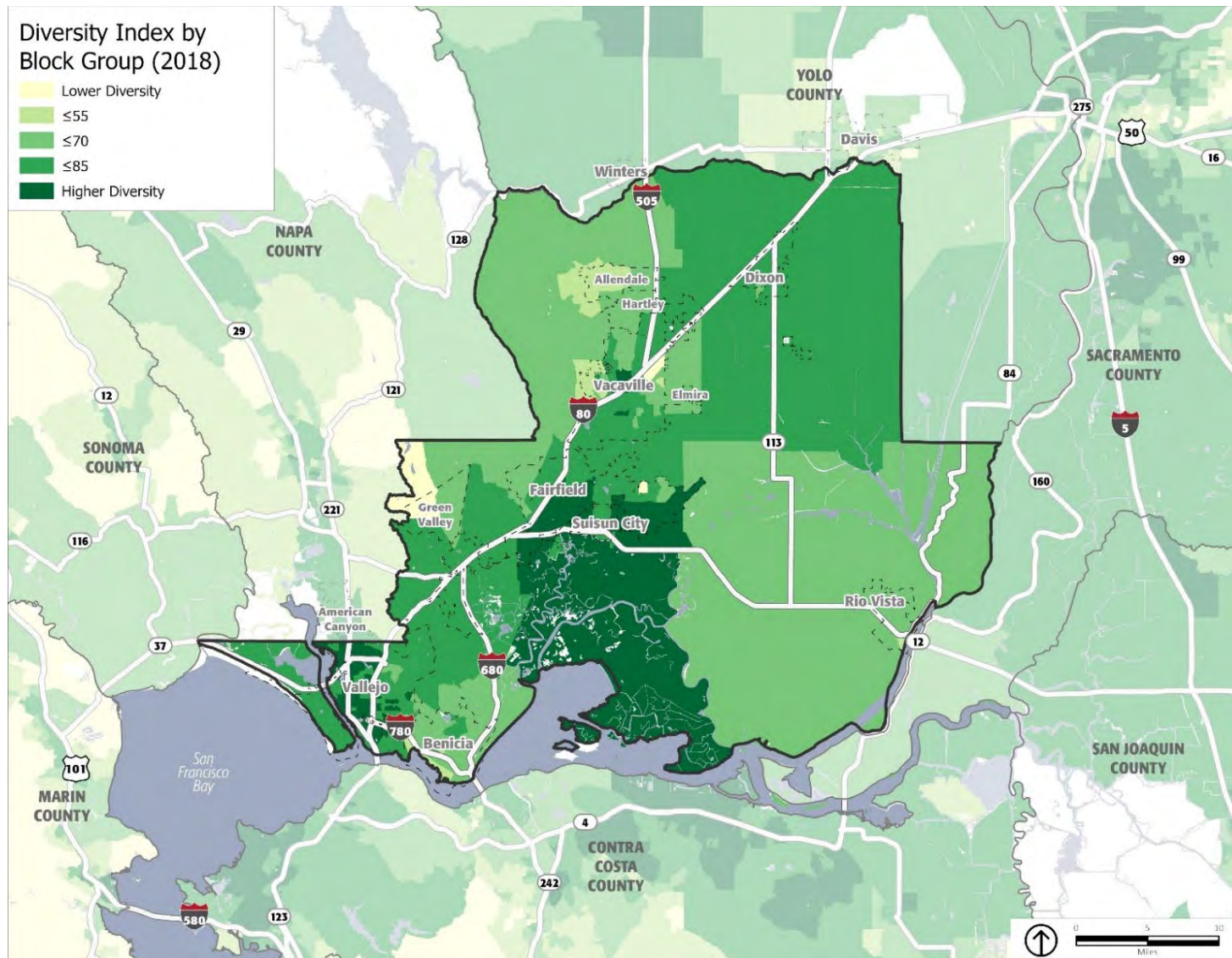
Concentrations of minority populations, or concentrations of affluence, may indicate a fair housing issue despite relative integration compared to the region. A racially and ethnically concentrated area of poverty (R/ECAP) is defined by HUD as an area in which 50.0 percent or more of the population identifies as non-White and 40.0 percent or more of households are earning an income below the federal poverty line. While racially concentrated areas of affluence (RCAAs) have not been officially defined by HUD, for the purposes of this analysis, if the percentage of a population in a census tract that identifies as White is 1.5 times the percentage that identifies as White in ABAG as a whole, and the median income is at least 1.25 times greater than the State AMI (\$90,100), or \$112,625, the tract is considered a RCAA. There are two R/ECAPs in Solano County, one within the limits of the City of Vallejo and one within the limits of the City of Fairfield, both of which are discussed in more detail in their respective jurisdictional analysis. The only other R/ECAP in the northern ABAG region is in Marin County, adjacent to the City of Sausalito, while there are several in the urban areas of the southern ABAG region, Sacramento County, and San Joaquin County (see **Figure 3-14, Regional R/ECAPs**). In contrast, there are several possible RCAAs in Solano County (see **Figure 3-15, Regional RCAAs**), including in the cities of Benicia and Vacaville and unincorporated areas, including Green Valley. RCAAs are even more prevalent throughout the ABAG region, such as in the suburban communities of Alameda and Contra Costa Counties as well as much of Santa Clara, San Mateo, Marin, and Napa Counties.

FIGURE 3-12: REGIONAL RACIAL DEMOGRAPHICS



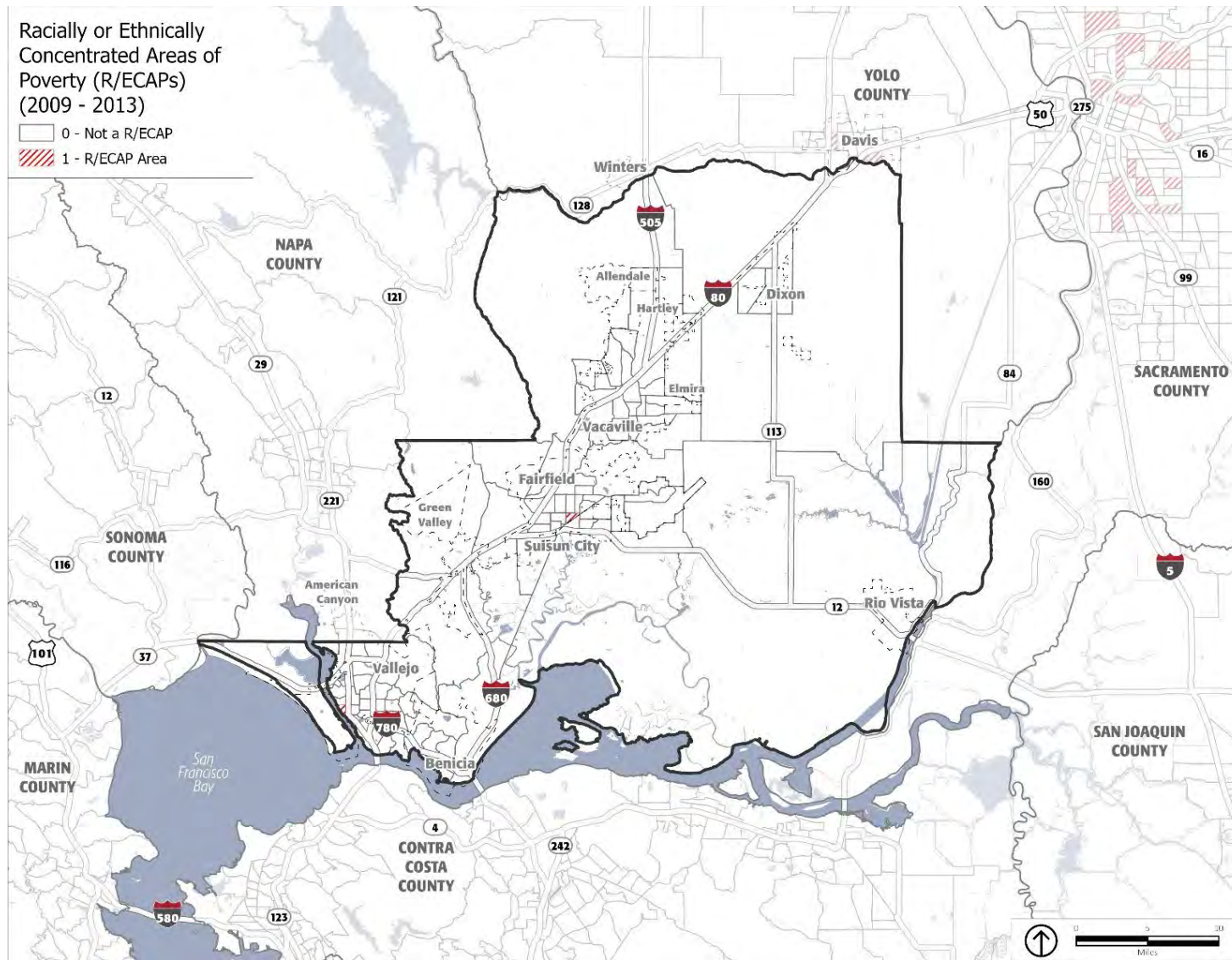
Source: Esri, 2018

FIGURE 3-13: REGIONAL DIVERSITY INDEX



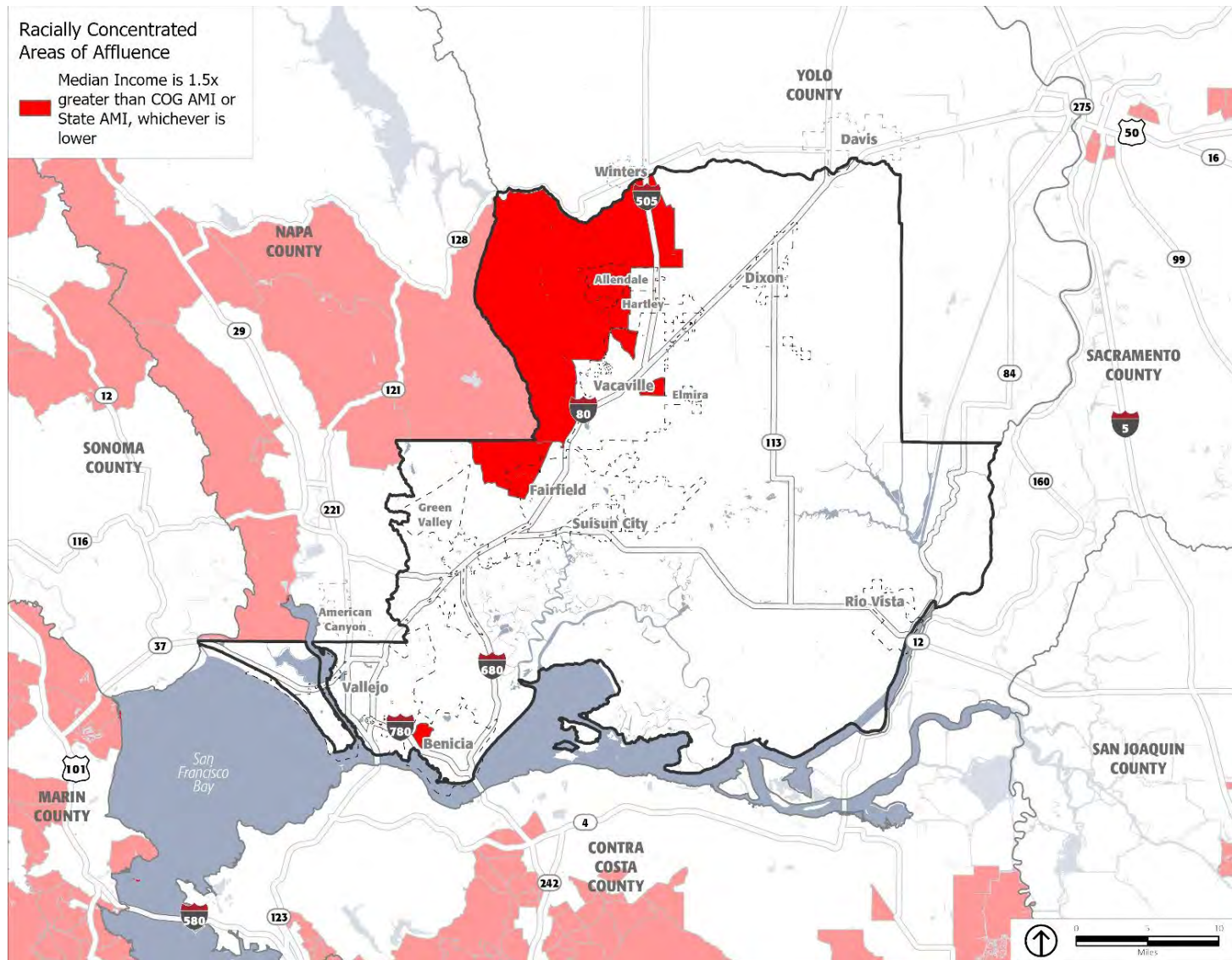
Source: Esri, 2018

FIGURE 3-14: REGIONAL R/ECAPS



Source: 2006-2010 ACS

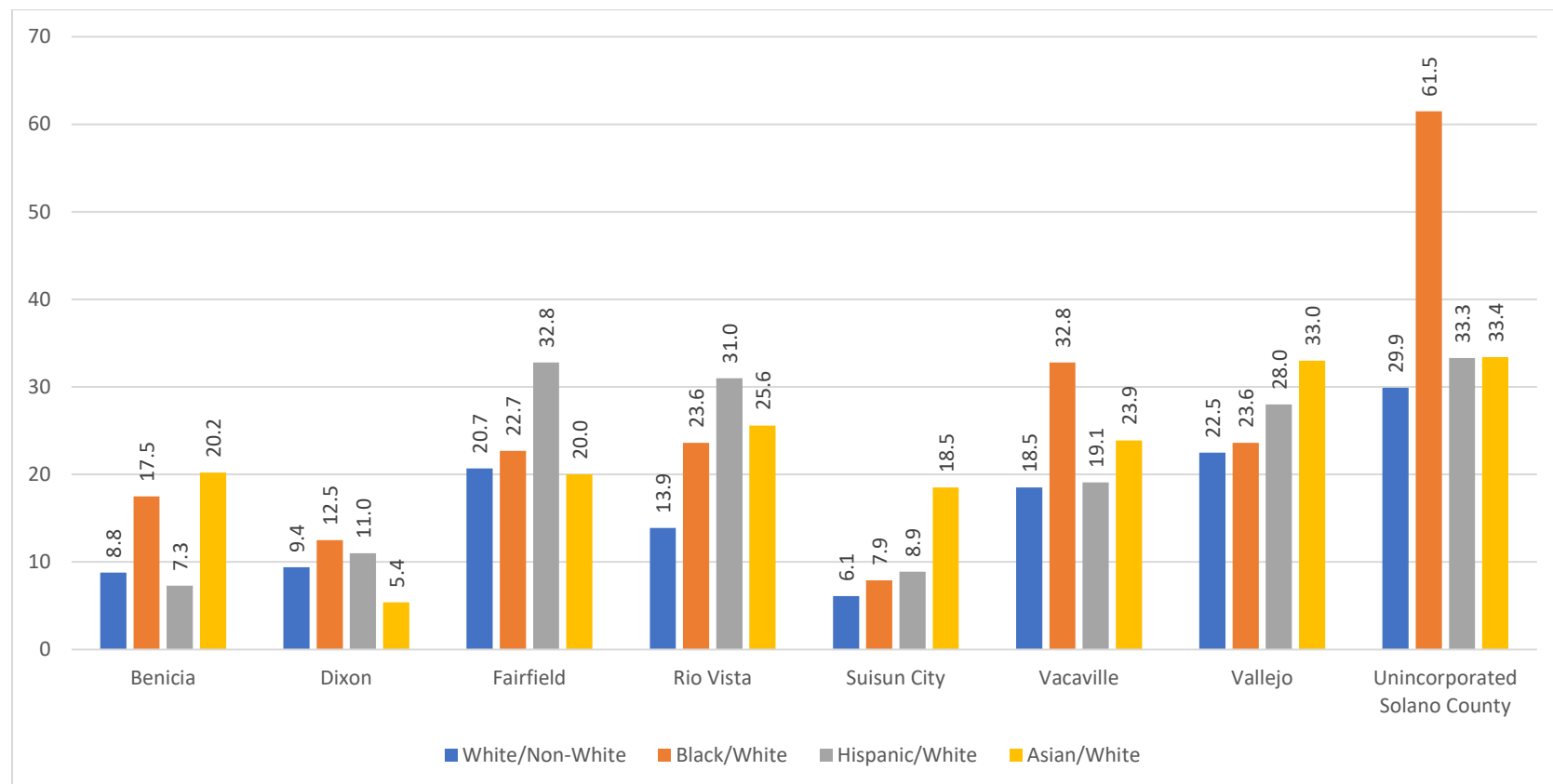
FIGURE 3-15: REGIONAL RCAAS



Source: 2015-2019 ACS

At the local level, the University of California (UC) Merced Urban Policy Lab and Association of Bay Area Government/Metropolitan Transportation Council (ABAG/MTC)'s AFFH Segregation Reports for each jurisdiction reports Dissimilarity Index scores based on the 2020 Census, for a current reflection of local integration. As shown in **Figure 3-16, Dissimilarity Indices within Solano County**, the unincorporated area has the greatest level of segregation among all racial groups, while Dixon has the lowest level of segregation. In some jurisdictions, the percentage of the population that identifies as non-White is so low, as shown in the Solano County Housing Needs Assessment (HNA) in Table 2-1, Population by Ethnicity, that dissimilarity indices may not accurately represent their distribution.

FIGURE 3-16: DISSIMILARITY INDICES WITHIN SOLANO COUNTY



Source: ABAG Data Packets, 2021; 2020 Decennial Census

Local Patterns

Benicia's largest demographic group is White non-Hispanic, comprising 65.1 percent of the city's population. Hispanic residents (including White Hispanic) together comprise 12.8 percent of the city's population, with Asian non-Hispanic (11.2 percent), Multiracial non-Hispanic (6.8 percent), and Black or African American (3.22 percent) comprising the next largest demographic groups. Other demographic groups, including American Indian/Alaskan Native, Native Hawaiian, and "other," are represented by smaller populations, each comprising 1.0 percent or less of the city's population. The city's most diverse block group is also its block group with the lowest median household income (see "Income Distribution") (see **Figure 3-17, Local Racial Demographics**). **Figure 3-17** presents the percent of the population in each block group in Benicia that identifies as non-White. This most diverse block group with the lowest median income is found in the Southampton neighborhood on the north side of I-780, with a non-White population of 51.7 percent, and a median household income of \$71,276. Of the city's four highest-income block groups, two are relatively less diverse, while the other two see more diversity. One block group bounded by Cambridge Drive to the south, Rose Drive to the north and west, and Hastings Drive to the east has a household income of \$132,946 and a non-White population of 37.2 percent. The second less-diverse, high-income block group, eastwardly adjacent to the former block group, has a median household income of \$134,702 and a non-White population of 32.9 percent. However, the city's two highest-income block groups (\$145,417 and \$174,306) immediately to the north of the previously mentioned block groups are relatively more diverse with non-White populations of 40.8 percent and 55.7 percent, respectively. Other lower-income areas of the city between I-780 and the waterfront (see "Income Distribution") are moderately diverse, with a non-White population of 41.4 percent in these areas. While lower-income parts of the city tend to have increased diversity, with the lowest-income block group also the most diverse, the data suggests that income and racial and ethnic characteristics in Benicia are not necessarily linked, as the highest income areas also have moderate to high rates of diversity.

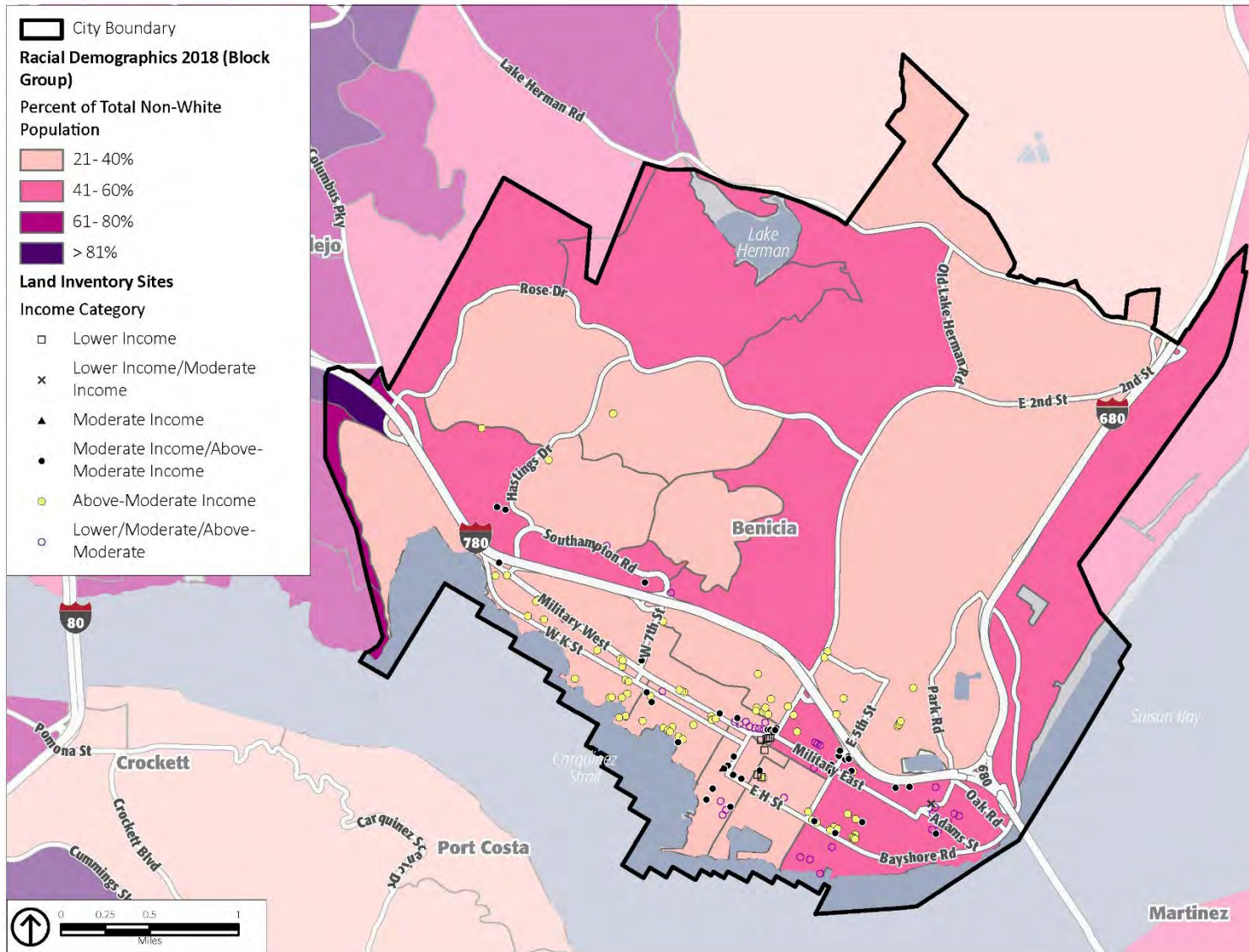
Further, Benicia has grown slightly more diverse over time. In 2010, several block groups along the waterfront on the southwest side of the city had rates of non-White residents less than 20.0 percent, and rates citywide were generally lower. More recent census data from 2018 indicates that all block groups in the city have either become more diverse or stayed relatively as diverse as they were in the past. No block group in Benicia has become less diverse during this period, and no block group has a rate of non-White resident population under 20.0 percent.

The spatial distribution of residents according to racial and ethnic demographics found in Benicia today is consistent with patterns found elsewhere in Solano County. Neighborhoods with higher proportions of non-White residents tend to be closer to major arterial roads, highway corridors, and non-residential uses. Low- to moderate-income areas in both Benicia and Solano County tend to be more diverse than high-income areas, which tend to be less diverse. Benicia does not contain any R/ECAPs, as defined by HUD, but does contain one RCAA in west Berkshire, in a census tract bounded by I-780 to the south, Rose Drive to the north and west, and Hastings Drive to the east (see **Figure 3-18, Local RCAAs**). **Figure 3-18** identifies the locations of neighborhoods that meet the definition of a RCAA described in

the regional analysis. The RCAA in Benicia neighborhood consists of two block groups with a median household income of \$132,946 north of Cambridge Drive, and \$89,764 south of Cambridge Drive, suggesting that the concentration of affluence is in the northern portion of the tract.

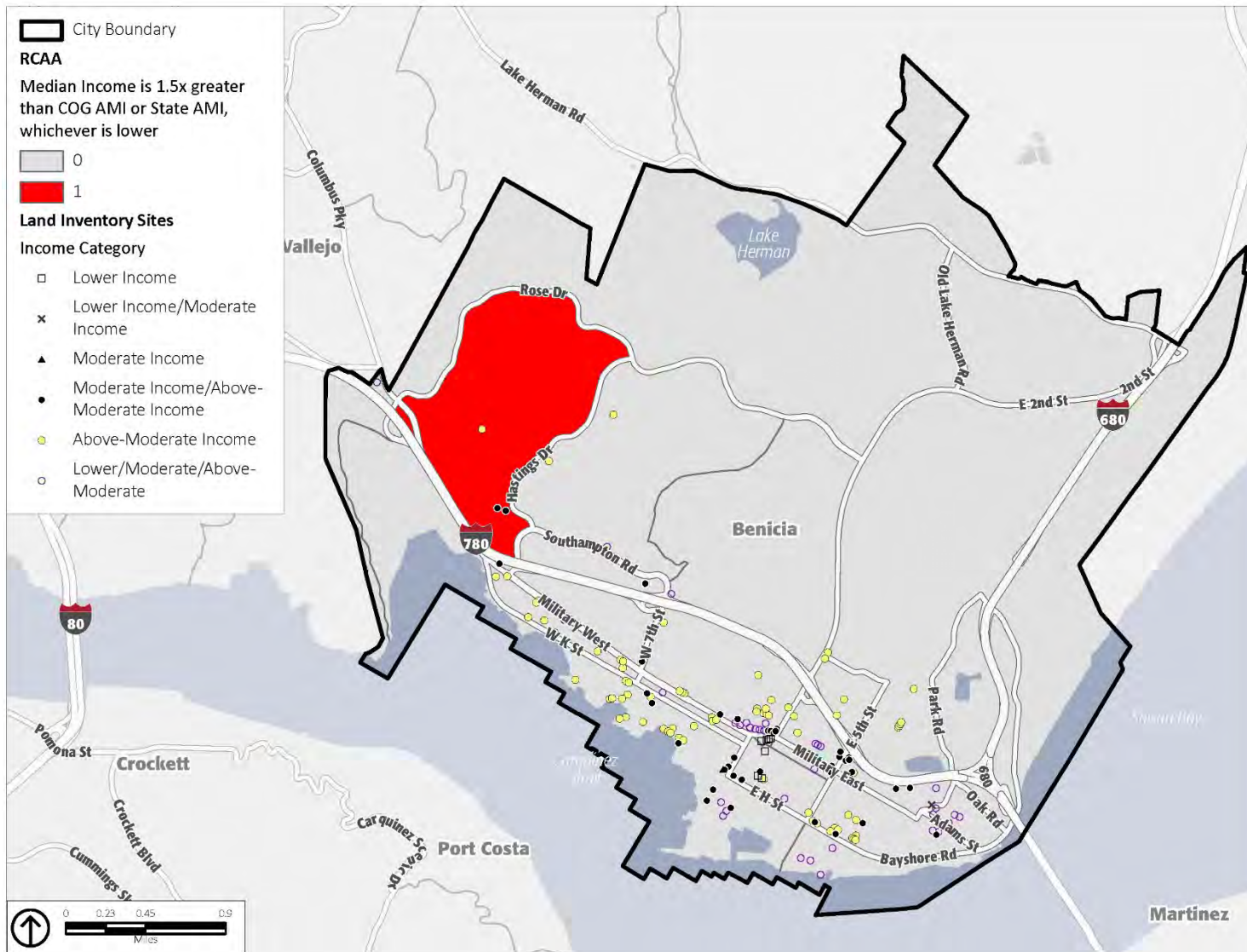
To improve access to areas of high opportunity for lower-income households and increase housing mobility opportunities for lower- and moderate-income households and non-White households, the City will implement **Programs 1.06, 1.12, 1.15, 2.01, and 3.08** continue to support construction of high-density housing in areas with better access to opportunities to facilitate economic mobility for lower-income residents.

FIGURE 3-17: LOCAL RACIAL DEMOGRAPHICS



Source: Esri, 2018; City of Benicia, 2022

FIGURE 3-18: LOCAL RCAAS



Source: 2015-2019 ACS; City of Benicia, 2022

Familial Status

Regional Patterns

Patterns of familial status present a potential indicator of fair housing issues, as it relates to availability of appropriately sized or priced housing when certain family types are concentrated. As a protected characteristic, concentrations of family types may also occur as a result of discrimination by housing providers, such as against families with children or unmarried partners. Furthermore, single-parent female-headed households are considered to have a greater risk of experiencing poverty than single-parent male-headed households due to factors including the gender wage gap and difficulty in securing higher-wage jobs.

In 2021, HUD Office of Fair Housing and Equal Opportunity (FHEO) reported the number of housing discrimination cases filed with HUD since January 2013. Of the 41 cases in Solano County that were not dismissed or withdrawn, approximately 12.1 percent (5 cases) alleged familial status discrimination (**Table 3-1, Regional Familial Status Discrimination, 2013-2021**). While it is important to note that some cases may go unreported, five cases in eight years reflects significantly low rates of familial status discrimination in Solano County. Further, the incidence of discrimination against familial status in Solano County is relatively low compared to the region, with only Sacramento, San Francisco, and Sonoma Counties having lower rates.

TABLE 3-1: REGIONAL FAMILIAL STATUS DISCRIMINATION, 2013-2021

County	Total Cases*	Cases Alleging Familial Status Discrimination	
		Number	Percentage of Total Cases
Alameda County	125	21	16.8%
Contra Costa County	94	12	12.8%
Marin County	52	10	19.2%
Napa County	28	12	42.9%
Sacramento County	158	15	9.5%
San Francisco County	133	13	9.8%
San Joaquin County	30	4	13.3%
San Mateo County	64	29	45.3%
Santa Clara County	139	44	31.7%
Solano County	41	5	12.2%
Sonoma County	44	3	6.8%
Yolo County	25	4	16.0%

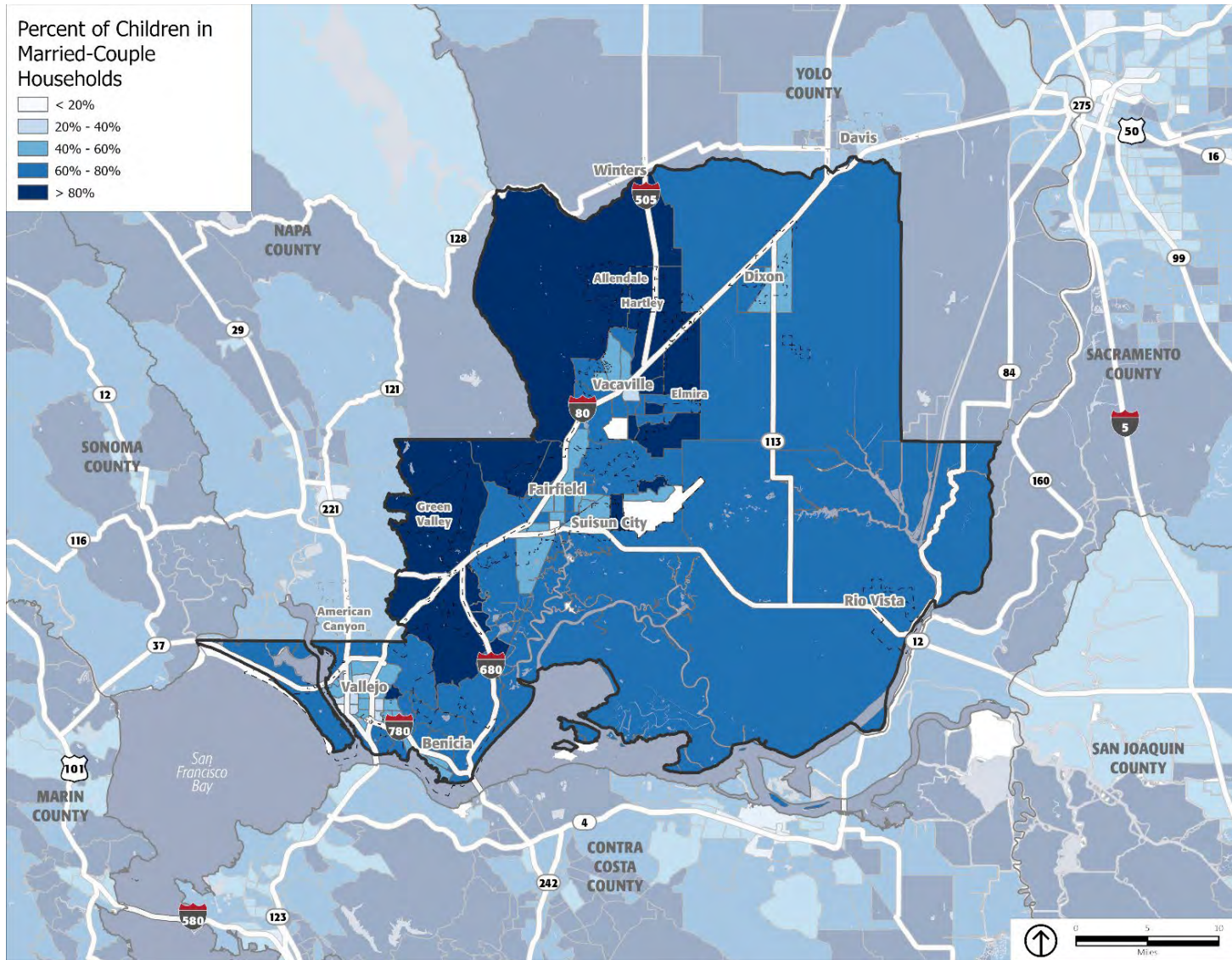
Source: HUD, 2021

*Cases that were withdrawn by the complainant without resolution, resulted in a no cause determination, or were not pursued as a result of failure of the complainant to respond to follow-up by HUD are not included in this total.

While discrimination against familial status does not pose a fair housing issue in Solano County, particularly compared to the region, there are still notable patterns of distribution for varying family types. As seen in **Figure 3-19, Percentage of Children in Married Couple Households in the Region**, most of Solano County has markedly lower rates of this family type, particularly compared to ABAG jurisdictions. The lower rate of families with children found in eastern Solano County is more reflective of northern portions of Yolo and Marin Counties, where residences are typically more dispersed and uses are more agricultural or limited by topography. The highest rates of female-headed households with children in Solano County are in, or immediately adjacent to, incorporated cities, likely where there is better access to schools, transit, and jobs, as well as a greater range in housing types to meet a variety of needs (**Figure 3-20, Percentage of Children in Female-Headed Households in the Region**). This pattern is seen throughout the ABAG and Sacramento Region, with greater concentrations of female-headed households in and near cities, and higher rates of married couples further from urban centers.

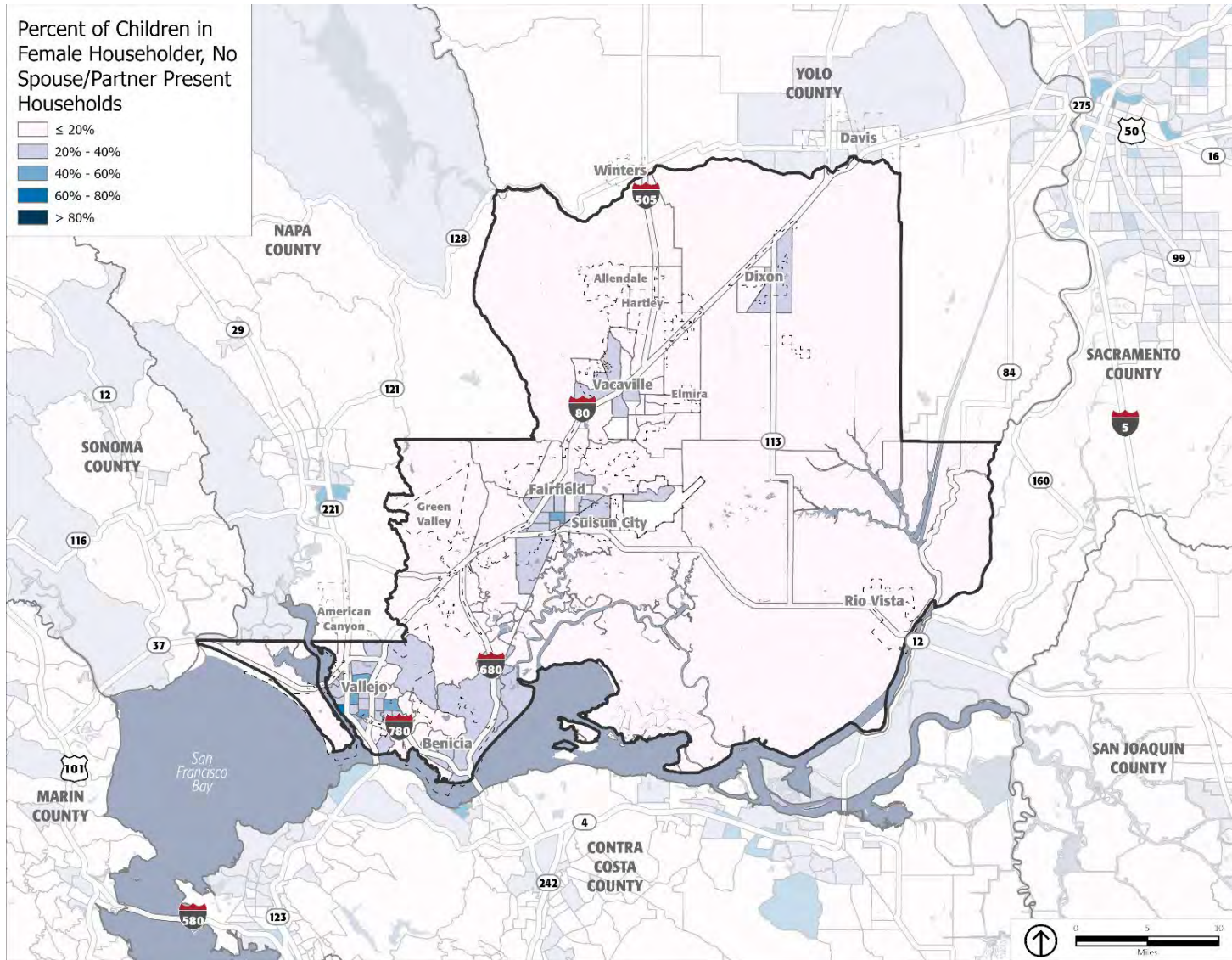
Within Solano County, the highest concentration of female-headed households is in the City of Vallejo, with one pocket in the City of Fairfield. In line with this, these cities also have the lowest concentrations of married couple households with children, which is the dominant family type in the northeastern portion of Vacaville and nearby areas of the unincorporated county. In other jurisdictions in the county, there is a more balanced representation of a variety of family types, though married couples are still the primary family type throughout Solano County and the region.

FIGURE 3-19: PERCENTAGE OF CHILDREN IN MARRIED COUPLE HOUSEHOLDS IN THE REGION



Source: 2015-2019 ACS

FIGURE 3-20: PERCENTAGE OF CHILDREN IN FEMALE-HEADED HOUSEHOLDS IN THE REGION

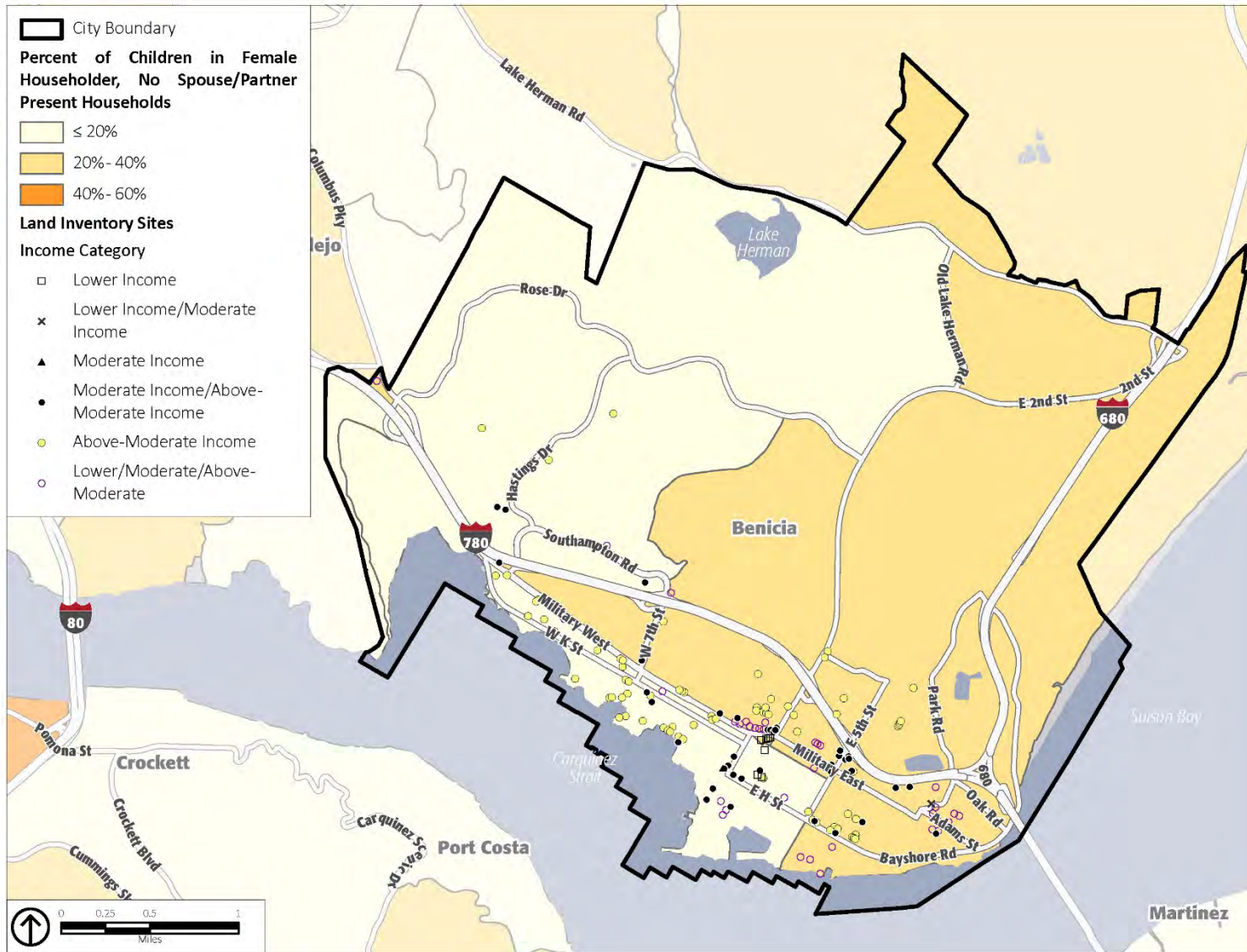


Source: 2015-2019 ACS

Local Patterns

Like several other jurisdictions in Solano County, a large proportion of Benicia households are families. Approximately 74.8 percent of Benicia households are family households, defined by California state law as a household of two or more persons, regardless of relationship status. In Benicia, 25.2 percent of residents live alone. Single-parent households are at particular risk of fair housing access issues and displacement due to income and childcare challenges. Of Benicia households, 10.2 percent (1,155 households) are female-headed households; 69.7 percent of these households (793 households) include children, and 15.5 percent include children and have household incomes below the poverty line (179 households). The rate of single-parent female-headed households with children as a percentage of total households in each census tract varies from 7.4 to 32.8 percent citywide. The highest rate of single-parent female-headed households with children citywide (32.8 percent) is in the census tract bounded by I-780 to the north, Military West Street to the south, and East 2nd Street to the east. The majority of the city's relatively lower-income block groups fall within census tracts where the rate of such households is greater than 20.0 percent (**Figure 3-21, Single-Parent Female-Headed Households with Children in Benicia**). **Figure 3-21** presents the percentage of households in each census tract that are single-parent, female-headed households with children. Households in lower-income block groups consist of many of the city's smaller units in low-lying areas closer to the waterfront Port terminal, and denser housing options, including several multifamily developments and the Rancho Benicia, Holiday Lodge, and East N Street mobile home parks. All of the city's highest-income block groups fall within census tracts where the rate of such households is less than 20.0 percent. In these highest-income neighborhoods, the primary type are households where householders live with a spouse, with the majority of children living in married-couple households. As described previously, the entirety of Benicia is designated moderate resource, indicating that there are not meaningful differences in terms of access to resources in different parts of the city. However, this data indicates that households in Benicia's highest-income neighborhoods are less likely to be composed of single-parent female-headed households, while households in its relatively lower-income neighborhoods are more likely to be composed of single-parent female-headed households. To promote housing mobility for single-parent households, the City will facilitate the development of affordable housing and smaller units in higher-income areas and neighborhoods that are currently primarily single-family homes (**Programs 1.06, 1.12, 1.15, 2.01, and 3.08**).

FIGURE 3-21: SINGLE-PARENT FEMALE-HEADED HOUSEHOLDS WITH CHILDREN IN BENICIA



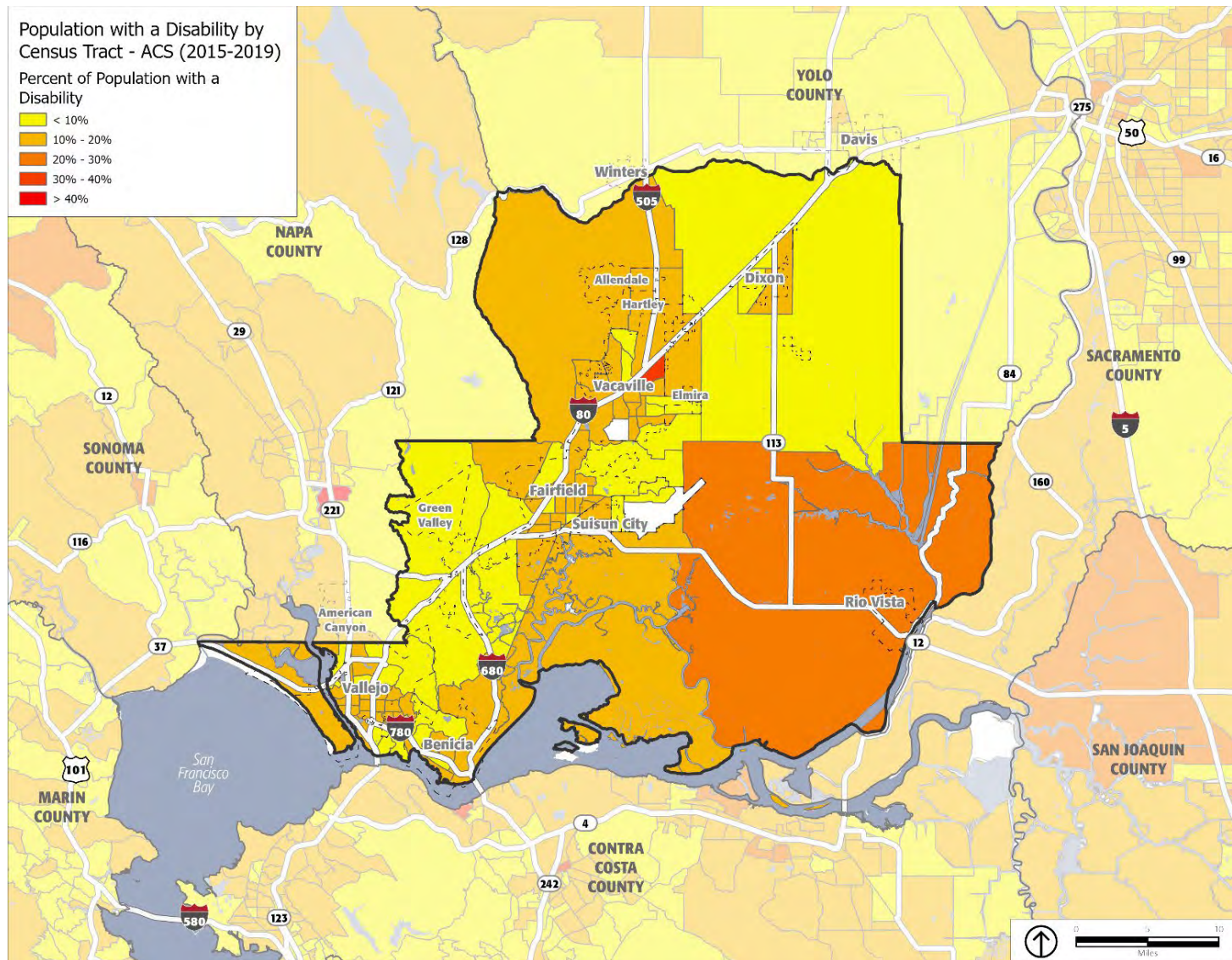
Source: 2015-2019 ACS; City of Benicia, 2022

Disability Rates

Regional Patterns

Figure 3-22, Population with a Disability in the Region presents the percent of the population in each census tract that has a disability. As shown, a large area of eastern Solano County in which nearly 23.8 percent of the population has a disability, one of the largest areas with a high disability rate in the region. However, this tract includes the City of Rio Vista, where nearly half of the population is 65 years or older (see HNA Table 2-2, Population by Age, 2019). As shown in **Table 3-2, Demographic Characteristics of the Population with a Disability**, 44.3 percent of the population in Solano County with a disability falls into this age group, suggesting that the high rate of disability in the southeastern portion of the county is likely due to the concentration of seniors. The second area of concentrated disability in Solano County is in the City of Vacaville, in the tract encompassing Leisure Town, a retirement community restricted to residents aged 50 and older. With the exception of these two areas of senior populations, disability rates in Solano County largely reflect patterns seen throughout the Bay Area (see **Table 3-2, Demographic Characteristics of the Population with a Disability**), with slightly higher rates of disability in more developed areas (**Figure 3-22, Population with a Disability in the Region**). This is likely due to proximity to services and accessible housing options that are often desirable to persons with disabilities. Regional service providers indicate that residents living with disabilities prefer to live independently but limited housing options may restrict options to care facilities. Additionally, senior residents typically make up a substantial share of residents living with disabilities.

FIGURE 3-22: POPULATION WITH A DISABILITY IN THE REGION



Source: 2015-2019 ACS

TABLE 3-2: DEMOGRAPHIC CHARACTERISTICS OF THE POPULATION WITH A DISABILITY

Demographic Characteristic	Solano County	Bay Area
Population with a disability	52,642	735,533
<i>Race and Ethnicity</i>		
White, alone	57.0%	56.2%
Black or African American, alone	16.3%	9.8%
Alaska Native/Alaska Native, alone	0.8%	1.0%
Asian, alone	14.3%	20.1%
Native Hawaiian/Pacific Islander, alone	0.9%	0.6%
Some other race or multiple races	10.8%	12.4%
Hispanic or Latino	16.5%	19.4%
<i>Age</i>		
Under 18 years	7.3%	6.3%
18 to 34 years	10.2%	11.5%
35 to 64 years	38.2%	33.9%
65 years and over	44.3%	48.4%
<i>Disability Type</i>		
Hearing Difficulty	29.7%	28.5%
Vision Difficulty	15.1%	17.2%
Cognitive Difficulty	36.1%	38.1%
Ambulatory Difficulty	51.5%	50.3%
Self-Care Difficulty	20.4%	22.8%
Independent Living Difficulty	34.9%	40.7%

Source: 2015-2019 ACS

The characteristics of the population with a disability in Solano County closely reflects patterns throughout the Bay Area (**Figure 3-22, Population with a Disability in the Region**). This is also reflected in the geographic distribution of persons with disabilities, with no notable concentrations of high disability rates in Solano County compared to the ABAG and Sacramento regions, with the exception of the City of Rio Vista (see HNA Table 2-32, Population by Disability Status, 2015-2019).

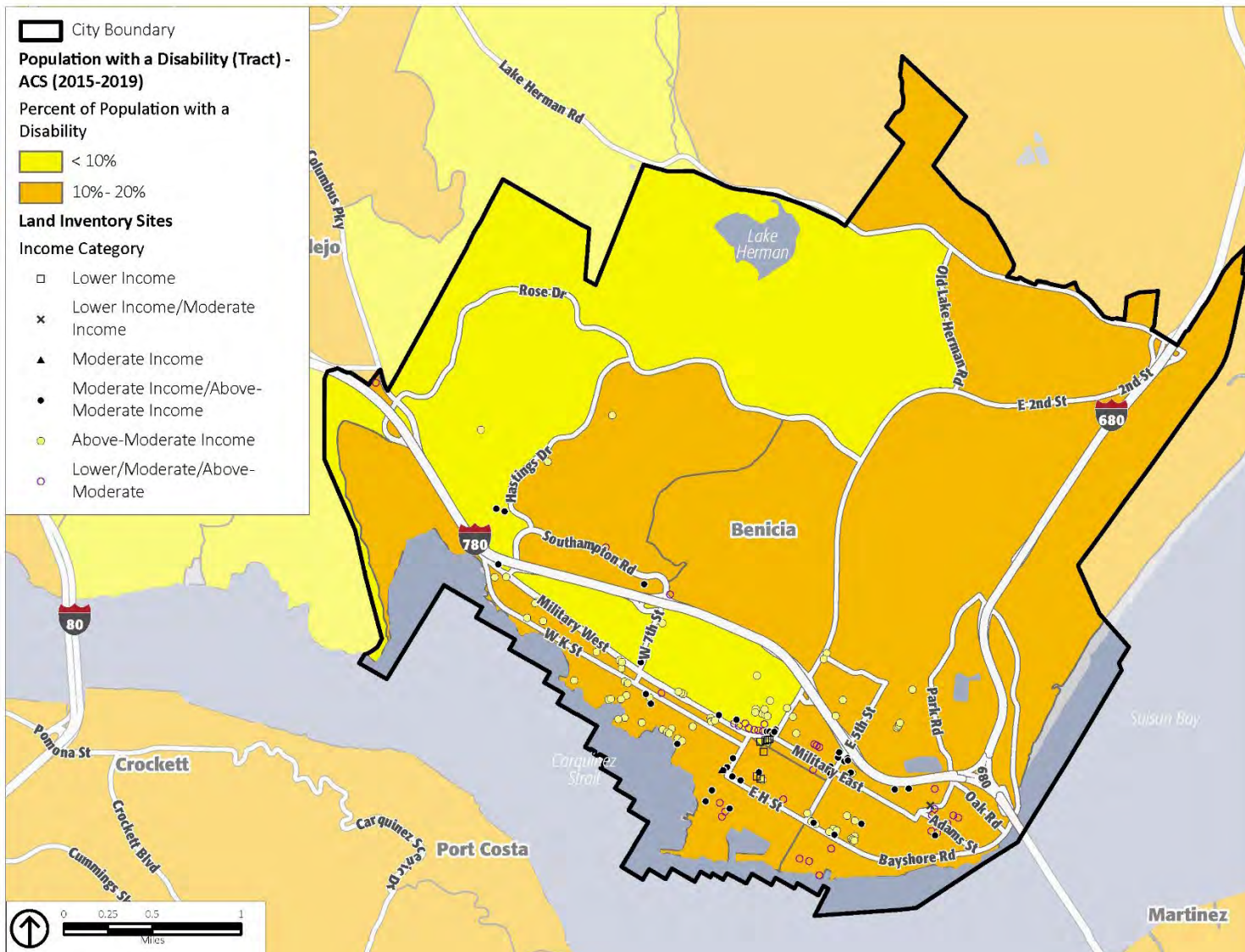
Local Patterns

Approximately 11.1 percent of Benicia’s population lives with one or more types of disabilities, close to the Solano County average of 12.3 percent and the Bay Area average of 9.6 percent.² Benicia residents living with disabilities are not meaningfully concentrated in any part of the city, with rates ranging from 7.5 to 15.4 percent by census tract (**Figure 3-23, Population with a Disability in Benicia**). **Figure 3-23** presents the percent of the population in each census tract that identifies as having a disability. While there are no concentrations in Benicia, residents living with disabilities are found at marginally higher rates in neighborhoods between the highways and the waterfront, which, as previously described, coincide with the city’s relatively lower-income and environmentally adverse areas. While there does not appear to be a consistent pattern indicating that residents with disabilities are housed primarily in areas with less access to opportunities and resources, the data does indicate that lower-income areas of the city, and areas closer to highways and non-residential uses, see slightly higher rates of disability as compared to higher-income areas of the city consisting primarily of single-unit residences. The spatial distribution of Benicia residents living with disabilities has not meaningfully shifted between 2014 and 2019. Census tracts between the highways and the waterfront continue to see marginally higher rates of disability relative to other areas of the city.

To improve access to housing for senior residents and other residents with disabilities, this Housing Element includes **Program 5.02**, which directs the City to evaluate and address issues of “visitability” and universal design in residential building design. As stated in **Program 3.06**, the City will support services and developments targeted for developmentally disabled persons and households.

² Housing Needs Assessment, Table 2-32

FIGURE 3-23: POPULATION WITH A DISABILITY IN BENICIA



Source: 2015-2019 ACS; City of Benicia, 2022

Access to Opportunity

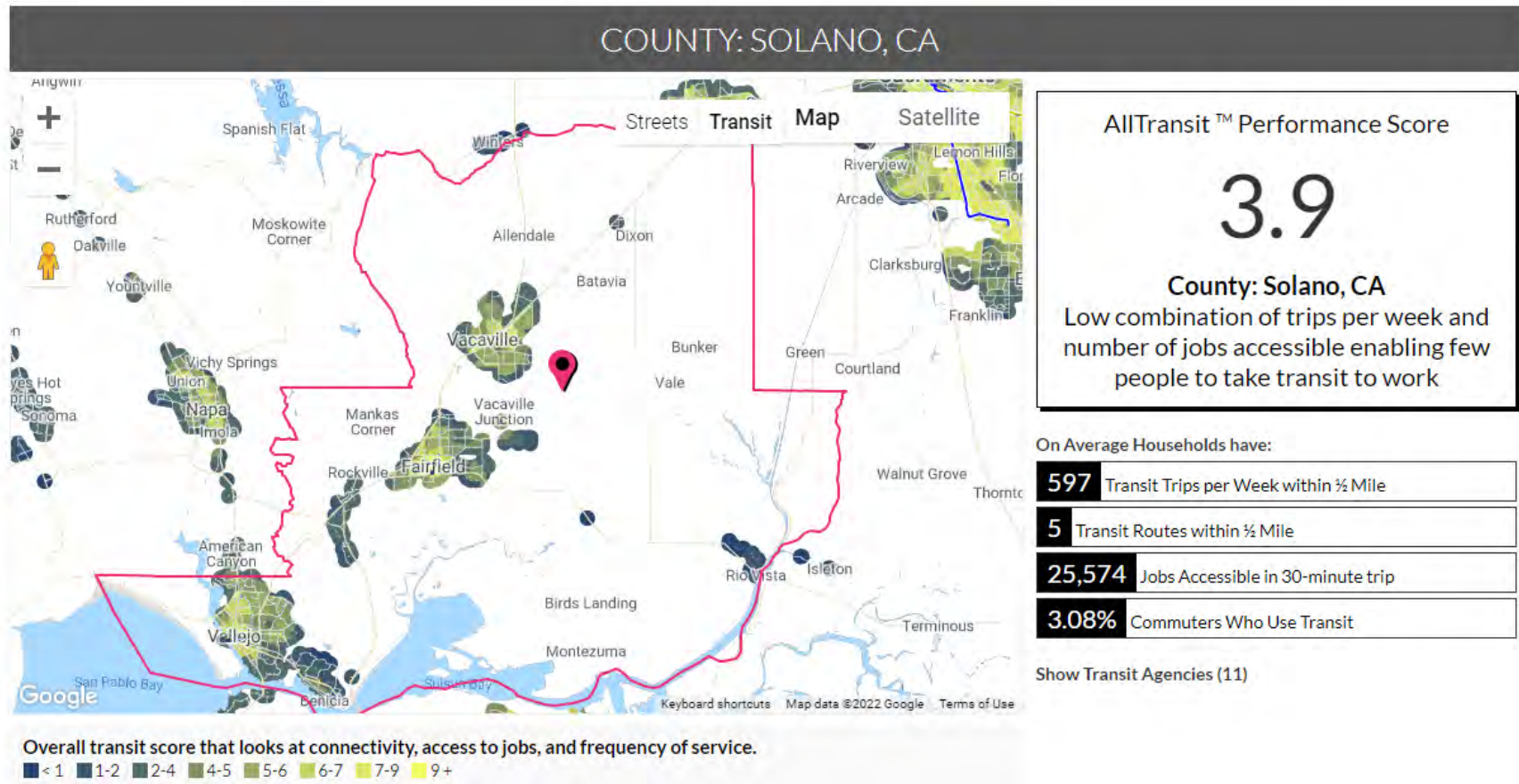
Transit Mobility

Regional Patterns

Transit mobility refers to an individual's ability to navigate the city and region on a daily basis to access services, employment, schools, and other resources. Indicators of transit mobility include the extent of transit routes, proximity of transit stops to affordable housing, and frequency of transit.

AllTransit is a transit and connectivity analytic tool developed by the Center for Neighborhood Technology for the advancement of equitable communities and urban sustainability. The tool analyzes the transit frequency, routes, and access to determine an overall transit score at the city, county, and regional levels. **Figure 3-24, AllTransit Transit Access in the Region** depicts where in Solano County transit is available and areas with higher connectivity scores. As shown, public transit in Solano County is largely isolated within incorporated jurisdictions, with little to no available transit between cities or within unincorporated areas. While transit companies such as Amtrak and Greyhound offer connections from Sacramento to San Francisco that have stops along the I-80 corridor, these are not typically used as transit opportunities for daily activities. All residents of Solano County have access to the Clipper Card, a program that works for 24 transit services within the San Francisco Bay Area, including Solano County Transit (SolTrans), Fairfield and Suisun Transit (FAST), and Vacaville City Coach.

FIGURE 3-24: ALLTRANSIT TRANSIT ACCESS IN THE REGION



Source: AllTransit.cnt.org, 2022

AllTransit scores geographic regions (i.e., cities, counties, Metropolitan Statistical Areas [MSAs], etc.) on a scale of 0 to 10. The lowest scores in Solano County are in the cities of Dixon (0.9), Rio Vista (1.8), and Benicia (2.5), and higher scores are found in the cities of Fairfield (4.1), Suisun City (4.7), Vacaville (4.9), and Vallejo (5.0). As shown in **Table 3-3, Regional AllTransit Performance Scores**, transit accessibility in Solano County reflects the scores of neighboring counties with large agricultural industries, such as Napa, San Joaquin, and Sonoma Counties, and is far more limited than more urban jurisdictions in the Bay Area and Sacramento regions.

TABLE 3-3: REGIONAL ALLTRANSIT PERFORMANCE SCORES

Jurisdiction/Region	Score
Alameda County	7.1
Contra Costa County	5.0
Marin County	4.8
Napa County	3.3
Sacramento County	4.8
San Francisco County	9.6
San Joaquin County	3.0
San Mateo County	6.1
Santa Clara County	6.5
Solano County	3.9
Sonoma County	3.4
Yolo County	4.6

Source: AllTransit.cnt.org, 2022

In Solano County, there are several transit options available to residents, depending on where they are located within the county. SolanoExpress, managed by the Solano Transportation Authority (STA), provides express intercity bus service throughout the county, with many routes operated by local transportation agencies, such as FAST. Transportation services in Solano County include the following:

- SolTrans serving Fairfield, Vallejo, and Benicia with connections outside of the county
- FAST serving Fairfield, Travis Air Force Base, and Suisun City
- Rio Vista Delta Breeze serving Rio Vista, Fairfield, and Suisun City with connections outside of the county
- Vacaville City Coach serving Vacaville
- Solano Mobility serving older adults and persons with disabilities throughout Solano County

In addition to standard fixed routes offered by each transportation agency, there are several specialized programs available as well. SolTrans offers the Subsidized Lyft Program that pays a portion of Lyft rides throughout the City of Benicia and to the Springstown Center in Vallejo for seniors, veterans, and persons with disabilities. The GoGo Grandparent program is a partnership between SolTrans and Solano Mobility that offers help to older adults to access and use Uber and Lyft without a smartphone by scheduling rides for them. Solano Mobility independently offers four additional programs: Travel Training, Solano Older Adults Medical Trip Concierge Service, Vehicle Share Program, and Solano County Intercity Taxi Card Program. The Travel Training program offers individuals or groups training on how to board and ride public transit, navigate routes, and use bus features such as bike racks and wheelchair lifts. The medical concierge service subsidizes Uber and Lyft rides for Solano County residents aged 60 and over to travel to and from medical appointments while the Intercity Taxi Card Program issues pre-paid debit cards to certified riders with disabilities to be used for taxi rides between transit service areas. These cards are loaded with \$100 and available for riders to purchase for \$40, or \$20 for qualified low-income individuals. Faith in Action, the American Cancer Society/Road to Recovery, and Veteran's Affairs (VA) also offer free door-to-door rides for ambulatory seniors aged 60 and older and those under age 60 with specific medical issues. These programs are available to all Solano County residents regardless of location, unless otherwise specified.

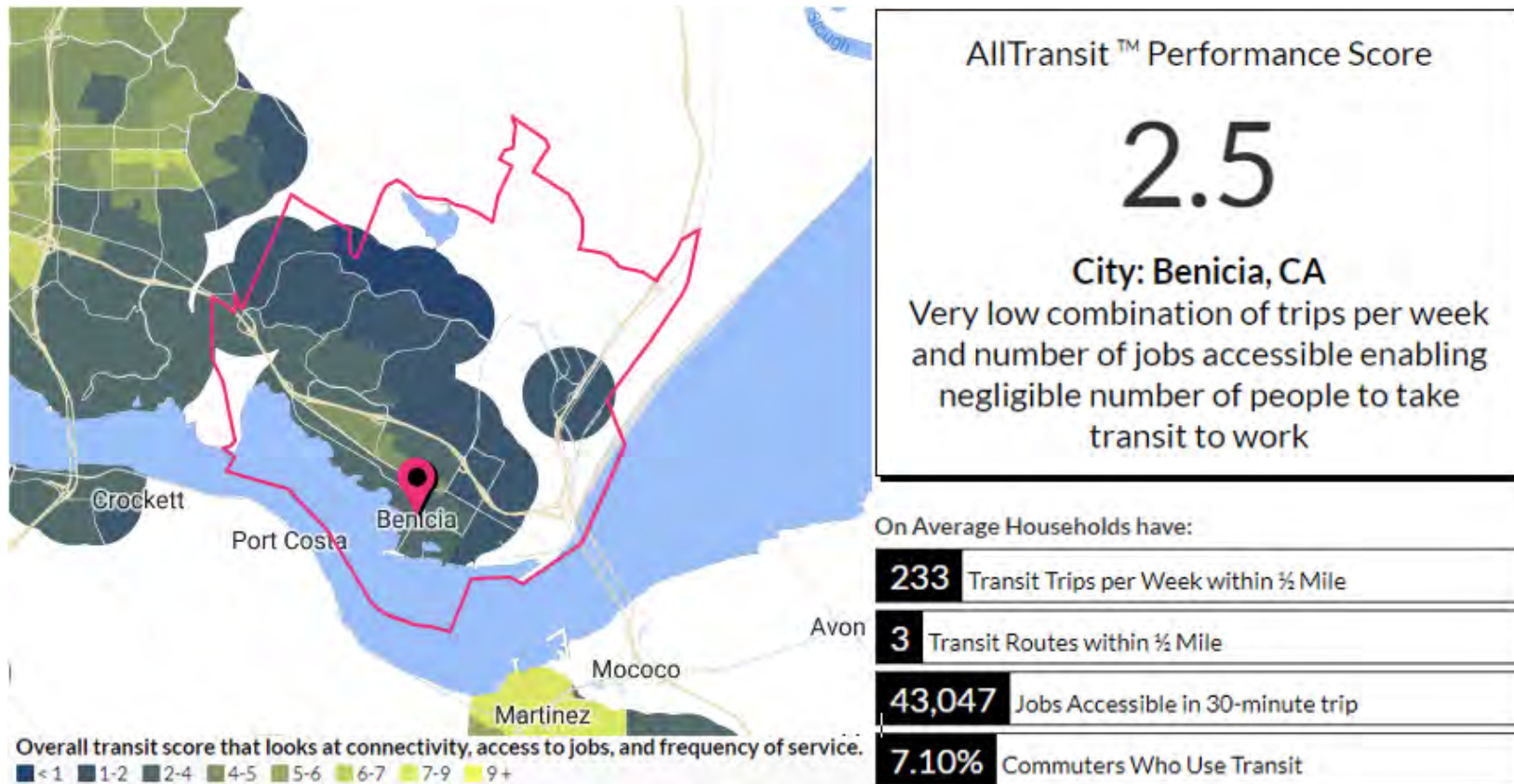
In the ABAG region, transit mobility opportunities are typically more readily available in dense urban areas such as the East Bay and San Francisco. In more suburban areas, such as the I-680 corridor in Contra Costa County, there is more limited transit mobility, with AllTransit scores matching those found throughout Solano County. While there are a variety of transit options available in Solano County, residents in many suburban, agricultural, and rural communities are more limited than elsewhere in the ABAG region, which may limit employment opportunities and present a barrier to housing mobility for those households reliant on transit. In the following analysis of transit mobility, the individual jurisdictions have identified programs to address access specific to their transit needs.

Local Patterns

Benicia residents are served by SolTrans, which provides local and express bus services as well as regional connections to Bay Area Rapid Transit (BART). The Yellow line, Route 15, and Route 17 operate within the City of Benicia. The Yellow Line runs from the Vallejo Transit Center, adjacent to the ferry terminal, through Benicia to the Pleasant Hill and Walnut Creek BART stations, with a stop in Concord, and operates every weekday from 4:30 am to 12:00 am with limited operating service on Saturday. Routes 15 and 17 operate in loops around the City of Benicia, primarily serving residents attending Benicia schools, though any resident can use the bus services. Route 15 connects the northwest portion of the city to Military Way, while Route 17 connects Military Way to the northeast portion of the city. Routes 15 and 17 operate on a limited weekday service schedule during mornings and afternoons, serving Benicia schools. In addition, SolTrans partners with STA and Lyft to offer a subsidized rideshare program for pickups or drop-offs within city limits. Riders using this subsidized program pay a flat fee of \$5 and the difference of fares over \$25 and are able to travel around the city. Available routes and overall connectivity are presented in **Figure 3-25, Transit Score in Benicia**, which depicts where in Benicia transit is available and areas

with higher connectivity scores based on availability of transit, frequency of routes, and the number of riders. As shown, public transit is available throughout most of the city, with concentrations of routes and stops on Military Way and Southampton Road. In the eastern portion of the city, where Benicia Industrial Park businesses include Valero Benicia Refinery and East Bay Tire Company, there is just one bus stop on Park Road and Industrial Way that is served by FAST. Therefore, despite these transit options, Benicia has an overall transit score of 2.5 according to AllTransit. This is a relatively low transit score compared to other cities in the region, likely due to the low population densities in suburban areas and limited accessibility in the northwestern areas of Benicia, which also have less pedestrian connectivity. To improve the connection of public transportation and access to employment centers, the City will work with SolTrans as part of **Program 5.01** to assess unmet transit needs and support transit system expansion, as needed.

FIGURE 3-25: TRANSIT SCORE IN BENICIA



Source: AllTransit, 2021

Housing Mobility

Regional Patterns

Housing mobility refers to an individual’s or household’s ability to secure affordable housing in areas of high opportunity, move between neighborhoods, and purchase a home if they so choose. Indicators of housing mobility include distribution of HCVs, availability of rental and ownership opportunities throughout the city, and vacancy rates. A “healthy” vacancy rate is considered to be approximately 5.0

percent, indicating that there are available housing units for those seeking housing, but not an oversaturated market that results in homes left unused. In Solano County, the vacancy rate in 2021 was approximately 5.3 percent, indicating a relatively “healthy” vacancy rate and reflecting a similar rate as most counties in the surrounding region (**Table 3-4, Regional Vacancy Rates**). This suggests that residents living in Solano County, or seeking to live in Solano County, have similar mobility options overall compared to most of the region. Mobility based on vacancy varies within Solano County by jurisdiction and is discussed further below.

TABLE 3-4: REGIONAL VACANCY RATES

Geography	Total Housing Units	Occupied Housing Units	Vacancy Rate
Bay Area	3,402,378	3,213,576	5.6%
Alameda County	617,415	585,588	5.2%
Contra Costa County	420,751	398,387	5.3%
Marin County	112,690	105,395	6.5%
Napa County	54,982	48,684	11.5%
Sacramento County	583,631	552,252	5.4%
San Joaquin County	252,686	238,577	5.6%
San Mateo County	282,299	266,650	5.5%
Santa Clara County	680,298	648,665	4.6%
Solano County	161,371	152,877	5.3%
Sonoma County	206,768	189,316	8.4%
Yolo County	79,472	76,555	3.7%

Source: Department of Finance E-5 City/County Population and Housing Estimates, 2021

HCVs, or Section 8 vouchers, provide assistance to lower-income households to secure housing in the private market that might otherwise be unattainable. In Solano County, vouchers are allocated by the Vacaville Housing Authority, Suisun City Housing Authority, Vallejo Housing Authority, Fairfield Housing Authority, and the Solano County Housing Authority to residents of the unincorporated areas and to the cities of Dixon and Rio Vista. Section 8 participants can use their voucher to find the housing unit of their choice that meets health and safety standards established by the local housing authority. The housing authority will then subsidize an amount up to the Fair-Market Rent (FMR) established by HUD toward the contract rent, with any remainder to be paid by the participant. The subsidy increases housing mobility opportunities for Section 8 participants and ensures that they are provided safe housing options. Solano County falls within the

Vallejo-Fairfield MSA, for which HUD establishes FMRs annually to be used as the baseline for Section 8 subsidies (**Table 3-5, Vallejo-Fairfield MSA FMRs, 2022**).

TABLE 3-5: VALLEJO-FAIRFIELD MSA FMRS, 2022

Unit Size	FMR
Studio	\$1,232
1-bedroom	\$1,408
2-bedroom	\$1,677
3-bedroom	\$2,382
4-bedroom	\$2,870

Source: HUD, 2022

Local Patterns

As discussed in the Housing Tenure section of the Needs Assessment, approximately 28.2 percent of households in Benicia are renters. The rental vacancy rate in Benicia is 4.9 percent, while the ownership unit vacancy rate is 0.1 percent. This indicates there is a shortage of ownership units for renter households that may be seeking this economic opportunity and housing security, as well as for current homeowners looking for a new home. Additionally, while renters are the minority tenure in Benicia, approximately 25.3 percent of renter-occupied housing units (47 households) use HCVs north of Rose Drive and northwest of East 2nd Street, in the neighborhoods that include Benicia Community Park and Channing Circle Park. While Bay Ridge Apartments, a Benicia Housing Authority project, is in this neighborhood, the concentration of HCVs may be attributed to other renters who live in the community but have not secured a unit at Bay Ridge. Outside of the Bay Ridge Apartments, this census tract is predominately single-family homes, both within and outside city limits. Voucher holders comprise at least 4.5 percent of renter-occupied households in all neighborhoods of Benicia, with the lowest rates in the center of the city between I-780 to the south, Rose Drive to the north, Hastings Drive to the west, and East 2nd Street to the east. In the areas east of East 2nd Street, residential uses are primarily near the intersection of I-680 and I-780. Of these households, approximately 11.9 percent renters use an HCV. The concentration of voucher recipients in the northern portion of the city may be due to the availability of housing that is affordable with a voucher, meets the condition requirements of the voucher, or that landlords in other areas of the city are unaware of the legal requirement to accept vouchers. Rent in Benicia ranges from \$1,795 to \$3,700 for two-, three-, and four-bedroom units. The median rent for two- through four-bedroom units is \$2,613 for the City of Benicia (see HNA Table 2-28, Rental Rates, 2021). The FMR for one-bedroom units in the Vallejo-Fairfield MSA, as established by HUD, is \$1,408. Therefore, up to 38.6 percent of studio and one-bedroom units in Benicia are considered fair market prices. However, this proportion of units does include those priced up to

\$1,500, which would slightly exceed the FMR for a one-bedroom unit. As such, it is assumed that approximately 25.0 percent of units are priced within the FMR range. This indicates that, even with healthy vacancy rates for rental units, many units may be unattainable to lower-income households without HCV assistance. To promote mobility with vouchers, the City has included **Program 5.01** to educate housing providers on the benefits of marketing housing opportunities to voucher holders.

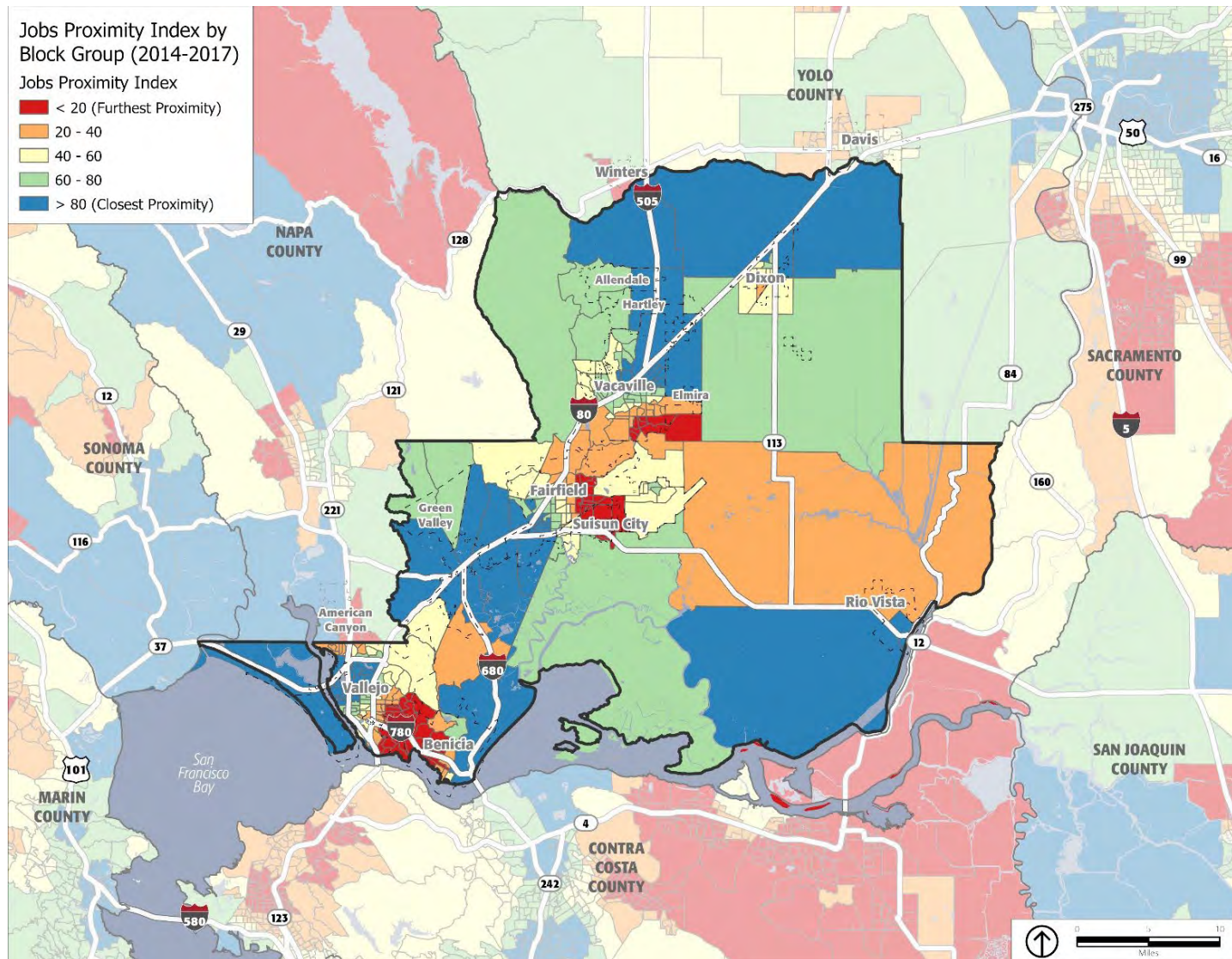
Employment Opportunities

Regional Patterns

HUD developed two indices to analyze access to employment opportunities: the jobs proximity index and the labor market engagement index. The jobs proximity index identifies census tracts based on their proximity to employment opportunities and the labor market engagement index scores labor force participation and human capital in each tract, with consideration of unemployment rates and educational attainment. For both indices, a higher score indicates stronger job proximity or labor force participation.

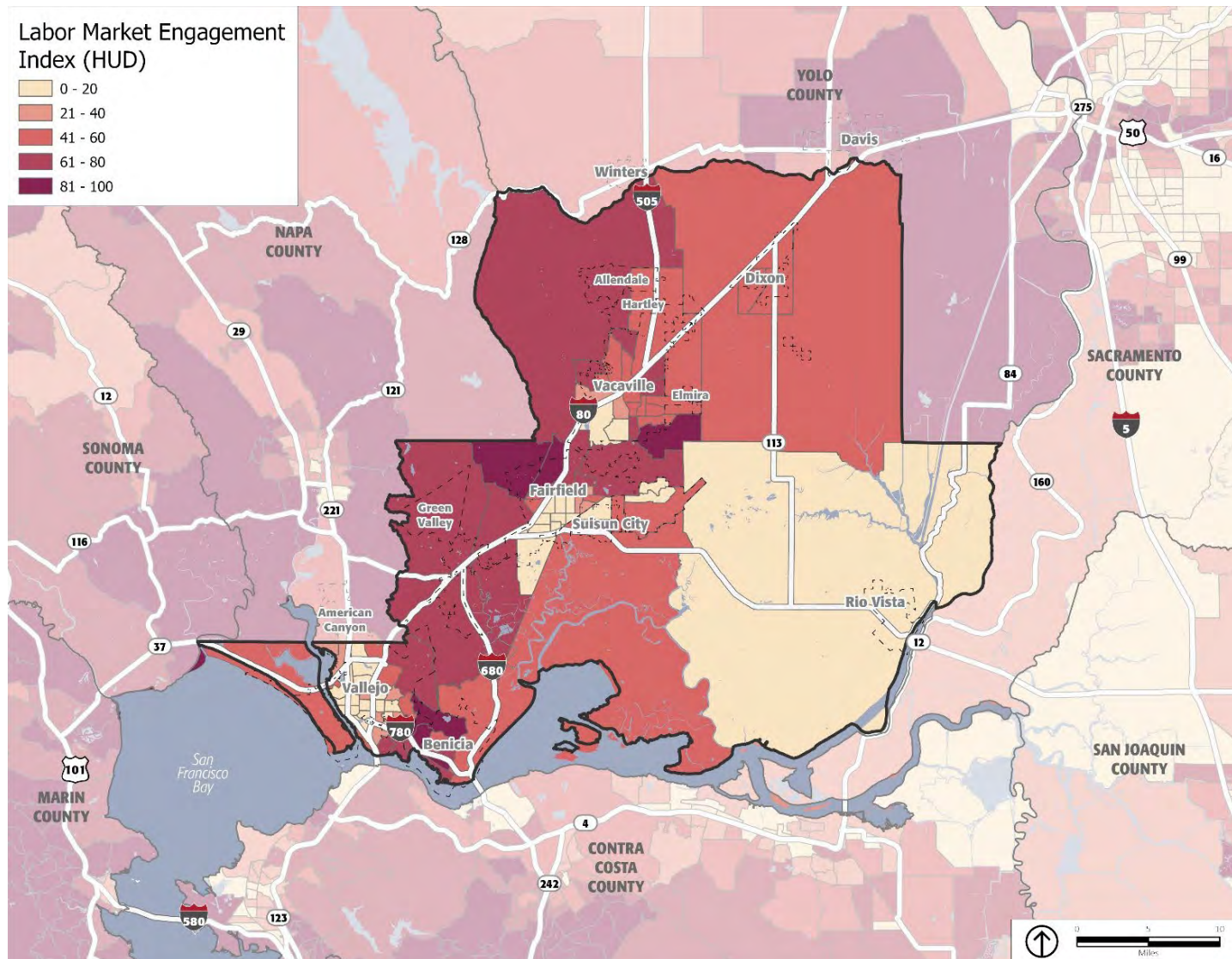
According to these indices, Solano County has more consistent proximity to jobs but lower labor force engagement than many other counties in the ABAG region (**Figure 3-26, Regional Jobs Proximity**, and **Figure 3-27, Regional Labor Market Engagement**). Labor force engagement patterns in Solano County more closely reflect the neighboring counties of Yolo and San Joaquin in the Sacramento region, where population distribution and industries are similar to most of Solano County. The area with the lowest labor force engagement in Solano County, however, is in the tract that includes the City of Rio Vista where there is a sizable senior population, which may include residents who retired early. As shown in **Table 3-6, Regional Unemployment Rates, 2010-2021**, the unemployment rate in Solano County in 2021 was one of the highest in the Bay Area and Sacramento regions, at 5.4 percent. However, Solano County saw one of the largest decreases in unemployment since 2010, surpassed only by San Joaquin and Yolo Counties.

FIGURE 3-26: REGIONAL JOBS PROXIMITY



Source: HUD, 2017

FIGURE 3-27: REGIONAL LABOR MARKET ENGAGEMENT



Source: HUD, 2017

TABLE 3-6: REGIONAL UNEMPLOYMENT RATES, 2010-2021

County	2010	2021
Alameda County	11.0%	4.2%
Contra Costa County	11.1%	4.5%
Marin County	8.0%	3.0%
Napa County	10.9%	4.2%
Sacramento County	13.1%	5.1%
San Francisco City and County	9.1%	3.3%
San Joaquin County	17.2%	6.5%
San Mateo County	8.4%	3.0%
Santa Clara County	10.3%	3.2%
Solano County	12.8%	5.4%
Sonoma County	10.9%	3.8%
Yolo County	12.6%	4.3%

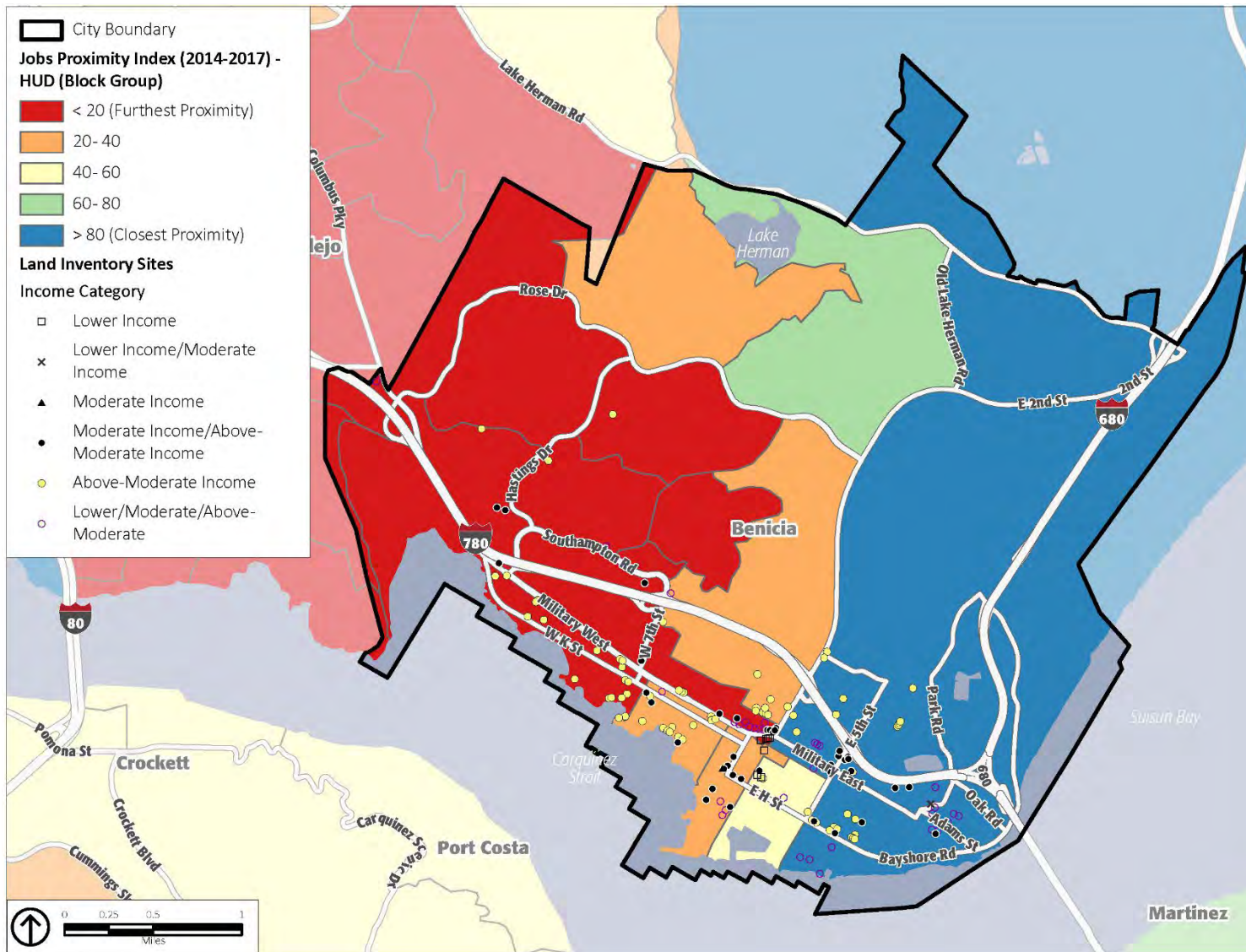
Source: California Employment Development Department, 2021

The U.S. Census Longitudinal Employer-Household Dynamics (LEHD) reports the distance and direction between home and work for residents of each jurisdiction and the ratio between jobs and households. According to LEHD, approximately 40.6 percent of Solano County residents live within 10 miles of their job, with the greatest concentration of these jobs in Fairfield (13.5 percent) and Vacaville (13.5 percent). Approximately 18.1 percent of Solano County residents report commuting more than 50 miles to their job, with 38.2 percent of these residents commuting southeast into San Joaquin County. Overall, approximately 50.4 percent of the individuals that work in Solano County commute in from areas outside of the county. On average, in the comparison jurisdictions that comprise the Bay Area and a portion of the Sacramento region, 42.5 percent of residents live within 10 miles of their job, 15.4 percent live more than 50 miles from their job, and 49.4 live outside of the county in which they work. In Solano County, the jobs-household ratio, which is an indicator of whether there is a balance between the number of jobs and the number of households, was 0.93 in 2018 according to LEHD Workplace Area Characteristics (WAC). This ratio suggests that there was a shortage of jobs in Solano County to support the number of households, which may partially contribute to the number of residents that commute outside of the county for work. In comparison, in the Bay Area, the jobs-household ratio was 1.47, indicating that there is a shortage of housing to support the job base in this region. Generally, Solano County appears to have sufficient housing for those jobs in the county, but still has a slightly higher rate of persons that commute into the county than the region overall.

Local Patterns

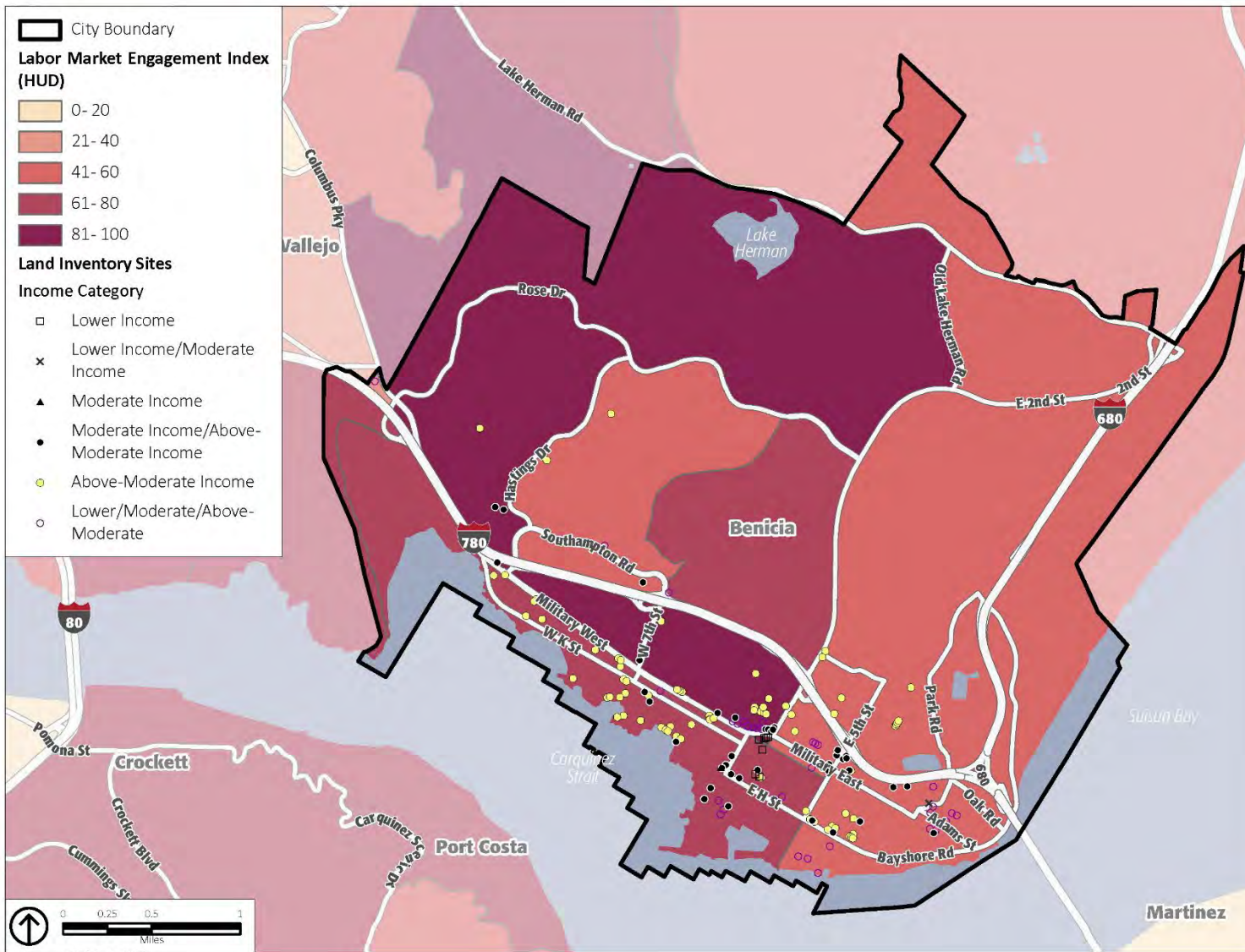
In the City of Benicia, the Labor Market Engagement Index score ranges from 52 in the eastern-most portion of the city to 85 in the center and northern portions (**Figure 3-28, Local Labor Market Engagement**). **Figure 3-28** presents the labor force participation rate in each tract, with consideration of unemployment rates and educational attainment. The eastern-most tract is primarily outside of city limits, and the area that is within city limits includes stretches from the waterfront to E. 2nd Street. As this area of Benicia is largely industrial, the low Labor Market Engagement Index score may be more representative of those areas outside of the city. The remainder of the city has relatively high scores, higher than all other tracts in Solano County with the exception of one tract on the eastern edge of Vacaville and one just west of Fairfield. Despite the high engagement rate among Benicia residents, HUD identifies western Benicia as having the furthest proximity to jobs (**Figure 3-29, Local Jobs Proximity**). **Figure 3-29** identifies census tracts based on their proximity to employment opportunities. Only two other areas with similarly poor proximity to jobs, according to HUD, exist in Solano County, in Fairfield and Vacaville. The high proximity to jobs in eastern Benicia is likely as a result of the concentration of industrial and commercial jobs southeast of E. 2nd Street. However, LODES data indicates that all employed residents are west of E. 2nd Street. According to LODES, 35.6 percent of employed Benicia residents have jobs within 10 miles from their home. However, 85.4 percent of people employed in Benicia reside outside of the city. In 2018, according to LODES Workplace Area Characteristics data, the jobs-household ratio in Benicia was 1.4, indicating that there are more jobs in Benicia than homes available to employed residents. The low unemployment rate in Benicia (3.3 percent) supports that residents of the city have access to employment opportunities. However, to ensure that individuals who are employed in Benicia are able to live there, the City will facilitate the construction of housing options in a range of sizes and types to meet a variety of needs and will provide assistance to lower-income households seeking housing opportunities (**Programs 1.01, 1.03, 1.05, 1.06, 1.12, 1.15, 2.01, and 3.08**).

FIGURE 3-28: LOCAL JOBS PROXIMITY



Source: HUD, 2017; City of Benicia, 2022

FIGURE 3-29: LOCAL LABOR MARKET ENGAGEMENT



Source: HUD, 2017; City of Benicia, 2022

Educational Opportunities

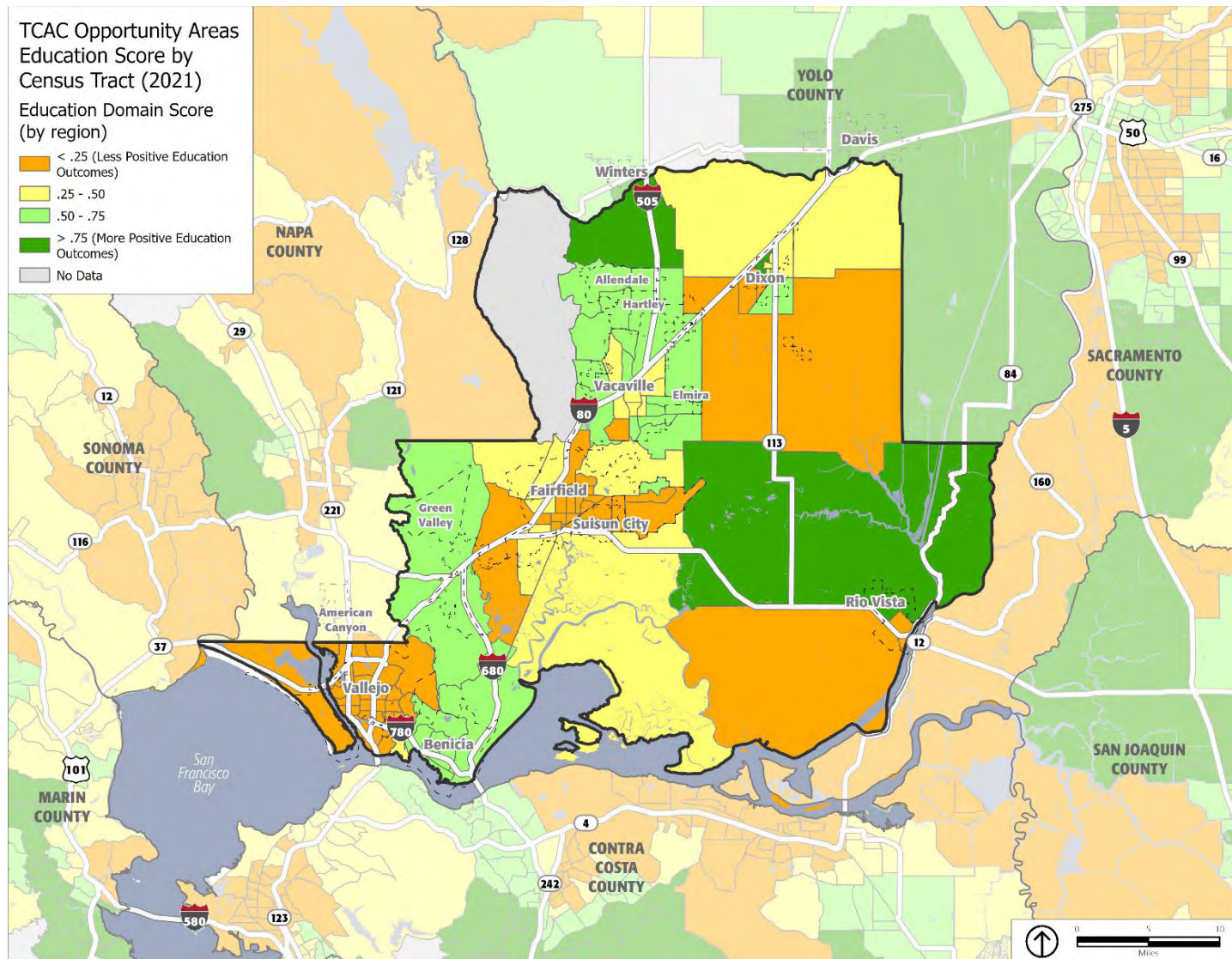
Regional Patterns

School quality is often tied to housing, with neighborhoods or communities with higher median incomes and home values often having access to higher-performing schools than residents of lower-income neighborhoods. Income distribution influences home values and property taxes, and therefore funding for public schools. As such, school districts with higher concentrations of affordable housing typically have lower test scores in schools, creating a cyclical problem of not offering these students equal educational opportunities. Therefore, disparities in access to strong school opportunities serves as an indicator of fair housing and equal access to opportunities.

Each year, the California Department of Education (DOE) publishes performance metrics for public schools in the state, including student assessment results for English Language Arts and Mathematics as they compare to the state grade-level standards and demographic characteristics of each school's student population. The characteristics reported on include rates of chronic absenteeism and suspension, percentage of students that are socioeconomically disadvantaged, percentage of students that are in foster care, percentage of students learning the English language, and the percentage of high school students that are prepared for college. Chronic absenteeism refers to the percentage of students who are absent for 10.0 percent or more of instructional days that they were enrolled at the school, with the state average being 10.1 percent of students. Students who are eligible for free or reduced-priced meals, or who have parents or guardians who did not receive a diploma, are considered socioeconomically disadvantaged. TCAC and HCD rely on this data from DOE to determine the expected educational outcome in each census tract and block group within the state. TCAC and HCD's educational domain score reflects mathematics proficiency, reading proficiency, high school graduation rates, and student poverty rates of all schools for which this data is available, culminating in a score ranging from 0 to 1, with higher values being the most positive expected educational outcome.

In 2021, TCAC/HCD reported the strongest projected educational outcomes for students in the cities of Benicia and Dixon as well as the unincorporated areas around the City of Vacaville and all eastern portions of the county (**Figure 3-30, Regional TCAC/HCD Educational Domain Scores**). TCAC and HCD's educational domain score is based on math and reading proficiencies for elementary school students, high school graduation rate, and student poverty rate. Based on these indicators, a higher score is expected to suggest higher access to resources or opportunities for students. **Figure 3-30** presents the distribution of these scores in Solano County. However, the eastern portions of the county, with the highest educational scores according to TCAC/HCD, also have the lowest population density in the county and only one school. As such, for a regional analysis, the TCAC/HCD map may not accurately compare educational opportunity in Solano County to the ABAG region. At the local level, data based on school performance is more readily available and likely more accurate.

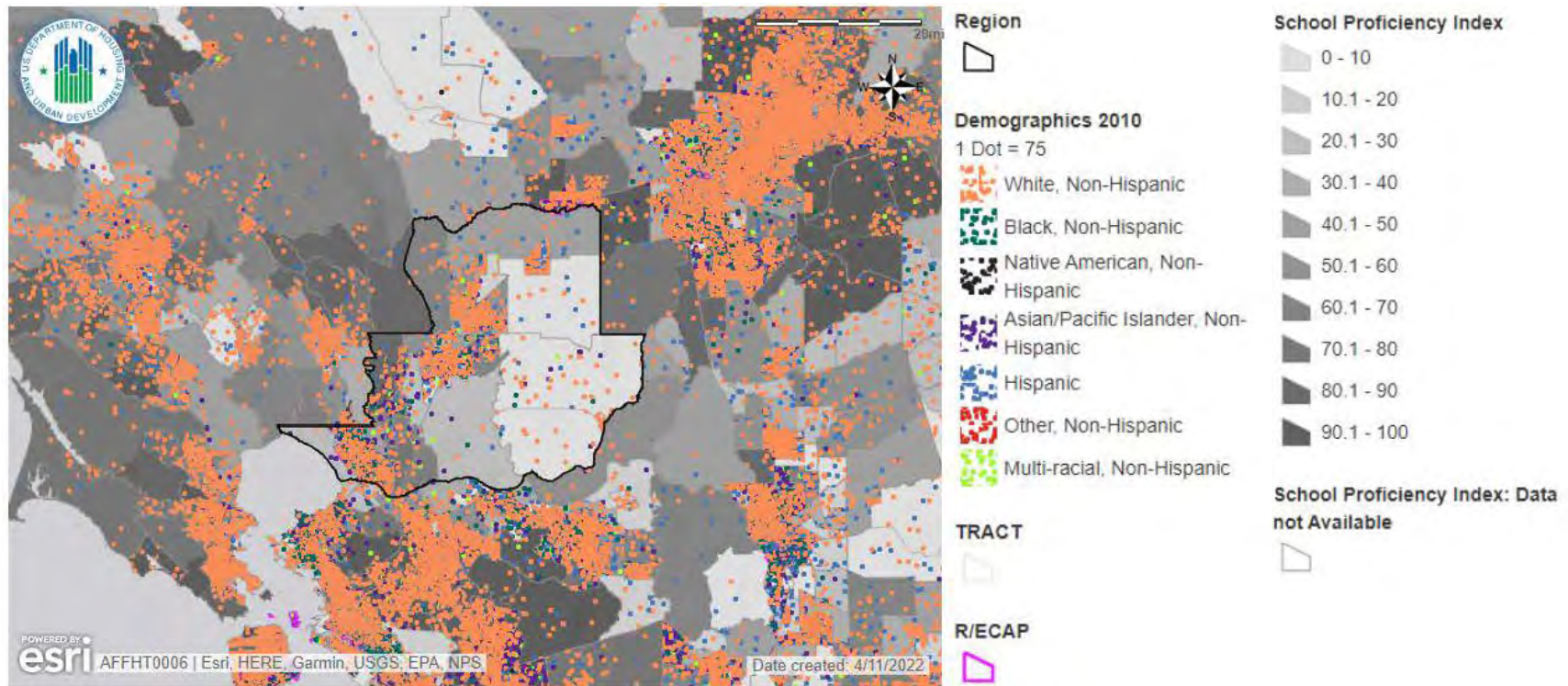
FIGURE 3-30: REGIONAL TCAC/HCD EDUCATIONAL DOMAIN SCORES



Source: TCAC/HCD, 2021

The HUD School Proficiency Index more accurately reflects school performance by residential living patterns in the region. The HUD School Proficiency Index ranges from 0 to 100, with higher values indicating better school performance. Though demographic patterns have changed throughout the region slightly since 2010, as discussed for each jurisdiction in this assessment, typically schools in Solano County and throughout the region are more proficient in areas of increased population density and affluence (see **Figure 3-31, HUD School Proficiency Index**). Residents of western Solano County have access to higher-performing schools than the eastern portion, but schools throughout Solano County generally score lower than those in much of Sacramento, Yolo, Marin, and Contra Costa Counties. To ensure all students have access to a quality education, each jurisdiction has identified appropriate programs within the individual assessments.

FIGURE 3-31: HUD SCHOOL PROFICIENCY INDEX



Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, 2017

Local Patterns

The Benicia Unified School District (BUSD) has eight public schools in the city and reported on by the DOE, including four elementary schools, one middle school, two high schools, and one continuation school (Liberty High School). Liberty High school is operated by BUSD for students who are behind in credits or are aiming to graduate early and has a small student population, of approximately 100 students or fewer. Of the seven schools for which English Language Arts (ELA) and Mathematics performance scores were available in 2019, DOE reported that all were above the state grade-level standards for ELA, while only five schools were above the state grade-level standards for mathematics (see **Table 3-7, Performance Scores for Benicia Unified School District, 2019**). Matthew Turner Elementary had the highest positive difference between state ELA and mathematic standards for schools in the BUSD. In the 2019 school year, 20.3 percent or more of the student population at most Benicia schools were considered socioeconomically disadvantaged, and five out of the seven schools had chronic absenteeism rates ranging from 5.0 to 8.0 percent of the student population. Absenteeism rates are not reported for high schools and continuation schools. Despite having the highest rate of socioeconomically disadvantaged students in BUSD, Robert Semple Elementary’s ELA and mathematic scores are higher than other schools, indicating strong educational opportunities for these students.

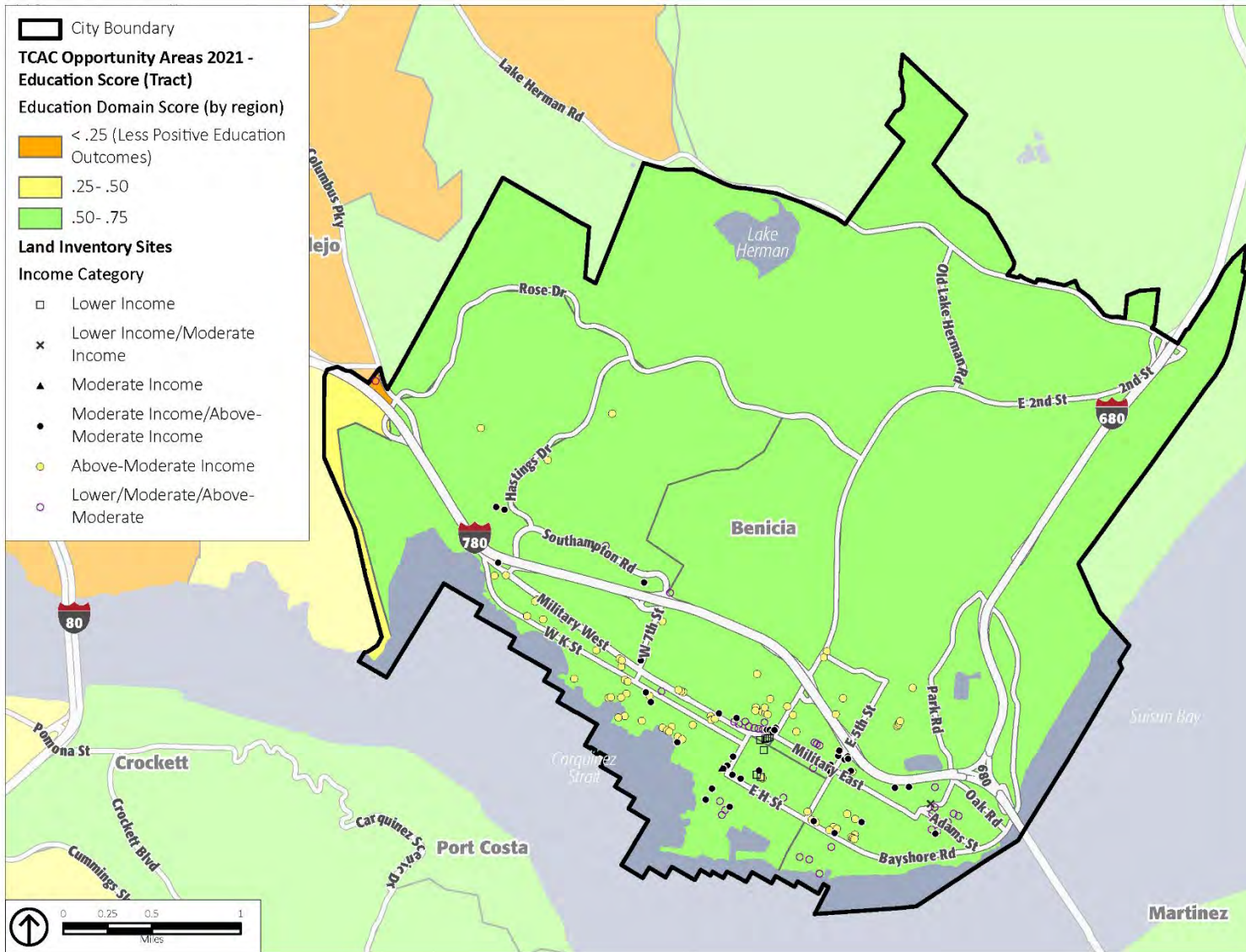
TABLE 3-7: PERFORMANCE SCORES FOR BENICIA UNIFIED SCHOOL DISTRICT, 2019

School Name	ELA Score	Math Score	Chronic Absenteeism Rate	Socioeconomically Disadvantaged
Matthew Turner Elementary	+39.2	+35.8	7.0%	13.7%
Joe Henderson Elementary	+21.8	+21.8	5.3%	20.3%
Benicia Middle	+8	-2.9	5.3%	25.6%
Benicia High	+40.3	-15.9	-	21.2%
Mary Farmar Elementary	+3.6	+8.9	8.0%	27.3%
Robert Semple Elementary	+12.7	+14.8	6.2%	43.0%

Source: California Department of Education, 2019

Despite slight variations in school performance, the anticipated educational outcome, according to the TCAC/HCD (see **Figure 3-32, Local TCAC/HCD Educational Domain Score**), is consistent throughout the City of Benicia. TCAC and HCD’s educational domain score is based on math and reading proficiencies for elementary school students, high school graduation rate, and student poverty rate. Based on these indicators, a higher score is expected to suggest higher access to resources or opportunities for students. **Figure 3-32** presents the distribution of these scores in Benicia. The expected educational outcome for the city ranges from the 66th to 68th percentile, which indicates that students in Benicia are predicted to have better educational outcomes than more than 66.0 to 68.0 percent of the state. This percentile score range indicates that regardless of where a student resides within the city, they have equal access to proficient schools.

FIGURE 3-32: LOCAL TCAC/HCD EDUCATIONAL DOMAIN SCORE



Source: TCAC/HCD, 2021; City of Benicia, 2022

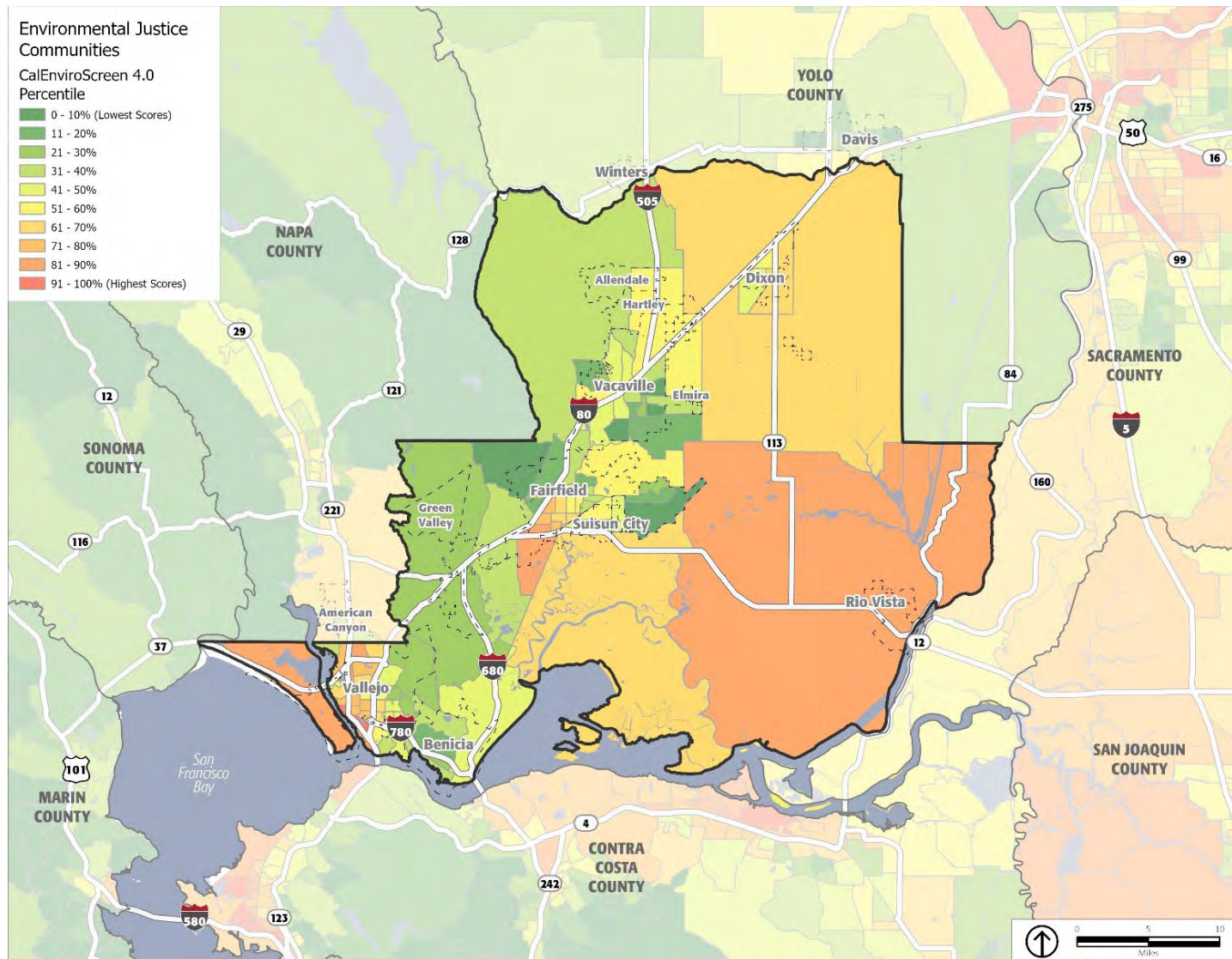
Environmental Health

Regional Patterns

A disadvantaged community or environmental justice community (EJ Community) is identified by the California Environmental Protection Agency (Cal EPA) as “areas that are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation,” and may or may not have a concentration of low-income households, high unemployment rates, low homeownership rates, overpayment for housing, or other indicators of disproportionate housing need. In February 2021, the California Office for Environmental Health Hazard Assessment (COEHHA) released the fourth version of CalEnviroScreen, a tool that uses environmental, health, and socioeconomic indicators to map and compare community environmental scores. In the CalEnviroScreen tool, communities that have a cumulative score in the 75th percentile or above (25.0 percent highest score census tracts) are those that have been designated as disadvantaged communities under Senate Bill (SB) 535. The cumulative score that can result in a disadvantaged community designation is calculated based on individual scores from two groups of indicators: Pollution Burden and Population Characteristics. Pollution Burden scores exposure to negative environmental hazards, such as ozone concentrations, PM_{2.5} concentrations, drinking water contaminants, lead risk from housing, traffic impacts, and more. Population Characteristics scores the rate of negative health conditions and access to opportunities, including asthma, cardiovascular disease, poverty, unemployment, and housing cost burden. For each indicator, as with the cumulative impact, a low score reflects positive conditions.

Much of Solano County, particularly the eastern area and the City of Vallejo, have high cumulative scores, as shown in **Figure 3-33, Regional CalEnviroScreen Percentiles**. CalEnviroScreen’s percentiles are calculated based on an area’s pollution burden and population characteristics. **Figure 3-33** identifies areas with higher cumulative scores. This is a result of high scores for indicators of both pollution burden and negative population characteristics, though the eastern area is primarily agricultural land with limited residential development so these scores may be a result of agricultural industry practices. In the ABAG region, high percentiles are mostly concentrated in highly urbanized communities along the San Francisco Bay, such as in the cities of Emeryville, Alameda, Oakland, and San Jose. It is unlikely that the factors that contribute to environmental scores in Solano County reflect the factors in urbanized ABAG jurisdictions. Rather, Solano County more closely reflects the agricultural areas of Yuba, Sacramento, and San Joaquin Counties. Within each jurisdiction of Solano County, patterns differ, as described below, as a result of increased urbanization; however, regionally, Solano County reflects areas to the east rather than western ABAG jurisdictions.

FIGURE 3-33: REGIONAL CALENVIROSCREEN PERCENTILES



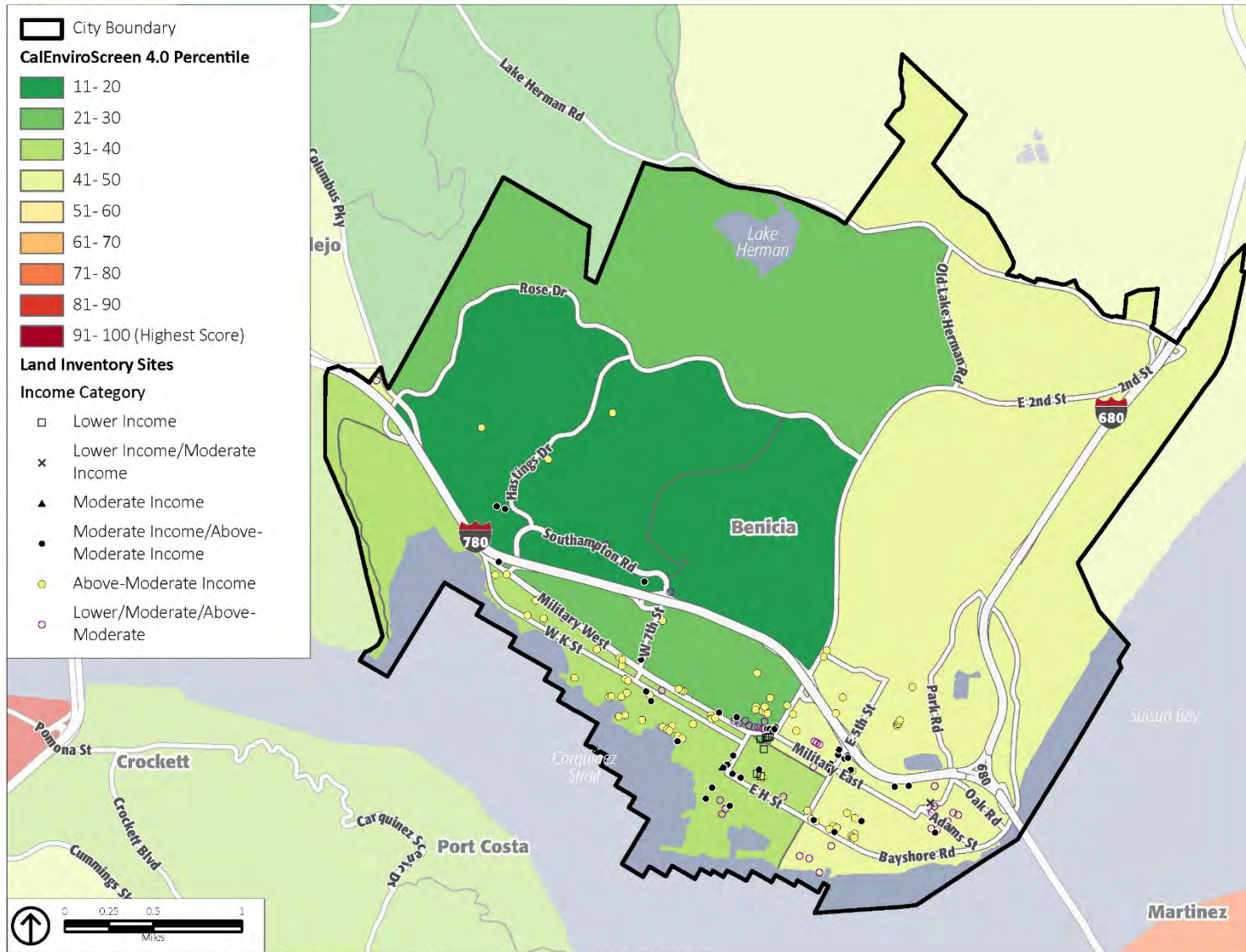
Source: OEHHA, 2021

Local Patterns

As shown in **Figure 3-34, Local CalEnviroScreen Percentiles**, all of Benicia has relatively low environmental burden scores, especially compared to Solano County jurisdictions and other jurisdictions on the waterfront in the San Francisco and San Pablo Bays. CalEnviroScreen's percentiles are calculated based on an area's pollution burden and population characteristics. **Figure 3-34** identifies areas with higher cumulative scores in the city. The highest score, in the 45th percentile, is in the area east of E. 2nd Street, where there is a concentration of industrial jobs that likely contribute to this score. Upon closer inspection, CalEnviroScreen has identified the greatest pollution burden in this area resulting from impaired water (92nd percentile) and environmental cleanup sites (95th percentile). A high percentile for cleanup sites is not unique to the Bay Area, where nearly all tracts adjacent to the waterfront score in the 95th percentile or above. Further, as mentioned previously, this tract is largely industrial and open space with limited residential uses, thus reducing potential impact to residents. Impaired waters may result from the impacts of the cleanup sites; however, the water in this tract is not used for food or drinking water and do not threaten the health of Benicia residents. In contrast, just west of E. 2nd Street, the overall environmental burden scores drop significantly to the 13th to 15th percentiles and population characteristics are generally indicative of healthy living conditions throughout Benicia, scoring in less than the 35th percentile for population characteristics throughout the city. Population characteristics in Benicia indicate significantly stronger living conditions in Benicia compared to adjacent jurisdictions, including Vallejo and Martinez.

TCAC/HCD identified the areas in Benicia west of Panorama Drive and south of Rose Drive as having stronger environmental scores than the areas to the east, supporting the findings of CalEnviroScreen (**Figure 3-9, Local TCAC Environmental Domain**). The area east of E. 2nd Street scores in the 7th percentile according to TCAC/HCD; however, this area only has residential uses in the southern-most area, adjacent to a high-scoring residential tract. The census tract with the low TCAC/HCD environmental domain score is geographically large and most of its land area is outside of Benicia city limits. Given that only a small portion is residential, it is likely that these residents experience more similar conditions to the adjacent residential neighborhoods and the score in the 7th percentile is not reflective of the actual conditions for these residents. However, the City does not have access to environmental data that is more granular than Census tract-level data and therefore cannot definitively confirm that environmental health characteristics are better than the Census tract's cumulative score. However, the area north of Rose Drive scored in the 8th percentile and, as previously mentioned, has a relatively low median income compared to the remainder of the city. While development in this area remains sparse, pollution burden may impact the quality of life in this area. **Program 5.03** has been included to assess environmental conditions in conjunction with Public Works and ensure that residents are not disproportionately impacted by, or exposed to, impaired water, hazardous waste, or other indicators of environmental health.

FIGURE 3-34: LOCAL CALENVIROSCREEN PERCENTILES



Source: OEHHA, 2021

Services for Persons with Disabilities

According to the California Department of Social Services (CDSS), Benicia has one adult residential care facility and six elderly assisted living facilities. Benicia Breeze is an adult residential care facility with capacity for six residents, located near the intersection of West K Street and Military West Street. The elderly assisted living facilities include Benicia Angela's Home 1, Inc., Benicia Angel's Home 2, Inc., Benicia Loving Care Home, Casa Isabella II, Golden Age Care Homes, and Jensteph Home Care, each with the capacity for 5 to 6 residents, with a combined capacity for 29 residents. Approximately 11.1 percent of the population of Benicia has a disability, or approximately 3,130 residents. Of these residents, 3.3 percent have difficulties living independently and 1.5 percent have difficulty with self-care, or approximately 150 residents combined (see HNA Table 2-32, Disability by Type, 2015-2019). While not all residents with these disabilities will require the care of an assisted living facility, and some residents with other disabilities may require assisted living, the comparison of the number of residents with disabilities to the capacity of existing care facilities indicates a possible shortage to meet the needs of Benicia's population. To address this and increase the opportunity for persons with disabilities to remain in their communities, the City has included **Program 3.07** to incentivize construction of residential care facilities throughout Benicia.

Benicia residents are served by SolTrans, which operates an Americans with Disabilities Act (ADA)-compliant Paratransit Bus Service. This service provides pre-scheduled origin-to-destination shared-ride bus service and schedule for eligible residents. Prior to 2019, SolTrans also operated a Benicia Dial-A-Ride service. However, this service has since been replaced with a subsidized Lyft program – a partnership between SolTrans, STA, and Lyft. This subsidized Lyft program is available for qualified residents, including veterans, those that are ADA qualified, Medicare recipients, and lower-income residents. Qualified riders are assessed based on their income to determine the cost of their fare. Solano Mobility also provides a Local Taxi Card Program to ADA Paratransit certified residents residing in Vallejo or Benicia. This program issues a pre-paid debit card to be used for taxi trips that begin and end in these cities. Funds are purchased in increments of \$10 for \$25 taxi funds for moderate- and above moderate-income qualified residents and \$10 for \$50 taxi funds for low-income qualified residents.

Disproportionate Housing Need and Displacement Risk

Overcrowding

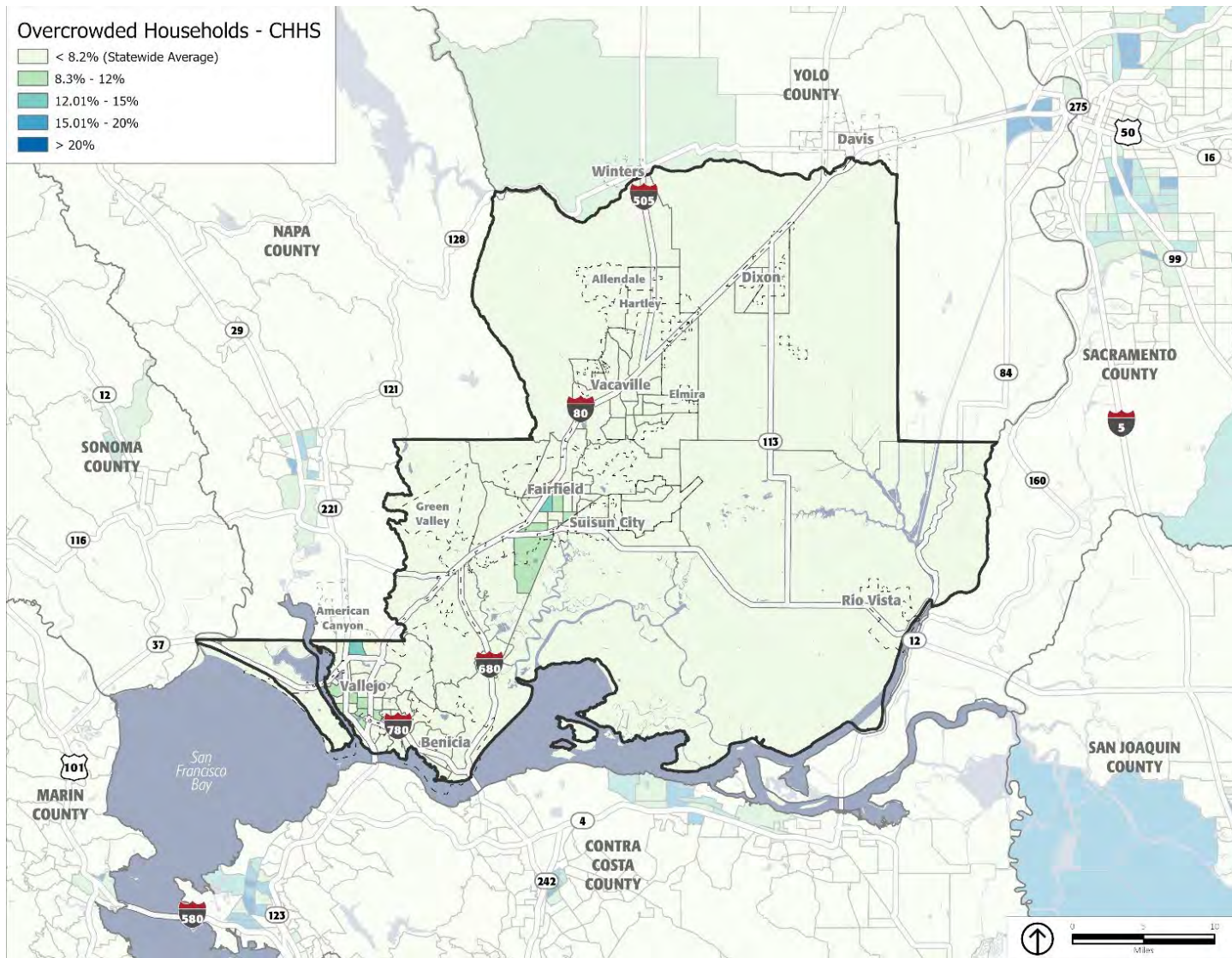
Regional Patterns

Overcrowding occurs when the number of people living in a household is greater than the home was designed to hold. The U.S. Census Bureau considers a household overcrowded when there is more than one person per room, excluding bathrooms, hallways, and kitchens, and severely overcrowded when there are more than 1.5 occupants per room. A typical home might have a total of five rooms that qualify for habitation under this definition (three bedrooms, living room, and dining room). If more than five people were living in the home, it

would be considered overcrowded. Overcrowding is strongly related to household size, particularly for large households, and the availability of suitably sized housing. A small percentage of overcrowded units is not uncommon, and often includes families with children who share rooms or multi-generational households. However, high rates of overcrowding may indicate a fair housing issue resulting from situations such as two families or households occupying one unit to reduce housing costs (sometimes referred to as “doubling up”). Situations such as this may indicate a shortage of appropriately sized and affordable housing units as overcrowding is often related to the cost and availability of housing and can occur when demand in a jurisdiction or region is high.

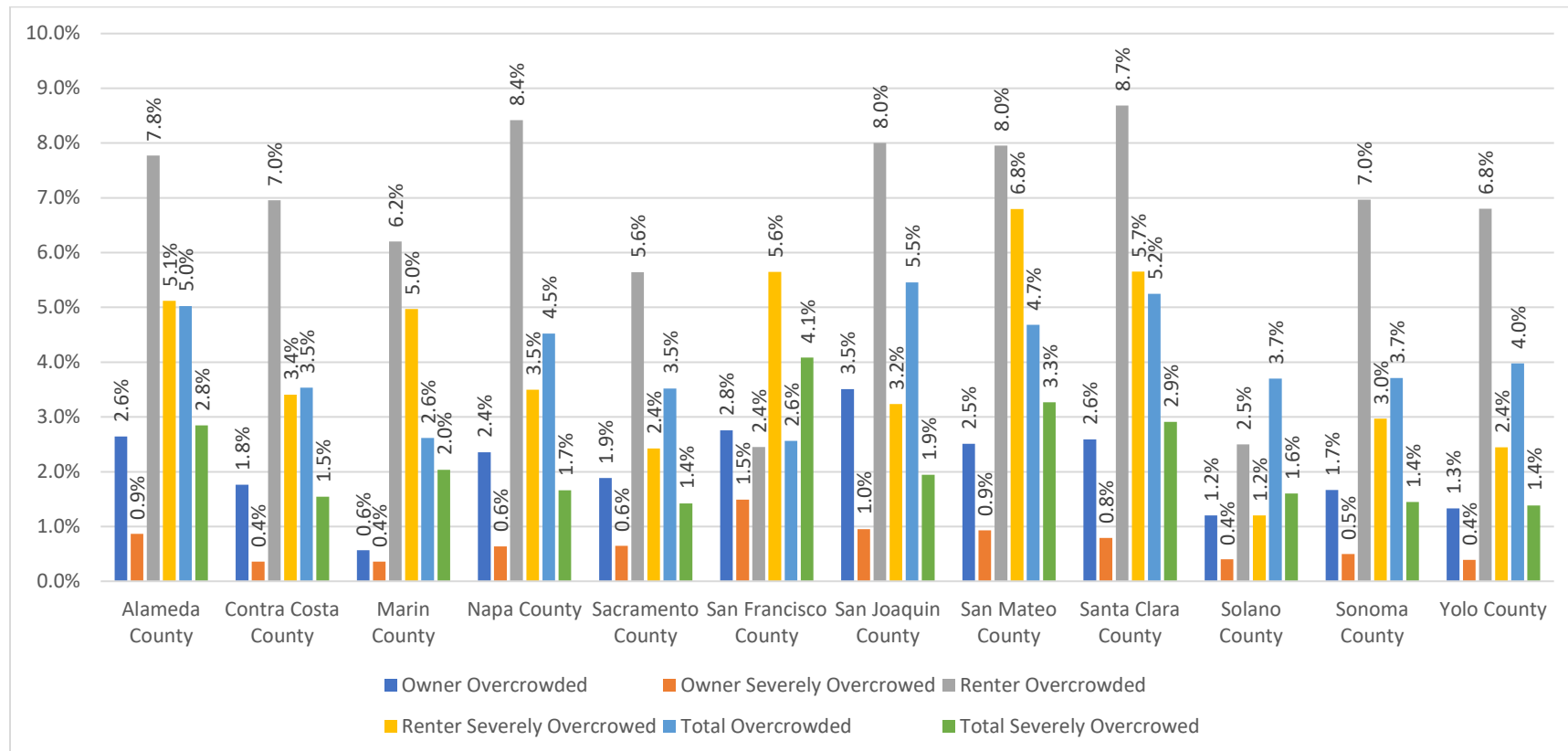
In Solano County, as shown in HNA Table 2-7, Overcrowding by Tenure, of the Housing Needs Assessment, approximately 3.7 percent of households experience overcrowding and 1.6 percent experience severe overcrowding. Overcrowding is a slightly greater problem among renter-occupied households, at 2.5 percent of these households, compared to 1.2 percent of owner-occupied households, but still remains well below the statewide average of 8.2 percent. Further, the overcrowding rates in Solano County are lower than the greater Bay Area, in which 4.4 percent of households are overcrowded and 2.8 percent are severely overcrowded. **Figure 3-35, Overcrowded Households in the Region** presents the percent of households in each census tract that are overcrowded. As shown, there are very few areas of concentrated overcrowding in the county compared to jurisdictions to the south in the ABAG region. Solano County has significantly lower overcrowding rates, across tenures, than most Bay Area and Sacramento region counties (**Figure 3-36, Overcrowding Rates in the Region**). Typically, areas with higher rates of lower-income households and more dense housing types have higher rates of overcrowding, as is seen in census tracts adjacent to the San Francisco Bay and to the northeast in the City of Sacramento and southeast in the City of Stockton. The rate and pattern of overcrowding in Solano County reflects the suburban communities in the region, such as eastern portions of Contra Costa and Alameda Counties and all of Marin County. The relatively low rates of overcrowding in Solano County may indicate that there are more appropriately sized housing opportunities at a range of price points to meet housing demand than is found in more urbanized areas of the region.

FIGURE 3-35: OVERCROWDED HOUSEHOLDS IN THE REGION



Source: California Health and Human Services (CHHS), 2020

FIGURE 3-36: OVERCROWDING RATES IN THE REGION



Source: 2015-2019 ACS

Local Patterns

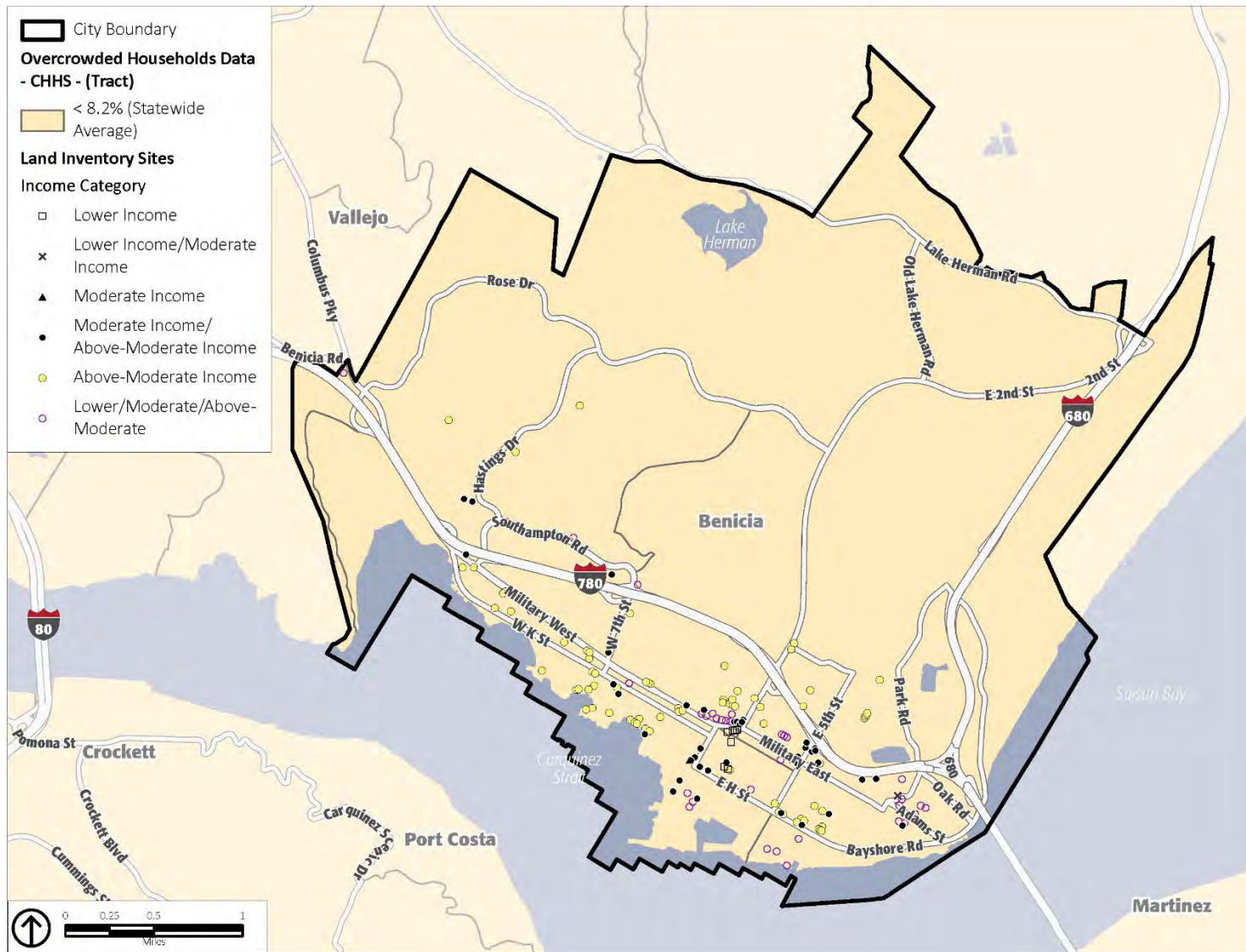
Approximately 2.3 percent of households in Benicia are considered overcrowded, which is well below the citywide rate (5.3 percent) and ABAG region overall (6.9 percent). In terms of severity of overcrowding, 1.0 percent of households are considered overcrowded and 1.3 percent are considered severely overcrowded. While overcrowding rates are relatively low overall, renters in Benicia are slightly more impacted by overcrowding. As presented in the Table 2-7 in the HNA, approximately 0.2 percent of owner-occupied households are overcrowded, compared to 0.8 percent of renter-occupied households, and 0.5 percent of homeowners are overcrowded, compared to 0.8

percent of renters. While overcrowding in Benicia impacts a small portion of the community, at 260 households, when combined with income or accessibility challenges, some of these households may become at risk for displacement.

Overcrowding often disproportionately impacts lower-income households. As discussed in the Income Distribution section, the City's lowest median household income block groups are found in areas along I-780 and I-80 in parts of the Highlands, Francesca Terrace, Pointe Benicia, Clipper Bay, Bridgeview, West Manor, and Southampton neighborhoods, generally on the south and southeast sides of the highway between the right-of-way and the waterfront. According to Comprehensive Housing Affordability Strategy (CHAS) data, 1.1 percent of households with incomes between 81.0 and 100.0 percent of AMI are overcrowded, 3.8 percent of low-income households experience some level of overcrowding, 5.9 percent of very low-income households, and 7.7 percent of extremely low-income households. Severely overcrowded conditions exist in 3.8 percent of low-income households, 1.7 percent of very low-income households, and 4.1 percent of extremely low-income households. In comparison, only 0.1 percent of households above 100 percent of the median experience this level of overcrowding.

While households living below the poverty line are more likely to live with other families or roommates to afford housing costs, which may result in a higher rate of overcrowding, there does not appear to be a spatial representation of this trend in Benicia (see **Figure 3-10, Local Poverty Rates**, and **Figure 3-37, Overcrowded Households in Benicia**). **Figure 3-37** presents the percent of households in each census tract that are overcrowded. Households in the western side of the city exhibit a lower incidence of poverty, increasing up to 1.7 percent in the eastern side of the city in the vicinity of I-80. Although the area south of Military West Street to E. 5th Street in the older portion of the city adjacent to the Carquinez Strait is the only area in the city containing a higher incidence of poverty, at 10.2 percent, as described in the Income Distribution section, and 23.4 percent of the households are renters, it does not exhibit a higher proportion of overcrowding than the rest of the city. However, while there are not concentrations of overcrowded extremely low-income households, these households do experience overcrowding at a higher rate throughout the city, as identified above.

FIGURE 3-37: OVERCROWDED HOUSEHOLDS IN BENICIA



Source: California Health and Human Services (CHHS), 2020

While some households reported as overcrowded may have chosen to double up inhabitants in one room, and therefore the condition is not necessarily based on inability to find and secure adequate housing, severe overcrowding, particularly among lower-income households, may indicate a greater potential for displacement. By facilitating the development of affordable housing options, the City aims to reduce overcrowding conditions for lower-income households, and therefore reduce displacement risk that may result from these conditions.

The availability of housing units in Benicia adequate to house lower-income large families (with 5 or more persons) may also be a contributing factor to overcrowding rates. The incidence of large family households in Benicia, presented in Table 2-6 of the HNA, is lower than most of the other cities in Solano County, at 6.7 percent of households as compared to a countywide representation at 13.6 percent and 10.2 percent throughout the ABAG region. Approximately 69.0 percent of the housing stock in Benicia has three or more bedrooms, suitable for many large households. However, the majority of these larger units, 86.3 percent, are owner-occupied and, therefore, unavailable to renter households. The remaining 14.7 percent of larger units are part of Benicia's rental stock, comprising approximately 36.8 percent of the total rental stock. However, a recent survey of rental listings in Benicia, shown in Table 2-28 of the HNA, indicates that the median rent for two-bedroom and above units is \$2,613 per month, which exceeds affordable levels for low-income household. Therefore, although lower-income large families numerically are a quite small proportion (approximately 104 households) of the total population, this group may experience challenges in finding adequately sized units within their affordability range unless they are able to secure housing at one of the assisted affordable complexes in the city or apply HCVs to market-rate larger rental units. The relatively low occurrence of overcrowding in Benicia overall may be attributed to the availability of larger units at price points affordable to most large family households, as well as a fairly low proportion of large family households.

Although the population of Benicia is predominantly White, communities of color may experience overcrowding at a disproportionately higher rate. Overcrowding closely aligns with block groups with higher diversity index scores east of E. 2nd Street, as discussed in the Racial and Ethnic Characteristics section (see **Figure 3-17, Local Racial Demographics**, and **Figure 3-37, Overcrowded Households in Benicia**). Residents that identify as “Other Race or Multiple Races (Hispanic and Non-Hispanic)” experience overcrowding at the highest rate, at 7.1 percent, followed by 6.7 percent of Hispanic residents and 2.5 percent of Black or African American residents. In contrast, approximately 1.8 percent of White non-Hispanic households report overcrowding and 0.8 percent of Asian households. Overall, non-White residents experience overcrowding at a higher rate than White households in Benicia.

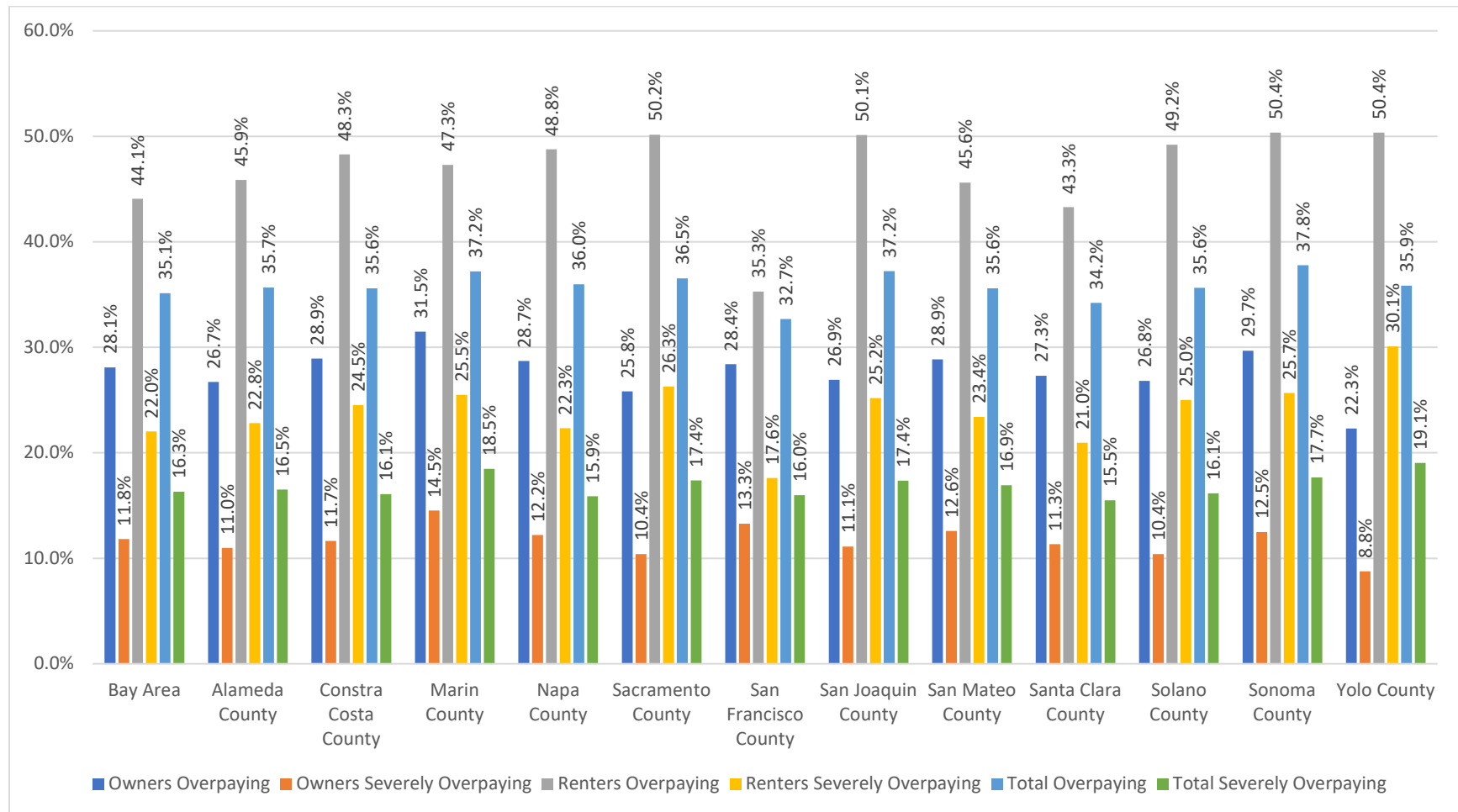
While there are no areas of concentrated overcrowding in Benicia, any household that is experiencing overcrowding, with the possible exception of households with children sharing a room by choice, has a disproportionate need for affordable, larger housing units and is at risk of displacement from their housing unit or community. However, by encouraging and supporting the development of a diverse range of housing types at a range of affordability levels (**Programs 1.06, 1.12, 1.15, 2.01, and 3.08**), Benicia will encourage the development of housing appropriate to households of many sizes, allowing for households to identify homes sized appropriately for their needs and within their financial means.

Overpayment

Regional Patterns

HUD considers housing to be affordable for a household if the household spends less than 30.0 percent of its income on housing costs. A household is considered “cost-burdened” if it spends more than 30.0 percent of its monthly income on housing costs, while those who spend more than 50.0 percent of their income on housing costs are considered “severely cost-burdened.” In the Bay Area, approximately 35.1 percent of all households were cost-burdened in 2019, and 16.3 percent were severely cost-burdened (**Figure 3-38, Overpayment Rates in the Region**). Of these households, a significantly larger proportion of renters experienced overpayment than owners. This trend can be seen throughout both the Bay Area and Sacramento region, on average 27.7 percent of owners and 47.1 percent of renters are cost burdened, and 11.6 percent owners and 24.1 percent of renters are severely cost burdened. In comparison, in Solano County, 26.8 percent of owners and 49.2 percent of renters are cost burdened and 10.4 of owners and 25.0 percent of renters are severely cost burdened. While owner overpayment rates in Solano County are slightly lower than the regional average, renter overpayment rates are slightly higher. This reflects feedback from local organizations and service providers throughout the region that reported a shortage of rental opportunities resulting in disproportionately high prices for tenants.

FIGURE 3-38: OVERPAYMENT RATES IN THE REGION



Source: CHAS 2014-2018

Local Patterns

In Benicia, approximately 20.5 percent of the households are cost burdened and 13.8 are severely cost burdened, for a total of 44.3 percent of the households experiencing some level of overpayment. Approximately 27.0 percent of renters spend 30 to 50 percent of their income on housing compared to 18.0 percent of homeowners. Additionally, 24.6 percent of renters are severely cost burdened, compared to 9.6 percent of owners that are severely cost-burdened.

As discussed in the Overpayment section of the HNA, in most circumstances, overpayment is closely tied to income. Lower-income households are most at risk of displacement due to overpayment, as presented in Table 2-12 of the HNA. In Benicia, 22.8 percent of households are lower-income. Of these households, 73.0 percent are overpaying for housing to some degree. Approximately 54.8 percent of lower-income households that are overpaying are renters and 44.2 percent are homeowners. Approximately 50.9 percent of the lower-income households that overpay are severely cost burdened, representing 11.6 percent of the total households in the city. Of the severely cost-burdened lower-income households, 56.6 percent are renters and 43.4 percent are owners. In comparison, of Benicia residents making more than 100.0 percent of the AMI, 11.9 percent are cost burdened and 1.3 percent are severely cost-burdened.

Of all cost-burdened renters, 28.8 percent are extremely low-income, compared to 12.4 percent of cost-burdened owners. Among all extremely low-income households, 77.6 percent overpay for housing. Approximately 67.8 percent of extremely low-income households in the city are renters, of which, 66.9 percent are severely cost burdened. Conversely, 32.2 percent of extremely low-income households are homeowners, of which, 66.1 percent are severely cost burdened. This indicates that, regardless of tenure, overpayment is prevalent among lower-income households, particularly among extremely low-income households, the majority of which are severely cost burdened.

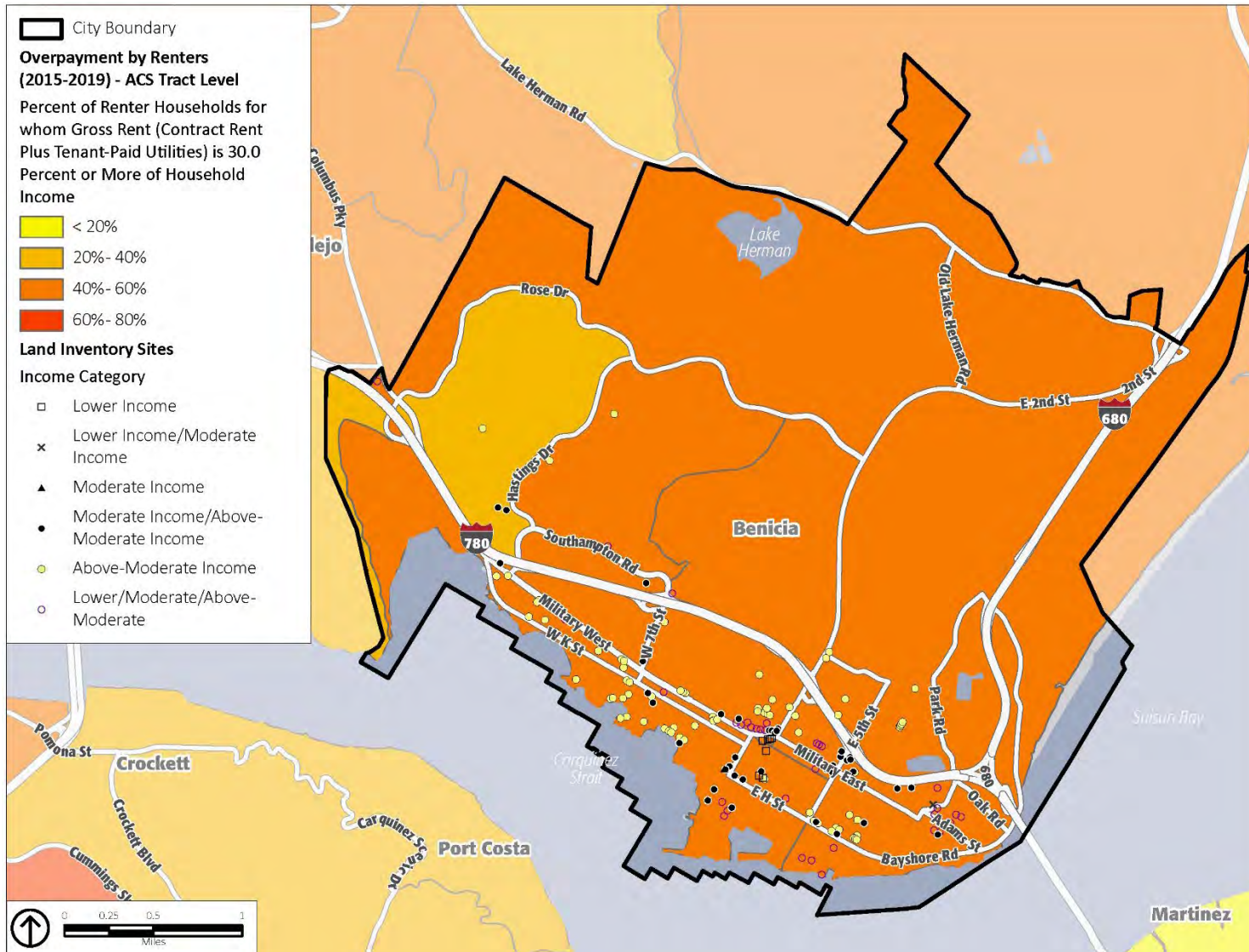
Households below the poverty line disproportionately experience the burden of overpayment and are extremely susceptible to the potential for displacement as a result. As discussed in the Overcrowding analysis, households in the western and northwestern portions of the city exhibit a lower incidence of poverty, with 29.3 percent of renters and 30.3 percent of homeowners in the area south of Rose Drive overpaying and 58.6 percent of renters and 33.0 percent of homeowners overpaying in the tract north of Rose Drive. Poverty levels increase and overpayment rates generally both increase moving across the city. Poverty levels increase in the eastern side of the city to 9.4 percent in the vicinity of I-680, with a homeowner overpayment rate of 32.8 percent and a renter overpayment rate of 48.4 percent. The area south of Military West Street to East 5th Street in the older portion of the city adjacent to the Carquinez Strait has the highest incidence of poverty, at 10.2 percent. In this waterfront district where one of the largest mobile home parks in the city is on the eastern edge, 48.5 percent of renters and 33.5 percent of homeowners are overpaying for housing. This indicates that areas of concentrated poverty typically correspond with increased rates of overpayment.

Economic disparities between different demographic groups may also contribute toward a higher risk of housing insecurity, displacement, or homelessness. Approximately 30.0 percent of both White Non-Hispanic and Asian households are overpaying for housing, with a

slightly higher incidence of overpayment among the Hispanic population, at 35.0 percent. There appears to be a correlation between increased proportions of non-White households and renter overpayment along the northern side of I-780, with 54.7 to 56.5 percent of households overpaying and a lower median income. This pattern holds east of I-680 and along the waterfront, where there is increased diversity and where approximately 48.5 percent of renters and 19.3 percent of homeowners are overpaying (see **Figure 3-17, Local Racial Demographics; Figure 3-39, Local Renter Overpayment; and Figure 3-40, Local Homeowner Overpayment**). Figure 3-39 and Figure 3-40 present the percentage of households in each census tract, by tenure, that is paying more than 30 percent of their income on housing costs. Particularly high rates of overpayment, at 52.9 percent of renters and 37.4 percent of homeowners, are found in the tract south of I-780 where a concentration of public housing and affordable multifamily rental units exists, with incomes below the state median. However, this area has some of the lowest rates of non-White populations compared to other areas of the city at 21.0 percent. Similarly, in the area adjacent to Lake Herman, there is a non-White population rate of 55.7 percent, primarily Asian, with the highest incomes in the city; however, there are relatively low overpayment rates among homeowners (33.0 percent), though similar rates among renters compared to other areas (58.6 percent). Therefore, it appears that there is a stronger correlation between tenure and overpayment than demographic identity and overpayment in Benicia.

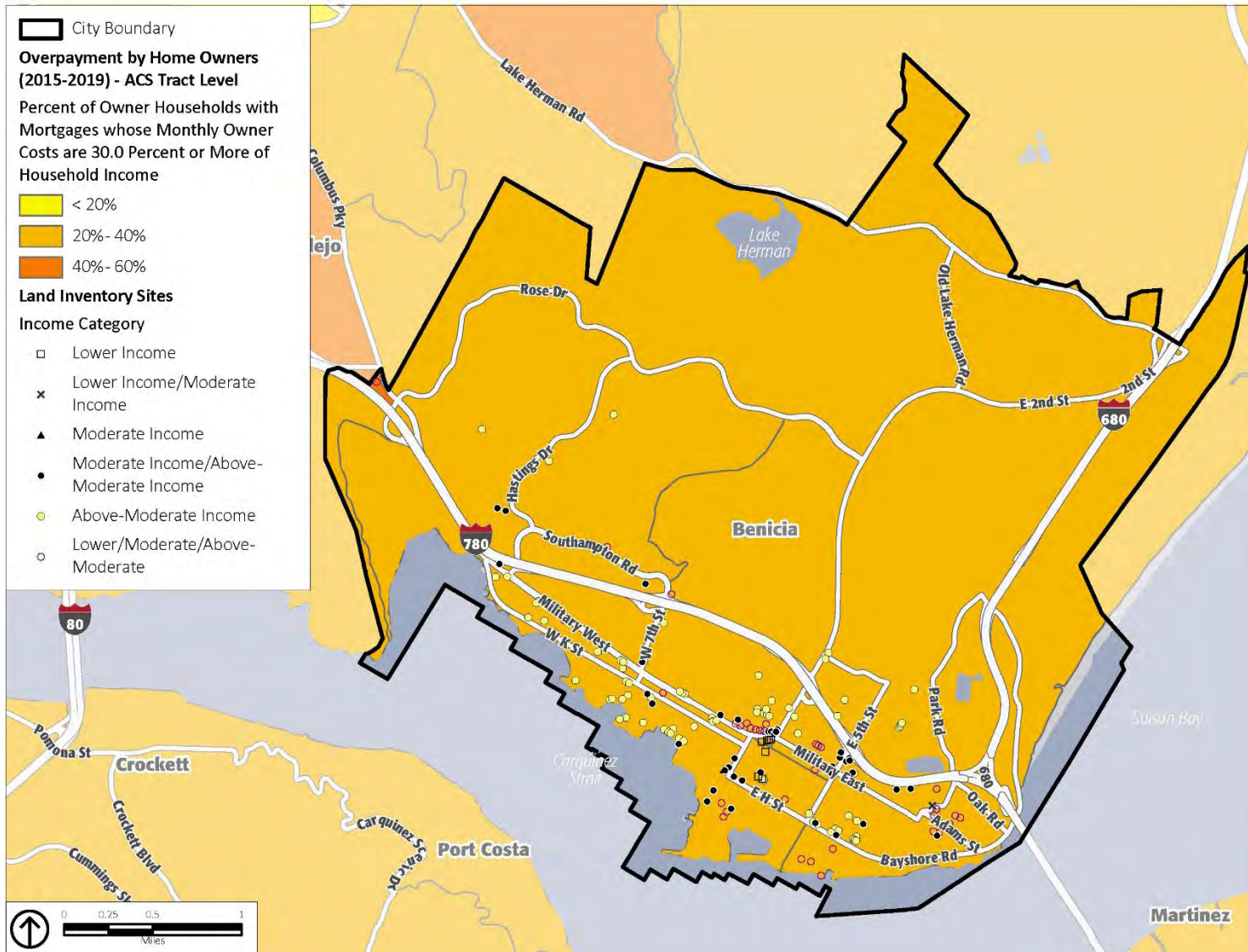
According to the 2015-2019 American Community Survey (ACS), most of the cost burdened rental households are spread across the city, although the areas with higher rates of cost-burdened renters are found adjacent to I-780 at the lower elevations of the city's hillside neighborhoods and along I-680 (Lopes Road), to the southern neighborhoods adjacent to the Benicia Martinez Bridge (**Figure 3-39, Renter Overpayment, and Figure 3-40, Homeowner Overpayment**). The area with the highest proportion of rental overpayment is between Hastings Drive and Panorama Drive south of Rose Drive and north of I-780, where 56.5 percent of renters overpay for housing. In this tract, it is likely that rental overpayment corresponds to income characteristics. There are three block groups in this tract in which median incomes range from \$71,236 in the southern area adjacent to I-780, also the location of a 248-unit market-rate apartment complex, to \$134,702 in the upper sector at the crest of the hill. This suggests that the majority of rental overpayment may be occurring within the lower portion of the tract where multifamily rental options exist, and the remainder of the renter households are residing in single-family detached units, which are the predominant housing type in that tract. To the east, there are three market-rate apartment complexes between Panorama Drive and E. 2nd Street just north of I-780, where 54.7 percent of renters overpay. North of Military West Street, just south of I-780 and west of E. 2nd Street, 27.2 percent of households are renters, partially attributed to the Calms at Burgess Point public housing complex and Casa de Vilarrasa II subsidized rental complex. However, as these complexes offer units at prices affordable to lower-income households, the 52.9 percent of renters in this tract who overpay for housing are likely residing in other rental options, which are typically significantly more costly. In the neighborhoods south of Military West Street, in the older section of the city bound by E. 5th Street to the east, 48.3 percent of households are renters. According to an April 2022 survey of available rentals on apartmentratings.com, there are a few affordable market-rate rentals available; however, 48.5 percent of renters are cost burdened, compared to 12.0 percent of homeowners, as the median income for renter households is lower than the median city average in comparison to the median homeowner income.

FIGURE 3-39: LOCAL RENTER OVERPAYMENT



Source: 2015-2019 ACS; City of Benicia, 2022

FIGURE 3-40: LOCAL HOMEOWNER OVERPAYMENT



Source: 2015-2019 ACS; City of Benicia, 2022

In contrast to these areas of high overpayment rates, the area with the lowest rate of renter overpayment in Benicia, at 29.3 percent, is bound by Rose Drive to the north, Hastings Drive to the east, and I-780 to the south, where renters comprise 20.2 percent of the households. The overpayment rate for homeowners slightly exceeds that of renter overpayment, at 30.3 percent of owner households. An analysis of the median incomes within these areas suggests that the pattern of overpayment in this tract correlates with differences in median income between the two block groups within this tract, with the median income found adjacent to I-780 in the vicinity of two market-rate apartment complexes roughly equivalent to the median income for Benicia, and the median income north of Cambridge Drive over \$130,000. Data suggests that the incidence of renter overpayment in this tract therefore is concentrated in housing in the lower-lying area in the vicinity of I-780, and homeowner overpayment may be more prevalent in the hillside neighborhoods.

As housing prices have risen over the past several years, overpayment among homeowners has remained relatively evenly dispersed throughout the city regardless of income. The area of highest homeowner overpayment, at 33.0 percent, corresponds with the primarily single-family detached housing stock, comprising 86.0 percent of units, in the hillside neighborhoods north of Rose Drive to Lake Herman Road. Additionally, this area has one of the highest rates of renter household overpayment, even though rental households make up just 14.0 percent of the units, at 59.0 percent of renters. Overall, the rate of overpayment in Benicia has decreased since 2014 for both homeowners and renters, which may be a result of the increase in median income. However, rising incomes have not kept pace with the housing market, and overpayment remains a significant issue to be addressed through rental and homeowner assistance programs, and the provision of increased housing stock options affordable to households at all levels.

Special-needs groups that are disproportionately affected by high housing costs include large families, single-parent households, and seniors. As discussed in the Overcrowding section, large family households often face special housing challenges due to a lack of adequately sized affordable housing available. The higher costs of homes with multiple bedrooms can result in larger families experiencing a disproportionate cost burden and increase the risk of housing insecurity. In Benicia, 9.9 percent of large family households pay between 30.0 and 50.0 percent of their income on housing, while 15.1 percent of large households spend more than half of their income on housing. The ACS also reports that female-headed, single-parent households comprise 10.2 percent of households in Benicia, of which, 16.7 percent are below the poverty threshold, which may indicate that these households have to spend a greater percentage of their income on housing. This segment of the population is at risk for displacement without assistance. Seniors, comprising 14.0 percent of Benicia's households, are also a community at risk of displacement. Senior households often rely on a fixed-income source, such as social security, which may increase their risk of displacement due to overpayment as housing prices increase without increases in income. As shown in Table 2-31 of the HNA, 17.8 percent of seniors overpay for housing and 14.0 percent severely overpay, constituting 31.8 percent of the total senior households in Benicia. Although 7.6 percent of seniors are extremely low income, 85.2 percent of seniors in this income group are severely cost burdened. In comparison, 67.8 percent of seniors fall into the above median income group, of which, 13.2 percent are cost burdened and spend more than 30 percent of their income on housing.

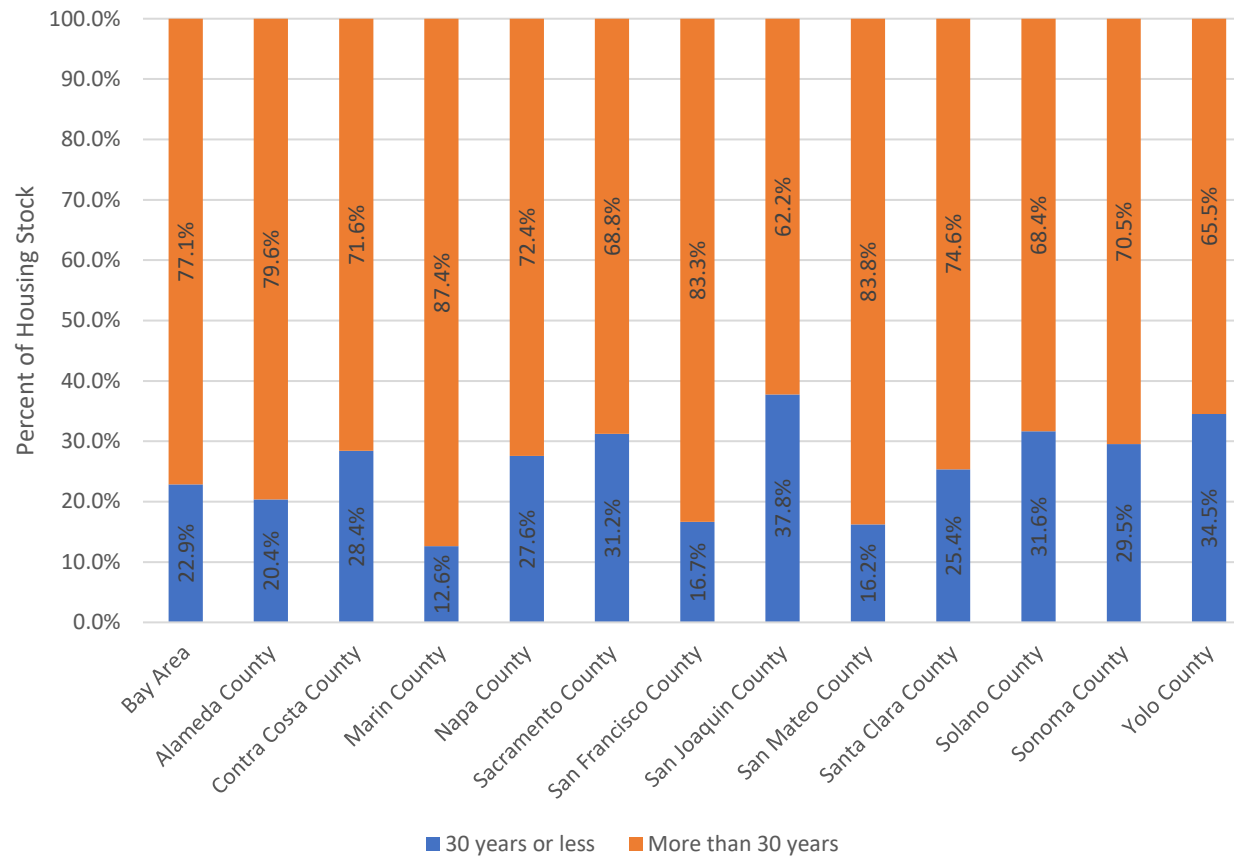
The sudden loss of employment, a health care emergency, or a family crisis can quickly result in a heavy cost burden, with limited affordable options available, putting populations at greater risk of displacement due to overpayment. Residents finding themselves in one of these situations may have had to choose between commuting long distances to their jobs and schools or moving out of the region. There are various ways to address displacement, including ensuring new housing at all income levels is built, which are addressed in **Programs 1.06, 1.12, 1.15, 2.01, and 3.08.**

Substandard Housing

Regional Patterns

As discussed in the Housing Needs Assessment, housing condition can be an indicator of quality of life. Substandard conditions present a barrier to fair housing as occupants are susceptible to health and safety risks associated with poor housing conditions, as well as at risk of displacement if conditions make the unit uninhabitable or if property owners must vacate the property to conduct repairs. As housing units age, they deteriorate without ongoing maintenance, which can present a fair housing issue for occupants, reduce property values, and discourage private reinvestment in neighborhoods dominated by substandard conditions. Typically, housing over 30 years is more likely to need repairs or rehabilitation than newer units. As shown in **Figure 3-41, Age of Housing Stock in the Region**, approximately 31.6 percent of housing units in Solano County are older than 30 years and may need repairs. This is notably higher than the Bay Area as a whole, where 22.9 percent of units are older than 30 years but is comparable to individual jurisdictions in the ABAG and Sacramento regions, including Sacramento, Sonoma, and Yolo Counties. However, with the exception of San Joaquin and Yolo Counties, all other counties in the region have a younger housing stock than Solano County. This may indicate a greater need for rehabilitation in Solano County compared to the greater region. Within individual Solano County jurisdictions, this need has informed the inclusion of several programs in each Housing Element, including rehabilitation assistance, relocation assistance, and more.

FIGURE 3-41: AGE OF HOUSING STOCK IN THE REGION



Source: 2015-2019 ACS

Local Patterns

As presented in HNA Table 2-22, Housing Units by Year Structure was Built, almost all of Benicia’s housing stock was built prior to 2000, with 78.0 percent built between 1960 and 1999, 44.9 percent built during the boom of the 1980s to 1999, and 48.8 percent of the units older than 40 years. Of the 12 multifamily complexes in Benicia, 9 were constructed prior to 1990 and 3 between 2004 and 2005. The

Benicia Housing Authority renovated the Capitol Heights complex, the oldest multifamily complex in the city, in 1993. However, given the age of Benicia’s housing stock, housing condition could present a risk of displacement for residents, including occupants of single-family homes.

A citywide housing conditions survey was conducted by Parsons Brinckerhoff (PB) in April 2002 and, although the conditions of the housing stock examined are likely to have changed over the past 20 years, it is significant to note that the majority of the units in one of the mobile home parks were found to need replacement or significant rehabilitation. As a result, 134 dilapidated mobile home units were demolished due to substandard conditions. While 56 affordable units were constructed in 2004 and offered an alternative to those that may have been displaced from the mobile home park, this likely impacted the housing market for lower- and moderate-income households in Benicia. Therefore, under **Program 4.01** the City will develop a program to provide rehabilitation assistance for lower-income households, including mobile home park residents, to alleviate substandard conditions before reaching a point of inhabitability.

According to the 2015 to 2019 ACS and CHAS, 15.7 percent of the households experience one or more of the following conditions: lacks complete kitchen, lacks complete plumbing, is severely overcrowded, or is severely cost burdened. While a large portion of this estimate could include households that are overcrowded or cost burdened, but do have a complete kitchen and plumbing, it can be assumed that at least a portion are living in units without these basic facilities, which are indicators of substandard housing conditions. CHAS data estimates that there were no very low-, low-, or moderate-income ownership households that were living in a unit without complete kitchen facilities, while 0.9 percent were without complete plumbing. Approximately 0.5 percent of renters lived in units lacking complete plumbing facilities. Due to the low incidence of kitchen or plumbing problems, most of the households experiencing substandard conditions according to CHAS are attributed to either severe overcrowding, severe overpayment, or both. Therefore, while at least two-thirds of the housing units are older than 30 years, it is unlikely that any specific socioeconomic group or geographic neighborhood is more at risk of displacement due to housing condition. However, to assist those owners of properties in need of repairs or rehabilitation, the City has identified **Program 4.01** to establish a rehabilitation grant or program that assists lower-income homeowners to help with needed repairs.

Homelessness

In 2019, Housing First Solano, with the support of the Community Action Partnership (CAP) Solano Joint Powers Authority (JAP), conducted a Point-in-Time (PIT) survey of Solano County. This count, conducted in January in communities across the county, assesses the size and characteristics of the homeless population. Typically, the PIT survey is conducted in person every two years to estimate both the sheltered and unsheltered population. However, due to the COVID-19 pandemic, in 2021, the CAP Solano JAP conducted a PIT of sheltered individuals through a demographic questionnaire sent to all emergency shelters and transitional housing providers. The 2021 Sheltered PIT reported 397 homeless individuals, an increase from 230 in 2020 and 219 in 2019. The 2019 PIT counted both sheltered and unsheltered individuals, and found 1,151 homeless persons living in Solano County, an increase of 69 since 2015, though the population

peaked at 1,232 in 2017. Of the total homeless population in 2019, many reported sleeping in more than one Solano County incorporated jurisdiction during the previous year. Approximately 53.0 percent had stayed in Fairfield for at least one night, 50.0 percent in Vallejo for at least one night, 22.0 percent in Vacaville, 14.0 percent in Vallejo, 4.0 percent in Rio Vista, 4.0 percent in Benicia, and 3.0 percent in Dixon. The total of these exceeds 100 percent as some individuals moved around during the year and reported sleeping in multiple jurisdictions. The homeless population in the unincorporated area was not reported. HNA Table 2-39, Local Knowledge on Persons Experiencing Homelessness, reports the estimates, provided by local service providers or police departments on the size of the homeless population in each jurisdiction within Solano County.

Approximately 81.0 percent of the total homeless population of Solano County were unsheltered and 19.0 percent were sheltered. Of the total population, approximately 15.6 percent were chronically homeless, meaning they had been homeless for a year or longer or had experienced at least 4 episodes of homelessness, totaling 12 months in the last 3 years. Additionally, there were approximately 30 families, with at least one child under 18 and one adult over 18, totaling 79 people or 6.9 percent of the population, and there were 5 unaccompanied minors recorded.

The 2019 PIT surveyed for the following protected characteristics: gender identify, sexual orientation, veteran status, race and ethnicity, disability status, and age. **Table 3-8, Demographic Composition of Homeless Population, 2019**, identifies the proportion of each of these protected characteristics compared to the proportion of each jurisdiction's population, to identify whether any protected classes are disproportionately represented as part of the homeless population. However, while gender identity and sexual orientation were reported, this information is not collected for the general population and cannot be used for a comparison of demographic composition. The percentages for a protected characteristic population in **bold** are overrepresented in the homeless population compared to that jurisdiction's total population. It is worth noting that, given the small proportion of the homeless population that reported sleeping in Vallejo, Rio Vista, Benicia, and Dixon, and without a report for the unincorporated county, it is unlikely that all protected characteristics are represented in the homeless populations of these jurisdictions. However, without data available at the jurisdiction level, it is assumed that the percentages of each protected class apply to the local homeless population.

TABLE 3-8: DEMOGRAPHIC COMPOSITION OF HOMELESS POPULATION, 2019

Protected Characteristic	Homeless Population	Benicia	Dixon	Fairfield	Rio Vista	Suisun City	Vacaville	Vallejo	Uninc. Solano County
Veteran	13.0%	7.7%	8.0%	9.4%	19.4%	11.4%	12.4%	7.8%	10.0%
Senior	18.0%	19.8%	12.9%	12.2%	48.9%	11.7%	14.0%	15.8%	21.5%
Disabled	31.0%	11.1%	11.1%	11.6%	26.2%	12.5%	11.8%	12.5%	12.7%
White	39.0%	65.1%	45.0%	31.5%	74.8%	26.0%	50.5%	24.1%	55.1%
Black	37.0%	3.2%	1.9%	14.8%	7.6%	20.9%	9.5%	19.7%	5.5%
American Indian or Alaska Native	3.0%	0.0%	0.5%	0.4%	0.2%	0.4%	0.4%	0.1%	0.3%
Asian /Asian Pacific Islander	7.0%	11.4%	5.4%	17.8%	7.5%	20.0%	84.0%	24.2%	5.5%
Multi-racial or other	14.0%	7.5%	4.8%	6.2%	1.8%	4.9%	6.4%	5.6%	3.3%
Hispanic/Latinx	16.0%	12.8%	42.4%	29.3%	8.1%	26.8%	24.8%	26.3%	30.2%

Sources: Housing First Solano PIT, 2019; ABAG Data Packets, 2021; 2015-2019 ACS

As seen in **Table 3-8, Demographic Composition of Homeless Population, 2019**, all protected characteristics are overrepresented in the majority of Solano County jurisdictions, with individuals with disabilities, American Indian or Alaska Native residents, and residents that identify as multi-racial or another race being overrepresented in all Solano County jurisdictions. Approximately 30.0 percent of homeless individuals that responded to the survey reported that they believe employment assistance would have prevented homelessness for them, approximately 25.0 percent reported alcohol and drug counseling as a prevention tool, 24.0 percent reported rent or mortgage assistance, and 21 percent reported mental health services. For those that were interested in receiving assistance, 20.0 percent did believe they were eligible, 13.0 percent reported that paperwork for assistance was too difficult, and 11.0 percent reported that not having a permanent address was a barrier to assistance.

Homelessness is often a cross-jurisdictional issue, as represented by individuals reporting sleeping in multiple jurisdictions within the year. To address this region throughout the region, **Program 3.03** has been included to coordinate with all other Solano County jurisdictions to increase the availability of emergency shelters, transitional housing, and homelessness service generally as well as develop targeted assistance and outreach for overrepresented populations.

Displacement Risk

A combination of factors can result in increased displacement risk, particularly for lower-income households. These factors include those listed above, as well as vacancy rates, availability of a variety of housing options, and increasing housing prices compared to wage increases. The Urban Displacement Project, a joint research and action initiative of the University of California Berkeley and the University of Toronto, analyzes income patterns and housing availability to determine the gentrification displacement risk at the census tract level. Six displacement typologies exist in Solano County:

- **Low-Income/Susceptible to Displacement:** These tracts are predominantly low- or mixed-income, susceptible to changes if housing prices increase.
- **Ongoing Displacement:** These tracts were previously low income, before seeing a significant loss of low-income households between 2000 and 2018.
- **At Risk of Gentrification:** These are low- or mixed-income tracts with housing affordable to lower-income households; however, the tract has seen increases in housing costs or rent values at a greater rate than regional increases or resulting in a larger rent gap locally than regionally.
- **Stable Moderate/Mixed Income:** These tracts are predominantly occupied by moderate-, mixed-moderate, mixed-high, or high-income households.
- **At Risk of Becoming Exclusive:** These tracts are also predominantly occupied by moderate, mixed, or high-income households, with housing affordable to middle- to high-income households but ongoing increases in prices.
- **Stable/Advanced Exclusive:** These are high-income tracts with housing only affordable to high-income households, and marginal or rapid increases in housing costs.

According to the Urban Displacement Project, all of Benicia is considered to be either “Stable Moderate/Mixed Income” or “At Risk of Becoming Exclusive.” Most of the northern area and the area east of East 2nd Street are considered to be stable, while areas along the Carquinez Strait and the Southampton neighborhood are considered at risk of becoming exclusive. However, dramatic increases in home and rental prices have impacted residents throughout Benicia, though renters are typically disproportionately burdened by housing market increases in annual rate increases, compared to homeowners who have fixed-rate mortgages.

According to the Zillow Home Value Index (ZHVI), the average home value in Benicia has more than doubled between December 2012 and December 2021, from \$351,000 to \$838,000, for an average increase of approximately 15.4 percent annually. Despite this rapid increase, housing prices in Benicia have increased at a slower rate than all other incorporated jurisdictions in Solano County, with the exception of the City of Rio Vista. However, the median home price in Benicia is still only affordable to above moderate-income households. Rent prices in Benicia have increased at a slower rate than home values, but still present a barrier for lower-income households. Between 2014 and 2021, the average rent for a two-bedroom unit, for example, increased from \$1,600 to \$2,195 according to a survey of online rent tracking platforms, resulting in an annual average increase of 5.3 percent. The median rent in 2021 was affordable to moderate-income households.

While housing costs have increased rapidly, wages have not kept pace. The median income in Benicia has increased approximately 2.1 percent annually, from \$87,018 in 2010 to \$103,413 in 2019, according to the ACS. The difference in these trends indicates growing unaffordability of housing in Benicia. To address affordability challenges, the City will encourage and incentivize development of affordable housing units, particularly in high opportunity areas and will develop a program to connect lower-income residents with affordable housing opportunities and will identify funding for financial assistance for first-time homebuyers. (**Programs 1.03 and 1.05**).

Displacement risk increases when a household is paying more for housing than their income can support, their housing condition is unstable or unsafe, and when the household is overcrowded. Each of these presents barriers to stable housing for the occupants. As discussed under Patterns of Integration and Segregation and Overpayment, the rate of poverty in Benicia is relatively low, with only a slightly higher rate in the southern portion of the city. However, displacement risk due to overpayment for low-income renter households is not significantly higher in any one area of the city. The City has included several programs to increase the supply of affordable housing by providing assistance with acquisition, rehabilitation, and construction; providing technical assistance, streamlining, and other incentives; and working with affordable housing providers to preserve units (see **Table 3-10, Factors that Contribute to Fair Housing Issues**).

Other Relevant Factors

In addition to the indicators analyzed above, there are several other factors that can influence housing mobility and access to opportunity in a jurisdiction. For example, development patterns may have resulted in neighborhoods that are largely, or exclusively, consist of single-family homes. Given current market trends, these neighborhoods would likely be inaccessible to lower-income households. Other factors may include mortgage lending patterns, public and private investment, and historic policies. Other factors that are considered relevant vary between jurisdictions and are described at the local level below.

Land Use and Zoning Patterns

The Othering & Belonging Institute, a University of California Berkeley research center, published a report in 2020 analyzing the characteristics of communities in the Bay Area in relation to the degree of single-family zoning.³ The research findings identified that in Solano County, and across the Bay Area regionally, jurisdictions with high levels of single-family zoning see greater access to resources resulting in positive life outcomes. This comparison is significant even when considering that the Bay Area region is generally wealthy and expensive. Predominance of single-family zoning aligned with higher median incomes, home values, proficient schools, and other factors that are similarly associated with the highest-resource designation in the TCAC/HCD opportunity maps. Single-family zoning predominates residential areas in the Bay Area, with the average proportion of residential land zoned only for single-family in Bay Area jurisdictions at approximately 85.0 percent. Benicia was one of only two jurisdictions, with Suisun City being the other, where single-family only zoning made up less than 40.0 percent of the city’s land area.

Analysis identified Benicia as having less than 80.0 percent of land area designated to exclusively single-family zoning, categorizing it as a “low” level of single-family zoning relative to Bay Area jurisdictions. However, single-family housing units make up approximately 73.4 percent or 8,332 of the City’s 11,357 housing units, indicating that, while the majority of Benicia’s land mass is not dedicated to single-family housing, the majority of its housing stock is. Conversely, multifamily units (2 or more units) make up approximately 24.6 percent of Benicia’s housing units. While single-family zoning can create highly desirable places to live, higher entry costs associated with this housing type can pose a barrier to access for lower- and moderate-income households, restricting access to economic, educational, and other opportunities that are available in higher-resource communities. To support and expand access to affordable housing in high opportunity areas, the City will adopt **Programs 1.06, 1.12, 1.15, 2.01, and 3.08.**

Investment Patterns

Public and private investment typically includes construction, maintenance, and improvements to public facilities, including infrastructure, acquisition of land, and major equipment. Historically, investment in Benicia has been prioritized based on need and available funding, which has prevented disinvestment in any particular area of the city. However, any infrastructure or facilities needing improvement are identified for investment in the City’s 5-year Capital Improvement Plan (CIP). The CIP is funded from a variety of sources that can each be used for specific purposes. These funds are allocated to improve roadways and other transportation infrastructure, expand waste facilities, and expand service capacity, amongst other projects. Projects identified for public investment are considered based on the following factors:

³ Menendian, Stephen, Samir Gambhir, Karina French, and Arthur Gailles, “Single-Family Zoning in the San Francisco Bay Area,” Othering & Belonging Institute, University of California, Berkeley, October 2020. <https://belonging.berkeley.edu/single-family-zoning-san-francisco-bay-area>.

- Support for neighborhoods with the highest need
- Consistency with other formal long-range plans
- Recommendations of City Councils and/or Commissions
- Input from residents and business owners
- Consistency with General Plans
- Consistency with local Consolidated Plans for federal funds like Community Development Block Grants
- Consistency with adopted master plans
- State, federal, or other legal mandates
- Potential impacts on operating budgets
- Benefits to communities
- Mitigation of health or safety issues

Priority is based on projects that will result in the greatest community benefit, mitigate existing issues, and address public demand and need, therefore ensuring that projects occur throughout the city. Recent target areas for investment include, but are not limited to:

- **The Citywide Street Resurfacing Program:** Consists of grinding and overlaying, rubber cape sealing, and micro-surfacing streets throughout the city. The program will maximize the available funding and strive to improve pavement condition.
- **The Library Basement Completion Project:** A top priority for the Board of Library and library staff. The project consists of completing approximately 8,000 square feet of unfinished library space in the basement by installing interior walls, a drop ceiling, flooring, electrical work, heating/cooling, computer cables, conference rooms, a literacy center, book storage, and a Friends of the Benicia Library book sale area.
- **The Community Center-Play Yard Project:** Consists of replacing the play yard for the Tiny Tots Preschool.
- **The James Lemos Swim Center – Boiler Replacement Project:** Consists of replacing the boilers at the swimming pool.
- **The Fitzgerald Field Bleachers Project:** Consists of removing and replacing the existing bleachers and restrooms. New bleachers and restrooms will be installed to meet current accessibility requirements.
- **The Library Exterior Improvement Project:** Consists of exterior improvements to the library. New paint to the exterior walls was done in Fiscal Year 2017/18 and a new roof was installed in Fiscal Year 2019/20.

- **The Gazebo Replacement Project:** Consists of replacing the gazebo in City Park on First Street and providing accessibility upgrades.

These project areas, among others, improve connections between neighborhoods, availability of and accessibility to community resources and facilities, and more. Benicia will continue public investment throughout their jurisdictions, and will encourage the same from private investment, so all residents have access to improved transportation, safer streets, additional recreational amenities, and other outcomes of public and private investment.

Mortgage Loan Denial Rates

Data related to home loan applications are made available annually through the Consumer Financial Protection Bureau Home Mortgage Disclosure Act (HMDA). It is important to note, however, that this data does not reflect all lenders, particularly local financial institutions, and does not provide a comparison of applicants based on qualifications, such as income and credit, to determine whether there are factors other than racial or ethnic identity that may have influenced the success rate of securing a mortgage loan. Additionally, the Consumer Financial Protection Bureau provides mortgage data specific to census tracts as opposed to jurisdiction boundaries, so data for Benicia includes portions of unincorporated Solano County in tracts that expand beyond city limits, most notably the tract that includes everything east of E. 2nd Street and extends northeast beyond city limits toward Grizzly Bay.

In 2020, White applicants accounted for 34.5 percent of all mortgage loan applications for home purchase and 52.5 percent of all originated loans in Benicia. While Hispanic and Latinx residents make up 12.8 percent of Benicia's ethnic composition, Hispanic and Latinx applicants made up only 1.3 percent of loan applications and 2.0 percent of originated loans. Black residents represented 3.2 percent of Benicia's racial composition; however, Black applicants made up approximately 1.3 percent of total loan applications and 2.0 percent of all originated loans. While Asian residents represented 11.4 percent of Benicia's racial composition, Asian applicants made up 6.5 percent of loan applicants and 10.0 percent of originated loans. Other applicants (e.g., American Indian, Alaskan Native, Native Hawaiian, or other Pacific Islander, two or more race, and other) represented less than 1.0 percent of both loan applications and originated loans. The City hopes to address some of these disproportionalities, particularly for Latinx residents, by implementing targeted and multilingual outreach strategies and programs described in **Program 5.01** and removing barriers to homeownership identified in the fair housing assessment public outreach process.

In 2020, applicants from Benicia applied for three types of loans for home purchase: conventional, Federal Housing Administration (FHA), and Veterans Administration (VA). Denial rates, shown in **Table 3-9, Mortgage Loan Denial Rates, Benicia** indicate that Asian residents were denied conventional and FHA loans at a higher rate than other racial and ethnic groups.

TABLE 3-9: MORTGAGE LOAN DENIAL RATES, BENICIA

Loan Type	White	Latinx	Black	Asian	Native American or Pacific Islander	American Indian or Alaska Native	Two or More Minority Races	Total
Conventional								
Total Applications	257	11	11	52	0	2	1	334
Denial Rate	5.4%	0.0%	0.0%	7.7%	0.0%	0.0%	100.0%	5.7%
Federal Housing Administration								
Total Applications	7	1	2	3	0	0	0	13
Denial Rate	0.0%	0.0%	0.0%	33.3%	0.0%	0.0%	0.0%	7.7%
Veterans Administration								
Total Applications	19	0	3	2	0	0	0	24
Denial Rate	5.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	4.2%

Source: Federal Financial Institutions Examination Council's (FFIEC), Home Mortgage Disclosure Act (HDMA), 2020

The low participation rate by residents of color and barriers to building capital necessary to pursue homeownership may be a result of both past policies, such as racially restrictive covenants, that prevented particular communities of color from building generational wealth, current inequities like occupational segregation, and existing barriers like language access and documentation requirements. Actions described in **Programs 1.03 and 5.01**, including targeted and multilingual homebuyer education and outreach strategies and financial empowerment services, are just some of the ways the City hopes to address these disparities. The City will also work with legal service providers to ensure all residents have access to legal counseling and representation in cases of discriminatory lending practices and other fair housing issues (**Program 5.01**).

Enforcement and Outreach Capacity

Compliance with Fair Housing Laws

In addition to assessing demographic characteristics as indicators of fair housing, jurisdictions must identify how they currently comply with fair housing laws or identify programs to become in compliance. The City of Benicia enforces fair housing and complies with fair housing laws and regulations through a twofold process: review of local policies and codes for compliance with state law, and referral of fair housing complaints to appropriate agencies. The following identifies how the City complies with fair housing laws.

- **Density Bonus Law (Government Code Section 65915).** The City allows up to a 50.0 percent increase in project density depending on the proportion of units that are dedicated as affordable, and up to 80.0 percent for projects that are completely affordable.
- **No-Net-Loss (Government Code Section 65863).** The City has identified a surplus of sites available to meet the RHNA allocation. In total, the City's surplus unit capacity is 1,381, composed of 408 lower-income units, 499 moderate-income units, and 474 above moderate-income units.
- **Housing Accountability Act (HAA) (Government Code, Section 65589.5).** The City does not condition the approval of housing development projects for very low-, low-, or moderate-income households or emergency shelters unless specified written findings are made. Further, the City allows emergency shelters by-right in the RM, CO, CG, MU-I, and MU-L zoning districts.
- **Senate Bill 35 (Government Code Section 65913.4).** The City has adopted a procedure to use a streamlined, ministerial review process, including objective development and design standards, for qualifying projects and has information regarding this procedure on the City's website.
- **Senate Bill 330 (Government Code Section 65589.5).** The City has adopted a procedure to process preliminary application for housing development projects, conduct no more than five hearings for housing projects that comply with objective General Plan and development standards, and make a streamlined determination of compliance with development standards. Information regarding this procedure is available on the City's website.
- **California Fair Employment and Housing Act (FEHA) and Federal Fair Housing Act.** The City provides protections to residents through referrals to legal assistance organizations, such as Legal Services of Northern California (LSNC) and has included **Program 5.01** to provide biannual training to landlords on fair housing rights and responsibilities with the intent of reducing, or eliminating, discrimination.

- **Review Processes (Government Code Section 65008).** The City reviews affordable development projects in the same manner as market-rate developments, except in cases where affordable housing projects are eligible for preferential treatment, including, but not limited to, on sites subject to Assembly Bill (AB) 1397.
- **Assembly Bill 686 (Government Code Section 8899.50):** The City has completed this Assessment of Fair Housing and identified programs to address identified fair housing issues in **Table 3-10, Factors that Contribute to Fair Housing Issues.**
- **Equal Access (Government Code Section 11135 et seq.).** The City has included **Program 5.01** to provide translation services for public meetings and materials and currently offers accessibility accommodations to ensure equal access to all programs and activities operated, administered, or funded with financial assistance from the state, regardless of membership or perceived membership in a protected class.

Fair Housing Outreach

In addition to assessing fair housing issues related to development standards, fair housing issues can include disproportionate loan rates by race, housing design that is a barrier to individuals with a disability, discrimination against race, national origin, familial status, disability, religion, or sex when renting or selling a housing unit, and more. The City of Benicia ensures dissemination of fair housing information and available services through the City's website and has identified programs to improve equal access to all governmental programs and activities. The City will continue to make fair housing information available, updating annually or as needed, on their website and through annual distribution of printed materials at government buildings and community meetings. In 2021, the City began to outline an approach to the Housing Element that was informed by equity and inclusive of the community. This work included coordination with the City's Diversity, Equity and Inclusion (DEI) Manager, Dr. Maliika Chambers. The City of Benicia is unique in Solano County and one of only a handful of jurisdictions in the Bay Area to employ a DEI manager as part of City staff. The City has also formed a standing committee, the Committee United for Racial Equity (CURE), which is actively evaluating an equity assessment and is working to create a platform that values a diverse community where all individuals are treated equally. The CURE committee has been informed about the Housing Element, with an emphasis on this Affirmatively Furthering Fair Housing (AFFH) analysis and programs and policies. CURE committee members are encouraged to share information with the organizations and people that they represent and to encourage participation in the public process. CURE committee members were invited to provide comment, suggestions, and feedback on the draft Housing Element.

Benicia residents are served by two local fair housing organizations to help enforce fair housing laws, in addition to the California Department of Fair Employment and Housing (DFEH) and HUD FHEO: Fair Housing Advocates of Northern California (FHANC), and LSNC. While FHANC is contracted by the cities of Fairfield and Vallejo for direct services, Benicia residents can also contact the organization if they believe they are experiencing discrimination. FHANC offers fair housing counseling services, complaint investigation,

and assistance in filing housing discrimination complaints to homeowners and renters, with resources available at no charge in English, Spanish, and Vietnamese. Between July 1, 2020, and June 30, 2021, FHANC provided counseling or education to 2,930 tenants, homeowners, homebuyers, housing providers, children, social service providers, and advocates across Marin, Sonoma, and Solano Counties. Of the fair housing clients assisted by FHANC, 94.0 percent of clients were extremely low-, very low-, or low-income. In addition, 27.0 percent were Latinx, 13.0 percent of whom spoke no English, and 20.0 percent were Black or African American. LSNC provides free legal services and assistance to qualifying clients with cases involving tenants' rights, evictions and lock outs, foreclosures, quality of housing, mobile homes, mitigation of homelessness, termination of utilities, unsafe housing, and loss of shelter because of natural disasters. As part of regional outreach efforts, consultations were conducted with FHANC and LSNC for feedback both regionally and locally for each jurisdiction.

In December 2021, LSNC reported that they had received 450 discrimination cases in 2021 from residents of Solano County. The organization identified the most common issue as disability discrimination, most frequently due to failure to make reasonable accommodations, followed by gender-based discrimination, usually resulting from unfair treatment of victims of domestic violence, such as terminating the lease of the entire family for a domestic violence disturbance. LSNC identifies gender-based discrimination as the most common complaint they receive from residents of Vacaville and habitability issues as a greater issue among non-English speakers in Fairfield than White, English-speaking residents. The primary concerns related to barriers to fair housing the LSNC reported include a substantial lack of affordable housing, resulting in a myriad of other issues, including substandard units being the only affordable options remaining and absentee landlords due to low vacancy rates so little concern about having a tenant regardless of conditions. LSNC reported that the increase in real estate investors in Solano County has further depleted the limited affordable, substandard stock as properties are remodeled and sold at higher prices. As a result of these concerns and issues, LSNC expressed a need of mechanisms to promote homeownership, reduce property turnover, and support tenants of units that are cited for negative conditions, such as requiring the owner to cover relocation costs. Overall, LSNC identified a need for stronger tenant protections throughout the region, better response to discrimination complaints through contracted service providers, a need for inclusionary housing ordinances, and other mechanisms to support affordable development.

In January 2022, FHANC provided extensive feedback on fair housing issues and needs in Solano County, particularly in Vallejo and Fairfield where the organization is contracted to provide services. Through testing and audits of housing providers, FHANC has identified a great need for more coordinated and extensive education and enforcement related to fair housing laws. For example, in 2021, FHANC tested housing providers to determine whether disability discrimination was an issue and found that approximately half of landlords did not allow exceptions for service animals. Further, FHANC reiterated what LSNC had reported, that the most common discrimination complaints are regarding denials of reasonable accommodations requests. Through testing, FHANC found that landlords and housing providers of fewer units discriminated at a higher rate, identifying a lack of understanding of laws as the most likely cause. The number of new laws related to fair housing has resulted in an increased need for education for both tenants and housing providers on requirements as

well as resources available to them. FHANC expressed a need for coordinated resource management in Solano County so residents can easily access resources and know where to go to find services. The primary actions that FHANC recommended jurisdictions take to affirmatively further fair housing include contracting a fair housing organization to provide direct services to residents and adoption of tenant protections, such as a just-cause ordinance, and protections for residents with criminal backgrounds, such as an ordinance ensuring a fair chance to access housing. FHANC emphasized the importance of having fair housing service providers that are separate from the local housing authority, as the housing authority is also a housing provider, which may present a barrier to tenants who feel discriminated against. For example, in 2021, FHANC negotiated a settlement against the Suisun City Housing Authority on behalf of a client, as a result of disability discrimination.

In addition to general feedback, FHANC also shared the results of their 2019-2020 and 2021 audits of discrimination in rental units in Marin, Sonoma, and Solano Counties, as well as information on lawsuits they jointly filed with other fair housing organizations against banks for the maintenance and marketing of foreclosed properties. For their 2019-2020 audit, FHANC investigated 63 rental properties, through 139 individual tests, for discrimination against national origin and source of income. Forty-five tests were conducted on rental properties in Marin County, 29 in Solano County, and 45 in Sonoma County, testing the extent to which Latinx and HCV holders were discriminated against. FHANC found that approximately 82.5 percent of all housing providers tested discriminated on the basis of national origin and/or source of income. In Solano County, 81.0 percent of housing providers tested discriminated against one or both protected classes: 52.4 percent discriminated based on source of income, 19.0 percent on the basis of national origin, and 9.5 percent on both national origin and source of income. The remaining 19.0 percent of housing providers did not show discrimination against either protected class. The results of these tests indicate a need for education of landlords on source of income discrimination and requirements to accept Section 8 vouchers, as well as providing information on the benefits of participating in the voucher program, such as dependable payments from the public housing authority and regular inspections to check on the condition of the units.

In the May 2021 Audit Report, FHANC reported on discrimination on the basis of disability in the tri-county region, based on testing of 111 rental properties: 32 in Marin County, 39 in Solano County, and 40 in Sonoma County. Solano County properties were in Fairfield, Vallejo, Vacaville, Benicia, and Suisun City. These tests were based on housing providers allowing emotional support animals and/or service animals at properties listed as prohibiting or limiting animals. Approximately 30.7 percent of housing providers in Solano County showed clear evidence of discrimination, 15.4 percent showed some or potential evidence of discrimination, and 53.8 percent showed no evidence of discrimination. The rate of discrimination in Solano County was the lowest in the tri-county region, with 59.4 percent of housing providers in Marin County and 60.0 percent in Sonoma County showing total discrimination. Across all tested properties, FHANC found that discrimination rates were higher among properties with fewer than 11 units, indicating a need for increased education for these housing providers.

In addition to the audit reports, FHANC shared press releases from 2016, 2017, and 2018 that reported on lawsuits filed by FHANC and other fair housing organizations against Fannie Mae, Bank of America, Deutsche Bank, Ocwen Financial, and Altisource companies, alleging racial discrimination based on how banks maintain and market foreclosed properties. In each case, the fair housing organizations compiled data from multiple metropolitan areas throughout the nation, including the Vallejo-Fairfield MSA, that clearly indicated that bank-held properties in neighborhoods of color were consistently neglected and poorly maintained compared to those in White neighborhoods. In the Fannie Mae lawsuit of 2016, 68 properties in the Vallejo-Fairfield MSA were investigated: 1 in a predominantly Hispanic community, 48 in predominantly non-White communities, and 19 in predominantly White communities. Approximately 47.0 percent of foreclosed properties in White communities in the Vallejo-Fairfield MSA had fewer than 5 maintenance or marketing deficiencies, compared to 35.0 percent of properties in communities of color. Further, 12.0 percent of foreclosed properties in communities of color had 10 or more deficiencies, while no properties in White communities had this extent of deficiencies. Similar findings were reported throughout the Bay Area and across the nation in the case against Fannie Mae, as well as the banks. While the findings reported are a national issue, the impacts are seen in Solano County and the greater Bay Area region, presenting fair housing issues for local communities of color. FHANC expressed that the City may help reduce impacts, and in turn affirmatively further fair housing, through strict code enforcement of Fannie Mae properties, and other foreclosed homes, to ensure they are properly maintained and do not negatively impact the neighborhood they are located in.

Throughout the region, local organizations and service providers identified a need for stronger enforcement of code violations related to substandard housing conditions and better communication of available resources for a range of programs. For example, the Agency for Aging expressed a need for better marketing of Solano Mobility program that helps connect seniors to necessary services. Urban Habitat and Habitat for Humanity both identified coordination and partnerships between jurisdiction and non-profit staff as an opportunity to reduce barriers to housing through shared resources and outreach capacity. There are a range of services and programs available throughout the county and in individual jurisdictions; however, service providers and fair housing advocates expressed that they often hear from residents who are unaware of these opportunities. Improved outreach and communication efforts will help connect residents with appropriate services and programs, which may aid them in remaining in their home or identifying new opportunities. The City has identified specific programs in **Table 3-10, Factors that Contribute to Fair Housing Issues**, to address concerns regarding enforcement and outreach.

Discrimination Cases

In their 2020 Annual Report, DFEH reported that they received 8 housing complaints from residents of Solano County, approximately 0.9 percent of the total number of housing cases in the state that year (880). As part of the Fair Housing Assistance Program (FHAP), DFEH also dual-files fair housing cases with HUD's Region IX FHEO, which are reported by the origin of the issue.

HUD FHEO reported that just three cases were filed by residents of the City of Benicia between January 2013 and April 2021. Of these, two were made against a public entity (i.e., public housing authority, city); one of the two resulted in a no-cause determination and the other was closed after a successful settlement. The third case was also closed for no-cause determination. The single case that had cause and was settled was based on discrimination against a disability. In addition to these cases, there were 13 fair housing inquiries made by Benicia residents. Four of these were inquiries against public entities, though none were pursued by the claimant. Of all 13 inquiries, 7 claimants failed to respond to HUD's follow-up, 5 in findings of no basis or issue, and 1 inquiry was not made in a timely manner. While there were few cases filed with HUD during this time period, it is important to note that there may be residents experiencing discrimination that do not file a case or are unaware of their rights. Therefore, the City has identified **Program 5.01** to ensure residents and housing providers are aware of fair housing laws, rights, and requirements as well as resources available to residents should they experience discrimination. Further, the City will work with local and regional fair housing providers to facilitate a training for housing providers to prevent discriminatory actions and behaviors.

SITES INVENTORY ANALYSIS

The location of housing in relation to resources and opportunities is integral to addressing disparities in housing needs and opportunity and to fostering inclusive communities where all residents have access to opportunity. This is particularly important for lower-income households. Government Code Section 65583(c)(10)(A) added a new requirement for housing elements to analyze the location of lower-income sites in relation to areas of high opportunity. As discussed throughout this Assessment of Fair Housing, TCAC and HCD have designated almost all of Benicia as moderate resource, with a small sliver of low resource on the far west edge of the city southwest of Columbus Parkway. This land, which contains no existing residential units and one mixed-income site in the Sites Inventory within Benicia's city limit, is lumped into a larger census tract that is largely within the adjacent City of Vallejo, which is a predominantly low resource city.⁴ Therefore, it is likely that the data displayed for that area is skewed towards the Vallejo demographics. Overall, Benicia is a moderate resource community, but access to opportunity varies slightly throughout the community, as identified in this assessment of fair housing.

⁴ The one mixed-income site in the Sites Inventory in this census tract is across the street from a large new single-family development under construction in Vallejo and it is adjacent to existing services and trails and open space. This site will be incorporated into the built environment, regardless of jurisdictional boundaries.

To confirm whether the sites identified in the Housing Element inventory will affirmatively further fair housing, the City examined the TCAC/HCD opportunity area map as well as specific geographic patterns of resources. As the vast majority of the City of Benicia has been designated as a moderate resource area by TCAC and HCD, the City primarily relied on other indicators to determine whether the sites inventory affirmatively furthers fair housing.

Potential Effect on Patterns of Integration and Segregation

The sites identified to accommodate the lower-income housing need are generally located along Southampton Road or south of I-780, with the exception of one site on Columbus Parkway on the far western edge of the city. As discussed in the analysis of displacement risk, these sites are close to amenities, schools, and transit and in the most walkable areas of the community. These sites are well-dispersed from east to west across the city, but they largely avoid the Southampton neighborhood because that area has steep hillside topography, which is not cost-effective for multifamily development, as demonstrated in the low-density residential character of the neighborhood, and the remaining vacant land is deed-restricted open space. The Southampton neighborhood also has minimal access to transit and services. High-density development is the most likely to result in deed-restricted affordable housing, a housing type that is needed in Benicia. Proximity to Southampton Road and areas south of I-780 provide the opportunity for residents to have reduced transportation costs associated with access to employment centers and daily amenities.

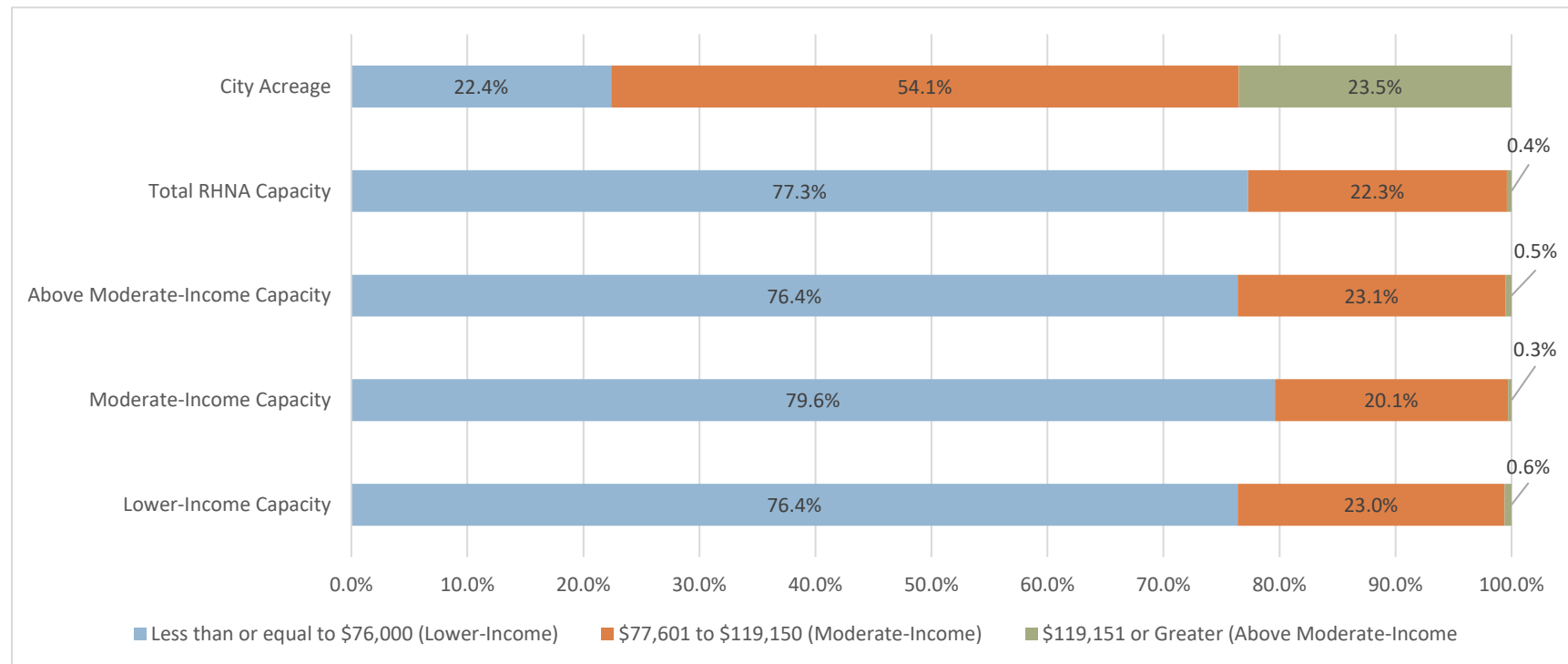
Income

While the area south of I-780 is considered a moderate-resource area in Benicia by TCAC and HCD, it has more renter overpayment than the rest of the city. The sites identified in this area for housing will facilitate construction of new lower-income units to increase housing mobility opportunities that may alleviate pressure on the existing housing stock that has resulted in renter overpayment and will aid in preventing displacement of residents from the community.

In the area south of I-780 and along Southampton Road, the median household income is lower than other areas of the city. Most sites for lower-income housing identified in these areas are mixed-income sites, including moderate- and above-moderate housing as well. Therefore, these sites will encourage mixed-income neighborhoods and serve as a mechanism for achieving income integration. By identifying sites to meet the lower-income RHNA across the community, the City aims to combat potential income segregation spurred by available housing that may have resulted in existing patterns of renter overpayment and household income concentration. The City has identified greater capacity for lower-income units in areas with higher median incomes compared to moderate-income capacity, and equivalent capacity for lower-income units in areas with higher median incomes as above moderate-income units. This distribution will increase the housing opportunities for lower-income households in higher-income neighborhoods to integrate socioeconomic groups. As shown in **Figure 3-42, Unit Capacity and City Acreage by Median Income**, the City has identified a relatively uniform capacity for all

units in the Sites Inventory, regardless of income category, across a range of median incomes in the city. This facilitates housing mobility opportunities in higher resource areas for lower-income households and promote income integration with the introduction of above moderate-income units in lower-income neighborhoods. Overall, this income distribution is intended to enhance equal access to housing for all income categories and promote housing opportunities in integrated neighborhoods.

FIGURE 3-42: UNIT CAPACITY AND CITY ACREAGE BY MEDIAN INCOME



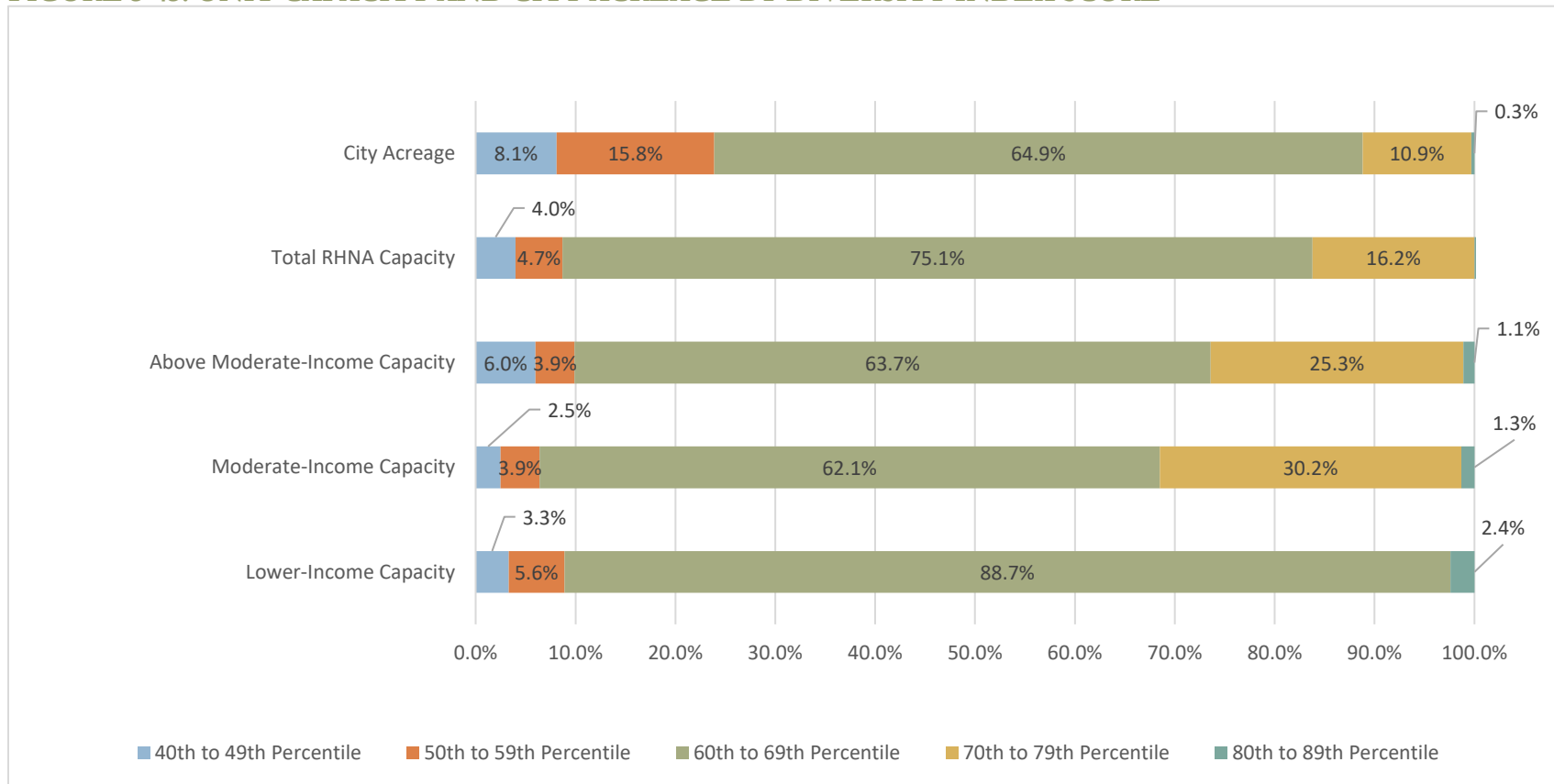
Source: City of Benicia, 2022; 2015-2019 ACS

Race and Ethnicity

As discussed previously, Benicia's largest demographic is White non-Hispanic, followed by Latinx and Asian non-Hispanic. Because different parts of the city do not vary substantially in their demographic composition, lower-, moderate-, and above-moderate income units are not located in areas of concentration of any particular minority demographic and provide housing opportunities throughout many of Benicia's neighborhoods. As discussed, a mixture of high costs of housing and limited housing types (i.e., predominantly single-family housing) historically posed a barrier to access for diverse populations. However, rates of non-White residents have decreased over the past 30 years, and pre-dominantly White neighborhoods now have higher rates of non-White residents. Additional lower- and moderate-income units in the city will improve access to housing in the city for residents who would otherwise be priced out and excluded from the city, a category that has historically included communities of color in the Bay Area. As shown in **Figure 3-17, Local Racial Demographics**, the largest number of lower income units are identified on sites in areas with relatively low proportions of non-White households, and where 60.0 to 70.0 percent of the population is White,. This offers an opportunity for lower- and moderate-income non-White households that were historically excluded from housing opportunities in Benicia, particularly Black households, to access the opportunity and resources Benicia residents have access to, disrupting a legacy of concentrated White households in Benicia. In total, the city will introduce 37.5 percent of the moderate-income unit capacity and 10.6 percent of lower-income unit capacity in areas where non-White populations comprise up to 30.0 percent of the total population, along with 36.0 percent of above-moderate unit capacity. In areas where non-White populations comprise between 31.0 to 40.0 percent of the population, the City has identified 61.2 percent of moderate-income unit capacity and 87.0 percent of lower-income unit capacity, along with 62.9 percent of above moderate-income unit capacity. The remainder of the unit capacity has been identified on sites where the non-White population is above 40.0 percent..

As shown in **Figure 3-43, Unit Capacity and City Acreage by Diversity Index Score**, the distribution of sites is intended to enhance equal access to housing for minority populations and promote integrated neighborhoods by including units for a range of incomes in high diversity neighborhoods. Approximately 26.4 percent of above moderate-income units are identified on sites with diversity index scores above the 70th percentile, although only 11.2 percent of the city acreage falls within this diversity index percentile range. As shown, 8.9 percent of lower-income unit capacity has been identified in areas with lower diversity scores (59th percentile or less on the Diversity Index) and no lower-income units are identified on sites in areas of the city with a diversity index score between 70th and 79th percentile in an effort to promote mobility opportunities in all neighborhoods and provide housing options that may result in increased diversity and inclusion for future residents.

FIGURE 3-43: UNIT CAPACITY AND CITY ACREAGE BY DIVERSITY INDEX SCORE



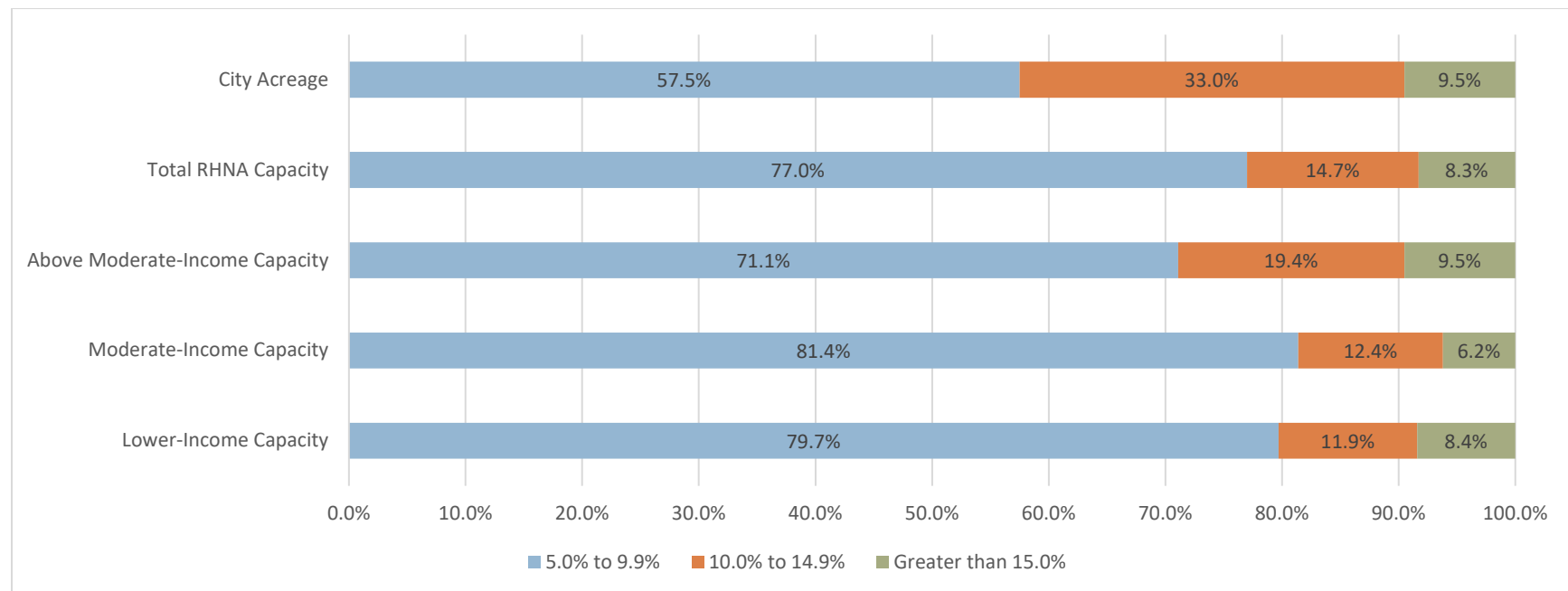
Source: City of Benicia, 2022; HUD, 2018

Note: There are no areas in the City of Benicia in which the diversity index score is lower than the 40th percentile or greater than the 89th percentile.

Disability

The City has identified a slightly greater capacity for lower-income units in areas with high disability rates compared to moderate- and above moderate-income capacity. This distribution is intended to improve accessibility for lower-income individuals with disabilities to new housing opportunities that are required to comply with current development standards and Americans Disabilities Act (ADA) standards. Locating units affordable to lower- and moderate-income residents in and around the commercial centers will help to improve access for and accommodate the needs of persons living with disabilities, who benefit from close access to services and amenities as well as proximity to transit. Furthermore, the City has committed to providing mixed-income units on the vast majority of sites that provide lower-income units, so people with disabilities of any economic status will have access to new housing opportunities. As shown in **Figure 3-44, Unit Capacity and City Acreage by Disability Rate**, most sites are in or near areas of the city with concentrations of services, which will facilitate access for persons with disabilities.

FIGURE 3-44: UNIT CAPACITY AND CITY ACREAGE BY DISABILITY RATE



Source: City of Benicia, 2022; 2015-2019 ACS

Note: There are no areas in the City of Benicia in which less than 5.0 percent of the population has a disability. The highest rate of disability is 15.4 percent

Familial Status

The city is relatively uniform on demographics related to familial status. However, certain areas of the city have a higher rate of female-headed households (with children and no spouse/partner) and elderly households living alone (**Figure 3-21, Single-Parent Female Headed Households with Children in Benicia**). Female-headed households with children and no spouse or partner face particular challenges to housing access and are at elevated risk of displacement. However, as reflected in **Figure 3-21**, no census tract in Benicia sees a rate of such households above 33.0 percent, and many census tracts fall below 20.0 percent. The eastern side of the city has a higher rate of female-headed households. These relatively lower rates may reflect exclusivity due to Benicia's predominantly single-family housing landscape, making it difficult to access housing affordable to a single-income household, let alone a household with children. The City has dispersed higher-density, mixed-income housing capacity across the city to meet the RHNA, increasing the opportunity for female-headed households currently living outside of Benicia to access resources within Benicia (such as proficient schools) that would have otherwise been unaffordable. In areas with the highest concentration of female-headed households, 11.9 percent of lower-income unit capacity is identified, along with 10.7 percent of moderate-income unit capacity and 17.7 percent of above moderate-income unit capacity to decrease competition for lower-income units within these neighborhoods and facilitate mixed-income areas. The greatest distribution of lower-income female-headed households (76.7 percent of unit capacity) is identified on sites where 20.0 to 25.0 percent of the households are headed by single females, in addition to 49.7 percent of moderate-income unit capacity and 44.3 percent of above moderate-income capacity, many of which are in mixed-income developments. By adding moderate and above-moderate units throughout the city, and particularly by co-locating lower-income units with these moderate and above moderate units to provide access to resources, Benicia will combat exclusion by becoming more accessible to female-headed households with children and no spouse or partner present, as well as other single-parent households or lower-income families.

Elderly households living alone are often more socially isolated from the rest of the community, and they may lack communication or transportation access and social connections, thereby making access to supportive housing and resources more difficult. Elderly households often have a fixed income as well, which limits their financial resources and housing choices. Most areas of Benicia (73.9 percent) have less than 20.0 percent of elderly households living alone. In Benicia, the City has identified slightly greater capacity for moderate- and above moderate-income units in areas with higher rates of elderly households living alone, compared to lower-income capacity. In areas with between 20.0 to 30.0 percent of the population elderly and living alone, the City has identified 2.2 percent of lower-income unit capacity, 31.4 percent of moderate-income unit capacity, and 26.5 percent of above moderate-income unit capacity. In the areas of the city with the highest rates of elderly households living alone (44.0 percent of the neighborhood's population), the City has identified 8.4 percent of lower-income unit capacity, 6.1 percent of moderate-income unit capacity, and 9.5 percent of above moderate-income units capacity. This distribution is intended to expand housing mobility opportunities for lower-income households and alleviate cost burden in areas of concentrated elderly populations by increasing affordable housing opportunities and will facilitate integration through development of mixed-income communities by encouraging above moderate-income, moderate-income, and lower-income housing throughout the city.

Potential Effect on Access to Opportunity

Mobility

Beyond environmental conditions, the City anticipates that the newly adopted mixed-use zoning in the Eastern Gateway Study Area will increase interest in new mixed-use development or redevelopment of existing uses to provide new job opportunities.⁵ This is in one of the most walkable areas of the community and within a mile of a grocery store, a pharmacy, schools, medical offices, and other services and amenities. Therefore, the zoning applied in the Eastern Gateway Study Area will affirmatively further fair housing through constructing new affordable housing in an amenity-rich, income-integrated neighborhood to provide housing and economic mobility opportunities. The other sites identified to meet the lower-income RHNA in the city are in the Downtown Priority Development Area (PDA) where jobs, restaurants, pharmacies, grocery stores, and other services are abundant or are co-located with other income categories to ensure that all sites for lower-income units are placed such that they will provide close access to opportunities in high resource areas and mixed-income communities for these households.

Further, as identified in this assessment, there is a concentration of HCV holders in the northern portion of the city. The sites identified to meet the RHNA will provide lower- and moderate-income opportunities in southern portions of the city, close to amenities as identified here, which will facilitate additional housing mobility opportunities for lower-income households with or without HCV assistance.

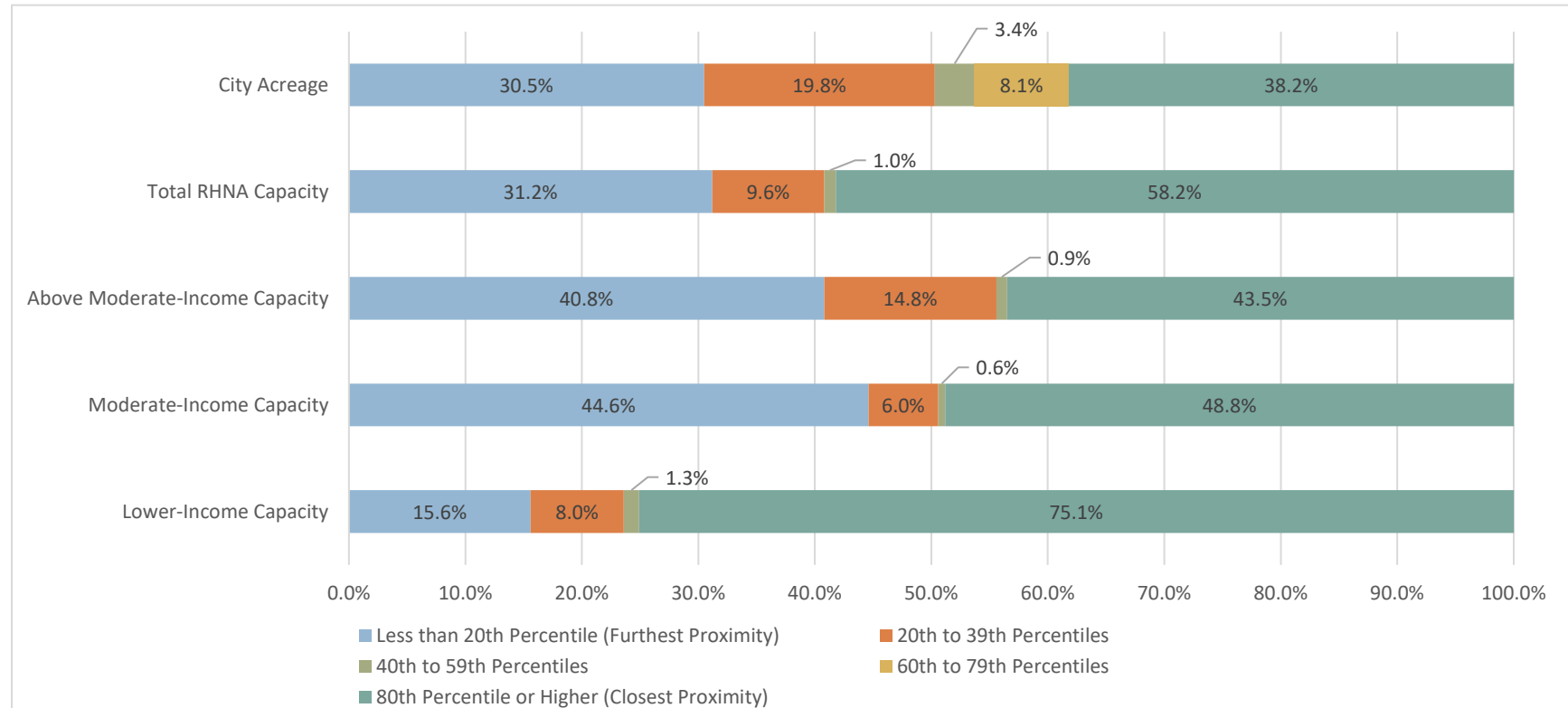
Employment Opportunities

As discussed in this assessment, there is limited transit mobility available in Benicia currently. As such, housing located near services, amenities, and businesses, such as areas south of I-780 and Southampton Road, have the greatest access to these opportunities. The moderate economic score across Benicia is indicative of the city's lack of major employment centers, as Benicia is typically categorized as a bedroom community. Many residents commute out of the city towards job centers in Vacaville, Fairfield, or Walnut Creek, as evidenced by the highest job proximity score near the I-780 and I-680 interchange on the eastern edge of the city that gradually diminishes as one travels west across the city. However, the low poverty rates and higher median income throughout the city indicate that many residents are still able to access employment without public transit. As shown in **Figure 3-45, Unit Capacity and City Acreage by Jobs Proximity Index Score**, although 38.2 percent of city acreage is within the highest percentile for jobs proximity, the City has identified greater capacity for lower-income units (75.1 percent of unit capacity) in areas with the closest proximity to jobs compared to moderate- and above moderate-

⁵ The Eastern Gateway Study Area adopted two new mixed-use zones: the Mixed-Use Infill (MU-I) zone and Mixed-Use Limited (MU-L) zone. These zones have more flexible development standards that allow for denser housing and taller residential buildings that previously permitted in the city.

income capacity, 43.5 and 48.8 percent, respectively. This distribution will support lower-income households by providing them with housing that supports mobility and access to employment opportunities.

FIGURE 3-45: UNIT CAPACITY AND CITY ACREAGE BY JOBS PROXIMITY INDEX SCORE



Source: City of Benicia, 2022; Longitudinal Employer-Household Dynamics (LEHD) data, 2017

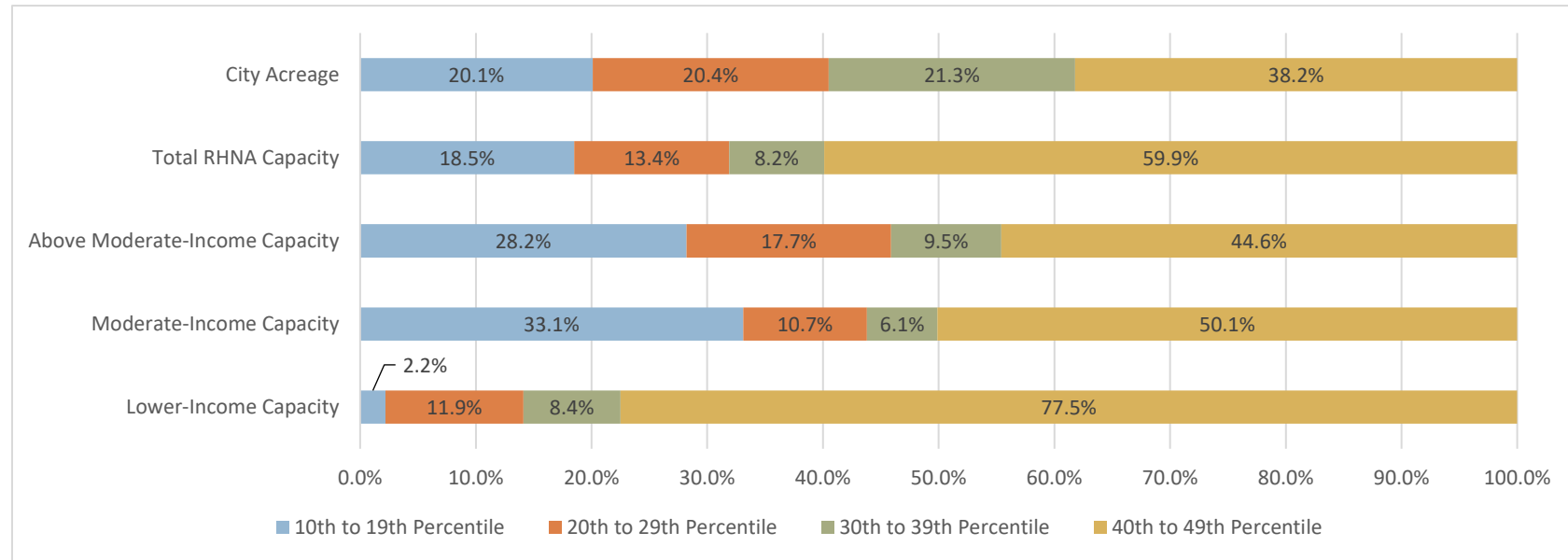
Educational Opportunities

As shown in **Figure 3-32, Local TCAC/HCD Educational Domain Score**, all of Benicia has a similar expected educational outcome, which indicates that high-performing schools are distributed evenly throughout Benicia, providing strong educational opportunities for students regardless of location. The existing patterns of access to opportunity related to economic and educational resources indicate that regardless of where future housing is located, current and future residents will have access to these opportunities.

Environmental Health

Environmental health conditions are less desirable than economic and educational conditions in Benicia, as described in the Environmental Health section of this assessment. The eastern side of the city has a relatively higher pollution burden ranking than other parts of the city, as shown in **Figure 3-34, Local CalEnviroScreen Percentiles**. This is largely due to pollution and possible contamination due to a lack of substantial buffer from sources such as proximity to the Valero Refinery, the Port of Benicia, and other industrial uses on the eastern side of the city. According to CalEnviroScreen produced by the California Environmental Protection Agency (CalEPA), all areas of Benicia where sites have been identified, at all income levels, fall into the 49th percentile or lower for pollution burden, with 100 being the worst pollution burden (see **Figure 3-34, Local CalEnviroScreen Percentiles**, and **Figure 3-46, Unit Capacity and City Acreage by Environmental Score**). The City has identified greater lower-income unit capacity (77.5 percent) in areas with higher rates of pollution burden compared to moderate- and above moderate-income capacity, at 50.1 and 44.6 percent, respectively. Most undeveloped and underdeveloped land remaining in the city is in these areas with higher pollution burdens; however, construction of new housing in closer proximity to pollution sources, such as the eastern side of the city closer to the Valero Refinery and Port of Benicia, has the potential to impact quality of life of these residents while not altering existing patterns. To address this, the City has included **Program 5.03** to alleviate and mitigate pollution sources to improve conditions for current and future residents across the city.

FIGURE 3-46: UNIT CAPACITY AND CITY ACREAGE BY ENVIRONMENTAL SCORE



Source: City of Benicia, 2022, OEHHA, 2021

Note: There are no areas within the City of Benicia with a CalEnviroScreen score below the 10th percentile or above the 49th percentile

Potential Effect on Displacement Risk

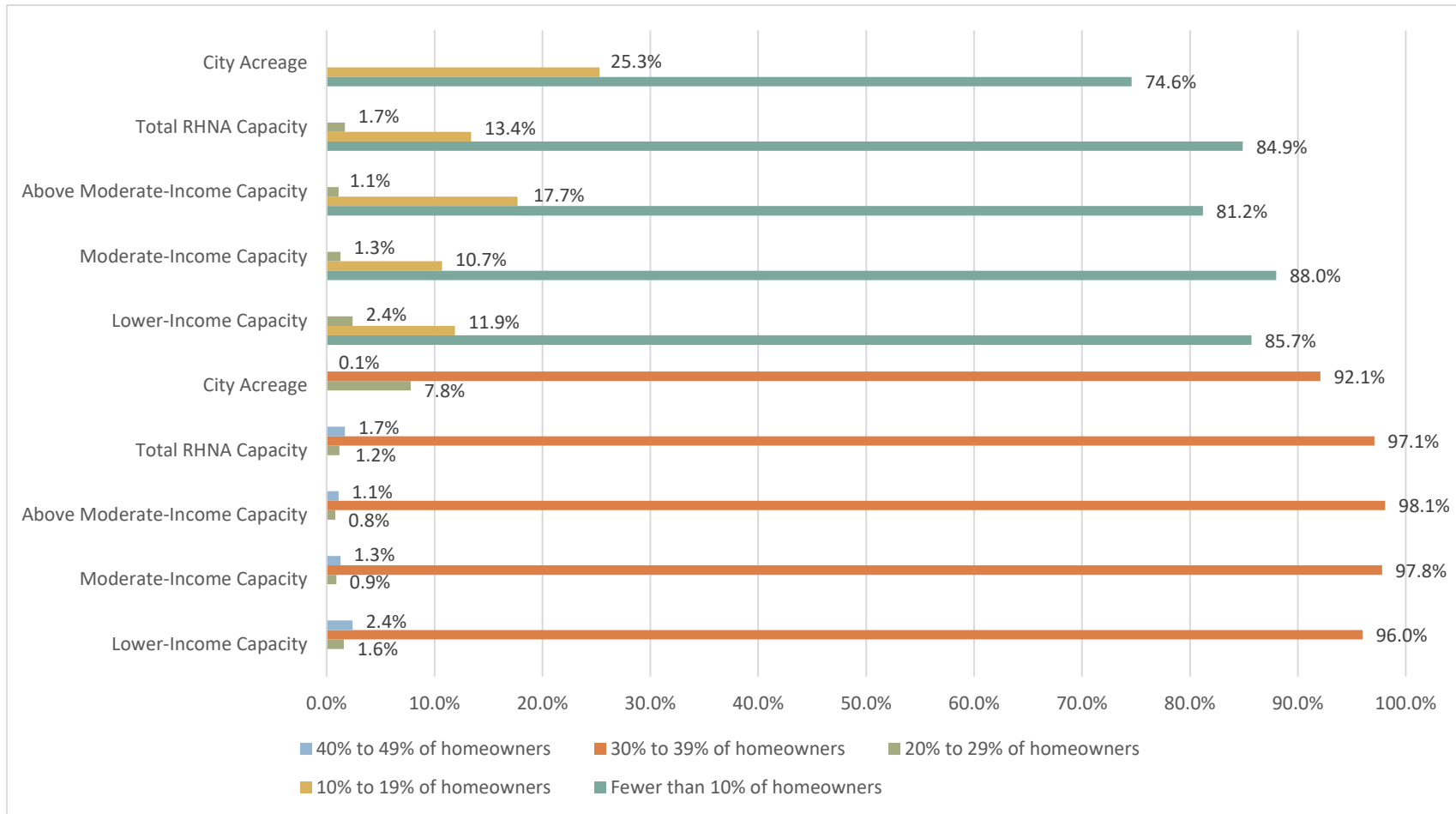
Overcrowding

The City is uniform on demographics related to overcrowding and does not have any areas where overcrowded households occur at a rate higher than the statewide average. The sites provided to meet the RHNA are dispersed across the city and sites provide mixed-income housing opportunities, which will only help to further reduce overcrowding. Promoting mixed-income neighborhoods will help to facilitate additional housing opportunities for those few households that are experiencing overcrowding currently.

Overpayment

As discussed in the assessment of disproportionate housing need, overpayment is an issue for approximately 67.5 percent of lower-income homeowners and approximately 77.3 percent of lower-income renters across the city. The city does not have any areas where homeowner overpayment occurs at a rate substantially different than other areas of the city (see **Figure 3-40, Local Homeowner Overpayment**). Similarly, the rate of renter overpayment is relatively uniform across the city, but it is slightly less prevalent in the western side of the city north of I-780 (see **Figure 3-39, Local Renter Overpayment**). As shown in **Figure 3-47, Unit Capacity and City Acreage by Homeowner Overpayment**, and **Figure 3-48, Unit Capacity and City Acreage by Renter Overpayment**, the majority of RHNA units, regardless of income category, have been identified on sites in areas in which approximately 30.0 to 39.9 percent of homeowners and 40.0 to 59.9 percent of renters are overpaying for housing. The addition of these units will help to alleviate existing overpayment by offering lower- and moderate-income units to current and future residents where there is need and increasing the housing stock overall to alleviate the demand on an existing shortage of housing and will facilitate mobility opportunities for all households.

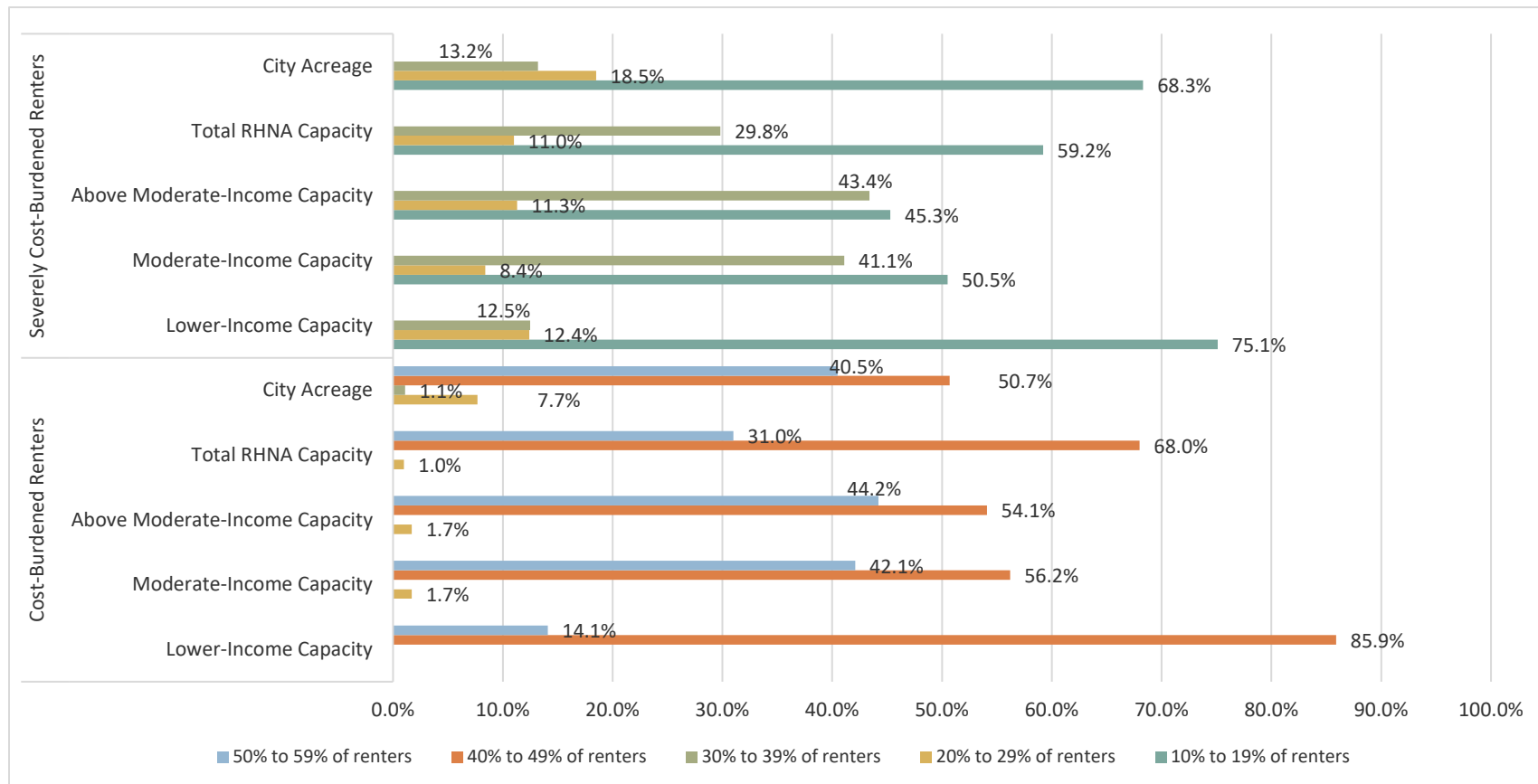
FIGURE 3-47: UNIT CAPACITY AND CITY ACREAGE BY HOMEOWNER OVERPAYMENT



Source: City of Benicia, 2022; 2015-2019 ACS

Note: There are no areas within the City of Benicia in which more than 49.0 percent of homeowners are cost burdened.

FIGURE 3-48: UNIT CAPACITY AND CITY ACREAGE BY RENTER OVERPAYMENT



Source: City of Benicia, 2022; 2015-2019 ACS

Note: There are no areas within the City of Benicia in which fewer than 10.0 percent or more than 59.0 percent of renters are cost burdened.

CONTRIBUTING FACTORS

Through discussions with service providers, fair housing advocates, other local organizations, and this assessment of fair housing analysis, the City identified factors that contribute to fair housing issues, as shown in **Table 3-10, Factors that Contribute to Fair Housing Issues**. While there are several strategies identified to address the fair housing issues, the most pressing issues are the displacement risk of lower-income households, overpayment, and the presence of an RCAA within the city. Prioritized contributing factors are **bolded in Table 3-10** and associated actions to meaningfully affirmatively further fair housing related to these factors are *bold and italicized*. Additional programs to affirmatively further fair housing are included in Chapter 2, Goals, Policies, and Programs.

TABLE 3-10: FACTORS THAT CONTRIBUTE TO FAIR HOUSING ISSUES

AFH Identified Issues	Contributing Factors	Meaningful Actions
Displacement risk due to economic burdens	<p>Shortage of affordable housing options</p> <p>Limited variety in housing types and sizes</p>	<p><i>Program 1.06 reduces development standards to promote the creation of housing in the CC, CO, CW, and Downtown zones.</i></p> <p><i>Program 1.12 implements a proactive marketing campaign to encourage construction of ADUs.</i></p> <p><i>Program 1.15 facilitates lot consolidation for affordable housing projects, and Program 2.01 updates the City’s inclusionary housing ordinance to incentivize construction of affordable units.</i></p> <p><i>Program 1.06 reduces development standards to provide greater flexibility in the creation of housing in the CC, CO, CW, and Downtown zones.</i></p> <p><i>Program 1.12 implements a proactive marketing campaign to encourage construction of ADUs.</i></p> <p><i>Program 3.08 allows SROs in Benicia.</i></p> <p>Program 5.01 educates housing providers on benefits of marketing to Section 8.</p> <p><i>Program 1.12 encourages the construction Accessory Dwelling Units (ADUs), particularly in areas of concentrated affluence and/or single-family homes.</i></p> <p>Program 1.03 develops a program to connect lower-income households with housing opportunities.</p> <p>Program 1.05 promotes private, state, and federal homebuyer programs.</p> <p>Program 1.01 provides the adopted Housing Element inventory (in ABAG’s HESS tool once the 6th Cycle Housing Element is updated) to non-profit housing providers.</p>

AFH Identified Issues	Contributing Factors	Meaningful Actions
Presence of an RCAA	<p>Dominance of single-family housing, particularly the Southamptton neighborhood north of I-780</p> <p>Shortage of affordable options within this area</p>	<p><i>Program 1.12 encourages the construction ADUs, particularly in areas of concentrated affluence and/or single-family homes</i></p> <p><i>Program 1.06 reduces development standards to provide greater flexibility in the creation of housing in the CC, CO, CW, and Downtown zones.</i></p> <p><i>Program 1.12 implements a proactive marketing campaign to encourage construction of ADUs particularly in areas of concentrated affluence and/or single-family homes.</i></p> <p><i>Program 3.08 allows SROs in Benicia particularly in areas of concentrated affluence and/or single-family homes.</i></p>
Disproportionate access to housing for lower-income and female-headed, single-parent households	<p>Shortage of affordable housing options</p> <p>Concentration of multifamily housing and mobile home parks</p> <p>Location of smaller and more affordable units</p> <p>Higher costs of housing in other Benicia neighborhoods</p>	<p><i>Program 1.06 reduces development standards to promote the creation of housing in the CC, CO, CW, and Downtown zones.</i></p> <p><i>Program 1.12 implements a proactive marketing campaign to encourage construction of ADUs.</i></p> <p><i>Program 1.15 facilitates lot consolidation for affordable housing projects.</i></p> <p><i>Program 2.01 updates the City’s inclusionary housing ordinance to incentivize construction of affordable units.</i></p> <p>Program 1.06 reduces development standards to provide greater flexibility in the creation of housing in the CC, CO, CW, and Downtown zones.</p> <p>Program 1.12 implements a proactive marketing campaign to encourage construction of ADUs.</p> <p>Program 3.08 allows SROs in Benicia.</p>
Shortage of services for persons with disabilities	<p>Shortage of accessible units</p> <p>Potential discrimination based on disability</p> <p>Disproportionate proximity to services within walking distance or transit</p>	<p>Program 5.02 encourages “universal design” in new development throughout the city.</p> <p>Program 3.06 prioritizes projects that include accessible units.</p> <p>Program 3.06 works with disability service providers to identify gaps.</p> <p>Program 3.07 allows residential care facilities for 7 or more.</p>
Limited transit access in areas further from major arterials or transportation corridors	<p>Concentration of transit along highway corridors and higher-density areas</p>	<p>Program 5.01 works with SolTrans to assess unmet needs, support expansion as needed.</p>
Discriminatory practices by housing providers and other organizations	<p>Potential discrimination against Section 8 resulting in a concentration of HCVs</p> <p>Disproportionate maintenance of foreclosed homes</p>	<p>Program 4.07 implements strict code enforcement for maintenance of foreclosed homes.</p> <p>Program 1.02 educates housing providers on benefits of marketing to Section 8.</p> <p>Program 5.01 seeks to secure a fair housing provider under contract to conduct audits of housing.</p> <p>Program 5.01 coordinates with fair housing providers to conduct biannual trainings for landlords and property managers.</p>

Appendix C

Review of Previous
Housing Element 2015 - 2023

Appendix C

Review of Previous Housing Element 2015 - 2023

This chapter summarizes the progress made during the previous Housing Element’s planning period (2015 to 2023) towards accomplishing the goals, policies, programs, and the Regional Housing Needs Allocation (RHNA) determined by the California Department of Housing and Community Development (HCD).

C.1 Summary of Progress

Table C.1 summarizes the City’s previous RHNA for the period from January 2015 through December 2020 and the number of housing units built or approved during that planning period. From January 2015 through December 31, 2020, the City constructed or approved 39 units, which was less than the 327-unit total allocation. One very low-income unit and three low-income units were approved and built.

The goals and policies of the previous element were found to be generally sufficient in covering the range of issues for a comprehensive Housing Element in Benicia. However, housing goals and policies have been restructured and revised to some extent to eliminate redundancy, clarify the intent, address new State law, or respond to needs identified by the public and City staff (unless stated otherwise, all programs have been carried forward).

The following section evaluates each program in the previous Housing Element and summarizes the status of implementation. In addition, the City worked diligently to address the housing needs of special-needs groups. Some of the accomplishments are highlighted below:

Special-Needs Groups:

- Adopted new land use designations that encourage higher-density residential development opportunities in accessible areas of the city.
- Updated the Affordable Housing Density Bonus Ordinance in 2016 to encourage affordable housing development in compliance with State law.
- Established a streamlined review process under Senate Bill (SB) 35 to encourage affordable housing development in compliance with State law.

Lower-Income Households:

- Extended the affordability of The Calms at Burgess Point Apartments in 2021 for an additional 55 years.

Seniors:

- Obtained \$592,951 to rehabilitate Casa de Vilarrasa, an age-restricted affordable housing community in Benicia.

People Experiencing Homelessness:

- Adopted new land use designations and development standards that allow transitional and supportive housing by right and emergency shelters by right in a zoning district.

Small Households and Extremely Low-Income Households:

- Amended the accessory dwelling unit section of the Zoning Code in 2020 to encourage naturally affordable and flexible housing opportunities in compliance with State law.
- Reduced fees for accessory dwelling unit applications.

- Removed parking development standards for studio and one-bedroom multifamily residential uses to minimize barriers to the creation of small, efficient, and compact housing types.
- Conducted a "Future Plans and Status" survey and followed up in early 2017 to determine future plans and the feasibility of continuing mobile home park use.

Persons with Disabilities:

- Updated the Zoning Code in 2014 to address reasonable accommodations.

Table C.1 Progress During Previous Planning Period, 2015-2020

Income Level	2015-2023 RHNA	Housing Built or Approved Since January 2015	Remainder of Housing Goals
Very Low	94	1	93
Low	54	3	51
Moderate	56	35	144
Above-Moderate	123		
Total	327	39	288

Source: City of Benicia, 2022

Housing Program	Progress?	Continue/Modify/ Delete
Regulatory Environment		
<p>Program 1.01</p> <p>Work with the Housing Authority to coordinate affordable housing activities and maintain goodworking relations with other non-profit housingproviders by:</p> <ul style="list-style-type: none"> • Consulting with the Housing Authority throughout every update of the Housing Element and also every year during the annual review of the Housing Element. Specifically, strategize to ensure the City’s programs and the Housing Authority’s programs are complementary and maximize limited housing resources; • Continue to share information and priorities between the City, the Housing Authority, and other non-profit housing providers; • Update the inventory of vacant and opportunity sites twice a year in January and July and provide this inventory to non-profit housing providers; and • Inform the Housing Authority about units produced by the Inclusionary Housing Ordinance (BMC 17.70.320) and other affordable projects <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department and Housing Authority</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: 5 units</p>	<p>The City disbursed \$592,951 of Community Development Block Grant (CDBG) grant funds to the Housing Authority for the rehabilitation of Casa de Vilarrasa, an age-restricted affordable housing community in Benicia, which was subject to approval from the California Department of Housing and Community Development (HCD). The City of Benicia is coordinating with the Housing Authority and local housing advocates on development of Objective Planning Standards.</p> <p>The City and Housing Authority coordinated on the Housing Element update. The City has been responsive to Housing Authority needs and concerns when presented. The City also consults with the Housing Authority during the annual review of the Housing Element. As part of the process, the Housing Authority submits an annual status report to the City.</p> <p>The City has not updated the inventory of vacant sites twice a year and provided this inventory to non-profit housing providers due to limited staff resources and time. In addition, the City reports significant staff turnover during the previous planning period as a challenge to implementation of this part of the program. The Association of Bay Area Governments (ABAG) is planning to include the adopted Housing Element inventories in their HESS tool once the 6th Cycle Housing Elements are updated. The City plans to rely on this tool for availability of the inventory moving forward. Tracking inclusionary units, and subsequently reporting them to the Housing Authority, has also been limited due to low production of new units in the city. The City would like to establish a better system for coordination with the Housing Authority. At this time, the key constraint is limited staff and resources.</p>	<p>Amend and continue.</p>
<p>Program 1.02</p> <p>Continue to support the Benicia Housing Authority in the administration of the Section 8 housing voucher program and apply for additional vouchers, as appropriate.</p> <p>Funding Source: HUD Section 8</p> <p>Responsible Agency: City Council, Community Development Department, and Housing Authority</p> <p>Timeframe: Ongoing, when eligible</p> <p>Quantified Objective: 5 units</p>	<p>This is an ongoing effort between the City and the Benicia Housing Authority whereby the City provides support when eligible. The Benicia Housing Authority currently has an allotment of 372 vouchers.</p>	<p>Continue.</p>

Housing Program	Progress?	Continue/Modify/ Delete
<p>Program 1.03</p> <p>Investigate the feasibility of joining a housing consortium to access a pooled source of funding for mortgage revenue bonds or mortgage credit certificates for the development of affordable housing and/or first-time homebuyer assistance. The City will investigate existing local consortiums and report to the City Council on the most appropriate consortium for Benicia based on cost, level of activity, and the potential for funding to benefit Benicia residents. Assuming the City identifies an appropriate consortium, Benicia will take the necessary legal, administrative, and financial steps to become a member. The City would consult with the Housing Authority for relevant data and support during the process.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: By December 31, 2022</p> <p>Quantified Objective: n/a</p>	<p>The City began to investigate the feasibility of joining a consortium; however, due to reduction of staff resources, this effort was placed on hold. Instead of seeking a consortium, which City staff report would pose logistical barriers to entry and administration for their jurisdiction, the City will focus its resources on other programs prioritizing partnerships with local organizations to enact the development of affordable housing and/or first-time homebuyer assistance.</p>	<p>Delete.</p>
<p>Program 1.04</p> <p>The City will explore how to leverage financial resources and partner with the development community to assist first-time homebuyers with down payments. The City will apply for Community Development Block Grant (CDBG) funding annually for this purpose.</p> <p>Funding Source: General Fund, CDBG, and Building Equity and Growth in Neighborhoods (BEGIN) Program (provides down payment assistance for first-time homebuyers).</p> <p>Responsible Agency: Community Development and Finance Departments</p> <p>Timeframe: Apply for CDBG funding annually; Ongoing</p> <p>Quantified Objective: Dependent on available funding</p>	<p>The City obtained a consultant in 2015 to help implement the City's CDBG program. This consulting firm was disbanded in 2018, and the City did not seek out a new contract at that time. The City's most recent distribution of CDBG funds supported the Benicia Housing Authority's (BHA's) repairs to affordable senior housing. The City will continue to seek CDBG funding, as eligible.</p> <p>The City does not have the staff resources or budget necessary to track and monitor loans to assist first-time homebuyers with down payments. The City will revise this program to investigate the feasibility and funding of a partnership with an external agency to seek out and implement CDBG funds for use in the city.</p>	<p>Amend and continue.</p>
<p>Program 1.05 (new)</p> <p>Work with the Public Works Department (City's water and sewer provider) in order to ensure the availability and adequate capacity of water and wastewater systems to accommodate the housing needs during the planning period. Priority shall be granted to proposed developments that include housing affordable to lower-income households. In addition, the City will provide a copy of the Housing Element and any future amendments to the Public Works Department immediately after adoption.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department and Public Works Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>While the City has not received proposals for lower-income housing projects that would require prioritization of that proposal over market-rate housing, this program is ongoing. The Community Development Department coordinates with the Public Works Department whenever possible.</p> <p>The Public Works Department was provided a copy of the Housing Element.</p>	<p>Continue.</p>

Housing Program	Progress?	Continue/Modify/Delete
<p>Program 1.06</p> <p>Provide information at City Hall, other public locations, and on the City’s website (www.ci.benicia.ca.us) to promote private, State, and federal homebuyer assistance programs to the public.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. The information available through the City directs inquiries to the Benicia Housing Authority. The City acknowledges that their online information could be more substantial, and commits to augmenting the City website with resources about homebuyer assistance programs.</p> <p>The Community Development Department continues to coordinate with the Public Works Department whenever possible.</p>	<p>Continue.</p>
<p>Program 1.07</p> <p>Provide pre-application technical assistance to affordable housing providers to determine project feasibility and address zoning compliance issues in the most cost-effective and expeditious manner possible.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. Pre-application review of all development projects, including those pertaining to housing is regularly provided and coordinated through the Planning Division staff.</p>	<p>Continue.</p>
<p>Program 1.08</p> <p>Continue to educate the public on affordable housing through annual reporting to the Planning Commission and City Council. Current housing issues and recent accomplishments towards reaching the City’s Quantified Objectives listed in the Housing Element will be addressed. This report will also serve as the annual report required by State law (\$65400) for progress in implementing the City’s General Plan, including the Housing Element. This report shall be sent to the Office of Planning and Research (OPR) annually in accordance with their due dates. Inform members of the public by publishing a notice in the local newspaper and by posting information on the City’s website. Educational materials will be made available, as appropriate.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: City Council, Planning Commission, and Community Development Department</p> <p>Timeframe: Annually, one month prior to OPR’s due date.</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. The Housing Element annual report and General Plan Annual Report are presented to the Planning Commission and City Council each year prior to submittal to state agencies by the April 1 deadline. Periodic updates are provided to the Planning Commission and City Council regarding changes to State housing law (e.g., ADUs, Senate Bill [SB] 35).</p> <p>The City has not published notices in the newspaper. The City informs members of the public about affordable housing on the City’s website.</p>	<p>Combine with Program 4.06 and continue.</p>

Housing Program	Progress?	Continue/Modify/Delete
<p>Program 1.09</p> <p>Amend the Zoning Ordinance to comply with changes in the State Density Bonus law (Government Code Section §65915) and develop an outreach program to ensure its successful implementation.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Any amendments will be completed within two years of Housing Element adoption. Outreach program will be initiated within three years of Housing Element adoption.</p> <p>Quantified Objective: 5 units</p>	<p>Ordinance 16-10 was adopted November 1, 2016, amending the Affordable Housing Density Bonus section, Benicia Municipal Code (BMC) Section 17.70.270, to be consistent with State law. However, density bonus law has changed since 2016. The City has not yet updated the Affordable Housing Density Bonus section to be consistent with these additional changes to State law (the most recent being AB 2345).</p> <p>The City would like to initiate a scheduled comprehensive review and update of housing requirements in the Zoning Code, given frequent changes in State law, through a new housing program.</p>	<p>Amend and continue.</p>
<p>Program 1.10</p> <p>To encourage the development of second units, amend the Zoning Ordinance for second units (accessory dwelling units) and reduce fees. Modifications to City standards and procedures should include:</p> <ul style="list-style-type: none"> • Eliminate or reduce the 6,000 square foot minimum parcel size for second units outside the Historic Districts (for inside Historic Districts see Program 1.11); • Allow units above or adjacent to the garage of a primary housing unit; • Reduce parking standards for lots with second units. For example: <ul style="list-style-type: none"> – Allow exceptions to parking requirements for second units up to 400 square feet; – Allow for on-street parking spaces adjacent to the lot to count towards 50 percent of the parking requirement; – Eliminate the covered parking requirement for the primary residence, if an accessory dwelling unit is provided; – Allow one of the required parking spaces in the front or exterior yard setback; and – Allow tandem parking to meet the parking requirement for the primary residence and the accessory dwelling as long as both spaces are behind the front facade plane. • Investigate additional reductions to sewer and water connection fees for second units; and • Reduce or waive planning and building fees for affordable second units. <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development, Public Works, and Finance Departments; and City Council</p> <p>Timeframe: By December 31, 2022</p> <p>Quantified Objective: 10 units</p>	<p>The City most recently amended the Accessory Dwelling Unit (ADU) section of the Zoning Ordinance in 2020 to reflect changes to state ADU laws. The City also created an ADU webpage on the City of Benicia website to clearly communicate the permitting process for ADUs. An impact fee study was completed in 2020 and the resulting streamlined fee schedule reflects fee waivers/reductions for ADUs that meet certain criteria, consistent with State law. The City will continue to amend the Zoning Ordinance related to ADUs consistent with Government Code Section 65852.2.</p>	<p>Amend and continue.</p>

Housing Program	Progress?	Continue/Modify/Delete
<p>Program 1.11 To expedite the approval process for second units, the City will investigate the feasibility of developing second unit prototype or model plans for homeowners to use. It may be determined that another prototype would be necessary for historic districts. Use of these plans would reduce costs to homeowners, decrease the time for the approval process, and, in historic districts, help ensure preservation of the historic character is maintained. If such plans were approved for application in the historic districts, the City should consider reducing or eliminating the 6,000 square foot minimum parcel size in the R Zoning District.</p> <p>Funding Source: General Fund Responsible Agency: City Council and Community Development Department Timeframe: Within three years of Housing Element adoption. Quantified Objective: n/a</p>	<p>The City considered how to proceed with this program during the planning period. The City had learned that ABAG may be preparing an ADU prototype and was interested in using ABAG’s model plans, if possible. If ABAG chooses to forego this effort, the City will investigate the feasibility of developing a prototype.</p> <p>The City removed the parcel size requirements for ADUs in compliance with State law.</p>	<p>Amend and continue.</p>
<p>Program 1.12 Continue to reduce the cost of providing affordable housing:</p> <ul style="list-style-type: none"> • Provide a fast-track processing procedure for projects with extremely low-, very low-, low- and moderate- income affordable housing units; • Review annually, amend, and reduce to the extent feasible, the permit fee schedule as it affects small, efficient, and compact (e.g. 600 to 750 square feet) housing types; • Defer, waive, or reduce certain development fees, portions of fees, or combinations of fees for the affordable portion of any project; and • Amend the Benicia Municipal Code to include language directing the City Council to consider waiving or reducing fees when a project provides affordable housing units. • Investigate revising or reducing parking requirements for affordable housing projects. Also investigate setting parking maximums. <p>Funding Source: General Fund Responsible Agency: City Council and Community Development Department Timeframe: Ongoing; amend Benicia Municipal Code, Chapter 1.20 by December 31, 2022. Quantified Objective: n/a</p>	<p>The Community Development Department and Economic Development Division work closely with the development community. This is an ongoing effort subject to the specifics of individual development proposals.</p> <p>The City established a streamlined review process under SB 35 to review qualifying affordable housing projects using a ministerial review process, which means that no discretionary approvals can be required. The City processes applications for eligible affordable housing projects within the timeframes specified in Government Code Section 65913.4(c). While the City does not have specific procedures adopted for SB 330, part of which requires the timely processing of housing permits that follow zoning rules and postpones requirements for voter approval of zoning and General Plan changes, the City enforces SB 330 to comply with State law.</p> <p>The City has not created additional fast-track processing procedures for affordable housing projects beyond SB 35 because SB 35 and the Housing Accountability Act have enacted timely permit processing requirements that have addressed this issue. Furthermore, all building permits have a 10-day turnaround or less.</p> <p>Rather than conduct an active review of the fee schedule each year, the City conducted a comprehensive update to the fee schedule in 2016. Each year, the City updated the fee schedule in relation to the consumer price index. In 2021, the City reviewed the fee schedule in more depth and cleaned it up to better align fee pricing with the tasks required. The City also minimized development fees for the affordable portion of multifamily residential development projects in the updated 2021 impact fee schedule.</p>	<p>Amend and continue.</p>

Housing Program	Progress?	Continue/Modify/Delete
	<p>The City has not pursued widespread reduction or removal of parking requirements or set parking maximums for affordable housing projects due to local sentiments against different parking requirements for affordable housing versus market-rate housing. However, the City reviewed and reduced the parking requirement for studio and one-bedroom multifamily residential uses in 2021 to minimize barriers to the creation of small, efficient, and compact housing types. The Eastern Gateway Study, which includes residential development, also increased flexible options for parking.</p> <p>The City did not amend the Municipal Code to direct the City Council to waive or reduce fees for affordable housing units. However, the City did approve reductions to the impact fee for affordable housing units.</p>	
<p>Program 1.13</p> <p>The City will provide, when possible, developer incentives such as expedited permit processing and fee deferrals for units that are affordable to lower income households. Priority for receiving incentives will be given to units constructed for extremely low-income households. Benicia will promote these incentives to developers on the City’s website (www.ci.benicia.ca.us) and during the application process.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: 20 extremely low, very low, or low-income units</p>	<p>The Community Development Department and Economic Development Division work closely with the development community. This is an ongoing effort subject to the specifics of individual development proposals. The City adheres to the State-specified permit review times for ADUs and qualifying multifamily projects.</p> <p>In addition, the City established a streamlined review process under SB 35 to review qualifying affordable housing projects using a ministerial review process and complies with state law under SB 330, as described in the previous row.</p> <p>The City has not provided incentives to developers to build affordable units. However, the MU-I district in the Eastern Gateway study area establishes the Community Benefits Program, an incentive system for projects that build inclusionary units (rather than paying in-lieu fees) and incentivizes exceeding the inclusionary requirement. The City has laid the groundwork for streamlined design review and other incentives that could be applied to other areas of Benicia outside the Eastern Gateway study area in the future.</p>	<p>Combine into Program 1.12 and continue.</p>
Accommodating Housing Units		
<p>Program 2.01</p> <p>The City adopted an Inclusionary Housing Ordinance in 2000. There have not been many new developments with 10 units or more to generate a significant number of affordable units. No funds have been collected from in-lieu fees.</p> <p>The City shall evaluate the inclusionary ordinance and consider changes that: (1) revise the current requirement for City Council approval of an in-lieu alternative to construction of inclusionary units if it is found to pose a constraint to residential project development, (2) consider additional incentives or regulatory concessions for developers to facilitate compliance with the inclusionary ordinance, (3) encourage the production of affordable housing onsite by providing development incentives to make onsite</p>	<p>Planning staff is reviewing the Inclusionary Ordinance as time and resources permit and intends to update it before the adoption of the 2023-2031 Housing Element. Local sentiments are advocating for a higher minimum unit requirement, but it is undetermined at this time what that will be.</p> <p>The City is preparing an update to the Inclusionary Ordinance that will be adopted by the end of 2022 before the 6th Cycle Housing Element adoption. As the City updates the existing ordinance, they will:</p>	<p>Amend and continue.</p>

Housing Program	Progress?	Continue/Modify/ Delete
<p>construction more feasible, (4) increase the range of affordability levels by including moderate with very-low and low, (5) provide City discretion to require onsite construction, (6) investigate extending the income categories served by the inclusionary requirements to extremely low income households, (7) investigate the feasibility of reducing the minimum unit requirement to be less than 10 new units, and (8) evaluate the impacts of the inclusionary ordinance on the feasibility of development in combination with other City regulatory requirements.</p> <p>The City will engage the development community during the evaluation process.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Complete evaluation of the Inclusionary Housing Ordinance by January 2018</p> <p>Quantified Objective: 20 units</p>	<ol style="list-style-type: none"> 1. Continue to provide an in-lieu alternative to on-site construction of inclusionary units. 2. Provide incentives and regulatory concessions from the Community Benefits chapter of the Eastern Gateway Study citywide. 3. Potentially increase the range of affordability levels from moderate to very low. 4. Potentially extend income categories to extremely low-income households. 5. Likely reduce the minimum unit requirement to be less than 10 new units. 6. Likely evaluate the impacts of the inclusionary ordinance on the feasibility of development with other City regulations. 	
<p>Program 2.02</p> <p>As part of its next General Plan update, the City shall establish efficient land use and development patterns that conserve resources, such as fuel, water and land, and allow for higher-density development in the vicinity of major transit nodes, set forth pedestrian- oriented development patterns, and preserve open space areas. The update should comply with SB375 goals to reduce vehicle miles traveled and greenhouse gas emissions from driving as related to land use patterns. In addition, the updated Plan should strive for consistency with the Sustainable Communities Strategy known as Plan Bay Area set forth by ABAG. These strategies are intended to reduce energy consumption, increase walkability and access to transit and services, reduce automobile trips, and conserve land and water resources.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: During the next comprehensive update of Benicia’s General Plan.</p> <p>Quantified Objective: n/a</p>	<p>The City prepared a Climate Action Plan in 2009 that established the community’s goal to reduce greenhouse gas emissions 10% below 2000 levels by year 2020. This program will be further implemented in the City’s next General Plan update.</p>	<p>Continue.</p>
<p>Program 2.03</p> <p>Maintain a housing trust fund to be funded by inclusionary in-lieu fees and other sources, as appropriate. This fund will be used to support affordable housing activities, such as an equity share program, site acquisition, write down of land costs, subsidization of rents and mortgages, site improvements, and the provision of collateral for development loans.</p> <p>Funding Source: General Fund</p>	<p>The housing trust fund was established as part of a settlement agreement in the late 1990s. There has been no housing trust fund activity, neither fund contributions nor withdrawals, since the mid-2000s. Neither the City nor the Benicia Housing Authority have had access to any housing trust fund dollars during the planning period. The City does not see this as an active funding source moving forward due to its stagnation.</p>	<p>Delete.</p>

Housing Program	Progress?	Continue/Modify/Delete
<p>Responsible Agency: City Council, Planning Commission, Community Development Department, Economic Development Manager, and Housing Authority</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>		
<p>Program 2.04</p> <p>Consider implementing an affordable housing linkage fee on nonresidential development to support the development of workforce housing. This ordinance should consider alternatives to paying the fee such as construction of housing on-site, construction of housing off-site, and dedication of land for housing.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department and Economic Development Manager</p> <p>Timeframe: by December 31, 2022</p> <p>Quantified Objective: 15 units</p>	<p>Evaluation of the program determined that use regulations in the CG zone do not present a constraint to accommodate affordable housing. This program was removed from the 2015-2023 Housing Element update.</p>	<p>Delete.</p>
<p>Program 2.05 [new]</p> <p>The City will annually evaluate the sites inventory identifying the zoning, size, and number of vacant and underutilized parcels suitable for residential development for each income category. If the sites inventory indicates a shortage of available sites to accommodate the remaining RHNA for an income category, the City shall rezone sufficient sites with appropriate densities to accommodate its remaining RHNA for each income category.</p> <p>The City will develop and implement an ongoing formal evaluation procedure (project-by-project) of sites to accommodate its RHNA for lower-income households.</p> <p>If an approval of a development results in a reduction of site capacity below the residential capacity needed to accommodate the remaining RHNA, including for lower-income households, the City will identify and zone sufficient adequate sites to accommodate the shortfall of sites within six months of approval of the development causing the shortfall of sites.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Annually update the sites inventory in conjunction with Government Code Section 65400 Housing Element Annual Reports. Develop evaluation procedure of sites to accommodate lower income households to comply with Government Code Section 65863 within one year of Housing Element Adoption.</p> <p>Quantified Objective: n/a</p>	<p>City staff continued to monitor development activity to ensure the City's ability to accommodate the RHNA.</p> <p>No development approvals during the planning period reduced site capacity below the capacity needed to accommodate the remaining RHNA. Therefore, the City has not identified a shortage of available sites to accommodate the remaining RHNA for an income category and therefore has not had to rezone sufficient sites to accommodate its remaining RHNA.</p> <p>The City did not develop a formal evaluation of sites to accommodate its RHNA for lower-income households due to a lack of housing development in the city during the planning period and thereby a lack of developments in need of this type of evaluation.</p>	<p>Continue.</p>

Housing Program	Progress?	Continue/Modify/ Delete
<p>Program 2.06</p> <p>The City will monitor available funding sources and activities to pursue based on competitive funding considerations, the funding cycles of various State and federal sources, and housing provider interest. The City will contact these funding sources to make sure they are on all pertinent distribution lists for funding opportunities. The City will keep these funding sources updated on appropriate contact persons at the City.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Annually, following Housing Element Adoption</p> <p>Quantified Objective: n/a</p>	<p>The City continues to monitor available funding sources and updates the contact information as necessary. This is an ongoing effort.</p> <p>This program did not receive consistent attention due to staffing and resource constraints. In addition, the City reports significant staff turnover during the previous planning period as a challenge to implementation of this part of the program. Therefore, the City did not contact any funding sources to make sure they are on funding opportunity distribution lists nor keep funding sources updated with appropriate City contact persons.</p>	<p>Amend and continue.</p>
<p>Program 2.07</p> <p>Consult with and apply for financial assistance from the FOCUS program of ABAG for projects within the Downtown Priority Development Area, including but not limited to the Solano Square and Senior Center neighborhood retrofit and opportunity site projects.</p> <p>Funding Source: General Fund and ABAG</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing as funding opportunities arise</p> <p>Quantified Objective: n/a</p>	<p>In 2013, the City received a \$250,000 One Bay Area Grant (OBAG) for the development of the Transportation and Employment Center (TEC) Plan for the Benicia Northern Gateway Employment Investment Area Priority Development Area (PDA). The <u>TEC Plan</u> was adopted by Council in May 2017.</p> <p>The City had previously designated a Downtown PDA that corresponds with the Downtown Mixed Use Master Plan Area. The City continued to seek funding opportunities for the Downtown PDA. While the City did not apply for funding from the FOCUS program during the previous planning period, the City sought funds from the latest round of PDA planning grants. The City was not selected.</p> <p>In 2020, the City also designated a PDA around the intersection of Military East and East Fifth, an area that corresponds to the current Eastern Gateway area. The City intends to pursue PDA funding.</p>	<p>Amend and continue.</p>
Special Needs		
<p>Program 3.01</p> <p>Amend the Zoning Ordinance to comply with Senate Bill 2 under the “Housing Accountability Act” to permit emergency shelters without a use permit or other discretionary permits in at least one zoning district or on one site. Emergency shelters, which shall be defined under Use Classifications, residential use types, will be allowed by right to allow for either future development, redevelopment or conversion of an existing site. The amendment to the Zoning Ordinance for Emergency Shelters may also set standards for the following:</p> <ul style="list-style-type: none"> • Maximum number of beds or persons permitted to be served nightly; • Off-street parking based on demonstrated need; standards shall not require more parking for emergency shelters than for other residential uses within the same zone; 	<p>This program was completed. A revision to the Zoning Ordinance was adopted in December 2014 to allow emergency shelters by right.</p> <p>The City will update standards for emergency shelters in the zoning code for compliance with state law.</p>	<p>Amend and continue.</p>

Housing Program	Progress?	Continue/Modify/ Delete
<ul style="list-style-type: none"> • The location of exterior and interior on-site waiting and client intake areas, e.g. measures to avoid queues of individuals outside proposed facility; • Provision of on-site management; • Length of stay; • Hours of operation; • External lighting; • Provision of security for the proper operation and management of a proposed facility; and <p>Compliance with county and State health and safety requirements for food, medical, and other supportive services provided on-site.</p> <p>The purpose of these standards are to encourage and facilitate homeless shelters through clear and unambiguous guidelines for the application review process, the basis for approval, and the terms and conditions of approval.</p> <p>The City will solicit input from local service providers (e.g. , Community Action Council) in the preparation and adoption of the amendment to the Zoning Ordinance to ensure that development standards and permit processing procedures will not impede the approval and/or development of emergency, transitional, or supportive housing.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: At the time of adoption of the Housing Element</p> <p>Quantified Objective: n/a</p>	-	
<p>Program 3.02</p> <p>The City will amend the Zoning Ordinance to define transitional and supportive housing as a residential use under Use Classifications, residential use types, which shall subject to the same standards that apply to other housing use types in the same zoning district.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: At the time of adoption of the Housing Element</p> <p>Quantified Objective: n/a</p>	This program was completed. A revision to the Zoning Ordinance was adopted in December 2014 for transitional and supportive housing to define it as a residential use subject to the same standards that apply to other housing use types in the same zoning district.	Delete.
<p>Program 3.03</p> <p>Pursuant to the Fair Housing Amendments Act of 1988 and the requirements of Chapter 671, Statutes of 2001 (Senate Bill 520), the City will adopt a reasonable accommodation ordinance addressing rules, policies, practices, and procedures that may be necessary to ensure equal access to housing for those with disabilities. The City will promote its reasonable accommodations procedures on its web site and with handouts at City Hall.</p> <p>Funding Source: General Fund</p>	<p>This program was completed. A revision to the Zoning Ordinance was adopted in December 2014 to address reasonable accommodations. A handout describing reasonable accommodation procedures is available on the Planning Division webpage.</p> <p>Some of the findings for reasonable accommodation procedures need updating for compliance with state law.</p>	Amend and continue.

Housing Program	Progress?	Continue/Modify/Delete
<p>Responsible Agency: Community Development Department</p> <p>Timeframe: Within 2 years of adoption of Housing Element</p> <p>Quantified Objective: n/a</p>		
<p>Program 3.04</p> <p>The City will assist the CAC in promoting the availability of resources by posting notifications on the City’s website (www.ci.benicia.ca.us). The CAC is part of County-wide consortium of community service groups who join together in applying for applicable State and federal funds for their organizations. They have found this collaborative approach, supported by their respective governmental jurisdictions, much more successful than if each individual agency applied for funds.</p> <p>Funding Source: General Fund and Stewart B. McKinney Homeless Program (a federal law that created funding for homeless assistance programs)</p> <p>Responsible Agency: Community Development and Finance Departments, City Manager, and Community Action Council</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>The City promotes the services provided by the CAC and the Benicia Housing Authority on the City’s website and will continue to provide information as requested.</p>	<p>Amend and continue.</p>
<p>Program 3.05</p> <p>Continue to refer persons in need of transitional housing assistance to the CAC. Meet annually with the CAC to determine the need for transitional housing facilities.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department and Community Action Council</p> <p>Timeframe: Meet annually; ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. The Family Resource Center (FRC), within the City of Benicia Police Department, helps people when they are behind on their rent, working with the City of Benicia Finance Department to get rental assistance paid. They do also refer people to the CAC for additional help. The CAC functions as a one-stop shop for lower-income families; they provide financial support to help people cover mortgage or rent when they are behind, to prevent homelessness. The City will continue to work with the CAC to identify housing needs and ensure that social services are provided. The Community Development Department does not meet with CAC annually.</p>	<p>Combine into Program 3.04 and continue.</p>
<p>Program 3.06</p> <p>The City will provide for needed social services in all City funded affordable housing projects. These services should address the needs of single mothers and families and could include childcare, counseling, and education. If necessary, the zoning ordinance will be amended to allow these uses at these project locations.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>There are currently no City-funded affordable housing projects; however, social services would be provided if such a project were to happen in the future.</p> <p>The City has not considered amending the Zoning Ordinance to allow social services at affordable housing project locations due to a lack of development interest in affordable housing development. However, the City is interested in making this Zoning Ordinance amendment, regardless of housing development interest, to facilitate the provision of social services for future affordable housing projects.</p>	<p>Amend and continue.</p>

Housing Program	Progress?	Continue/Modify/Delete
<p>Program 3.07</p> <p>Facilitate the establishment of shared housing in Benicia to bring together persons with special housing needs, including single parents and elderly persons, to share living accommodations and housing costs. The City will facilitate shared housing by continuing to permit such housing and associated supportive services under the Zoning Ordinance and consider applying for private, State, or federal funding for a proposed shared housing project or program, when an eligible project is submitted to the City.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. The City will continue to work with the development community to provide shared housing.</p> <p>Proposals for shared housing projects and programs are ministerially permitted and therefore the Community Development Department does not actively track when this housing type is proposed and approved. The City has not received requests for support on shared housing development, and they have therefore not applied for private, state, or federal funding for a proposed shared housing project or program.</p> <p>Group Residential uses are permitted in the CG, RM, RH, MU-I, and MU-L zoning districts. The community voiced support for shared/group/co-op housing during outreach for the Eastern Gateway Study, which led to the approval of the new MU-I and MU-L zoning districts in the city.</p>	<p>Delete and replace with a broader special-needs program that includes group residential/shared housing provisions.</p>
<p>Program 3.08</p> <p>The City shall explore different models to encourage the creation of housing for persons with disabilities, including developmental disabilities. Such models could include the following: (a) coordinating with the North Bay Regional Center, North Bay Housing Coalition, and other local agencies to pursue funding to maintain housing affordability for persons with disabilities, including developmental disabilities; (b) encourage affordable housing projects to dedicate a percent of housing for disabled individuals; (c) assisting in providing housing services that educate, advocate, inform, and assist persons with disabilities to locate and maintain housing; and (e) assisting in the maintenance and repair of housing for persons with developmental disabilities.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing, and the City will continue it into the next Housing Element with revisions to enhance feasibility and promote inter-agency coordination. The City will continue to coordinate with agencies such as North Bay Regional Center, North Bay Housing Coalition, and other local agencies to pursue funding to maintain housing affordability for persons with disabilities.</p> <p>The City did not actively encourage affordable housing projects to dedicate a percentage of housing for disabled individuals because the City hasn't received many housing development proposals. Of the few housing developments proposed, developers were encouraged to prioritize affordable units in their application.</p> <p>The FRC, within the City of Benicia Police Department, provides rental assistance to people with disabilities, among other clients, to maintain housing. In addition, the Benicia Housing Authority (BHA) provides similar assistance to people with disabilities at BHA properties. In addition, the CAC provides financial support to help people with disabilities cover mortgage or rent payments and provides vital resource information and referrals to link people with disabilities to available City and County programs and services.</p> <p>The BHA assisted with the maintenance and repair of housing for persons with developmental disabilities at BHA properties in the city.</p>	<p>Amend and continue.</p>

Housing Program	Progress?	Continue/Modify/Delete
Preserve and Maintain Housing Stock		
<p>Program 4.01</p> <p>Work with the State to expand the use of existing Housing Rehabilitation Loan Program funds to other uses such as assistance to first time home buyers and funding to establish transitional housing in Benicia. The existing Rehabilitation Loan Program should also be maintained, and available to qualified applicants, including for historic preservation purposes. In addition, announce the availability of such funds through noticing on the City’s website, local government access channel, through several display ads, advertisements at the Benicia Library and at the Planning Counter. Also, create and provide flyers to the Community Action Council, Benicia Housing Authority, and other affordable housing affiliates.</p> <p>Funding Source: CDBG funds, California Self-Help Housing Program, and CHFA funds</p> <p>Responsible Agency: City Manager, Community Development Department, and Non-Profit Developer(s).</p> <p>Timeframe: Annually review existing available resources and apply, as needed, for additional state funding</p>	<p>City staff was able to maintain the program, but since 2015, the City not been able to expand the existing Housing Rehabilitation Loan Program (HRLP) funds to other uses due to staff and resource limitations. Therefore, the City did not have capacity to make the program available to qualified applicants. The City will continue to work on ways to assist in rehabilitation of residential units.</p>	<p>Amend and continue.</p>
<p>Program 4.02</p> <p>Continue to implement procedures applicable to inclusionary for-sale units, such as the resale control mechanism, equity recapture, qualifications for subsequent buyers, and other relevant issues that are not listed in the inclusionary housing ordinance, to ensure ongoing affordability.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: City Manager and Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. City staff continues to monitor inclusionary housing to maintain affordability. In addition, any development project that includes inclusionary housing is reviewed for such requirements.</p> <p>City leadership would like to modify this program to make it more robust and effective during the 6th cycle planning period.</p>	<p>Amend and continue.</p>
<p>Program 4.03 [new - program added since adoption of existing Housing Element]</p> <p>The City will work with the Benicia Housing Authority to prevent conversion of affordable housing to market rate for any and all properties leased or operated by the Housing Authority. The City will take all necessary steps to ensure projects remain affordable, including the use of available financial resources to restructure federally assisted preservation projects, where feasible, in order to preserve and/or extend affordability, and prior to affordability expiration date, identify funding sources for at-risk preservation, rehabilitation, and acquisition and pursue these funding sources at the federal, State, or local levels to preserve at-risk units on a project-by-project basis.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. City staff continue to coordinate with the Housing Authority as necessary.</p> <p>There were no known conversions of affordable units to market-rate housing during the planning period. Therefore, the BHA did not need to prevent the conversion of any affordable housing units to market-rate housing.</p> <p>In 2021, the City entered into an agreement to extend the affordability of The Calms at Burgess Point Apartments (55 affordable units) for an additional 55 years. This program will be continued and amended to comply with current state law.</p>	<p>Amend and continue.</p>

Housing Program	Progress?	Continue/Modify/Delete
<p>Program 4.04</p> <p>Contact the owners of the mobile home parks to determine future plans and the feasibility of continuing mobile home park use. The City will work with the owners to ensure maintenance, upkeep, and compliance with State regulations. If appropriate, the City will assist the owner in accessing State or federal funds for improvements to substandard or dilapidated parks and units or in converting the park to resident ownership. Maintaining affordable units in mobile homes parks will be a priority of the City.</p> <p>The City will also continue to implement its mobile home park conversion ordinance to ensure that any conversion of a mobile home park is preceded with adequate notice and relocation assistance. A relocation plan must be submitted to the Planning Commission for approval as part of the application for conversion.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department and HCD.</p> <p>Timeframe: Contact owners by December 31, 2016</p> <p>Quantified Objective: 10 units</p>	<p>Outreach was conducted in December 2016 with a “Future Plans and Status” survey and followed up in early 2017 to determine future plans and the feasibility of continuing mobile home park use.</p> <p>The City continued to implement its mobile home park conversion ordinance.</p> <p>The City has not assisted mobile home park owners in accessing funds for improvements to substandard or dilapidated parks and units or in converting the park to resident ownership. However, the City is aware that there is one mobile home park that will likely be reclassified to an RV park in the 6th cycle planning period, and there is a mobile home park on Military East that could potentially benefit from such funding.</p>	<p>Continue.</p>
<p>Program 4.05</p> <p>As new projects, code enforcement actions, and other opportunities arise, the City will investigate ways to meet its housing needs through rehabilitation and preservation of existing units.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This is an ongoing effort subject to the specifics of individual development proposals. The City recently contributed CDBG funds to the Housing Authority’s rehabilitation and roof replacement for an existing senior affordable housing complex.</p>	<p>Continue.</p>
<p>Program 4.06</p> <p>The City will maintain a record of any units rehabilitated and made affordable or converted to affordable and include the data in their annual report to HCD.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing and annually, every April</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. The City maintains a record of any units rehabilitated and made affordable or converted to affordable and reports this information as part of the annual report.</p>	<p>Combine this program into Program 1.08 and continue.</p>

Housing Program	Progress?	Continue/Modify/ Delete
Equal Access		
<p>Program 5.01</p> <p>Implement the complaint referral process for those persons who believe they have been denied access to housing because of their race, religion, sex, marital status, ancestry, national origin, color, or disability, family status, sexual orientation, source of income, or political affiliation. The City will educate selected staff in the Community Development, City Attorney, and City Manager departments on responding to complaints received regarding potential claims of housing discrimination. The selected personnel will be given a typed handout detailing the process for someone with a complaint and the agencies that should be contacted regarding a claim: Solano County District Attorney's office, California Department of Fair Employment and Housing, San Francisco Department of Housing and Urban Development Office of Fair Housing, Legal Services of Northern California (Solano County Vallejo office), and ECHO (non-profit housing advocacy group). The City Attorney's office will be notified and a log maintained of all complaints received. Information regarding the housing discrimination complaint referral process is made available by the Benicia Housing Authority and CAC to their clients. This information is available on the City's website (www.ci.benicia.ca.us). The City will maintain a supply of complaint forms and informational brochures at City Hall.</p> <p>Funding Source: General Fund and CDBG Funds</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. The City Attorney's office manages this program and maintains this information in their office and on the City's website.</p> <p>BHA makes information regarding the housing discrimination complaint referral process available to all of their clients; they are given pamphlets and a hotline number. The FRC, within the City of Benicia Police Department, and the Benicia CAC refer clients with discrimination complaints to Legal Aid of Northern California.</p>	<p>Amend and continue.</p>
<p>Program 5.02</p> <p>The City will continue to provide brochures on universal design available at the planning counter in the Community Development Department. The City will also consider writing development standards to encourage use of universal design in home design.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. The City provides brochures to encourage use of universal design in home design, such as the brochure completed in 2013.</p> <p>The City did not write development standards beyond those listed in the Building Code to encourage universal design in home design due to a lack of staff time and resources. However, the Building Division recently engaged in discussions with the Building Official to pursue the development of universal design standards.</p>	<p>Amend and continue.</p>

Housing Program	Progress?	Continue/Modify/ Delete
Energy Efficiency & Water Conservation		
<p>Program 6.01</p> <p>The City will continue to implement the California Green Building Standards Code, 2013 edition (adopted by reference in 2013 by City Council Ordinance 13-14), which applies to residential additions of 600 sq. ft. or more, or when a project's value exceeds \$20,000. The City will evaluate additional green building standards beyond the State's minimum requirements.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing.</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. The City adopts updated Building Codes, including the Green Building Code, on a 3-year cycle. The code is implemented by the Building Division during the building permit process.</p> <p>The City evaluated additional green building standards beyond the State's minimum requirements as they were presented. For example, the City increased opportunities for compact parking stalls and reduced parking requirements for studio and one-bedroom units in multifamily development. In the future, the City would like to focus on strategic amendments to the Zoning Ordinance (especially the Landscape Code) to enhance more feasible implementation.</p>	<p>Amend and continue.</p>
<p>Program 6.02</p> <p>Continue to implement the Benicia Home Efficiency Program and Residential Solar Rebate Program, both of which were approved by the Sustainability Commission who assists with implementing the City's Climate Action Plan. These programs will educate and bring awareness to the public about the long-term benefits of energy conservation and efficiency in housing and encourages the installation of renewable energy which reduces greenhouse gas emissions.</p> <p>Funding Source: Good Neighbor Steering Committee Settlement Agreement</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Benicia Home Efficiency Program through 2016. Residential Solar Rebate Program needs additional financing: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>The City's Community Development Department applied for additional grant funding so that it could launch Phase II of the Residential Solar Rebate Program. In 2015, the Community Sustainability Commission (CSC) awarded the Department \$50,000. In November 2015, the City launched Phase II with the help of local solar contractors. MCE assists with promotion of the program. Two solar vendors, Solar City and Sun Power, have signed memorandums of agreement (MOUs) with the City to match rebates.</p> <p>The Benicia Home-Efficiency Program, previously managed by WattzOn, ended in October 2016 after expending funds received through the Valero Good Neighbor Steering Committee Settlement Agreement. The City replaced this program by joining an additional four Property Assessed Clean Energy (PACE) programs and requiring that all program providers in the city (five total) sign a Collaborative Services Agreement, which clearly outlines the roles and responsibilities of providers, including regular reporting to the City on outreach activities, total financing, and the number and type of home and business upgrade projects. PACE provides a simple and effective way to finance energy efficiency, renewable energy, and water conservation upgrades to buildings. PACE can pay for new heating and cooling systems, lighting improvements, solar panels, water pumps, insulation, windows, and more for residential uses.</p> <p>Finally, the City continues to partner with the Solano County Water Agency (SCWA) to provide rebates for the Turf Replacement Program. The current rebate is \$0.50 per square foot, up to \$1,500, for replacing grass with water-wise landscaping. For context, the SCWA rebate is \$1 per square foot plus the \$0.50 enhanced rebate from the CSC grant of \$60,000 awarded in August 2015.</p>	<p>Amend and continue.</p>

Housing Program	Progress?	Continue/Modify/Delete
<p>Program 6.03</p> <p>To facilitate implementation, the City will make available, in the Community Development Department, brochures from PG&E and others that detail energy conservation measures for existing buildings, as well as new construction. The City will investigate more innovative outreach methods including social media and other online interfaces.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. Brochures that detail energy conservation measures for existing buildings and new construction are available at City Hall from the Community Development Department.</p> <p>The City investigated more innovative outreach methods and maintains social media accounts and an e-newsletter. The City also maintained a sustainability webpage during the planning period and the program is expected to gain momentum with the hiring of the City's new sustainability coordinator.</p>	<p>Amend and continue.</p>
<p>Program 6.04</p> <p>Continue to provide public education on green building certification, energy efficiency, and sustainable materials through the use of display boards, and locate them near the Planning and Building Counter and throughout City Hall.</p> <p>Funding Source: General Fund</p> <p>Responsible Agency: Community Development Department</p> <p>Timeframe: Ongoing</p> <p>Quantified Objective: n/a</p>	<p>This program is ongoing. Brochures, display boards, and other information about green building certification, energy efficiency, and sustainable materials is available at the Community Development Department in City Hall. In the future, the City is interested in strengthening their Web-based resources and providing focused newsletters.</p>	<p>Amend and continue.</p>

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Appendix D

Housing Element Sites Inventory List

Table A: Housing Element Sites Inventory

Table with columns: Jurisdiction Name, Site Address/Intersection, 5 Digit ZIP Code, Assessor Parcel Number, Consolidated Sites, General Plan Designation (Current), Zoning Designation (Current), Minimum Density Allowed (units/acre), Max Density Allowed (units/acre), Parcel Size (Acres), Existing Use/Vacancy, Infrastructure, Publicly-Owned, Site Status, Identified in Last/Last Two Planning Cycle(s), Lower Income Capacity, Moderate Income Capacity, Above Moderate Income Capacity, Total Capacity. The table contains 100 rows of site data.

Table A: Housing Element Sites Inventory

Jurisdiction Name	Site Address/Intersection	5 Digit ZIP Code	Assessor Parcel Number	Consolidated Sites	General Plan Designation (Current)	Zoning Designation (Current)	Minimum Density Allowed (units/acre)	Max Density Allowed (units/acre)	Parcel Size (Acres)	Existing Use/Vacancy	Infrastructure	Publicly-Owned	Site Status	Identified in Last/Last Two Planning Cycle(s)	Lower Income Capacity	Moderate Income Capacity	Above Moderate Income Capacity	Total Capacity
BENICIA	EAST 6TH STREET AND EAST N STREET	94510	0088131210		MU-L	MU-L	0	30	0.19	Vacant	YES - Potential	NO - Privately-Owned	Available	Used in Two Consecutive Prior Housing Elements - Vacant	0	2	2	4
BENICIA	921 FIRST STREET	94510	0089043100		Commercial Downtown	TC	0	29.9	0.25	Vacant	YES - Potential	NO - Privately-Owned	Available	Used in Two Consecutive Prior Housing Elements - Vacant	0	2	3	5
BENICIA	EAST 4TH STREET AND EAST L STREET	94510	0088124130		MU-I	MU-I	0	44	0.52	Vacant	YES - Potential	YES - City-Owned	Available	Used in Two Consecutive Prior Housing Elements - Vacant	10	3	4	17
BENICIA	ADAMS STREET AND PARK ROAD	94510	0080150390		LA MU	CO	0	21	0.55	Vacant	YES - Potential	NO - Privately-Owned	Pending Project	Used in Two Consecutive Prior Housing Elements - Vacant	5	1	2	8
BENICIA	ADAMS STREET AND WASHINGTON STREET	94510	0080150380		LA MU	CO	0	21	3.65	Vacant	YES - Potential	NO - Privately-Owned	Pending Project	Used in Two Consecutive Prior Housing Elements - Vacant	35	12	12	59
BENICIA	JEFFERSON STREET AND PARK ROAD	94510	0080150400		LA MU	CO	0	21	1.46	Vacant	YES - Potential	NO - Privately-Owned	Pending Project	Used in Two Consecutive Prior Housing Elements - Vacant	14	4	5	23
BENICIA	JEFFERSON STREET AND PARK ROAD	94510	0080150410		LA MU	CO	0	21	1.55	Vacant	YES - Potential	NO - Privately-Owned	Pending Project	Used in Two Consecutive Prior Housing Elements - Vacant	15	5	5	25
BENICIA	1451 PARK ROAD	94510	0080222010		LA MU	PD	0	21	0.65	Vacant	YES - Potential	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	9	5	0	14
BENICIA	JEFFERSON STREET AND PARK ROAD	94510	0080150010		OC	CO	0	21	0.56	Vacant	YES - Potential	NO - Privately-Owned	Available	Used in Two Consecutive Prior Housing Elements - Vacant	5	2	2	9
BENICIA	E STREET LOT	94510	0089371030		Commercial Downtown	TC	0	29.9	0.83	Vacant	YES - Potential	YES - City-Owned	Available	Used in Two Consecutive Prior Housing Elements - Vacant	11	4	4	19
BENICIA	E STREET LOT	94510	0089372090		Commercial Downtown	TC	0	29.9	0.85	Vacant	YES - Potential	YES - City-Owned	Available	Used in Two Consecutive Prior Housing Elements - Vacant	11	4	4	19
BENICIA	498 MILITARY EAST	94510	0088124140		MU-I	MU-I	0	44	0.26	Commercial use	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	1	2	3
BENICIA	475 MILITARY EAST	94510	0088123140		MU-I	MU-I	0	44	0.14	Commercial use	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	2	2	4
BENICIA	502 EAST N STREET	94510	0088102040		MU-I	MU-I	0	44	0.43	RV park	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	7	7	14
BENICIA	502 EAST N STREET	94510	0088102140		MU-I	MU-I	0	44	0.14	Residential, 6	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	2	2	4
BENICIA	502 EAST N STREET	94510	0088102050		MU-I	MU-I	0	44	0.44	Residential, 6	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	7	7	14
BENICIA	385 MILITARY EAST	94510	0088121110		MU-I	MU-I	0	44	0.14	Residential, 1	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	2	2	4

Appendix E

Public Outreach

Appendix E

Outreach

The following sections summarize the events conducted to solicit input on the Housing Element.

Consultations

In November through December 2021, four consultations were conducted with Benicia stakeholders to offer opportunities for each of them to provide one-on-one input. Representatives from the following organizations were interviewed:

- Benicia Community Action Council on November 18, 2021
- Carquinez Village Project on December 6, 2021
- Benicia Housing Authority on December 8, 2021
- Family Resource Center on December 16, 2021

In each of the consultations, the stakeholders were asked some or all of the following questions, depending on the type of organization interviewed:

- What services do you currently provide?
- What are your organization's funding sources (federal funds, EDHSA funds, grants from foundations, donations, etc.)?
- What are the three top opportunities you see for the future of housing in this jurisdiction? What are your three top concerns for the future of housing in this jurisdiction?
- What housing types do your clients prefer? Is there adequate rental housing in the community? Are there

opportunities for home ownership? Are there accessible rental units for seniors and persons with disabilities?

- What are the biggest barriers to finding affordable, decent housing? What are the unmet housing needs in this jurisdiction?
- How would you characterize the physical condition of housing in this jurisdiction? What opportunities do you see to improve housing in the future?
- How many homeless individuals are in the jurisdiction? Is the Point-In-Time count accurate?
- What factors limit or deny civil rights, fair housing choice, or equitable access to opportunity? What actions can be taken to transform racially and ethnically concentrated areas of poverty into areas of opportunity (without displacement)? What actions can be taken to make living patterns more integrated and balanced?
- How has COVID-19 affected the housing situation?

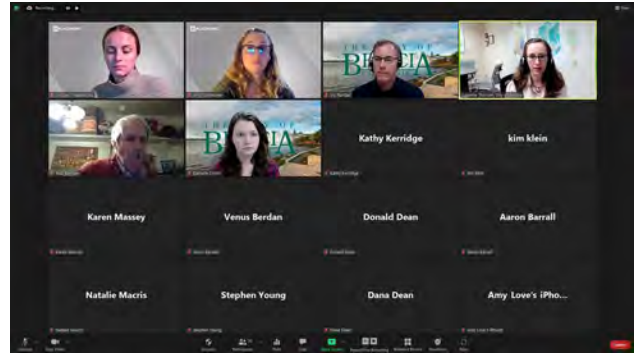
Through these interviews, the stakeholders expressed concerns about current challenges and barriers to housing in the city. The stakeholders discussed barriers to housing, including high construction costs, the lack of vacant land available for development, and the high demand and competition for the existing housing stock. In addition, stakeholders reported that landlord discrimination against Section 8 Housing Choice Vouchers increases difficulties for voucher holders to obtain housing. Program 1.02 supports the Benicia Housing Authority in the administration of the Section 8 housing voucher

program and apply for additional vouchers. Service providers indicated that compiling financing packages to fund affordable housing construction is also very difficult and time-consuming. Program 1.01 requires the City to work with the Benicia Housing Authority to coordinate affordable housing activities and maintain good working relations with other non-profit housing providers.

Stakeholders noted that the city needs a variety of housing types. In particular, stakeholders observed that housing for seniors and studios for small households (such as seniors and single-parent households) are needed. Furthermore, new senior housing must be accessible and lower cost to accommodate seniors living on fixed incomes. Program 3.05 requires the City to work with housing providers to ensure that special housing needs are met, including the needs of lower-income households, persons with disabilities and developmental disabilities, seniors, and single parent-headed households with children. The stakeholders cited the Housing Element as an opportunity for the City to increase housing capacity in Benicia. Stakeholders also recommended that the City seek out funding to help rehabilitate aging housing for lower-income households. Program 4.01 will establish a rehabilitation grant or reimbursement program to assist homeowners with rehabilitation needs, particularly weatherization and accessibility retrofits.

Community Workshop

The first community workshop for Benicia residents as part of the Housing Element update took place via Zoom on Wednesday, March 2, 2022, from 6:00 pm to 7:30 pm. The purpose of this workshop was to educate residents about the update process, solicit input on potential housing sites to be included in the draft Housing Element, and hear resident insights and ideas on how the City can improve housing opportunities in the future.



Residents participated in the workshop by Zoom.

City staff and consultants facilitated the workshop and 11 residents and interested persons attended and participated. Throughout the presentation about the Housing Element update process and the selection criteria for potential housing sites, community members were asked to provide feedback through interactive polling and invited to ask questions or provide comments in the chat. All questions and comments were read aloud, and either City staff or the consultants answered the question or documented receipt of the comment. Input and ideas are summarized below.

- Does the city's current sites inventory include recent changes to zoning in the Eastern Gateway Study Area?
- How many accessory dwelling units have been built in the last two years?
- What parcels in the sites inventory are designated to accommodate lower-income housing? Where are they located in the city?
- If a site is designated to accommodate lower-income housing in the Benicia Housing Element, what happens if a developer wants to construct housing at a different income level? Are the sites restricted to only the income category that the Housing Element specifies?
- What is an example of a 20 dwelling unit per acre housing development in Benicia?
- Will City staff consider sites that are smaller than half an acre to

accommodate the RHNA when property owners are interested in developing the site with housing?

- Can historic homes be converted to multifamily units? The City should consider allowing conversions for willing homeowners.
- The Jefferson Ridge site (vacant land located at Adams and Park) should not be included in the sites inventory because the City is reviewing an SB 35 development application on that site.
- Why is property owner interest a factor to consider when identifying candidate sites to be rezoned and counted toward the RHNA?
- Multifamily housing is supported on or near Military West.
- The General Commercial (GC) zone does not permit multifamily units. Does the City plan to rezone sites with the GC zoning to allow for multifamily residential housing on these sites?
- Will the City review small lots that could accommodate up to four units under SB 9?
- What is the definition of a live/work unit?

These comments have been considered and incorporated into the Housing Element, as applicable. The community workshop was recorded and posted on the City's Housing Element webpage.

Open Houses

The City of Benicia invited members of the community to participate in two open houses to discuss the Benicia Housing Element. These two open houses covered the same content, but one was held in person, while the other was hosted online. The online open house took place on Thursday, March 31, 2022, from 5:00 pm to 7:00 pm via Zoom. The in-person open house was held at the Community Center (370 East L Street) the following Wednesday, April 6, 2022, from 5:00

pm to 7:00 pm. City staff and consultants facilitated the open houses.



Attendees provided feedback at the open houses.

The purpose of the open houses was to educate residents about the update process and solicit input on local housing preferences, local housing needs, housing creation strategies, and fair housing. There were four stations at each open house event and one set of polling questions. Each station had a topic: fair housing, potential sites for housing, preferred housing types, and barriers to housing in Benicia. The format of each open house is summarized below.

- **Virtual Open House:** The event began with a short presentation introducing the Housing Element and meeting agenda. Following the presentation, the group in attendance was small enough to continue discussion in the main meeting room. Staff walked through all of the open house stations and solicited feedback from meeting attendees via Google Forms surveys, interactive polling, and open discussion.
- **In-Person Open House:** The various open house stations were set up around the event space to allow attendees to move from one station to the next at their own pace. Staff were stationed at each board to guide attendees through the station exercise and answer questions. Meeting attendees were also given the option to sign in at the

entrance table and submit additional input via a comment form.

In total, 8 people attended the virtual event and 13 people attended the in-person event. While 21 total community members attended these events, not all attendees provided input at each station and answers for each question posed at the station. Input and ideas are summarized below.

- To comply with State law, does the city need to plan for new housing units or identify existing housing units to meet the RHNA?
- The people in attendance at this meeting likely have more access to resources and therefore don't experience severe housing issues that would warrant fair housing assistance.
- Are open space sites outside the Urban Growth Boundary being considered?
- Is there a deadline by which housing units need to be built to meet State requirements?
- There is support to develop large sites along Military West between West 5th Street and West 7th Street.
- What is missing middle housing?
- Is there a way to encourage property owners to develop multiple small homes on their individual lots?
- Why are accessory dwelling units (ADUs) an attractive opportunity to provide housing in Benicia? Are there any ADUs currently in Benicia?
- Is the City considering rezoning commercial zones or industrial zones to allow residential uses?
- How will written comments be addressed by City staff?

Community members were asked to choose opportunity sites in the city where they'd support housing development. Sites on the opportunity sites map, which is displayed at the

end of this appendix, that received more than one dot are listed below. Large-sized sites drew more attention from attendees due to their sheer size and visibility on the map. Therefore, more votes for larger sites do not necessarily mean that participants favor those sites over smaller, less-visible sites:

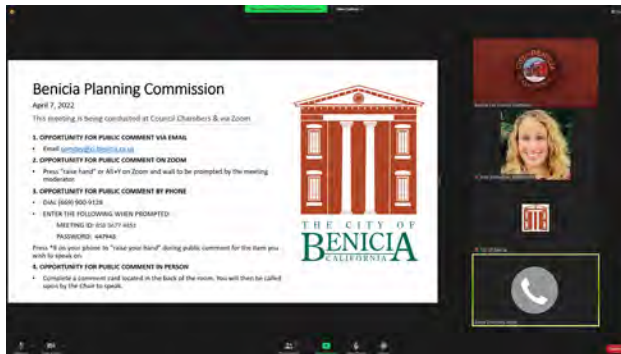
- Yuba Site on H Street (8 votes)
- Open space between Cambridge and London Circle (5 votes)
- 1471 Park Road Area (4 votes)
- Solano Square/Davies Square (4 votes)
- Cemetery Site (4 votes)
- Southampton Center (4 votes)
- Civic Center Area (3 votes)
- 701 Southampton Road (3 votes)
- East H Street Sites Across from Yuba Site (3 votes)
- Downtown Overlay Sites: 190 East F Street (3 votes)
- 1125 Southampton Road, Church of Jesus Christ of Latter-Day Saints (3 votes)
- Northgate Church Site (2 votes)
- Downtown Overlay Sites: 831 First Street (2 votes)
- Eastern Gateway Sites: 1401 E 5th Street (2 votes)
- Fire Museum Site (2 votes)
- Community Congregational Church (2 votes)
- Downtown PDA Vicinity: 200 Block Military West (2 votes)
- Claverie Way Vicinity Upzone: 1030 West 6th Street (2 votes)
- Claverie Way Vicinity Upzone: 1113-1115 West 5th Street (2 votes)
- Claverie Way Vicinity Upzone: 1150 West 7th Street (2 votes)

- 810 West Ninth Street (Cliff's) and adjacent parcels (2 votes)
- First Baptist Church Site (2 votes)
- 2170 Columbus Parkway (2 votes)

The community's comments on the housing sites and general housing in Benicia have been taken into consideration and informed the drafting of the Housing Element.

Planning Commission and City Council Study Sessions

The City brought information to the Planning Commission and City Council multiple times for feedback and guidance on the Housing Element update.



Community members participated in Planning Commission meetings by Zoom or in-person.

The input has informed the sites selected for the Housing Element and the drafting of the Housing Element. Those study sessions are summarized herein.

- **Joint Planning Commission and City Council Study Session.** January 25, 2022, via Zoom. The City and consultant provided a presentation to update the Planning Commission, City Council and the public on the Housing Element update. Topics of the presentation included the functions of housing elements, the RHNA, State housing laws, fair housing, sites selection, and a discussion of next steps.

Members of the public were encouraged to participate via public comment, and

nine public comments were made. The public commenters provided input on a wide variety of housing topics but many were focused on sites selection. Two commenters discouraged the City from constructing housing in many of the open space areas of the city while two other commenters encouraged the City to lift open space deed restrictions on City-owned open space. Another commenter encouraged the City to prioritize housing sites on City-owned land, parking lots, churches, and in the Downtown Priority Development Area (PDA). Two additional commenters were in favor of developing in the Downtown PDA, and another commenter endorsed the reuse of Downtown PDA parking lots to develop housing. One commenter discouraged developing housing in the Arsenal area, while another commenter was in favor of developing the Yuba site, which is near the Arsenal area. One commenter requested that the City increase housing density in single-family residential areas. The councilmembers and commissioners had questions about whether the City can impose zoning on properties without property owner interest or consent. The majority of the councilmembers and commissioners were in favor of prioritizing sites for housing that are vacant, public, or have property owner interest. The councilmembers and commissioners requested that City staff also examine City-owned properties including parking lots, church properties, deed-restricted open spaces, and commercial centers with consideration to traffic impacts and quality of life implications.

- **City Council Study Session.** March 22, 2022, via Zoom. The City held a study session at a regularly scheduled City Council meeting to present sites and locations being considered for housing opportunities and obtain direction to refine priorities for sites selection. Councilmembers also requested that

specific parcels be added to the Opportunity Sites list, including vacant lots in the Downtown PDA, an unoccupied site adjacent to the Benicia Senior Center, and open space sites without deed or legal restrictions on development. Councilmembers requested that sites with property owner interest be prioritized for housing in the Housing Element. While one councilmember wanted the sites in eastern Benicia to not be developed, the other councilmembers asked City staff to continue to consider those for housing in the Housing Element. The councilmembers also asked that City staff contact property owners and neighbors to gauge their interest in redevelopment with housing.

- **Planning Commission Study Session.** April 7, 2022, via Zoom and in-person - hybrid meeting. The City and consultant provided a presentation to update the Planning Commission and the public in attendance on the Housing Element sites selection process. City staff presented information about various potential housing sites across the city and asked for commissioner and public feedback. During the meeting, City staff gave the commissioners and public an opportunity to identify additional housing sites that should be considered, sites that should be removed, and sites that should be prioritized for housing.

Members of the public were encouraged to participate via public comment, and three verbal public comments were provided. One commenter, who self-identified as the attorney representing the Yuba site landowner, noted that the Yuba site is not classified as a brownfield site and encouraged the City to consider some open space sites further for housing development. Another commenter noted that the Southampton Shopping Center is an ideal site for mixed-use development, and

they observed that some property owners may become interested in developing housing once zoning changes are adopted so sites should not be discounted because of a current lack of interest from a property owner. The commenter also asked that City staff reduce the development capacity on the 1471 Park Road site to buffer housing from nearby uses. The third public commenter noted that the 1025 Grant Street property owner would like to be included in the Sites Inventory and is interested in developing housing on their property.

The Planning Commissioners requested that the City continue to consider open space as a viable option for housing development, but some commissioners also voiced their favor for infill development. The commissioners were also in favor of developing most housing sites with a mix of incomes rather than designating sites for a singular income category. The commissioners agreed with sentiments from previous study sessions about encouraging housing in the Downtown PDA and at the Southampton Shopping Center. The commissioners were also interested in developing housing in an unused portion of the Benicia City Cemetery. Some commissioners suggested that the City consider the tax revenue benefits or drawbacks from designating certain sites for housing and encouraged the City to select housing sites with the highest economic benefit to the City. One commissioner expressed concern over the level of remediation potentially needed on the site at 882 Blake Court, but another commissioner voiced opposition to those concerns and was confident in the quality of the site. One commissioner also requested that the City consider the impact of the RHNA on school infrastructure.

- **City Council - April 19, 2022, Via Zoom and in-person - hybrid meeting.** City staff presented a draft sites inventory for review by City Council, including a partial inventory of open space sites. Members of the public provided a range of comments. One commenter recommended that residential use be removed from the General Plan mixed use land use as part of the Housing Element update, citing three parcels in the Benicia Arsenal that are included in the Vacant Lands Inventory; this commenter also discussed concerns regarding the way evacuation routes out of the Arsenal are all funneled through Military East. A second commenter noted concerns that the proposed Overlay Zone might lead to incompatible development in the downtown, citing the F Street parking lot as a site that might be developed in a way that is outsized for the Downtown; questioned whether residential could be sited on the ground floor on First Street within the Overlay Zone; whether allowed density could overshadow historic buildings; noted concern regarding SB 35 being applied in the Downtown; unclear whether the Overlay Zone would be priority over the Downtown Mixed Use Master Plan; requested that Arsenal sites be removed from the Housing Opportunity Sites List. A third commentor stated that affordable housing is very important to our community; stated that the Blake Court site could be a good site as it has gone through CEQA review and that everything had been excavated and removed. A fourth commenter stated general opposition to the designation of open space for housing, but understands why it may occur; there should be mitigation required for development, including provision of trails and landscaping in that open space or elsewhere; asked City Council to adopt a policy that prohibits future designations of open space areas for housing;

questioned which open space sites would be evaluated in the Environmental Impact Report (EIR) with concern regarding making the EIR unnecessarily complex. A fifth commenter stated that the City did a great job finding opportunity sites without going outside the city limits or significantly raising elevations, then noted that the Housing Opportunity Sites represent significant change for Benicia so need to do this carefully; ensure historic character is preserved; supported removing residential from the land use allowed in the Arsenal; supported recommendation that community benefits be included in any Open Space development; stated it's premature to prohibit future Open Space development, if we need the housing we can provide community benefits with that development. A sixth commenter congratulated the City on the new opportunity sites that have been identified, including older commercial sites that can be used for mixed use commercial with housing; discussed pulling the Arsenal National Register District sites off the Opportunity Sites List; need to evaluate the impacts if housing did go on those historic sites, noting that the Housing Element EIR would be the right time for that evaluation. A seventh commenter supported the removal of the Arsenal sites from the Housing Opportunity Sites list.

Councilmembers stated general support for designation of one open space but noted that otherwise there is general agreement that open space should be lower on the priority list; thanked the Planning Commission for their work on the Housing Element; and discussed reevaluating sites once the Draft Housing Element was available for review. Another Councilmember noted that the EIR will be programmatic, and that there will be subsequent evaluation for sites as they develop. City Council affirmed

the sites list as presented, pending subsequent review following completion of the Draft Housing Element.

- **Planning Commission Study Session.** May 12, 2022, via Zoom and in-person - hybrid meeting. City staff presented a draft conceptual Housing Opportunity Sites Overlay Zoning District approach for consideration and comment by the Planning Commission and public. The Planning Commission was supportive of the draft conceptual Housing Opportunity Sites Overlay Zone District, as were several public commenters. One commenter requested consideration of horizontally mixed use sites, flexibility around the minimum retail requirement, and consideration of application of the Overlay Zone on additional sites. Another commenter recommended parking maximums and increased height allowance. Several commenters spoke in opposition to developing open space sites. Several commenters stated concerns regarding infrastructure adequacy, traffic concerns, water sufficiency, and habitat protection. One commenter requested that the Housing Element discuss the Surplus Land Act process and feasibility of development of sites.

Property Owner Outreach

In the spring of 2022, the City notified the property owners of all properties that were preliminarily considered for inclusion in the Housing Opportunity Sites List. In Appendix D, Table B, the City sought to introduce initial rezone considerations and learn from the property owners about their interest in residential development on their property in the next three to eight years. City staff invited seventy-two property owners to meet to discuss their interest in potential residential development and conducted three informational meetings on March 16 and 17, 2022. Approximately ten property owners participated. Several property owners that were unable to attend contacted the City in the following

weeks. The City has conducted additional one-on-one outreach to property owners as the Housing Opportunity Sites List has been refined through the plan process. Most contacted property owners expressed interest in developing housing, with some remaining uncommitted. Two property owners confirmed that they are not interested in having their properties rezoned to accommodate housing. Additional outreach to property owners is ongoing through summer 2022.

CURE Committee Meeting

On June 27, 2022, the City presented to the Committee United for Racial Equity (CURE) about the Housing Element Update. The committee consists of five residents and two City Councilmembers. The presentation included a high-level overview of the Housing Element, the project timeline, and initial findings on the fair housing components of the Housing Element Update. The City then solicited questions and comments from the CURE members to share their knowledge about fair housing in Benicia and provide feedback on the initial findings in the draft Housing Element. The Committee members asked the City how underserved communities in Benicia had been engaged during Housing Element Update outreach. The CURE members stated that ensuring vulnerable populations have access to housing programs that meet their needs is the Committee's priority. Two Committee members were interested in ways that the City or Benicia Housing Authority could track the types of vulnerable communities served through their programs. Another Committee member requested that the City consider ways to protect special needs groups from eviction or foreclosure. The Committee thanked the City for examining fair housing issues in the Housing Element and for bringing the topic to CURE. Two residents spoke during the public comment period: one commenter echoed the Committees' request to consider tracking local progress to serve vulnerable communities, and the other commenter was supportive of the City's goal to provide resources and programs in the Housing Element to support housing affordability.

Hearings

The City brought information to the Planning Commission and City Council multiple times in the process for recommendations and approval of the Housing Element update. Those hearings are summarized herein.

- **Planning Commission Study Session.** July 7, 2022, via Zoom and in-person hybrid meeting. City staff and the consultant presented information about the Public Draft Housing Element and asked for commissioner and public feedback. During the meeting, City staff gave the commissioners and public an opportunity to request changes to the Public Draft Housing Element and provide recommendations for future property owners and neighborhoods to engage with. Commissioners recommended that the City continue to avoid concentrating housing in lower-income areas of Benicia. One commissioner cited appreciation for inclusion of Program 5.04 but noted that they still have concerns with proximity of some Housing Element sites to industrial uses. One Commissioner asked why the open space site at the corner of Hastings Drive and Southampton Road was removed from the Housing Element, and another stated that the City needs to approach fair housing from a “fair for all” perspective in which all residents are valued equally. The Commissioners also discussed the First Baptist Church site and determined that while owner interest is not currently expressed on the site, the site is underutilized and should be included in the Housing Element sites inventory. Members of the public were encouraged to participate via public comment, and eight verbal public comments were provided. One commenter had a question about the project timeline. One commenter requested that the City revise the “health-oriented” term in Program 5.04, and another commenter requested that the zoning and land use designations be

revised to correct a typo. One commenter requested that the City include strategies to protect residents from displacement. Another commenter requested that all Housing Element sites in the Arsenal be removed. One commenter requested that the City remove the Housing Element site that is located on part of the Benicia City Cemetery parcel, and a Planning Commissioner followed-up by asking that the City look further into development potential on that site.

- **Joint Planning Commission and City Council Study Session.** July 26, 2022, via Zoom and in-person hybrid meeting. City staff presented an overview of the Public Draft Housing Element and asked for direction concerning any needed revisions. Planning Commissioners and City Councilmembers requested that City staff review the legality of required renter preferences for existing Benicia residents on City-owned sites and revise the Housing Element text about the Inclusionary Ordinance in Chapters II and V, to eliminate the in-lieu option. They also requested that the City review the Blake Court site documentation to determine the extent of remediation conducted on the site. Commissioners and Councilmembers discussed the Arsenal sites, E Street sites, and Blake Court parcel with consensus to leave these sites in the Housing Element now, pending further information.

Members of the public were encouraged to participate via public comment, and 20 public comments were made. The public commenters provided input on a wide variety of housing topics, but many were concerned with the Housing Element sites inventory. One commenter requested that the City evaluate the zoning on opportunity sites near Benicia High School for a potential teen center, and other commenters supported development on the Southampton

Shopping Center, Solano Square, and Grant Street sites. Multiple commenters requested to remove the Blake Court site and Arsenal sites, with some commenters noting environmental justice, traffic, and evacuation concerns regarding sites proximate to industrial uses. Some commenters supported infill and affordable housing, and one commenter requested that the City consider the Seeno property for housing development. Another commenter requested that City staff review the realistic development capacity projected on non-vacant sites and adjust the SB 35 sites capacities to reflect the current applications on those sites. That commenter also requested that the City re-examine Benicia's Tax Credit Allocation Committee rating as a Moderate Resource community. One commenter expressed concern regarding the displacement of lower-income households. Another commenter recommended that the City raise building height limits to allow for multi-family units and reduce the number of sites needed in the Housing Element, and others supported infill and affordable housing.

- **City Council Study Session.** August 16, 2022, via Zoom and in-person hybrid meeting. City staff presented an overview of the Public Draft Housing Element and the comments and direction received at earlier meetings on the public draft. Staff asked Council to provide direction concerning any needed revisions ahead of submittal of the revised Draft Housing Element to HCD. Members of the public were encouraged to participate via public comment, and 14 public comments were made. Discussion and public comments focused on the Arsenal sites, Blake Court site, expansion of the Yuba site, the city cemetery site, East E. Street parking lot site, 1280 W. 11th site, Surplus Land Act requirements, and repeat sites in the

Housing Element for lower income RHNA. In addition to recommendations made at earlier meetings for revisions to the draft Housing Element, the Council recommended removal of the Blake Court site, change in proposed zoning on the 1280 W. 11th Street Site, and addition of parcels and corresponding units to the Yuba site.

Written Public Comments

Received Prior to Public Draft

The City received the following written public comments prior to the release of the Public Draft Housing Element.

A group, consisting of Monith Ilavarasan, Zoe Siegel, Shajuti Hossain, Justine Marcus, Jeff Levin, Leslie Gordon, Michael Rawson, and Evelyn Stivers submitted comments as follows:

- Express their urgency for compliance with the implementation of comprehensive, inclusive, and detailed public engagement. They state that jurisdictions must make the effort to seek and incorporate input from community members from diverse economic backgrounds. They suggest that a distinct effort must be made to include marginalized populations, including low-income people, people of color, immigrants, non-English speakers, people with disabilities, who typically face barriers when trying to be heard in public decision making.
- Propose the creation of an outreach plan specific to the Housing Element Update. They suggest releasing drafts of the Housing Element Update with sufficient time for the public's review prior to the submission to HCD. They request community input meetings at accessible locations and times, including evenings and the weekends, and that the City provide a mix of creative public engagement opportunities, including surveys and public booths at outdoor events that are properly advertised, including through email, social media, and local news. They emphasize public meetings should be at times outside of working hours that should be convenient and accessible to increase attendance from community members.
- State that jurisdictions must seek and incorporate information about fair housing issues and disparities from people who need to live in the jurisdiction but are unable to.
- Propose the City proactively collaborate with community-based organizations (CBOs) to plan and prepare community engagement workshops and opportunities. The intention to ensure the CBOs' members and partners can directly participate as part of the evaluation and creation of the Housing Element Update.
- Propose engaging community participation at all stages of the Housing Element Update process. They suggest the creation of a road map that highlights important milestones in the Housing Element Update process that contain plans for robust public outreach and communication. These plans should include opportunities for providing public input, opportunities for public review and input of the draft and adopted element and provide input on annual Housing Element report. Public notification of these public engagement opportunities must be accessible, including posts on the jurisdiction's website, and provide instruction on how public input will be received.
- Request that the jurisdiction provide an adequate telephone option as public engagement remains virtual. They also request that virtual meetings provide multiple options for teleconferencing that include two-way communication options that allow computer and phone users to engage and provide public comment. They suggest other modes of public engagement, including surveys, short interviews, and other opportunities to engage at outdoor events, community-based events and resource distributions, and essential businesses and offices. They propose that the public should be allowed to comment in real time for live-streamed public meetings through a combination of phone and video, chat boxes, and/or email. They emphasize meeting the public where they are at, and that advance planning and creativity will help ensure participation from the community.
- Request that all materials and notices be translated in multiple languages appropriate to the community. They state that interpretation should be made available for residents to understand and participate in meetings, interviews, and workshops to meet language access needs.

- Request that public engagement opportunities should be made accessible to people with disabilities, including providing reasonable accommodations, including sign language interpretation, written materials in Braille, and other alternative formats.
- Request more time for the public to review materials and submit comments prior to public meeting's start time. They suggest accepting comments from the time notices are distributed up until the start of the meeting. They request that comments should be accepted via various modes, including emails and phone voice messages that should be share during the meeting. They also request that the comments be received in multiple languages and interpreted as needed.
- Request that community input be meaningfully incorporated into the Housing Element Update. They also request that the jurisdiction provide a tracking feedback system to demonstrate how the City considers and incorporates public input for the Housing Element Update.
- Requests an exclusive Housing Element mailing list and website. They state that maintaining an active mailing list notifies all interested parties about new meeting and related documents. They also request that the potential Housing Element site contain access to related materials and resources.
- Suggest the creation of a Housing Element working group to provide input as its process develops and evaluate its implementation after its adoption. They request that the group be diverse and representative; it should include renters, low-income people, people of color, tenant and community organizations, seniors, people with disabilities, unhoused people, farm and agricultural workers, and other marginalized groups most impacted by housing issues.

Michael Hayes requests that the City reject the State's Regional Housing Needs Allocation (RHNA) given concerns about environmental and resource sustainability.

Sheryl Roy requests that the distribution of the proposed potential housing sites be equitable and spread throughout the jurisdiction. They suggest that the Southampton area be considered.

Margot Gorske states:

- The City should remove the Arsenal sites from the selected housing sites inventory.
- The City should consider the impacts of high-density development, including potential traffic impacts.
- More housing will result in more school-aged children that will require more public investment and infrastructure changes and impacts.

Steven Goetz submitted comments as follows:

- Requests the inclusion of policies to protect existing resident from displacement as the City plans for more housing.
- Recommends the acquisition of low-income data to inform the City Council about vulnerable areas to displacement and evaluate potential improvements to housing conditions for lower income residents.
- Requests the consideration of a few suggestions, including identifying affordable housing developers, local preference for displaced tenants, support the rehabilitation of existing multifamily housing, and acquire and convert existing multifamily housing to be permanently affordable.

Maggie Catt expressed her concerns about the preservation of the City's character. Their concerns are in response to the implementation of SB 35. They share that the Jefferson Ridge sites have historical designations and is not content with this selection.

Brandon Marshall, LEED AP BD+C, provided recommendations about the Housing Element Update. Comments included requests to implement SB 10 in rezoning and update to the Downtown Mixed Use Master Plan language, feedback on the existing ADU ordinance, recommendations to assess the City's current zoning to remedy any inconsistencies between zoning and on-the-ground uses, and consider other housing priorities beyond affordability.

Heidi Peeler requests the consideration of infrastructure impacts from new housing and the removal of the Arsenal sites.

Maxwell Davis, with Eastbay for Everyone, states the organization's concern that the City is not making enough effort to qualify potential sites and to reduce barriers to development in Benicia to accommodate its RHNA allocation. They request the City provide justification for their ADU projections or remove them altogether. They propose the City increase allowed densities above 21 dwelling units per acre.

Zoe Siegel, Director of Climate Resilience, Greenbelt Alliance submitted the following comments:

- Shares that the Housing Element Update is an excellent opportunity for Benicia to mitigate climate change, reduce negative environmental impacts, and ensure new resources are identified to expand affordable housing production. They state that building more housing can mitigate climate impacts and reduce housing costs and inequities. They encourage equitable, fire-safe infill development to maximize all of the potential benefits. They suggest building more infill housing in existing urban areas that include green infrastructure, a tree canopy, native plants, and other nature-based solutions to mitigate climate risks.
- Suggests the protection of urban growth boundaries and increasing density. They request that the City not extend the urban growth boundary or build in open spaces. They affirm removing barriers to development and encourage reducing current barriers, like height limits, and increase densities above the 21 dwelling units per acre minimum.
- Requests that the City increase density in non-high fire severity zones and away from flood zones. They propose building in proximity to transit to create healthy, resilient, and affordable housing and protect our open spaces. They share that concentrating growth in low or even moderate wildfire hazard risk and outside of anticipated inundation zones is necessary to address the need for building more homes while avoiding unnecessary hazards, sprawl, and unsustainable shoreline development. They request the City to assess existing commercial sites to accommodate mixed-income or affordable housing, including underutilized parking lots or large setbacks. They propose increasing height standards and remove restrictions on density in appropriate areas in proximity to resources and the development of an Affordable Housing Overlay Zone.
- States that to address our housing, climate, and equity crises, the stigma about multi-family housing needs to be changed. They believe that Cities need to actively plan for diverse, accessible housing using the principles of Affirmatively Furthering Fair Housing (AFFH). They request that low and very low-income RHNA sites be realistic and feasible for development that reverse past segregation patterns and disparities in access to opportunity. They state the City must identify and evaluate sites relative to fair housing factors. They propose that the City should make the effort to align opportunity sites with affordable housing finance mechanisms. They also propose that the City should focus on creating opportunities for "missing middle" housing in proximity to public transportation.
- Requests that the City require nature-based solutions for climate resilience in future developments. They believe the City must be better equipped to respond and support natural disasters. They also request that the City require developers to integrate green infrastructure into development and the adjacent public right-of-way that incorporates public input. They promote infill development as an opportunity to revitalize the City that doesn't pose additional

environmental hazards. They ask the City to consider permit streamlining for new housing that exceeds current green infrastructure requirements. They also request reducing mandatory parking minimums to encourage other transit modes.

The California YIMBY and YIMBY Law groups submitted the following comments:

- Request the City to adequately plan for density to accommodate the number of projected units. They also request to ensure height limits, setback requirements, Floor Area Ratio, and other controls allow for adequate density and the ability to achieve realistic capacity. They ask the City to provide sufficient zoned capacity to accommodate all income levels, including a minimum No Net Loss buffer of 30%. They also ask that the City identify a sufficient number of sites and zone them to accommodate lower-income housing to meet the RHNA. They suggest using 5th Cycle's data to calculate the likelihood of development for the 6th Cycle sites inventory. They ask to incorporate the projected likelihood of development into the zoned capacity.
- Ask the City to commit to a mid-cycle adjustment if ADU permitting activity is lower than estimated. They recommend complying with HCD's standards of using one of its "safe harbor" methodologies to anticipate future ADU production. An alternative they suggest is to create a mid-cycle adjustment that will automatically facilitate alternative housing options (i.e., a rezoning program, removing development constraints, ADU incentives, etc.) if the city falls behind the estimated ADU production. They suggest incentivizing new ADUs by considering low- or no-interest loans, forgivable loans, impact fee waivers for ADUs that are 750 square feet or larger, and allowances to facilitate two-story ADU construction.
- Request that the City allow residential in areas zoned for commercial use. They suggest a housing overlay as a policy to implement this. They ask the City to consider eliminating new commercial space in mixed-use developments where there is not a strong demand or that is unused or frequently vacant. They advocate for the City to incentivize land dedication to affordable developers in order for market-rate developers to meet their inclusionary requirements.
- Request that the City ensure there is a ministerial process for housing permitting, especially multi-family housing, and remove impact fees for deed-restricted housing. They recommend that the City reduce parking standards and eliminate parking minimums and consider adopting a parking maximum.
- Advise that the City should reduce impact fees and delay the collection of impact fees until the issuance of the certificate of occupancy to reduce financial impacts on new housing. They share that there are three new revenue streams that the City should consider, including transfer tax, vacancy tax, and commercial linkage fees.
- Request that the City prioritize rezoning in high resource areas that have been historically exclusionary neighborhoods to allow more housing opportunities. They ask the City to establish a strong tenant protection ordinance to avoid the displacement of existing residents. They recommend programs, including housing replacement programs, temporary housing vouchers, right of return, and demolition controls, to create stability for renters while allowing new housing developments.
- Suggest the City to prioritize development on sites with owner-occupied housing and commercial uses instead of sites with existing rent-controlled apartments or lower income rental housing. They request the City to support homeownership opportunities for historically excluded groups, identify opportunities to create a variety of for-sale housing types, and create programs to facilitate property ownership for these groups.

Natalie Macris requests that the City consider removing the Arsenal sites.

Norma Agan request that the City remove the Southampton site be removed in order to preserve open space.

Bruce McKendry expresses his concern about water usage and preservation as the City considers and potentially develops more housing.

Corinne Koopowitz believes that encouraging growth can have a negative component to it. They are opposed to more housing developments, particularly affordable and multifamily housing developments. They do not support considering housing sites on existing open spaces. They share that if the City must build, it should only be single-family housing to maintain the City's character.

Steven Goetz submitted the following comments:

- Provides a table listing city-owned sites that should be considered for housing. They state that open space sites could be used for new developments and can incorporate open space amenities to these projects.
- Requests the removal of inadequate sites due to their location adjacent to heavy industrial sites and due to being a historical site.
- Recommends a 241-acre open space site located on Cambridge Dr. They share that a portion of the site is near existing medium density multi-family housing. The parcel is large enough to create housing plus buffer areas with adjacent single-family uses. Southwest portion of site (about 22 acres) is .25 to 0.5 miles from Rose Dr/Columbus Pkwy intersection.
- Recommends an 84.6-acre open space site located at the intersection of Cambridge Dr. and London Dr. The northwest and southeast portions of site are bordered by medium density multi-family housing. They believe this parcel is large enough to create housing plus buffer areas with adjacent single-family uses. The site is in proximity to the Rose Dr and Columbus Pkwy intersection and the Southampton Shopping Center.
- Recommends a 12-acre open space site located on Hastings Dr. They share site is near medium density multifamily housing. They believe the parcel is large enough to develop housing plus buffer areas that include adjacent single-family uses. The site is in proximity to the Southampton Shopping Center.
- Recommends a 4.7-acre open space site located on Southampton Rd and Chelsea Hills Dr intersection. They share that this is the smallest open space on their list and is adjacent to high density multi-family housing. They believe the parcel is large enough to develop housing plus buffer areas with adjacent single-family uses.
- Provides several recommendations to ensure the Housing Element has sufficient housing opportunity sites to meet the City's housing needs and to remove the vacant sites from the Lower Arsenal. They provide a correction on one of the City's staff reports that claims the City Council removed an existing apartment complex, 1322 Military East, from the Core Sites, the listed address is a gas station.
- Believes the potential zoning density should be increased from the proposed RH + Overlay (30 DU/AC) to MU-I (44 DU/AC). They state that these parcels are in Benicia's Priority Development Area, adjacent to many city services and transit. Since these are city-owned parcels, there is no need to keep existing underlying land use rights and entitlements intact through the overlay zoning proposal. Higher density might also make it more economically feasible to integrate the existing city uses into a new mixed-use housing project.

- Requests the removal of the 1471 Park Road site. They believe that this site is unfit due to its proximity to seven Valero pipelines that transport crude oil to the refinery and transport refined petroleum products from the refinery. It is also near heavy industrial uses which are important to the city's economy. These existing conditions make this site inconsistent with General Plan Policy 2.6.5 and the State of California guidance for Environmental Justice elements of General Plans. They realize the City has made past mistakes locating new housing where these conditions exist, but that is not a reason to keep repeating these mistakes.
- Requests moving second tier sites to the Core Sites list, except for the vacant sites on Grant Street in the Arsenal. They share that these vacant sites are within 400 feet of heavy industrial uses and are not appropriate for new housing according to General Plan policy 2.6.5 and the State guidance for Environmental Justice elements of General Plans.
- Requests the City to clarify the rezoning of Open Space for Housing. They advise that staff reports, and public outreach activities need to distinguish between open space within the Urban Growth Boundary (UGB) and open space outside the UGB. They share that some of the public concern about rezoning open space for housing may be due to the concern about the City not renewing the UGB and rezoning open space outside the UGB for housing. They share open spaces outside the UGB have a high habitat value and are far from urban services, unlike many city-owned open spaces within the UGB.

Sudha requests the distribution of attachments to the Planning Commission, City Council, and the public before the April 22nd meeting. They share these documents review issues and relevant history of a proposed Blake Court project indicating an ongoing need for updated relevant environmental information.

Jane King provided a brief history summary of the significance of the Arsenal. They provide their insights on the Objective Design Standards and Update, including:

- The Jefferson Street Alignment needs to retain and extend the existing Jefferson Street alignment. It should provide pedestrian cross-access to the city-owned property containing the Commanding Officers Quarters (APN: 0080-140-090), so that part of Jefferson Street should not be overlooked or omitted from City planning documents. They attached the historic 1879 map and overlay show the relationships among the six Landmarks of the Officers' Enclave and the Carquinez Strait, with overlays of the parcels shown on the proposed Housing Element.
- The Vacant Sites Inventory shows incorrect parcel boundaries. It can be seen that Grant Street formerly extended Northward from Adams St to Jefferson St providing a clear sight line from the Headquarters Office Building to the towering garrison flag, the Guardhouse was precisely aligned with the Lieutenant's Quarters, and the three senior officers' quarters were aligned with the Clocktower Fortress, all overlooking the Carquinez Straits and the shipping lane from the goldfields, which financed the Union efforts in the Civil War. These six parcels should not be under consideration for housing, as that would place residents in a dangerous environment, and divide and nullify the National Register Historic District.
- Until these errors and omissions are corrected, effective and consistent planning decisions are impossible. For these reasons, as well as the proximity of petroleum pipelines and toxic substances, and the peninsular location with limited emergency access, these parcels should not be considered for housing.

Marilyn Bardet requests that the mixed-use land use designation for the Arsenal as part of the Housing Element Update. Changing General Plan land use designations can be included as an action in the HEU and analyzed in its EIR. They also request to remove parcels in the Arsenal Historic District located along the Jefferson Ridge, at 1471 Park Road and 1025 Grant Street from both the Sites inventory. This would resolve long-term issues that have been publicly raised and addressed in the context of previous proposals for housing developments in the lower Arsenal. The Arsenal requires lasting protection for the distinct character of the Arsenal Historic District, which is listed on the National Register of Historic Places. Its integrity would be completely disrupted by housing infill and become unrecognizable. They share the Draft EIR for the Housing Element would have to address inadequacies of current protections for our Arsenal Historic District, including omissions and/or errors in the Arsenal Conservation Plan, which has not been updated since its creation in 1993. Allowing family residential housing in an area surrounded by major industrial ports and port-related facilities would subject future residents to known hazards, including 7 active refinery pipelines at ground level, the Valero tanker wharf, along with other sources of pollution, including car detail and repair shops, and a machine shop, within 1,000 feet of the Jefferson Ridge and Grant St parcels. The extremely toxic fire at Valero's petroleum coke terminal on April 9th is the most recent incident signaling the dangers these facilities pose to the area. In the case of catastrophic explosion, fire or earthquake, the limited evacuation routes out of the lower Arsenal funnel onto Military East. The EIR for the Housing Element Update would have to include assessment of all known hazards, pollution sources, and air quality associated to the port area facilities. They emphasize the removal of the Arsenal sites from the Sites inventory. They believe the City can find alternative sites better suited for additional density housing near necessary resources to satisfy RHNA requirements.

David F. shares their ideas for Benicia redevelopment, which have received a positive response from the Mayor. David recognizes that funding is an issue to complete projects. I had suggested building more parking spaces around the 1st Street Train station for a future farmers market. They encourage mixed use developments to help with the cost of parking. They suggest the Amports field as a potential housing. David F. provides what they consider additional potential housing sites, including:

- The baseball fields on the east side of Benicia near the senior mobile homes to become senior and affordable apartments.
- City parking lot near Benicia Yacht Club. Half of the parking lot could have a parking garage with a 2 to 3 story housing development.
- The City currently has easements or open land areas that have space for senior housing if the city and the property owners could collaborate to build on the parcel near Carl's Jr and Northgate Church.
- Lake Herman Road could have a trailer park and campground for tourists.
- Liberty High School, including the school's parking area.
- The parking lot next to Liberty High could have half parking garage and 2 to 3 story public housing apartments.
- Vacant and abandoned homes in Benicia that can be rented or sold for more available housing.

Jane King submitted the following comments:

- Shares that the National Register District C, Arsenal Officers' Enclave is of historical and architectural significance that it has been a California State Historical Landmark since 1935. To maintain its National Register integrity, the ten Landmark structures need to be considered as a unified whole for planning purposes. Over 800 signatures have been collected on a Change.org

petition to prevent such infill on the Arsenal site. They note several errors and omissions in the City's planning documents for District C, which would interfere with accurate and comprehensive planning. At this time, with the Housing Element and the Parks, Trails, and Open Spaces Master Plan under review for updating, it is particularly important to correct these errors for accuracy going forward. They share that the Benicia Arsenal Park Task Force is exploring options for protecting the vacant lands that tie the District together with dramatic views among the ten landmarks and straits. They share increasing housing pressures justify more park spaces on the East side, including the listed Clock Tower Park expansion in Phase II of the 1997 Parks, Trails, and Open Space Master Plan.

- Notes Figure 3-1, Historic Resources (p.99), of the General Plan only shows three, Clocktower, Commandant's Residence and Guardhouse, of the ten District C Landmarks shown in AHCP. The Objective Planning and Design Standards also only show three of the ten District C Landmarks, as well as omitting several streets in general use. Without an appreciation for the visual continuity of National Register Historic Districts C and D and complete delineation of the defining viewsheds, Protection Standards become meaningless. Figure 1 has Washington Street mislabeled as Adams Street and omits Madison and McKinley Streets. Whether they are privately held or maintained by the City, Jefferson, Madison, and McKinley Streets remain in public use, forming prescriptive easements, which should be acknowledged in planning documents. OPDS (C-4) contains the Jefferson Street Alignment and should not be overlooked or omitted from City planning documents. There are also numerous private easements over the vacant lands, and the 1975 Exchange Agreement is very specific about improving the streets leading to historic sites to City standards. Unfortunately, the 1975 Exchange Agreement at City Hall is apparently incomplete, missing the formerly attached Exhibits describing Historical Areas and related easements, according to the City Clerk. The April 19 proposed Housing Element Vacant Sites Inventory shows the location of the property line between APN's 0080-150-380 and -390 erroneously; it is further west, having been relocated. In any case, those vacant sites help define District C, and should not be considered for infill housing. They would like the City to be transparent as they mitigate these errors.

Ron Dodge believes open space should not be developed due to the intention of an open space designation.

Ron Bruno shares that they strongly oppose any development on open spaces in Benicia.

Rachel Birnbaum shares their strong opposition to the proposed development of 62 units of affordable housing at Hastings and Southampton Rd. They promote open space in the Southampton area as a benefit for homeowners. They state that the City should not allow development in any areas that have been designated as open space because it will diminish the property values in the Southampton area.

Susan Dodge states their strong opposition to any development in open space designated areas. They believe more housing will increase traffic and will disturb existing wildlife habitats.

John and Theresa Schneider oppose the consideration of the open space parcel located at Hastings and Southampton Rd for 62 affordable housing units. They share that their main concern is safety due to anticipated increase in traffic. They believe open spaces make Benicia unique and that the City's

Planning Commission can develop a more feasible, safer, and unique plan to allow these open spaces to remain.

Teresa Picone believes that residents in the area were not provided adequate notice or time to respond to the notice of the development in Southampton.

Brent Roath shares that they understand that the City is proposing some Open Spaces as housing opportunity sites for Affordable Housing development to meet the requirements for the State's Regional Housing Needs Allocation (RHNA) for 2023-2031. They state their opposition to the development of the Southampton open space site and any other open spaces. They strongly encourage the City to not develop any of the Open Spaces and find other opportunities to meet the State's requirements for the RHNA. They share their concerns about the detriments to open space and wildlife, concerns about climate change, and increase traffic issues. They request the City to prioritize vacant, underutilized, and city-owned sites.

Brett and Ashley Woodruff believe that the Blake Court Site will experience increased traffic issues in an already high traffic area. They request a full traffic impact report so that the community could be better informed about traffic impacts. They believe developing open spaces will affect and endanger wildlife. They request a full environmental impact report for potential damages that could arise from the construction.

Steven Goetz believes that in addition to considering rezoning the housing overlay district to increase housing opportunities in certain areas, the City should concurrently consider revising the General Plan and zoning to eliminate housing as an eligible use for the Arsenal Mixed-Use District. They share the statutory authority provided by the Housing Crisis Act of 2019 that would allow Benicia to change the General Plan policies and zoning of a parcel to a less intense use if the jurisdiction changes the policies and zoning applicable to other parcels to ensure there is no net loss in residential capacity. The proposed housing opportunity sites considered for the Housing Element update demonstrate there is more than enough capacity to increase housing on appropriate parcels outside of the Arsenal site to compensate for reducing housing on parcels within the Arsenal. State law gives Benicia the land use authority to correct past mistakes of past City Councils that allowed housing in the Arsenal. They express the need for leadership to exercise this authority to protect the city's history and avoid locating housing in proximity to industrial facilities and uses that contain or produce material that poses a significant hazard to human health and safety.

Forest L. Frasier share their concern of flooding issues considering there is a current flooding situation. They believe this situation is going to get worse over the short term let alone the long-term planning for 2050 and 2100 and needs a solution within the next few years. They recommend installing a pump system. A solution to the future flooding would be to encourage the recreation or preservation of all wetland areas for the entire Bay Area region. Enough wetlands can lower the level of high tides by spreading it out over a larger area. This would also be beneficial for open space, wildlife, reducing water pollution, and recreation.

Joyce Prescott shares they recently heard of the plan to develop 62 units in the open space between Hastings and Mills Drive and have several concerns. They share that they were assured that open space would remain intact. They understand the need for Benicia and other cities in the state to develop affordable housing but believe the Southampton/Hastings intersection due to needing to preserve

natural wildlife habitats, traffic issues, They implore you the City and the planning department to look more carefully for other sites for affordable housing projects.

Hamid and Shohreh Seirafi state that the Planning Dept and City should remove the Open Space parcel bordered by Southampton Road and Hastings Road from the draft Housing Element update. They believe it should not be considered for development in the future.

Kathryn Sallomi objects the development of the open space parcel at Southampton and Hastings. They believe developing this site would completely ruin it. They request that the City does not let the development come to Benicia and ruin the thing that keeps us all here. They believe it will decrease property values and increase traffic issues on Hastings and Southampton Roads and displace wildlife.

Robert Ritter and Phyllis Ritter oppose to the development of Open Space and the City should remove Southampton Road and Hastings Road site from the draft Housing Element. It should not be considered for development in the future.

Rolando & Fe Tayag state that the Planning Department and City should remove the Open Space parcel bordered by Southampton Road and Hastings Road from draft Housing Element and it should not be considered for development in the future.

The New Harbor Community Church would like to put forward its property located on Blake Court. The current need for affordable housing in our city and state has become a pressing matter. In our eagerness to help those within this group to find housing, New Harbor Community Church would like to use the property for mixed use building that would help in the city's need for affordable housing. The site can accommodate a significant number of units. This site has been taken through the CEQA process and finished remediation in 2001. It has gone through the EIR process, soil tests, and traffic studies. All contaminated soil was removed, and clean fill was brought in to finish the project. We believe it is a fitting opportunity to use a site that has been restored to help in the housing of those that need it. In Benicia, affordable housing is for any household making under 77k. This can include teachers, single parents, those who work with nonprofits, those who are currently without residence, and/or have been put upon hard times due to other circumstances. As a church, we are called to serve our community and have the opportunity to serve Benicia where low-income housing is greatly needed. The church has a mandate to serve and support the low-income population families that work in Benicia. They are all essential to Benicia and our heart is to help people grow and flourish in our community. New Harbor Community Church is requesting the Planning Commission please consider prioritizing the property at Blake Court as a "Core Site". Thank you for your consideration.

Karen Talbert states the community does not want multifamily units squeezed into their single-family housing areas. They believe the Planning Department should remove the Open Space site bordered by Southampton Road and Hastings Road from the draft Housing Element update and it should not be considered for development in the future.

Tiffany Schaffer supports the development of the open space site bordered by Southampton Road and Hastings Road for affordable housing. They share the trouble their family had to find suitable housing for their family's needs. They consider the scenario of the difficulty it would be to find housing post pandemic and considers one's income isn't substantial enough to pay the average rental cost in Benicia.

They believe more people should be able to enjoy living and educating their children here just like they do.

Sharon Oliver states that the Planning Department and City should remove the Open Space site bordered by Southampton Road and Hastings Road from the draft Housing Element update and it should not be considered for development in the future. They share that increasing traffic on Southampton and Hastings is already compromised and heavy due to schools in surrounding the area. A 62-unit affordable housing development would add to existing traffic problems.

Mike Radesky believes that the City's Planning Commission is overriding the promise of preserving open space by planning to build over 60 units at the busy Southampton and Hastings intersection. They believe it is an example of disrespect from the City Council. They request that the City identify sites with less congestion and less potential for destroying open space.

Eva Austin believes it is extremely concerning that the city is considering developing on the few open spaces left in Benicia. they suggest developing affordable housing in the city of Vallejo since it is cheaper. they request that the city remove the open space site bordered by Southampton Road and Hastings Road from the draft housing element and to never be considered for any kind of development.

Steve Bogel requests that the City remove the Southampton open space site be removed from the draft Housing Element, and not be considered for future development. They believe that the consideration of this site for housing is alarming and a violation of trust by the City. They share that Southampton Dr. is currently impacted with traffic due to the shopping center and schools. They believe that adding 62 units in such a small space would negatively impact traffic. They ask that the City prevent ruining their neighborhood and that they should not designate this open space for development.

John and Felicia Floris strongly oppose the development of 62 units of housing in the area of Southampton Road and Hastings Drive. They believe this area has limited access roads and that all traffic goes to Southampton Rd. They believe that the potential development would worsen traffic. They believe wildlife should be considered. They request that the City should not develop this area.

Aaron H. Hartley believes it is a bad idea to develop housing on the corner of Hastings and Southampton. They share their concerns about the added traffic. They request removing the open space site bordered by Southampton Road and Hastings Road from the draft Housing Element update and it should never be considered for the development in the future. They state that this request also applies to any potential development plans for any open space site in Benicia.

Marc Trapani opposes open space being converted into affordable housing units. They ask that you respect the intention of the design for this area, as well as for those who purchased homes based on this.

Amy Rice expresses their disappointment about the decision regarding developing housing on the open space on Hastings and Southampton. They suggest the open space at McAllister and Kearney in Waters Edge.

Rachel Birnbaum requests that the City leave open spaces as they are. They have been a real estate broker here for almost 25 years and it is one of the main things that attracts buyers from around the bay area, silicon valley, etc. They are also natural habitats for wildlife.

Charlotte Cannizzaro believes building affordable housing in the open space would not be the sentiment of the community's love about living in the City but raises concerns about the demographics it would. They believe it would definitely change Benicia, and not believe for the better. They request that the Planning Department and City should remove the Open Space site bordered by Southampton Road and Hastings Road from the draft Housing Element update and it should not be considered for development in the future.

Paul Morsen, representative of the Hampton Bay Homeowner's Association, states they understand that the city is required by state law to revise their housing element by providing potential housing sites. They share that there is a covenant establishing that open space near Southampton was to be in perpetuity. This open space promise should not be rescinded. When some 25-years ago an effort was made to develop the city's open space the city council (at that time) turned it down as should this city council. We understand the necessity and difficulties of complying with state law requiring affordable housing, however the removal of open space to meet this mandate is the wrong way to proceed. All the open space in Benicia, not just that referenced in this letter, enhances the experience of living here; one of the reasons it's better in Benicia. They believe that the addition of 62 affordable housing units and their vehicles will add to an already dangerously congested intersection. The vehicle traffic on our portion of Hastings and Southampton due to nearby schools congests both of these arterial streets. Many kids walk to and from school through this intersection creating more of a hazard if there are an additional 62 cars. They believe developing this site will create significant and irreparable damage to the wildlife. They state they are not against affordable housing; they want to preserve open space at Hastings and Southampton and throughout the City.

Gary McCoy requests that the Planning department and City remove the open space site bordered by Southampton Road and Hastings Road from the draft Housing Element update, and it should not be considered for development in the future. They share that the intersection is already a high traffic area.

Susan Dodge requests that the planning department and the city should remove the open space parcel bordered by Southampton Road and Hastings Road from the draft Housing Element update and it should not be considered for development in the future as was promised to us many years ago. They believe the intersection does not need more traffic near the schools. They believe this area should be kept for its open views and wildlife habitat.

Eric and Angel Moffatt express that developing the Southampton open space is a horrible proposition. They believe the Planning Department and City should remove the Open Space site bordered by Southampton Road and Hastings Road from the draft Housing Element and it should not be considered for development now or in the future. They request that the City protect and preserve the Southampton open space for our communities and neighbors to enjoy for many years to come.

Tim Bloodgood submitted the following comments:

- States their opposition to some of the proposed sites listed in the draft Housing Element update. The Open Spaces in Benicia are key to what makes the City so great and are the reason that many of us moved here in the first place. The following proposed sites should be removed from the draft Housing Element update:
 - Hastings Rd. & Southampton Rd. Parcel 0086212010.
 - Southampton Rd. & Turner Rd. Parcel 0087011530

- Believes there are plenty of sites available for development and there is no need to include existing open spaces.
- Shares that the Planning Commission's plans to create an "overlay zoning" for more housing will degrade the community's lives. They believe that this breaks the social contract with the current residents. They request the following:
 - All of the "Overlay" zoning should be dropped.
 - The height limit for the remaining parcels in the plan should be changed from 3-story to 2-story.

Annette and Francis Hall state their opposition to develop the Southampton open space site. They strongly urge the City to

- Discontinue this plan.
- Remove "Overlay" zoning and maintain the current zoning of open spaces
- Restrict low-income multifamily to a height of no more than 2 stories
- Look at areas out near the industrial complex with easy access to freeways, public transportation.
- Do not rescind the 50-year Southampton tradition of open space in perpetuity, to do so would be a disservice to the Benicia residents of Southampton.

Sindy Mikkelsen submitted the following comments:

- States their opposition to some proposed sites in the draft Housing Element update. They request the following:
 - Remove "Overlay" zoning should be dropped
 - The height limit should be changed from 3-story to 2-story
- Believes that this breaks the social contract with the current residents. She requests that the following sites be removed from the draft Housing Element update:
 - Hastings Rd. & Southampton Rd. Parcel 0086212010.
 - Southampton Rd. & Turner Rd. Parcel 0087011530
- States that there are plenty of sites available for development. There is no need to include existing open spaces.

Bill and Sandy Weber express their disappointment about the proposed 3-story, affordable housing plan at the corner of Southampton and Hastings. They believe the City should seek alternative locations to build new low-income housing in Benicia. They state that they stand with their neighbors to oppose this development proposal.

Alisa Danyeur requests that the City look at other sites in Benicia to develop housing and to preserve the open spaces in Southampton.

Craig and Futsuki Downs express their concern about potentially developing open space within Benicia. They strongly oppose the development of or planning to allow development of open spaces in Benicia.

Angela Federigi shares that they signed the petition to Save the Southampton Open space. They share that they find it hard to believe that the city would prioritize financial gain over preserving the town's open space. They believe that additional housing will increase the amount of traffic this area

experiences and the barriers it may pose for emergency evacuation routes. They request the City to preserve the area's natural wildlife habitat.

Gene and Karen Pullin request the Planning Department and City to remove open space sites from the draft Housing Element and they should NOT be considered for development in the future. They share their concerns about traffic impacts, overcrowding, and endangering wildlife habitat.

Kyle March submitted the following comments:

- Asks that the City reconsider developing our open spaces. They believe more development will result in:
 - Exacerbating the water crisis.
 - Increased carbon/Noise/light pollution.
 - Loss of animal habitat.
 - Increased traffic and congestion / new traffic lights.
 - Loss of quality of life.
- Believe there was a lack of public decision making, whether it be a debate or vote. They also believe that the City acted wrongly in this decision. They question who this will benefit. They emphasize potential water supply issues during construction and post construction. They implore that the City reconsider zoning changes and construction.

Nora Bergman shares that they have concerns, about the plan to develop 62 units in the open space between Hastings and Mills Drive. They also share that the major influence to purchase their Southamton home was the covenant that open spaces would remain in perpetuity. This guarantee has been previously reaffirmed by City Council and should not be rescinded. Transparency, honesty, and trust are the foundations of all dealings, transactions and relationships. They believe other sites can be developed in Benicia without infringing upon wildlife habitats, removal of open space and violating the open space covenant with homeowners. They understand the need for affordable housing, however, the site of Hastings and Mills Drive for a 62-unit development is ill-advised. They believe traffic on Southamton and Hastings is dangerously congested. They are concerned that the additional 62 units would greatly increase congestion and danger to pedestrians. They request that the City consider other sites for affordable housing.

Chris and Wilna Derr request that the City remove the Southamton/Hastings open space site from consideration for development of additional housing. They share concerns about pollution, particularly light pollution. They request that the City prevent this from happening and to protect our open space.

John Prescott shares that they understand some of issues that the Benicia City Council is facing and has faced regarding the State of California Housing Element. They believe that there is tremendous pressure on cities and city councils to create more affordable housing in their communities and to eliminate delays to housing projects the best way possible. They share they have experience with financing affordable housing and recognize that finding appropriate land and supporting affordable development projects is paramount to meeting the city's housing element requirements. They claim that Benicia does not develop affordable housing. They recognize that the City has the power to zone and re-zone property that can be used as affordable housing for developers and for development projects. Through the zoning and EIR approval process, the City is indirectly responsible for creating properties that will be developed for that use. They believe that zoning, rezoning, or creating overlay zoning for designated

open spaces for affordable housing use takes away the City's past dedication and promise for Benicia's Open Space and introduces a terrible precedent for Open Space development in the future. They request that the City consider removing the Open Space sites that you have selected for affordable housing projects.

Basha and Brent Millhollen submitted the following comments:

- Oppose subjecting Benicia open spaces to eminent domain to create more housing. They believe that the proposed project has negative contributions, including:
 - Current levels of traffic created by already existing multi-unit housing along Southampton from Panorama to the 780 onramps
 - The existing transportation congestion created by shopping, schools, and work along Southampton from Panorama to the 780 onramps
 - The current number of single-family units throughout the Old Southampton subdivisions whose inhabitants all traverse the outlets of Hastings, O'Farrell, Turner, Panorama toward Southampton from the upper loops including Rose
- Consider the promise made to purchasers of housing along the open spaces that assured their existence into perpetuity
- Consider the promise and promotion by local real estate agents regarding existence of open spaces as added value to homes they sell—check out the language they use to describe homes for sale along the open spaces
- Believe that all people deserve a safe and healthy environment and affordable housing. They share they are on a fixed income and are one health disaster away from being unhoused. Thus, we support the Federal initiative to provide funding and require communities to develop more affordable housing options.
- We ask that you consider meeting the terms of these requirements by reviewing sites in areas that are not burdened by density issues and protected by long-term agreements.

Mike Maggart expresses their concern with the use of Southampton open space for affordable housing. They share that this is designated open space. They propose the City consider the park space on East B Street since it was city-owned and zoned commercial. They share their concerns about impacts on infrastructure and resources. They believe older residents are being treated unfairly by taking away open spaces by proposing affordable housing. They state that the City poorly maintains existing roads. They are also concerned that existing food markets cannot handle the existing population. They hope the City will consider their concerns and suggestions.

Greg Dominis states their opposition to any development of Benicia's open spaces. They ask that the City consider the perspectives of most long-term residents to preserve all open spaces and quality of life.

Peggy Fulton submitted the following comments:

- Expresses their gratitude for the commitment and time put into making the decisions for growth while maintaining their unique community. They share that they want new families to have the same opportunity to live in Benicia, so they are not opposed to more housing. They believe the decision to rezone the covenanted open space in the area between Southampton Road, Hastings, Mills, Brentwood, York, and Sanborn Court is a pivotal decision for the entire

community. This decision should be given careful consideration. They invite the City to park on Hastings and observe the traffic before and after school hours. They share that this intersection has become increasingly dangerous. They have witnessed several auto collisions and many near-pedestrian accidents.

- Does not want to imagine the increased danger if 62 units (1 or 2 cars each) are built there. They ask that the City consider traffic patterns on a typical school day before rezoning. They believe that to make this area viable for multifamily housing, the steep grade would need to be highly engineered and graded. They ask that the City consider existing residential slopes, the added complication, and time constraint in the decision to rezone this site. They ask if there is another site that does not impact covenanted open space, does not need as much grading, and would not create dangerous traffic issues. They appreciate the consideration of this important decision that will affect the quality of life and safety of our residents for generations.

Comments Received on Public Review Draft

Mark Bremer submitted the following comments:

- States that there may be a real need for more housing, and certainly low-income housing given that there is plenty of middle- and higher-income housing. They share their insights about housing development, including:
 - Preserve the “small town” aesthetic and culture
 - Consider and implement mixed-use policies to move away from the dependence on cars
 - Require all new housing to be self-sufficient for power, solar panels capable of supplying necessary electricity
 - All building should be electric. All the buildings should have some form of adequate power storage for overnight use, be it batteries or something else.
 - All multi unit buildings must provide for charging electric cars.
 - All units must have air conditioning (as well as heat), be it from a central unit or individual units.
- See these as fundamentals of “modern” housing. They believe that regulations must be set since the start of the development to prevent any inadequacies.

Lori Grundman expresses their appreciation for all of the effort that the Community Development Department has put into this project. They strongly support the Housing Element update, as written, with the caveat that units are spread evenly throughout the city to avoid overburdening certain areas.

Mary Jo Sherman-Nelson believes that if there aren't sites for large developments, then we need to build infill units on undeveloped lots. They believe that the City should reconsider Southampton open spaces. They state that the City needs more multifamily housing rather than single family homes. They hope the housing element update includes these ideas.

Kitty Griffin shares that they support the Hastings Drive and Southampton Road development for multifamily housing. They believe that this area has no community value as open space. They oppose permanently closing it to development that would benefit the entire community, at the personal behest of some nearby private residents. If you decide to zone this undeveloped site for multifamily housing, I would be grateful if it could be targeted for low-income accessibility, and that it be as attractive as other

multi-family development along Southampton Road, with trees and bushes separating it from adjacent single family housing to the north of it.

Suzanna St. Jacques shares that they are impressed while skimming through the Housing Element presentations and materials. They observed the careful consideration has been given to the sensitive site selections. They express gratitude for not rushing through such an important plan. They share the following thoughts:

- They do not like seeing the Southampton Center on the Core Site listing or the Solano Square on the Second Tier Site list. Both of these grocery/retail sites are critical to the everyday life of all current residents. Disruption of these sites will severely disrupt the community. They understand the need to have the mass acreage in the plan but to make them a high priority for a future development plan conversation is unsettling.
- They suggest that underutilized City Parks need to be considered.
- They suggest that the Benicia Unified School District footprint can also be considered, including the fields at Joe Henderson and Robert Semple and Liberty High School given its small student population.
- They are grateful for preserving the special character of Benicia while addressing the larger needs of society.

Nicole McCafferty-Harbaugh express their concerns about the with the buildings being recommended off of Hasting in the open space. They question if existing schools have the capacity for new school-aged residents. They want Benicia to remain special, to remain unique. They believe there are alternatives to make housing affordable without building into Benicia's beautiful landscape.

Joe Marinos opposes the proposed affordable housing projects that are being considered especially if they include section 8. They believe that it not only decreases home values but will increase crime. They only support low-income housing if it does not involve government assistance and that it decreases costs for existing homeowners and renters in Benicia.

Steven Goetz requests that the Commission ask the City Council to direct staff to use a more transparent review process when a housing project is being approved under the ministerial procedures authorized by Senate Bill (SB) 35. They recommend the City disclose in its final determination letter on the project's consistency with the SB 35 standards, the reason or reasons the City uses when it finds that a project complies with a particular SB 35 standard. They provided their insights for the 1451 Park Road project. Staff share with them that they could not say whether the final letter of determination would provide the information I have requested. They request that the City provide reasoning when the City finds that a project complies with a SB 35 standard. Passage of SB 35 warrants the City revisit this standard procedure for the review of projects eligible for ministerial approval. Public disclosure of the reason or reasons supporting a project's finding of consistency with SB 35 standards is one way the City can demonstrate to its constituents that the City is appropriately applying General Plan and zoning requirements to projects that would otherwise require discretionary review without the passage of SB 35. It is important that the Commissioners communicate soon to the City Council any concerns about the transparency of the review process for SB 35 housing projects. Two projects are being reviewed now and they have deadlines for the receipt of documentation from the City on their compliance with SB 35 objective planning standards.

Michael Hayes questions whether developers would entertain the idea of developing part of the City Cemetery but given the nature of real estate development in California, he would not be surprised if it might be an option at some point in the future. Further, some politicians, including the current Mayor, have indicated that Benicia is one of the few cities in the Bay Area that owns a Cemetery, and that the City should not be in that type of business. Comments like this suggest that there may be a point in the future where the City would try to sell off part of the cemetery for development. They reiterate their concerns about using the cemetery for housing development as it would prevent future generations of local residents the option of being buried there. They provide a correction for information provided by Benicia staff. Staff state that no burial plots have been sold in the cemetery parcel that is being looked at for development. That is probably correct, however their Dad put together the Benicia City Cemetery survey book has stated that in the 1850s and 1860s specific burial records were spotty at best and that the locations of all the burials are not known. Having worked for Benicia Parks Dept in the past, they have asked long time coworkers if they have ever dug up human remains in areas where the maps show there were not supposed to be known burials. I was told that while it is not common, it has happened in the past. In the 1800s some burials were simply marked with a wooden headboard. Numerous fires that have swept the hillsides thru the 1800s have destroyed these wooden grave markers. Thus, it may be possible that human remains could be uncovered if excavation for housing on the cemetery parcel. I would also like to add that while no written records have surfaced to confirm this, my Dad was told by longtime resident, Charlene Irwin, in the 1970s that the area of the City Cemetery at the top of the hill where the parking lot is now and where the City piles extra dirt and chipped bark is where the Chinese were buried in the 1800s. According to their Dad, Charlene was told that by the then City gravedigger in the 1940s. This all illustrates that if you go digging anywhere up in the Cemetery, you might find human remains.

Mike believes the small green space in the Southampton area must be preserved to prevent unhealthy overcrowding in this community. More development will decrease the home values of this area, has the potential to increase crime and overburden our fire, police and school services. Furthermore, the city of Benicia has not demonstrated the ability to manage existing obligations or costs to infrastructure like roads, sewer, water or EV stations. Adding more homes that steal valuable open space and wildlife and jeopardize the health and well-being of our existing residents would be irresponsible actions by our elected officials.

Paul Leimone expresses their gratitude for the time and effort the City put in to developing a plan. They share their concern that some of our open space may be used for housing. They believe water is a big concern given that residents are being told to cut their water usage and now the City is trying to develop housing. They recommend the City first figure out how to recycle water waste. They don't believe single family housing should be changed to allow fourplexes to be built, which is believed to increase congestion on streets not designed for them.

David Wagner believes it makes sense to at least consider the area off Southampton and Hastings for some sort of development in a reasonable fashion. We can't have the entire responsibility fall on the neighborhoods south of 780. They want to continuously state the need for at least a small playground or park area in the area around the middle school. They understand Benicia is a small town and residents like that, and that Southampton is more of a suburban feel, but everyone needs to do their part to stem the housing crisis, while also generating income for the City. We can't sit back and say we want to help those experiencing homelessness without adding to the housing stock. Those of us who are

homeowners must think how it was as renters and how hard it is now to even consider being homeowners. They may misunderstand the proposal, but question why the land where the two churches are on Southampton and Turner is being designated, since they imagine there will be no homes built there.

Tony Morgado believes the City needs to respect the original open space planning and not intrude into current open spaces with housing. The City needs to explain why the State of California and by consequence, the City of Benicia has to plan for additional housing. The State of California does not have the power grid nor the water supply to support more residents. In regard to the open space in the Southampton site, though not documented in formal transfer documents the admission that it is clear that the intent at the time of the transfer to the City was for this parcel to remain as open space. The suggestion is to formalize this status by updating or filing appropriate documents to record a covenant or deed restriction requiring it to remain open space. This would formalize the acknowledged intent and remove the question for future reviews. They understand that the State mandates a report and holds Cities hostage for compliance. However, this type of governmental bureaucracy leads to a waste of time, money and resources. As stated in many documents, though there are no requirements to submit a plan for additional housing units, we are not required to build them. I assume that the State can change the rules at any time by legislation and change the rules requiring building. They suggest including provisions in the housing element that the State must meet in order to comply with any future mandated building. For example, in order to build the recommended housing, the State must provide a stable PowerGrid, with no black or brown outs, which meets 125% of the States peak power needs. In regard to water, the State must provide water storage that meets 125% of normal needs with at least a 10-year surplus of water storage capacity to combat future drought situations.

Andre J. Stewart submitted the following comments:

- States that Benicia's housing growth has been below half a percent since 2010. We need 800 plus units. We need to ensure we step up for underrepresented groups, which was pointed out in the report. They state that Citizens with disabilities comprise over 10% of our total population There is inadequate housing for citizens that seek assisted and retirement living. They believe folks would like to move out of their houses but don't want to leave Benicia. They believe using 2019 data may be incorrect regarding housing costs. Such costs have increased dramatically since 2019; therefore, more folks are in crisis regarding rent payments, thus increasing the current 32% of residents with cost burden and severe cost burden status.
- States that page 25 of the Housing Needs Data Report, reflects that 30% of Black people are at the poverty level and represent 3 to 4% of the population. This is a large percentage of a population that, in many cases, moved to town. They ask if there is outreach being done to share resources with affected populations. They Human resources board is seeking to answer this. In addition, 8% of 70% of the population is white and lives below poverty. They ask what is being done to help this group. This group has a high percentage of single mothers. Page 34 of the Housing Needs Data Report points out there is no desire to build low-income housing. What is being done to educate the population that this low-income housing term is a stop thought statement that is being misused to create fear? Page 35 of the Housing Needs Data Report states substandard housing is not an issue, where is this coming from? They find it hard to believe.

Matt Campbell submitted the following comments:

- Requests that all opens lands associated with the Benicia Historical District be removed from the Housing Element opportunity lists. There are several reasons which have been listed in prior communications. Among them:
 - The historic Benicia Arsenal is an integral element of Benicia’s history and needs to be protected from future developments that would cause us to lose this piece of historic land forever.
 - The land is incompatible for high density housing, and development would inject residents into an industrial area and put them in close proximity to hazard emissions, petrochemical substances, and industrial noise and traffic.
 - In Jan 2023, the sites will have been on the opportunity list for a length of time that will make them eligible for development of 20% low-income housing with even less oversight requirements than this SB 35 process, and this needs to be avoided.
 - The area is not zoned residential but rather zoned for mixed use with a residential component.
- Proclaims their frustrated that the City continues to allow more and more condos be considered for areas east of East 5th St. Our area has enough of this type of house, and other areas of Benicia need to absorb their fair share. What we need on the east side of town is a park, and this historic area of the Benicia Arsenal with its sweeping views of the waters and the Carquinez Straits makes a perfect area to place one. Its open spaces were once enjoyed by countless visitors and dignitaries to the base back when it was operational, and it should continue to be enjoyed that way for future generations.

Steven Goetz submitted the following comments:

- The Housing Element has a disproportionate impact on disadvantaged neighborhoods. The fair housing assessment in Appendix B suggests that the City is proposing a disproportionate share of new units in the eastern side of the city, specifically in Census Tract 2521.02. Appendix B analyzes available data to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty or affluence, disparities in access to opportunity and disproportional housing needs, including displacement risk. Appendix B shows Census Tract 2521.02 at the low end of the spectrum of living conditions in the city and that it also houses populations with special needs. The Housing Element site inventory proposes to place in the eastern side of the city 37% of all new units and 46.8% of new lower-income units. This census tract currently accommodates only 14.8% of the city’s population and 15.1% of the city’s housing units. The disproportionate share of new housing in the eastern side of the city can constitute a form of environmental racism, which is the concept of locating low-income housing closer to environmental hazards and degraded environments than the general population. The Housing Element places this disproportional burden on the most environmentally challenged area of the city as shown in Appendix B, Figure 3-9: Local TCAC/HCD Environmental Score “Less Positive Environmental Outcome.” This figure identifies census tracts that have lesser access to environmentally positive outcomes. Figure 3-9 shows Census Tract 2521.20 with a score in the 7th percentile, meaning it is the area of the city with the least positive environmental outcomes. The disproportionate environmental burden in the eastern side of the city is also shown in

Figure 3-34: Local CalEnviroScreen Percentiles (prepared by the California Environmental Protection Agency) which identifies areas that are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. Census Tract 2521.02 scores in the 45th percentile, making it the census tract with the highest environmental burden in the city.

- The Housing Element creates this disproportionate impact through two programs that implement Policy 2.04: Disperse affordable housing throughout the city to avoid concentration in any one part of the city. Program 2.02 proposes to revise land use policies in the next update of the General Plan to establish efficient land use and development patterns. Program 2.03 will annually evaluate the inventory of sites to meet Regional Housing Needs Assessment (RHNA) requirements and shall rezone for sufficient sites as needed. Neither of these programs avoid concentration of affordable housing in any one part of the city.
- The Housing Element contains statements that minimize the findings from Figures 3-9, 3-34 and 3-46 in Appendix B. Page 73 makes the following statement regarding Figure 3-34, which shows Census Tract 2521.02 scoring in the 41st to 50th percentile range, the highest score in the city for neighborhoods with environmental burdens:
“just west of E. 2nd Street, the overall environmental burden scores drop significantly to the 13th and 15th percentiles and population characteristics are generally indicative of healthy living conditions throughout Benicia, scoring in less than the 35th percentile for population characteristics throughout the city.” The above statement does not acknowledge the fact that residential development west of East 2nd Street is protected by a 1,500+ foot buffer from the industrial uses to the east, which may help reduce the environmental burden on neighborhoods west of E. 2nd Street. Such a buffer does not exist for the residents of Census Tract 2521.02, and the Housing Element does not dispute the fact that this census tract bears the greatest pollution burden of any tract in the city (CT 2521.02 at 45th percentile vs. Citywide at less than 35th percentile). The residents of this census tract are in close proximity to environmental hazards and degraded environments compared to the general population in Benicia.
- The analysis on Page 73 of Appendix B minimizes the findings of Figure 3-9 that the eastern side of the city has neighborhoods that experience the least positive environmental outcomes compared to the rest of the city. “The area east of E. 2nd Street scores in the 7th percentile according to TCAC/HCD; however, this area only has residential uses in the southern-most areas, adjacent to a high-scoring residential tract. The census tract with the low TCAC/HCD environmental domain score is geographically large and most of its land area is outside of Benicia city limits. Given that only a small portion is residential, it is likely that these residents experience more similar conditions to the adjacent residential neighborhoods and the score in the 7th percentile is not reflective of actual conditions for these residents.”
- The fact that most of the land area for this census tract is outside the city limits (largely open space and rural residential) is irrelevant to the conditions inside the city limits where most all of the industrial and residential development evaluated by the TCAC/HCD is located. No evidence is provided to substantiate that the conditions experienced by the residents of Census Tract 2521.02 are similar to residents in other Benicia census tracts or that the TCAC/HCD evaluation is wrong. Page 11 of the state guidelines for including environmental justice principles in General Plans states “depending on the data and information available, local governments

should consider whether there are disadvantaged communities in geographic units that are smaller than a census tract to ensure that all disadvantaged communities are recognized.”

- Page 114 of Appendix B contains unsupported statements regarding Figure 3-46 which shows 46.8% of the new low-income units allocated to the eastern side of the city. “The City has identified slightly greater capacity for lower income units in areas with higher rates of pollution burden compared to moderate and above moderate-income capacity. Most undeveloped and underdeveloped land remaining in the city is in these areas with higher pollution burdens; however, construction of new housing in closer proximity to pollution sources, such as the eastern side of the city closer to the Valero Refinery and Port of Benicia, has the potential to impact quality of life of these residents while not altering existing patterns. To address this, the City has included Program 5.04 to alleviate and mitigate pollution sources to improve conditions for current and future residents across the city.” The City provides no information to show that most of the undeveloped and underdeveloped land remaining in the city is located in the eastern side of the city. Rather than avoiding the concentration of low-income housing in neighborhoods with high pollution burdens, the Housing Element chooses to put more housing in harm’s way, with the promise to mitigate pollution sources and provide amenities to improve conditions for residents. The City has the ability to completely avoid steering low-income residents towards this adverse environmental exposure. The City can remove the parcels from the sites inventory that are located in the Arsenal Historic District which have the greatest exposure to the heavy industrial uses located there, while retaining the sites that locate new housing away from these environmental burdens. This optional course of action is not even mentioned in the Housing Element.”
- The Housing Element provides other data in Appendix B that identifies disadvantaged populations that reside in the eastern side of the city who are disproportionately impacted by the proposed inventory of sites. They point out the following figures:
 - Figure 3-8: Local Median Income shows that households residing in one of two Census Block Groups in Census Tract 2521.02 fall within the lowest median income category listed for Benicia;
 - Figure 3.17: Local Racial Demographics, shows one of two Census Block Groups located within Census Tract 2521.02 is one of the lowest income areas of the city with a non-white population of 41.4% (the city’s non-white population is 34.9%);
 - Figure 3-21: Single-Parent Female-headed Households with Children in Benicia, shows households in Census Tract 2521.02 reside in relatively lower-income neighborhoods that have the city’s highest percentage of single-parent female-headed households (greater than 20%, compared to 10.2% of households citywide); and
 - Figure 3-23: Population with a Disability in Benicia shows Census Tract 2521.02 is among the Benicia census tracts where residents living with disabilities are found at marginally higher rates and coincide with the city’s relatively lower-income and environmentally adverse census tracts.
- The Housing Element should evaluate other data that can help describe conditions experienced in Benicia’s disadvantaged communities. The Housing Element describes the City’s Housing Choice Voucher (HCV) Program which provides rental assistance to low, very low, and extremely low-income households through Section 8 of the Housing Act of 1937. Identifying which neighborhoods have the market rents that fall within the levels supported by HCV Program

might help address disparities in housing opportunities for these households. The Housing Element indicates that the Housing Authority administers the HCV Program to 372 participating households. Page 58 of Appendix B identifies a concentration of 47 HCV users north of Rose Drive. It would be helpful to provide a map or table to show the distribution of HCV users citywide according to census tract. They point out the following tables:

- Table 3-4: Residential-Zoned Land Capacity and the RHNA, estimates that 511 new units could be accommodated by land in the city currently zoned for residential use. It would be helpful to provide a map or table to show the distribution of these units by census tract. This data could show whether or not current zoning policies concentrate affordable units at specific sites.
- Table 2-21: Housing Units by Year the Structure was Built (Appendix A: Housing Needs Assessment, page 45) shows the general ages of the housing stock in Benicia. This data could help understand whether housing in an area is more likely to have rehabilitation needs or is more likely to be redeveloped if the area is rezoned for higher densities. It would be helpful to provide a map or table to show the age characteristics of housing within each census tract in the city.
- The State advises local governments to “evaluate whether low-income areas are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. The statute does not include a definition or process for determination of disproportionate pollution burden or other hazards. However, it is important that local jurisdictions broadly analyze possible disproportionate burdens to further the protective intent of Government Code section 65302(h)”, [this is the State statute promoting environmental justice principles in General Plans]. The State’s guidance on how General Plans evaluate environmental justice issues recommends that General Plans “propose methods for providing for the location of new schools and residential dwellings in a manner that seeks to avoid locating these uses in proximity to industrial facilities and uses that will contain or produce material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant hazard to human health and safety”. The disproportionate impact of the Housing Element can be corrected by eliminating the proposed new units from the Arsenal Historic District. The City can avoid the concentration of affordable housing in the eastern side of the city by removing parcels from the Housing Element site inventory that are located in the Arsenal Historic District. Removing residential as an eligible use of land in the Arsenal would create the following benefits:
 - Removes parcels in the Housing Elements sites inventory that are most vulnerable to the environmental burdens and potentially create new liabilities for the city;
 - Protects the historic resources of the Arsenal Historic District from development that could result in removing this area’s listing on the National Register of Historic Places;
 - Protects the viability of heavy industrial uses in the industrial park and the waterfront; and
 - Increases the likelihood that low-income housing can occur on sites located in areas with fewer environmental burdens and improved fair housing opportunities.
- The Housing Element sites inventory gives the city the option to strategically remove sites to avoid locating housing in unsafe areas, to preserve historic resources in the Arsenal Historic District and to avoid conflicts with the heavy industry operating in the Arsenal. The Housing Element provides 511 new units through existing zoning, so another 239 new units would be

needed through rezoning other parcels for residential use to meet the 750-unit RHNA target. The Housing Element sites inventory provides over 1,400 new units outside the Arsenal Historic District boundary that can be used to meet RHNA through rezoning parcels for higher density residential uses. The sites for housing in the Arsenal Historic District are not needed to meet the RHNA target. Parcels in the Arsenal Historic District provide an estimated 340 new units; some of these parcels are already zoned for housing while other parcels are proposed for rezoning for residential use. The Housing Element sites inventory provides more than enough sites to meet RHNA and to rezone the Arsenal Historic District to remove new housing sites and improve land use compatibility with the operations of the heavy industry located there.

State law allows the City to reduce housing capacity on a parcel or parcels as long as it concurrently rezones other parcels to provide an equivalent increase in housing capacity.

Parcels in the Housing Element sites inventory have the capacity to rezone sufficient land to demonstrate that there would be no net loss in housing capacity by the elimination of future housing from the Arsenal Historic District.

- The City should use City-owned open space to provide new units in the Housing Element sites inventory. Using a small portion of the 1,810 acres of city-owned open space north of the freeway for housing should be considered by the City. Staff has reported that several city-owned open space areas in Southampton that were included in an earlier version of the sites inventory have been removed because developing these sites for housing would conflict with the city's original intent to preserve these areas as open space. If the intent of the city fathers was to preserve this land as open space in perpetuity, they would have required the developer to create a homeowner's association to own and maintain this land. The Southampton open space is owned by the city and maintained by all city taxpayers. The fact that a city council fifty years ago decided to acquire this land and zone it for open space does not bind future city councils from rezoning this land for other purposes to address community needs and priorities.
- The Council has received numerous letters from Southampton residents about the value open spaces provide to wildlife habitat and the problems created by the traffic that comes with new housing. These comments could be made by the neighbors of other vacant lots elsewhere in Benicia that are being considered by the City as housing sites. One advantage of using the City-owned open spaces is the ability to develop housing on only a portion of the parcel, leaving the majority of the parcel available for trails and landscaping and other improvements for the benefit of the community. Park improvements will be needed to serve the additional population accommodated by new housing. Other advantages of the parcels of City-owned open space previously included in the list of housing opportunity sites is that the parcels are reasonably close to services, have good access, and are in areas of high opportunity to facilitate economic mobility for low income households.
- In the Bay Area where existing homeowners have become the gatekeepers for new housing, meeting our need for more housing will mean making tradeoffs. New housing should respect existing height limits and design standards and preserve our historic resources to maintain the small-town character of Benicia. New housing should be higher density than single-family construction to respect our urban growth boundary that preserves the natural areas outside Benicia. And any new housing in Southampton open space should be limited to a small fraction of the 1,810 acres that the City owns, be close to shopping and services, and be located and

designed to preserve views, improve wildlife habitat and provide other amenities and benefits for the community.

- The City has the ability to rezone some of the City-owned open space parcels for residential use and add them to the sites inventory. Such an action would significantly improve the ability of the Housing Element to provide fair housing opportunities for low-income residents. Earlier versions of the housing opportunity sites for the Housing Element identified four sites in City-owned open space for consideration as opportunity sites. These four sites encompass 67 acres, which represents only 4% of the City-owned open space in Southampton. Preliminary information provided by the City indicated there are no deed restrictions on these parcels that prevent their use for housing. If 10% of the acreage in each of these four sites were developed for housing at 30 units/acre, that would provide 200 new units for the Housing Element sites inventory in an around a neighborhood identified in the Fair Housing Assessment as a “Local Racially Concentrated Area of Affluence,” (Appendix B: Figure 3-18). The remainder of these four sites could be used for park and open space improvements.
- The Housing Element should add a policy or program to prevent displacement of existing low-income residents from redevelopment. Most policies currently proposed to address displacement involve assistance with down payments for first time homebuyers, increasing housing throughout the city, reducing costs for construction, making housing denser, and implementing the inclusionary housing ordinance. How do these programs keep a person already living in a low-rent apartment building from being displaced if the owner of the building wants to redevelop for a taller and larger apartment building?
- The City should expand Program 4.06 to cover low-income tenants who could be displaced when the un-restricted unit they rent is being replaced with a taller and larger apartment building, or are these tenants already covered by this program. They also ask if the Housing Element can offer a program that will give tenants displaced by redevelopment preference for locally-available affordable housing. They state that they City can enhance Program 4.05.

Jennifer Campbell submitted the following comments:

- They are the owner of a 151- year-old home and are expected to adhere to the standards of the Benicia Historical Design Review Commission to have any changes or additions approved by the City before we are allowed to proceed with external home improvement projects. They conclude that when they purchased our house, they understood the social contract, the agreement they have with the City of Benicia, to adhere to strict guideline and standards set forth by the Benicia Historic Preservation Review Commission to preserve the historic nature of our home to protect the integrity of Historic District C. They question why the City of Benicia does not hold up their end of this agreement by allowing builders to put apartments and condos that are completely out of compliance with the preservation and conservation plan of Historic District C. The provisions of the 1451 Park Road and Jefferson Ridge projects, as part of the rules of SB 35, state that these projects must comply with objective standards. These objective standards must be uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal and not involve any personal or subjective judgment by a public official.

- The Benicia Arsenal Historic District was designated as Historic District C in order to preserve its legacy and ensure that future development or improvements reflected the heritage and style of the past it represented. As I demonstrated earlier, this designation established a social contract between residents in the historic district, the citizens of Benicia, and the city government whereby the residents of the historic district agreed to put in the extra expense, time, effort, and abide by strict rules around architectural style and the use of more expensive, original-style materials in the use of repair or upgrade in exchange for a promise from the city government to preserve the historical essence of the area and only approve plans for the area that conformed with its established architecture as well as its historical land use.
- So, what are the socially agreed objective standards for the area? What are the criteria and benchmarks? What have the citizenry of Benicia already agreed to? To find answers, we must look at the available, verifiable and knowable history of this historic district to determine that. Jefferson Street and Jefferson Ridge were the areas where all of the Benicia Arsenal's leadership lived, and the buildings reflected an elevated style for the housing of the base's non-commissioned and commissioned officers. It was not the location, at any historical point, for high-density barrack style buildings. This is an available and knowable fact just by simply walking the neighborhood or by picking up a book like "Benicia, Portrait of an Early California Town, An Architectural History by Robert Brueggemann." The historical fact that no barracks ever existed along the street and ridge has established the benchmark and the criterion by which the heritage, style, and type of any new structures in the Benicia Arsenal Historic District must comply.
- In summary, these current projects do not comply with a historically established objective standard for Historic District C. They are large, multi-family units resembling barracks; a form, function and style of building that was never located along Jefferson Street and Jefferson Ridge. They urge this city council to deny approval of the current forms of these projects for not only this reason, but to also preserve the social contract, the trust, and the integrity it has with its citizens. At the very minimum they encourage the applicants to review, revise, and resubmit the 1451 Park Rd. plans so that they conform with the type and style of homes along Jefferson Street. The most appropriate historical addition for the Jefferson Ridge area would be to put a park on this land, resembling as it once was when the officers during the Civil War presided on Jefferson Street's Officer's Row. If this land is built on with this massive amount of 138 apartments and condominiums, its historic preservation and most likely its position on the National Register of Places as Historic District C will be lost forever, so therefore they also ask that it be eliminated from the Benicia Housing Element list.

Corinne Koopowitz received a notice that mentions "How the City will grow and address the changing needs of the community". They believe it implies that the City believes the City will grow but want opinions. They believe that is a contradiction and manipulative. If the Planning Commission or City Council is trying to tell people that the City is required to build homes, or affordable housing, then I would like to see that requirement in writing. They ask that the City listen to their opposition. Benicia had a small town feel and even that is being lost.

Marilyn Bardet submitted the following comments:

- She endorses and incorporates the comments submitted on the Housing Element Update by professional planners, Natalie Macris, and Steve Goetz. Her letter dated April 19, 2022, on the scoping for the Draft Environmental Impact Report on the Housing Element/Climate Vulnerability Assessment Update is pertinent to their comments on the HEU. She calls for a General Plan Amendment to permanently eliminate residential as a permitted use in the Arsenal Historic District/lower Arsenal area because of two major reasons:
 - The obvious incompatibility of residential with major industrial uses in the port waterfront area where Valero's and Amports' facilities are ever-present existing sources of pollution, hazards and risks to which future residents and sensitive receptors (families, children, elderly, immune compromised) would be vulnerable, and from which there are very limited ways for those future occupants to be protected from those facilities' physical hazards and also air, soil and water pollution. State agencies would be involved in any proposed mitigations: EPA's DTSC, BAAQMD, the Water Board and State's Port Authority. Allowing residential including affordable housing within the Arsenal Historic District would potentially locate from 400 - 500 future residents in harm's way. The City should not be relying on ""Buyer Beware"" notices, represented primarily by real estate disclosure statements (see SB 35 project applications), to be conveyors of detailed information about existing hazards and major sources of chronic pollution. While SB 35 projects are exempted from CEQA, leaning exclusively on such a flawed law, and thereby seeming to escape evaluation of such known existing hazards and pollution sources is an irresponsible position of a city government. The primary job of elected officials is to be looking forward and proactively engaging in protecting the health and safety of current and future residents as the General Plan's Health and Safety chapter outlines. This is an issue of environmental justice.
 - Of equal and paramount concern is saving the Arsenal Historic District's incomparable Civil War era Officers' Enclave from destruction. Identified in the Arsenal Historic Conservation Plan [AHCP] as ""sub District C"", a national treasure listed in 1976 on the National Park Services' National Register of Historic Places, to this day, this district is visibly intact as designed by the Army under orders of President Abraham Lincoln and served as the central heart of the Arsenal's command structure from the mid-19th c until the Arsenal's closure in 1964. District C has 11 original historic structures—the Clocktower Fortress, commanding officers' living quarters and their administrative buildings surrounded by open space grounds—the surrounding landscape setting of Officers' Row of the Jefferson Ridge, inclusive of the assembly area where the Arsenal flagpole originally stood. These landscapes are deemed ""cultural landscapes"" of District C. The 1993 Arsenal Historic Conservation Plan, though it needs updating, represents the intent of the City and community, as affirmed in the General Plan, for preserving the National Register district's distinct character as a venerable asset that invites the development of historic tourism, as the General Plan envisions. The draft HEU does not specify, describe, or characterize the distinctions conferred on the Arsenal Historic District and particularly District C. Why not? Staff presentations have also not used proper names, such as are used on historic maps and other official materials and the AHCP, such as ""Officers' Enclave"" or ""National Register District C"". The scant description in the HEU does not accurately represent the distinctions and values of these esteemed cultural assets. It is not surprising, then, that such prestigious distinctions have not been accounted for in the SB 35 project applications for residential development within the Arsenal Historic District. Distinctions that must be named and discussed for their value to the City, state and nation: In 1936, the Arsenal earned California's official state landmark status; and in 1976, the National Park Service of the U.S.

Dept of the Interior listed 4 subdistricts on the National Register of Historic Places as distinguished in the Arsenal Historic Conservation Plan, [AHCP, Figure 2, p.7 "National Register Districts and Properties of the Benicia Arsenal"] Generalized references to the Arsenal Historic Conservation Plan protections are not sufficient to inform the public of our major cultural elements, including the cultural landscapes along Jefferson Ridge that have been integral to the design of Officers' Row since 1859. Many residents have no knowledge of the Conservation Plan, let alone, the history of the City and the Arsenal's role in its foundation and subsequent prominence through the Civil War era, the 20th century's world wars, the Korean War and peacetime defense, until the Arsenal closed in 1964. But City elected officials are expected to understand and promote those values and historical relevance.

- SB 35 projects are now being evaluated under minimum objective standards, if approved, would destroy District C in every way pertinent to its integrity, character and standing on the National Register as a unified, intact district. Over the past twenty-five years issues cited in one and two were deliberated by staff, planning commission, council, and the public. Concern for protecting historic resources and for addressing environmental hazards in the lower Arsenal port area that would impact the Arsenal Historic District and its future uses have still not been resolved. These issues were previously raised during controversy in 1994-1995 over a large-scale industrial development proposal for the Port of Benicia, submitted by Koch Industries, for a petroleum coke storage and shipping terminal facility that was planned to serve all 5 Bay Area refineries. In the aftermath of public outcry and defeat of Koch Industries' proposal, a number of housing development proposals, beginning in 2001, were floated and subsequently withdrawn for residential infill in the Arsenal Historic District's National Register District C. A culminating public defeat of the Draft EIR for the Lower Arsenal Mixed Use Specific Plan, reviewed through two attempts at certification between 2006-2007, meant that upwards of 115 units of infill housing proposed for parcels along the Jefferson Ridge, Park Rd and Grant St, were not permitted. Now, however, given two projects that could ruin the Arsenal Historic District forever, the city claims that SB 35 allows for no avenue of appeal of any ministerial decision for approval that would be made by its own staff.
- The reasons cited above in one and two, which are more fully accounted for in my April 19th letter, request that the following parcels be removed from the HEU's "Vacant Lands" inventory and those cited as "Opportunity Sites" for residential infill, and also, those parcels previously permitted for residential use in "mixed use districts". From HEU's Figure 3.1.E. City of Benicia Sites Inventory #5, they request removal of the "Considered "suitably zoned": Parcels # 123, 124, 6, 7, 2, 3, 4, 5; as well, those parcels proposed for zoning changes and/or zoning overlay: Parcels # 52, 53, along Grant St. and Parcel #45, at 1471 Park Rd. Included are the two SB 35 project application sites at 1451 Park Road Project (categorized as a "Core Site"), and 7.9 acres on the Jefferson Ridge, the "Jefferson Ridge Project".
- A prime example of a city-owned property that should be removed from the HEU: 1471 Project Road, Parcel #45, which is in every aspect equally unsuitable for residential development of any kind as are the parcels cited above within District C and Grant St parcels. Parcel #45 lies within the boundaries of former Benicia Arsenal and is within the Arsenal Historic District. [See Figure 3, Arsenal Historic Conservation Plan. p 9]. Because it lies within the former boundaries of the former Benicia Arsenal it would require DTSC clearance with regard former possible contamination from former military uses. The 1471 Park Rd parcel is triangle-shaped and fronts

onto Park Rd. Its location on Park Rd would put future residents entering and leaving the development in daily danger. Park Rd cuts up from the lower Arsenal industrial area to connect to a major intersection at Bayshore Rd and Industrial Way, at the entrance to the Valero refinery. Park Road is the ONLY and busiest, heavily truck-trafficked road that cuts through the eastern side of town connecting the lower Arsenal industrial area to the industrial park. Park Road is particularly important to both Valero's refinery and Asphalt Plant, as well as Amports LLC car import business operations, whose headquarters and parking lots border Park Rd. For example: Park Rd is used by huge tractor-trailers hauling cars from the port to Amports' other parking areas along Park Rd., just north of the 1471 Park Rd parcel. The parcel at 1471 Park Road is bounded on the north by 2 lanes of the I-780 freeway that form a low overpass over Park Rd.; just north of those lanes, there is a flyover of I-680 lanes connecting to the Benicia/Martinez bridge. The parcel's eastern side, bounded by Park Rd, is also where Valero's 6 active pipelines run parallel to the road, running from the refinery, and then following a course along the base of the Jefferson Ridge's northern side to Valero's tanker dock at Bayshore Rd at Army Pt., the dock owned and governed by the State of California's Port Authority. On the east side, Amports uses the property across Park Rd and bordered by Oak Road as a parking lot for cars offloaded at their shipping terminal. Further, the parcel is approx. 2,500 ft from Valero's southern tank farm and less than a mile from Valero's Asphalt plant.

- In regard to the need to build affordable housing, while the serious aim to provide affordable housing is necessary and laudably noble, how can this aim be justly and equitably realized by current means, wherein, for example, SB 35 projects are required to build only 10% affordable of the total number of units proposed for maximum density? And, since SB 35 streamlined approval processes lie outside the purview of CEQA, it appears that ""environmental justice issues"" are given no attention by SB 35, e.g., consideration of conditions of a specific location where such a density infill project could be developed. Ergo, those projects' potentially significant impacts related to environmental justice could remain uncharacterized, veiled by SB 35 proscriptions against CEQA. The implications of SB 35, and by example and precedent, how the streamlined review is being conducted for the two SB 35 projects proposed for the Arsenal Historic District, are ominous for Benicia, since SB 35 projects are likely to be proposed for "vacant lands" and "opportunity sites" throughout the community to fulfill RHNA numbers.
- In regard to the "underserved" East Side, they are particularly concerned about how future anticipated increases of residential infill will improve and/or adversely impact Benicia's East Side, which is still considered to be "underserved", lacking services and amenities, as described by a City study initiated in 1985 on East Side conditions. How will the full impacts to the East Side be accounted for if ALL projects proposed for the East Side were to be developed apropos the HEU, whether as Opportunity Sites or Vacant Lands, in addition to any and all SB 35 projects approved now or in the future for the East Side? The full scope of cumulative effects of the HEU, should development of all parcels represented be developed, must be evaluated as part of the HEU DEIR. Right now, those SB 35 projects for the Arsenal Historic District will not have had analyses of potential cumulative impacts on future residents, pertinent to environmental justice issues. Such evaluation is currently left uncharacterized and excluded from the prospective review of SB 35 projects.
- The Climate Vulnerability Assessment Update allows for projected increases in population. The lack of a substantial "passive recreation" park on the East Side is a glaring problem. The CVAU

cites the importance of parks that provide shade and respite outdoors for residents during long hot summers. Where is this concern represented in the HEU as related to existing conditions on the East Side? Parcels considered now for development on historic landscapes within the Jefferson Ridge's District C are the last substantial green "open spaces" left on the East Side and within the old Arsenal's central historic core. This fact has not been recognized by the HEU but should be.

Natalie Macris submitted the following comments:

- Requests that the Jefferson Ridge and other Arsenal Historic Conservation Plan sites be removed from the list of potential housing sites in the Draft Housing Element. As explained in more detail in my April 16, 2022, letter to the City Council, the 12 Arsenal sites, shown in Draft Housing Element Figure 3.1.E, should be removed due to:
 - The health and safety hazards of siting housing in an active heavy industrial area that includes the Valero refinery, the Port of Benicia, and the adjoining Interstate 780 freeway; and
 - The potential for high-density housing, especially streamlined projects enabled by state law (Senate Bill [SB] 35), to overwhelm the Benicia Arsenal Historic District, a nationally significant historic gem that deserves careful planning.
- Asks that the City review the draft sites inventory with the intent to remove the Jefferson Ridge and other Lower Arsenal parcels from the list of potential housing sites, for the following reasons:
 - The Lower Arsenal is not a safe place for housing. Jefferson Ridge is right next to the Port of Benicia, with aboveground Valero fuel pipelines running along the northern boundary of the site. Other potential housing sites in the Lower Arsenal are also surrounded by heavy industry. The recent Port fire and news of ongoing air quality violations at the Valero refinery are just current examples of why a heavy industrial area is not a good place for housing. The existing Housing Element calls for 153 units of very low- and low-income housing on Jefferson Ridge. Even if that number were realistic, which seems doubtful, there are serious health, safety, and environmental justice issues with siting that much housing, especially low-income housing, in a heavy industrial area, with all the hazards and nuisances it would create for residents.
 - Jefferson Ridge is the heart of a nationally significant historic district that deserves careful planning. Jefferson Ridge is the city's most historic place – and it's a historic district, not just a collection of historic buildings. It's a place that's important in state and national history, as well as local history. The entire district is on the National Register of Historic Places, which makes it very special. The recent Senate Bill (SB) 35 proposals there have shown how high-density housing development will completely overwhelm the historic nature of the place. A change.org petition opposing the SB 35 proposals because of their impact on the historic district has 800 signatures and is still growing. There is community support for preserving the historic district and planning for it more carefully. Removing the Jefferson Ridge parcels from the Housing Element is an important first step.
 - The City can meet its Regional Housing Needs Allocation on other sites. City staff and the consultant team have done an excellent job of scouring the city for housing opportunity sites. They found some very interesting possibilities for sites throughout the city with a

range of housing types and densities – places where housing could work well, for the people who live there and for the city as a whole, whether it's downtown, in other commercial areas, or in residential neighborhoods. These sites have more than enough housing unit potential for the City to meet its Regional Housing Needs Allocation.

The Housing Element update is an exciting opportunity to do some creative and far-reaching planning for Benicia's future. I hope you will take advantage of it.

- States that the City has identified many other sites where development of housing would be more appropriate and would easily meet the City's Regional Housing Needs Allocation. These sites are in existing residential neighborhoods, close to services and away from hazardous industrial activity. They offer ample opportunities for replacing the housing development potential of the Arsenal. The fact that the City has removed some of these logical infill sites from consideration while continuing to designate housing in the Arsenal raises serious environmental justice concerns. The process to date has created the unfortunate impression that the City will quickly remove sites in response to sentiments from residents of existing, established neighborhoods, but has no qualms about placing future residents—many of them low-income—in a heavy industrial area, where they will face air pollution, noise, truck traffic, and other hazards and nuisances not experienced in other parts of Benicia. The Draft Housing Element designates the 12 Arsenal sites for 340 units, of which 176 would be "lower income." Those numbers represent almost 50% of the City's total Regional Housing Needs Allocation (750 units), and more than 50% of the lower income housing allocation (339 units). Ironically, the Draft Housing Element contains a policy (5.03) and a program (5.04) that try to address the health and safety hazards that residents on the east side of town already face due to heavy industrial uses—and yet it plans for almost half the city's new housing to be in the Arsenal, even closer to industry. By removing the Arsenal parcels from consideration for housing, the City can resolve this contradiction and begin planning more responsibly and creatively for the Arsenal and Benicia as a whole. The City can meet its housing obligations in more appropriate locations and retain the Arsenal as an important place in the history of the city and the nation.

Cynthia and Mike Herd submitted the following comments:

- Express their gratitude for serving in the job capacities for the best interests of their charming community of Benicia. They realize your efforts to comply to the California state law of providing affordable housing. However, their concern is the proposed development of 62 units at corner of Southampton and Hastings Drive. Obviously on Southampton Road, there are 2 churches, Benicia Middle School, 2 huge apartment buildings, converted condo complex, Southampton shopping plaza, etc. It is one of the most traffic congested streets in this city! They provide the following suggestions:
 - Traffic study of Southampton Road when school is in session. (Can hardly drive on this street when school is out.)
 - Require a traffic light at Southampton and Hastings.
 - Require an extra turn lane from Southampton into affordable housing of 62 units. (Estimate at least 100 cars there.)
 - Consider affordable housing in the Open Space off Cambridge from Rose Drive to Cooper. Past the Benicia Highlands Condominiums, it is vacant.

- State that overall, the City’s consideration and respect for the residents of Benicia would be greatly appreciated by all. Please view the online petition to save Southampton Open Space currently up to 883 signatures and increasing.

Kathleen Brown share that it has come to their attention, what they consider an emergency, that there are proposed high density housing, apartment buildings, at the Arsenal Park. They clarify that they are not a Planner, or a lawyer, but a concerned citizen. They agree that we need more affordable housing but believe that modern apartment buildings would ruin the historical area that is in the Arsenal Park. They don’t think it is too late to stop this development. I know that SB 35 makes the situation more complex. I read Mayor Young’s letter to the Editor in the Herald that describes his visit to Senator Wiener. Mayor Young describes SB 35 as “not a good law.” He says he is opposed to it. He describes being treated “dismissively.” They ask that the City should not give up easily. They want to confirm is it is true that there is the “opportunity to remove sites from the inventory” of sites identified as possible locations for Affordable Housing. They also ask if the City can amend the General Plan and the City’s zoning regulations in case there are any inconsistencies. They ask the City to preserve the history and heritage of this special place for generations to come. They ask for the community to imagine a different long-term plan and future for that area. They ask the City to stop large apartment buildings that are incompatible with the historic area being built.

Amir Firouz submitted the following comments:

- Benicia has a very high unit cost for its waste-water treatment, roughly 6 times that of city of Dixon and 3.5 times that of the cities of Fairfield- Suisun. I have not investigated yet the cost for other Cities in Solano County, but my guess is that it would confirm the same trend, that Benicia has one of the highest costs for wastewater treatment plant. Since low-cost housings are eligible for low-cost water/sewage rates in Benicia and the allocation of the low and very low-cost housing is proportionally very high in Benicia, then each new housing unit costs Benicia residents more than for similar house in Fairfield-Suisun or Dixon. Basically, looking at it objectively, it is more expensive to build and maintain a house in Benicia than in other Cities. It makes sense to build a project where it costs less to build and maintain unless it is a state/county policy for their own reason. Therefore, the State/county should compensate Benicia for added cost of forcing Benicia to build it in more expensive areas to comply with their policies. The City of Benicia has had the lowest population growth rate among Cities in Solano County, in the last two decades, almost 0% based on Table 2.1 of this report. The state and county are expected to grow at very low annual rate in the next decade, less than 0.8% per year. And if Benicia is to follow its own previous natural growth rate, it would grow much less than the state or county. The basic requirement of the new housing units for Benicia and other cities, appears to completely ignore this previous trend and appears to be proportional to total number of the existing housing (with some minor modifications for some other factors). It appears then that the program is trying to stimulate a higher growth rate for Benicia, by providing cheap subsidized housing. I am not sure what is the rational for this. If this is desirable outcome for the state, and county, then they should participate in sharing the cost to implement this plan.
- This report is mainly concerned with describing and advocating for benefits of the programs proposed in the report. By contrast, when it comes to discussing the costs of the program, the report is mainly silent. Except for a very few secondary items for which cost figures were

produced in this report, I could not find any mention of the total cost of the programs (total housing), nor the cost of the main components of the programs (the four categories of housing), proposed in this report. It is as if a cost/benefit analysis of the programs recommended in the report is not necessary and has no bearing on the decision making process. This approach seems to be completely irrational and unjustified. I would recommend that cost estimate for the first costs as well as recurring costs of the program for its main components to be included in the report. The overall thrust of the report. The following four (4) implicit assumption appear to have shaped this report and its programs: a) the number of proposed housing and its distribution have already been decided and cannot be modified; b) the City of Benicia is obligated to comply and implement the program as it is now and cannot modify it; c) the City of Benicia is obligated to implement the program no matter what is the initial costs of the program to the City; d) the City is obligated to commit to pay for the recurring costs of the program in future years. In order to make the report more easily readable and understandable, I recommend that these basic implicit assumptions to be made explicit.

- Since the state of California is mandating how many housing units, and in what combinations of cost categories the City has to build, then the State has to compensate the City for the costs associated with the land, building, maintenance, water, and other services and utilities imposed on the City by the mandate, above and beyond what would have been built based on the natural growth rate for the City. The authors of the report, as the consultants/advisors hired by the City, should investigate, and advise the City not only about what are the City's obligations to the State/ County, but also advise and advocate for the City about what are the State/County obligations to the City. Does state have a right to force unfunded mandates on the Cities? The report should have dedicated a section to options available to the City's for: a) challenging or appealing details and extent of the programs; b) guiding the City on how to recuperate some of funding obligations that is forced on the City by seeking compensation from the State/County agencies that have mandated these obligations to begin with.
- On page iii in the Table of Contents, there is a line item with a duplicate and wrong page number.
- The City administration is cautioned that setting the precedent of opening the open space for private use will stay with the City and its residents long after the present administration is gone and replaced by officials with quite different agendas and interests. They might want to use the open spaces then for causes much less "noble" than affordable housing. Also note that the deed to the housing in Southampton development area excludes underground mineral and natural gas/ oil . etc. Those hydrocarbon and mineral rights are owned by other private entities. If you allow the open space for use by private/commercial use, then the owners of those mineral rights may pressure the City to allow them access to the open space in order to exploit and extract those minerals (that is their property) directly from the open space area. Do we want to see a bunch of oil/gas pumps all over our open space areas, similar to the landscape in southern California in the last century and some still there?
- In Chapter 1, Introduction, the sentence on page 1: The report describes a system-wide problem that is primarily caused by the state and federal rules, regulations, and policies. However, the solution that the report advocates for falls only on the shoulder of the local population and administration (the City), without making any reference to the main cause of the problem or suggest ways to directly influence those causes. Please note that the more successful the local

governments are at subsidizing low-cost housing, the more businesses and state/federal governments will count on that as a part of their employees' "effective" compensation and therefore, will adjust the real paycheck of their workers downward. Moreover, unlike the State/Federal government, the City does not have the power to decide state/federal budget priorities; increase minimum wage; reduce the wealth gap between rich and the poor; regulate interest rate; impose rent control; stop large funds from buying houses for investment and drive up home prices and rental; impose surtax on vacant houses or on secondary residences, in order to drive down the cost of housing for first time home buyers. The preceding are the primary causes of the reduction in affordable housing. Only the Federal and State governments have the authority, and sufficient means, to address the causes of the previous problems and reduce their impact on affordable housing. It is irrational, unrealistic, and unfair to expect the City to solve the problems that are caused by Federal/State governments' policies.

- In Chapter 1, Introduction, the sentence on page 1: Another cause of reduction in housing/rental places, which the City might have a role to play, is absence of effective local regulation to limit "Airbnb" type of vacation home rentals, since studies have shown that these types of short term rentals reduce the available long-term housing/rental for local population and increase the price of remaining housing/rentals. The commenter observed on the Airbnb website that there are multiple vacation short term rentals presently operating in Benicia. These are potential housing and condo residences that are not available to home buyers or long-term renters, and moreover they have driven up the prices for the remaining housing/rental. The present report has completely ignored this subject. I recommend a comprehensive treatment of this subject to see their effect at present, and formulation of effective policies by the City to limit their negative impact on housing/rental availability, especially in the affordable category.
- In Chapter 1, Introduction, the sentence on page 2 reads: "The current housing affordability crisis is not unique to Benicia, but local solutions to the crisis must be." This is a misleading statement. It gives the false impression that we have a choice since we are free to choose our "local solution". Yes, we have a choice for secondary issues like the exact location or look and color of the housing, but we do not have a choice to decide the primary issues of who pays for it and how many units we have to provide.
- In Chapter 1, Introduction, the sentence on page 3 reads: "Analyze the differences between what was intended and what was achieved." This report partially (for the first 6 years) describes what was achieved and what was intended but does not analyze cause(s) of this discrepancy. The description of the situation is not the same as analysis of the situation.
- In Chapter 1, Introduction, the sentence on page 3 reads: "The RHNA for Benicia is shown in Table 1.1, whereby Benicia must have the appropriate zoning in place to allow 750 new units to be built through the year 2030." It is not clear how this mandate was decided and allocated to Benicia. It is presented here as something to be obeyed and not questioned. According to Table C.1 and Table 1.1, why the required number of housing goals for the City of Benicia has dramatically increased from 327 in the previous cycle by 2.3 times to 750, even when the total number of housing units built in the previous cycle was only 39? How about other cities in Solano County? The County total increased by about 1.5 times only.
- In Chapter 1, Introduction, the sentence on page 4 reads: "While the City is not responsible for the actual construction of these units, Benicia is, however, responsible for creating a regulatory environment in which the private market could build these additional homes. This includes the

creation, adoption, and implementation of City-wide goals, policies, programs, and zoning standards, along with economic incentives to facilitate the construction of a wide range of housing types." Somehow this report uses euphemism that Benicia shall create "economic incentive" to mean in plain English that Benicia shall use its general fund to subsidize market price houses so that the effective price paid by the occupants drops into Very Low/Low category. I suggest that the report to use straight forward language rather than convoluted construct, this will make the text simpler to understand.

- In Chapter 1, Introduction, the sentence on page 5 reads: "For the General issues, the goals, policies, and programs of each element must be internally consistent. This Housing City will need to update the Land Use Element and Land Use Diagram to retain consistency across its policies. Consistency between the Housing Element and the General Plan will continue to be evaluated whenever an element of the General Plan is amended. The City will continue to ensure that the Housing Element's goals and policies are consistent with—and supported by—goals and policies in the other elements of the General Plan or make amendments as necessary to maintain consistency." Is the report saying that the City's actions will be consistent with the General Plan, and when it cannot be, then the City will amend the General plan so that the General Plan is consistent with the City's actions?
- The proposed programs in Chapter II require full or partial funding from the General Fund of the City of Benicia. Some of them might require small amount of funding, while others might require substantial funding support. However, I have not located any information regarding an estimate of the magnitude of financial obligation that the City is undertaking by complying with this written document. I am not sure how all these diverse programs can be evaluated and agreed to unless some estimate of the actual present and future cost plus the administrative cost to the City is known.
- In Chapter III, on Figures 3.1.A through 3.1.E are the housing sites in this Figure cross-referenced in Tables in Appendix D?
- In Appendix B on page 2, the sentences in reference state: " The countywide average was 12.2 percent between 2000 and 2021. The city with the 2021 was the smallest city, Rio Vista, with a 54.1-percent increase." These annual growth rates are an order of magnitude too high. Real cities do not grow by 12% to 54% per year over 21 years. They also differ from the values in the table below. Please verify and correct both. The commenter has not checked all of these numbers. They ask that the City please also check all other figures and numbers make sure they have not made similar mistakes.
- In Appendix B, on Table 2-1 Population Growth Trends, 2000-2021, the Average Annual Growth column in this spreadsheet for some unknown reason appears to be using the wrong equation. It uses the values of the Total Change column to its left and then divides them by 11 for some unknown reason. Please correct the spreadsheet. The commenter has not checked all the spreadsheets, and they ask the City to review them all and make sure they are error free.
- In Appendix B, on Table 2-40 Assisted Units At Risk Of Conversion, they state that the numbers for Total Units cannot be less than the Affordable Units. They ask that the City transpose the values.
- In Appendix B, on Table 3-7: Performance Scores For Benicia Unified School District, 2019, the City should check the numbers. The correct Chronic Absenteeism Rate for Mary Farmar Elementary appears to be 8.0%. No real school can function with 80.0% absenteeism.

- In Appendix C, on page C-1, the sentence reads: "From January 2015 through December 31, 2020, the City low-income unit and three low-income units were approved and built." The reported period is only 6 years and not the full 8 years.
- In Appendix C, on page C-1, the sentence reads: "However, housing goals and policies have been restructured and revised to some extent to eliminate redundancy, clarify the intent, address new State law, or respond to needs identified by the public and City staff (unless stated otherwise, programs have been carried forward)." What does "carried forward" mean? Why are all programs carried forward?
- In Appendix C, on Table C.1 Progress During Previous Planning Period, 2015-2020, the goal of (94+54) very low and low categories, out of a total of 327 units (i.e., more than 45%) appears to be very high. Why such a high percentage? Was it mandated by the State/County, or it was set voluntarily so high by the City of Benicia? It is more expensive to build in Benicia due to its hilly terrain, compared to typically flat areas such as Fairfield and Vacaville. The period reported is only 6 years of the total 8 years of the plan. We should by now have an estimate for the remaining two years. What is the estimate for the remaining two years? Why the actual constructed projects fell so much below the goal? Was it because the goals were totally unrealistic? Was it an unforeseen market condition? Was it a failure of the City to execute properly to achieve the goal? Why this report of more than 400 pages has not provided and analysis of this discrepancy? If we do not understand the past failures, we may be doomed to repeat it in the future.
- In regard to Program 2.03 in the large table of Appendix C, what exactly it is? Is there a fund that is tied in litigation and therefore the City cannot access it? And what does delete mean? Does it mean the City is giving up on getting part or whole of the moneys in the fund?
- The City provide a column showing site number as marked on figures 3.1.A through 3.1.E for ease of cross referencing.
- Regarding Appendix E on page E-9, if the Figure is not coordinated with Figures 3.1.A through 3.1.E.

Kristen Valperga share that it has come to their attention, what they consider an emergency, that there are proposed high density housing, apartment buildings, at the Arsenal Park. They clarify that they are not a Planner, or a lawyer, but a concerned citizen. They agree that we need more affordable housing but believe that modern apartment buildings would ruin the historical area that is in the Arsenal Park. They don't think it is too late to stop this development. I know that SB 35 makes the situation more complex. I read Mayor Young's letter to the Editor in the Herald that describes his visit to Senator Wiener. Mayor Young describes SB 35 as "not a good law." He says he is opposed to it. He describes being treated "dismissively." They ask that the City should not give up easily. They want to confirm is it is true that there is the "opportunity to remove sites from the inventory" of sites identified as possible locations for Affordable Housing. They also ask if the City can amend the General Plan and the City's zoning regulations in case there are any inconsistencies. They ask the City to preserve the history and heritage of this special place for generations to come. They ask for the community to imagine a different long-term plan and future for that area. They ask the City to stop large apartment buildings that are incompatible with the historic area being built.

Belinda Smith, from the Benicia Historical Society, submitted the following comments:

- I believe that the draft Housing Element poses a significant detrimental effect on the city's historic districts. The proposed Housing Element has included parcels in the Benicia Arsenal National Register Historic District and parcels in the Benicia Downtown Historic District on Housing Element sites inventory. The Housing Element also proposes a housing overlay ordinance that would change land use zoning, increase density, and increase building heights.
- The downtown commercial area has been recognized by the City as a historic district since 1969 (Benicia General Plan Chap. 3 Community Identity pg. 102). The Benicia Arsenal was occupied by the U.S. Army until its closure in 1964, at which time the City took possession. In 1976 structures and landscapes in the Arsenal and downtown area were documented in the Historic American Building Survey. Also, in November of 1976 the Benicia Arsenal was listed on the National Register of Historic Places as the Benicia Arsenal Historic District, which consists for four geographic areas – Districts A through D. Further in October or 1987 the City enacted a special historic overlay district. In 1989 the City applied the Historic Overlay District to the downtown commercial and residential area centered along First Street, and the Benicia Arsenal Historic District, based on extensive surveys and documentation. In 1990 and 1993, the City prepared and adopted conservation plans for both overlay districts. General Plan Goal 3.1 Maintain and enhance Benicia's character and its policies and programs to achieve that goal using the documents mentioned above are intended to promote the conservation, preservation, protection, and enhancement of each historic district. Historic districts are a composition of landform, historic and contributing structures, landscapes, streets, visual appearance, views, etc. The whole is greater than the sum of its parts. If a historic district was like a chess game, and you started substituting checkers for chess pieces, would you still be playing chess? And although it's the same board you wouldn't have any kind of game at all. If the City continues to ignore the whole of each district, we will not have any historic districts. To the extent that the proposed housing overlay ordinance promotes new structures in Benicia's two historic districts it has the potential to greatly diminish the historic integrity of those districts. Benicia's downtown, centered on First Street from the waterfront to Military, is the historic and cultural heart of the city. Recognizing the importance of Benicia's historic downtown, the City created an expanded the downtown historic district and adopted the Downtown Historic Conservation Plan (DHCP) in 1990 (amended 1992). Lastly, in 2007 the City adopted the Downtown Mixed Use Master Plan (DMUMP). The Historical Society is not opposed to housing in the downtown historic district; in fact, housing has been a part of the downtown area since it was established. However, we are concerned that the proposed housing overlay ordinance that is included in the Housing Element and its' application to downtown, and especially the Town Core area will result in the dilution of this historic commercial district, and lead to demolition of existing commercial structures in favor of residential-only structures. The DMUMP allows for 40' height and 2 ½ stories and allows for residential development on the ground floor on parcels along First Street as long as the residential use is behind the ground floor commercial space. The difference in density from the housing overlay ordinance may provide for a few more housing units but can drastically change the street profile and commercial nature of First Street. Staff has stated that the housing overlay ordinance will not override the DMUMP, however when you look at the three areas that will alter the DMUMP, land-use, height, and density, it changes the core components of the DMUMP. The DMUMP was a thoroughly vetted community process that is now being set aside. Will the housing overlay ordinance override the DHCP as well? It should be

noted that in the event of conflict between the DHCP and the DMUMP, the DHCP prevails. Another concern is the placement of garages on street frontages. Within the Downtown Historic District, in both the Town Core and Town Core Open areas, alleyways are used which has limited the number of driveways on street frontage and helps reinforce the pedestrian nature of these historic streets. When the City defines the elements of the housing overlay ordinance, it should not allow additional driveways on streets in the Downtown Historic District for parcels with alley access.

- The proposed Housing Element update includes the Benicia Arsenal Historic District C in the housing inventory. This jeopardizes District C's listing on the National Register of Historic Places and could result in delisting from the National Register. The Arsenal Historic District C should be removed from the Housing Element sites inventory. The proposed housing overlay ordinance must not be applied to the Benicia Arsenal Historic District C since that addition of new structures will overwhelm and diminish the historic integrity of District C. While we support additional housing, any new housing in District C will come at great cost to its integrity, cohesiveness, and unity. The Housing Element as proposed is in conflict with General Plan Goal 3.1 to Maintain and enhance Benicia's historic character.
- The Historic Society opposes including any parcel in the Benicia Arsenal Historic District in the Housing Element site inventory and the application of the housing overlay district in the Benicia Arsenal Historic District C and Town Core. They recommend that driveways be prohibited on parcels in the Town Core Open that have alley access, the redevelopment of any non-historic structure in the Town Core Open that do not have alley access shall be required to create alley access for any proposed parking, and that the Secretary of Interior Standards be applied to any development project proposed in the Downtown Historic District. They believe that Benicia is fortunate to have a historic identity, something that distinguishes it among Solano County cities. It is our hope that you will choose to protect our historic districts and retain Benicia's identity.

Betsy Henderson submitted the following comments:

- Expresses that they do not support the proposed housing overlay ordinance which would allow residential use in the ground floor and buildings of three stories on First St. They believe that the City needs to preserve the views, charm, commercial-residential balance, and historic resources of our downtown. They share an example from the One Bay Area community which chose to allow unfettered development after 2008 and lost their historic downtown is Redwood City, according to a new neighbor who used to live there. Let's learn from their mistakes and save what our community loves most about our town.
- Believes that Elizabeth Patterson said it very well. Thank you for noting my strong opposition to the proposed development inside the Arsenal Historic District. They reference Elizabeth Patterson's comment from Joint Study Session: "Dear Council Members and Commissioners: I am writing to request that the Jefferson Ridge and other Arsenal Historic Conservation Plan parcels be removed from the list of potential housing sites in the Draft Housing Element. As explained in more detail in Elizabeth Patterson's April 16, 2022 letter to the City Council (attached), the 12 Arsenal sites, shown in Draft Housing Element Figure 3.1.E, should be removed due to:

- The health and safety hazards of siting housing in an active heavy industrial area that includes the Valero refinery, the Port of Benicia, and the adjoining Interstate 780 freeway, and
- The potential for high-density housing, especially streamlined projects enabled by state law (Senate Bill [SB] 35), to overwhelm the Benicia Arsenal Historic District, a nationally significant historic gem that deserves careful planning. The City has identified many other sites where development of housing would be more appropriate and would easily meet the City's Regional Housing Needs Allocation. These sites are in existing residential neighborhoods, close to services and away from hazardous industrial activity. They offer ample opportunities for replacing the housing development potential of the Arsenal. The fact that the City has removed some of these logical infill sites from consideration while continuing to designate housing in the Arsenal raises serious environmental justice concerns. The process to date has created the unfortunate impression that the City will quickly remove sites in response to sentiments from residents of existing, established neighborhoods, but has no qualms about placing future residents—many of them low-income—in a heavy industrial area, where they will face air pollution, noise, truck traffic, and other hazards and nuisances not experienced in other parts of Benicia. The Draft Housing Element designates the 12 Arsenal sites for 340 units, of which 176 would be “lower income.” Those numbers represent almost 50% of the City's total Regional Housing Needs Allocation (750 units), and more than 50% of the lower income housing allocation (339 units). Ironically, the Draft Housing Element contains a policy (5.03) and a program (5.04) that try to address the health and safety hazards that residents on the east side of town already face due to heavy industrial uses—and yet it plans for almost half the city's new housing to be in the Arsenal, even closer to industry.
- By removing the Arsenal parcels from consideration for housing, the City can resolve this contradiction and begin planning more responsibly and creatively for the Arsenal and Benicia as a whole. The City can meet its housing obligations in more appropriate locations and retain the Arsenal as an important place in the history of the city and the nation.

Karen Massey is responding to the City's request for comments on the Public Review Draft Housing Element, on behalf of the owners of the property located at 1043 Grant Street and identified as Site 51 in the City's Draft Housing Site Inventory. They applaud Staff's efforts to date on the draft Element and commend the City for producing a draft that is both responsive to the requirements of State housing law but also to the needs and desires of the local community. In particular, we support the City's efforts to maintain an adequate supply of housing that supports inclusivity and equitability, not only in the type of housing provided, but also by its dispersion so as to avoid concentrations of affluence. Continuing to identify housing sites within the Lower Arsenal is not only consistent with the area's historic use and the City's existing land use practice, but also directly supports the City's overarching housing goals of inclusivity and dispersion while at the same time preserves open space. Approximately 43 acres of land designated as Lower Arsenal under the City's General Plan currently allow for residential uses, including multifamily and mixed use residential, and at least four of the sites on the City's Housing Site Inventory have been included on prior inventories. The addition of new Arsenal sites, and moreover the development of these types of underutilized infill sites, would serve to revitalize an area that has historically accommodated a range of uses, including housing, and properly locate housing opportunities more proximate to services and transit and away from open space. Future development within the

Arsenal will be required to adhere to the Arsenal Historic Conservation Plan which provides design guidelines for new development and ensures the historic integrity of the district and historic structures are safeguarded. These guidelines and regulations are in addition to those of the underlying zoning district which further restrict the type and intensity of uses allowed and will dictate new development in the area. The City's Design Review process will help ensure any new development is consistent with the character of the area, is compatible with adjacent existing development and does not detract from Benicia's historic heritage. The required environmental review process will analyze any potential environmental impacts associated with new development to further ensure compatibility and that any new potential impacts are mitigated to a less than significant level. For these reasons, with these existing safeguards in place, we support efforts to provide an adequate supply and mix of housing types throughout the City, including in the Lower Arsenal. Finally, we would like to note the land use and zoning identified for Site 51 was incorrectly stated in the draft Element and should be revised to correctly reflect the Mixed Use: Lower Arsenal Land Use Designation and General Commercial Zoning District for the parcel.

Marilyn Bardet submitted the following comments:

- The overarching goal of the Benicia General Plan is sustainability. When considering sites for infill residential, there should be evaluation of the proximity of such parcels to existing services, shopping, and public transit. The Housing Element Update proposes parcels within the Arsenal Historic District's Jefferson Ridge, Grant Street, and at 1451 and 1471 Park Rd, and thus ignores the General Plan's sustainability goals, policies, and programs, as well as the Climate Action Plan and Climate Vulnerability Assessment that accord with state laws that would reduce our carbon footprint. A primary aim is to reduce residents' "VMT"- vehicle miles traveled to and from basic services and employment. It makes no sense to include parcels that cannot pass this fundamental test. Further, having to provide new services and infrastructure to these areas would be a huge cost born by the City -e.g., taxpayers.
- The California legislature's "over-reach" is expressed in SB 35: The state of California gave authority to local governments to determine local land use, and a general plan was required by the state to be created to guide future development. Right now, SB 35 denies the right of local governments to control their cities' futures in accordance with their established general plans' goals, policies, and programs and in keeping with the public's interests and concerns to protect residents' health and safety through environmental reviews under CEQA, which SB 35 denies. Further, certain state laws are inconsistent with each other and thus create conflicts for cities to abide by them. Our General Plan and Arsenal Historic Conservation Plan call for preserving the character of our most valuable heritage sites, including National Register District C inclusive of its historic structures and cultural landscapes. SB 35 does not allow for those protections and would permit destruction of the district, its character and integrity. My letter of July 7th gives particular examples and reasons why all parcels cited in the Housing Element Update that lie within the Arsenal Historic District must be removed from consideration. This includes the parcels under current review for development under SB 35- the Jefferson Ridge and 1451 Park Rd. Again, they call for a General Plan amendment that would exclude residential as a future permitted use in the Arsenal Historic District for all the reasons previously stated.
- The issue of environmental justice is a key component of the social realm of sustainability. Page 5 of the Housing Element says that the City is not required to prepare an Environmental Justice Element.

Yet the state guidance on the subject says, "Locate new housing in a manner that seeks to avoid locating these uses in proximity to industrial facilities and uses that will contain or produce material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant hazard to human health and safety." This means keeping development's future residents out of harm's way, away from major sources of hazards and pollution. This Draft Housing Element compounds past planning mistakes by the City, steering more affordable housing in harm's way, thus making a case that the City must prepare an Environmental Justice Element for the General Plan and adopt it as part of this new Housing Element.

Friends of Blake Court believe that the land surface of the church-as listed-owned property at the end of the Blake Court is unfit for and unsafe for human habitation. The "cleanup" survey that removed the top layer of soil and replaced it with "clean soil" only removed the top foot or so of the contaminated Blake Court surface, and that was only on part of the property and not the entire property now under consideration for development. It would take an investigation of at least the top 5-10 yards of depth of the entire property under consideration to determine the degree of contamination. They believe that if, hypothetically, a three- or four-story building were constructed there, the building would need to be on top of a two story underground parking facility to accommodate the enormous additional parking needs for such a development, considering that Blake Court is a tiny cul-de-sac with no available additional street parking. So, we now need to determine the safety of soil up to 45 feet deeper. Since the church property abuts an area rich in animal life and has a wide variety of all kinds of animals and birds, the subsoil most likely has pathogen spores, such as anthrax, and a wide variety of viruses causing serious human illnesses. The owner of the property in question bears a major moral responsibility in projects such as this one, to promote the security, safety and health of children and their parents. If, for example, 50+ families lived there, or, say, approximately 200 people, the life, good health, benefits, and satisfactions of these people is a clear moral and ethical responsibility of the property owner. When any multi-unit dwelling owner in Benicia acts immorally, irresponsibly, and/or unethically, they are subject to the moral judgments and good will of the community around them. Not only the high risks to health of living on that property are of immediate concern. The many months of construction proposed would contaminate the whole neighborhood every day over many months, and the residual contamination would be a severely unethical experiment in slow poisoning while the site is being excavated and developed. If hundreds of new residents were living in the constructed in the Blake Court neighborhood and a predictable and unfortunate set of emergencies: stroke, heart attack, drug abuse, gas stove explosion, broken water pipe, falling down a stairwell, and more, or head-on crash (DUI) at the intersection of Rose Drive and Blake Court, already a very busy traffic area, it could become impossible for ambulances, fire trucks, and other emergency assistance to be provided in time to save lives. Thus, the responsibility for those lives, and those children, remains with every member of the Planning Commission and the City Council and cannot be erased by any evasions or excuses. True leadership by our elected Benicia officials can be best summarized in four words: "The Buck Stops Here."

Kathy Kerridge submitted the following comments:

- I have gratitude toward staff for a comprehensive and well thought out document. They think the maps and the site inventory are tremendous. They visuals help and they appreciate all of the work that went into this. They are aware that this is mandated by state law, and I know that the city does not build projects or housing. Nevertheless, they hope that this is only the first step in having a more dense and diverse community. The whole Bay Area desperately needs housing

and low-income housing. One only has to look at the median value of homes to understand why we have so many people who are homeless and in their RVS and vehicles. This is a disgrace in such a wealthy area, and something must be done about it. The city should consider giving its land to a developer with the condition that all units be affordable and that they be kept that way in perpetuity. They firmly believe that building all types of housing in a denser way will help alleviate our housing problem. Having spread out housing only contributes to climate change as it contributes to vehicle miles driven and it puts a tremendous burden on families who must endure long commutes at the expense of their family time. Denser development helps alleviate that problem. Single family zoning is one of the worst things that happened to America. I live on the West side of town in an older neighborhood with in-law units, duplexes, small apartment complexes and lots with 6 or 8 small housing units on them with a bit of yard. If all of our development had been this way, we might not have quite the crises that we have today. I love my neighborhood and love the mix up of housing types. I only wish that we were doing more to promote that throughout Southampton and Water's End. I appreciate the efforts that the state is making at the state level to increase housing. I don't think the cities will ever do it on their own. It takes the state that can see all the problems that localities have created to clear the way. If cities can't do more to solve these problems, then I think we may see even more aggressive action on the state level as more businesses have problems finding employees and the homeless crises get even worse. I attempted to see what I could come up with on my own by looking at the inventory and shared it in the attached document.

- The City could exclude most of the lower Arsenal. I do not object to housing in an historic area. Frankly, I think that area would be better with a park at the center and housing throughout. It has not been attractive since I got here 37 years ago. But I do have serious concerns about building so close to so many industrial facilities. Maybe keep it tucked away for the future when we will be off fossil fuels. Blake Court is similar. I don't think there would be traffic problems and I think the density there is fine, but I am concerned about building anything over a former toxic waste dump. Before we do that, there should be testing done by multiple people that extend far down into the soil and far beyond the boundary. I would not trust the state testing without doing it independently. If testing showed nothing, then that could be added. I have not included Blake Court or the core of the Arsenal in my inventory. In general, I put only parcels that the owner indicated they would like to develop. I deleted a couple of parcels that probably contain low-income housing now. We don't want to make the problem worse. I excluded one site, Site 36: 507 Claverie Way, in my neighborhood and would ask that the city exclude it too. It contains the Workshop, the only restaurant in the neighborhood and the only restaurant serving Creole food in Benicia, and Rod's Bait and Tackle, which provides vital services for all of the fishermen using the 9th Street boat launching ramp. These are unique businesses which cannot be replaced. It would be slated for only 2 units of housing. This should be zoned commercial. I question the inclusion of the Yuba site because of sea level rise. That would leave you short of low-income units. You need more low-income units in more places. Why aren't there any at the Raley's shopping center or the cemetery site? Certainly, low-income units would be appropriate in both places. Or maybe we would need to change the zoning on site 45 as a tradeoff.

Betsy Henderson is concerned that the list as it stands misrepresents our city. It is much more built out than the list indicates and perhaps the new housing, etc. that occupy some of supposed vacant properties have not even been counted as built. By my count, the built out and duplicate findings

represent more than a third of the Vacant listings and more than half of the Non- Vacant ones. Also, they strongly oppose development of any of the proposed Arsenal sites. They should be parkland and preserve the National Register Historic property. Lastly, has the City calculated the water demand increase that would accompany the higher density development/growth mandated by the State? Could it be accommodated? At what expense? How does that fit in with the State's goal of 20% urban water use reduction? She provided her own analysis and claims that it is has a sufficient number of sites for the inventory for the City to consider. It includes the following sites:

- 1: Scout Site
- 6: 1451 Park Rd
- 8: E Street Lot #1
- 9: E Street Lot #2
- 10: 498 Military East (this could have more units)
- 11: 1401 East 5th
- 12: 475 Military East
- 13: 502 East N Street, trailer Court (don't displace what low income we have now)
- 14: 385 Military East
- 15: 456 Military East
- 17: King Solomon Missionary Baptist Church (could have more)
- 18: 356 East I Street
- 19: Senior Center and Adjacent Land,
- 20: 1030 West 6th Street
- 21: 255 Military West
- 22: 1400 Military West
- 23: East N Street
- 24: West 2nd Street Site
- 25: West 5th Street Site
- 26: East 6th Street Site
- 27: East 6th Street Site
- 28: 612 East I Street
- 29: 600 Block of East I Street
- 30: Yuba Site (vulnerable to sea level rise)
- 31 701 Southampton Road
- 32 Southampton Shopping Center (development of shopping centers is happening all over)
- 35: 2170 Columbus Parkway
- 37: 560 First Street
- 39: Benicia Fire Museum Site
- 44: 827 First Street
- 45: 1471 Park Road
- 46: Church Street Sites (why not a couple of low-income units)
- 48: Benicia Cemetery Site (why not a couple of low-income units)
- There are issues with the following sites:
 - W L & W 11th - Built Out (BO)
 - Grant Ct & Capitol Dr – BO
 - 1st & Harbor Vista Ct – BO
 - Daniel Hills Ct – BO

- W K & W 7 x2 - Dup, on Non-Vacant List
- W J & W 3 – BO
- Corte Del Sol & El bonito Way – BO
- St Augustine & E 2 – BO
- W 6 & W J – BO
- 635 W I - Does not exist/BO
- W E & W 3 – BO
- John's Pl & W 6 – BO
- E 7 & E J - Dup, see earlier in this list
- 900 E 2 - Dup, see Non-Vacant List
- 60 Wingfield Way – BO
- W 4 & W I x3 - Dup, see earlier in this list
- 123 E N – BO
- Harbor Vista Ct & E 2 – BO
- Mills Dr & Cambridge – Tiny
- 1201 W K – BO
- E 5 & E O - Nothing available - 780 offramps
- E 6 & E N - Dup, see earlier in this list
- W - 2 - Where?
- Adams St & Park - Arsenal. Where? May be dup
- Adams St & Washington - Arsenal. Where?
- 230, 150, & 187 E L - already key city facilities and parking
- 802 Southampton R - already key shopping center
- Solano Square - already key shopping center (my Safeway!) and in addition to unacceptable duration of rebuilding, existing homeowners to north would not accept multistory going up between them and their water views
- 507 Claverie Way should be 511 Claverie Way
- 202 E J - already 2 story apartments
- E N & E 2 - Where?
- 1367 E 2 - important medical lab and shopping center
- 827 First - Don't want garages on First St - pedestrian safety issue
- 163 E H - Dup, see Vacant List
- 800, 808, 888 E 7 - Dups, on Vacant List
- Along E 7 - Dup, on Vacant list
- 1043 Grant - Dup, on Vacant list
- 1025 Grant - Dup, on Vacant list
- Grant & Polk - is under an I780 overpass
- 100 Block of W E - Where/ may be Dup of Vacant list
- 882 Blake Ct. - Remediated? Too many residents oppose
- 111 W H - Dup, see Vacant list (and no more parking lots allowed downtown!?)
- 150 Riverhill Dr. - should not have City cemetery on the chopping block

Vohra submitted the following comments:

- The Blake Court site 1 Blake Ct. is uninsurable; an insurance company informed them that not only was that no longer possible, but that they wouldn't provide us an earthquake insurance

quote either because no responsible insurance company would provide a policy to any building located so close to a hillside due to being likely to have future landslides. If they would not even give us a quote, living on Rose Drive, what will they do for a building located on the steep hillside itself? They believe that Cell phone reception, including 911, is unpredictable. There is very poor TV reception and even variable quality is often interrupted. In case of fire, medical or other emergency what if occupants of a new development can't even be sure a 911 call will work? The traffic on Rose Dr is above reasonable capacity. The quiet nature preserves are part of Benicia charm and attractiveness. The state that residents also have a need for quiet enjoyment of our property; we need the thinking space and quiet to work. There are toxic hazards at end of Blake Ct that can cause hydrogen cyanide, hydrogen sulfide, and arsenic. They question if there are any City staff, Planning Commissioners, or City Council that have a direct or indirect conflict of interest on this proposed, including a personal profit potential from this project. They ask about the performance bond and the financial commitment to ensure timely completion and that any damage to Rose Drive area homes and neighbors is addressed.

- Fairness in Benicia City housing is only fair when it is fair for the whole spectrum of the city residents. They claim that Single Family zoning covers about 40 percent of the land area of Benicia and that this percentage is among the lowest in the State of CA. Thus, Benicia does not have the subtle discrimination that might be attached to a much higher percentage of single-family only zoning. Benicia is a model of leading the way for fairness for other cities. State mandates for adding even more affordable housing units recently imposed on Benicia, do not ensure concern for fairness to existing Benicia residents. Zoning changes now being considered by Benicia Councils and Commission to implement the new mandates may achieve some goals and prevent or destroy equally worthy goals such as scenic views, new bicycle paths along Benicia streets, or smooth traffic flows instead of regular snarls and increased accidents and injuries. Residents are concerned for our residents and provide extensive support for the portion of our population that has the lowest portion of income per household or individual. They share examples:
 - Full-time police officer assigned to help unhoused individuals and families
 - Numerous religious and non-profit organizations that provide food and other assistance for those in need.
 - Benicia is the only city in CA that has a diversity and inclusion officer as a city employee.
 - Benicia is years ahead of other cities in the Diversity Plan.
- The State appears unconcerned by the expropriation of our open space by forcing development most city residents don't want. Government of the people, by the people and for the people, as we constituted our government based on liberty and freedom, suggests that people should direct government, not vice versa! This expropriation leads to overbuilt and crowded neighborhoods emerging, focused on many places where people invested their whole lives and families in the homes they bought. They did not expect to be crowded by high-density apartment buildings. Traffic will increase because we don't have adequate public transportation infrastructure to handle the population growth we have now. Insufficient parking within these new developments which appear to not yet have a mandate to ensure completed adequate roads and lanes and off-street parking be required for all such developments will lead to overcrowded accident-prone residential streets. Those who purchased homes with the expectation of living in an uncrowded and charming small Bay Area city with beautiful and

historic open space are disillusioned by the latest legal tactics by the state of CA to force unwanted development. The Fair Housing law ends up being an unfair housing law because it is biased against one segment of the population.

Response to Input Received

Written Public Comments

Comments Received on Public Draft

Mark Bremer submitted the following comments:

- States that there may be a real need for more housing, and certainly low-income housing given that there is plenty of middle- and higher-income housing. They share their insights about housing development, including:
 - Preserve the “small town” aesthetic and culture
 - Consider and implement mixed-use policies to move away from the dependence on cars
 - Require all new housing to be self-sufficient for power, solar panels capable of supplying necessary electricity
 - All building should be electric. All the buildings should have some form of adequate power storage for overnight use, be it batteries or something else.
 - All multi unit buildings must provide for charging electric cars.
 - All units must have air conditioning (as well as heat), be it from a central unit or individual units.
- See these as fundamentals of “modern” housing. They believe that regulations must be set since the start of the development to prevent any inadequacies.

Response:

- The City does not receive a benefit based on the affordability level of housing built in Benicia.
- Program 2.02 states that "As part of its next General Plan update, the City shall build on the work completed in the Eastern Gateway Study to continue to work to establish efficient land use and development patterns that conserve resources, such as fuel, water, and land, and allow for higher-density development in the vicinity of major transit nodes, set forth pedestrian oriented development patterns, and preserve open space areas."
- All programs under Goal 6, Housing in Benicia is Energy Efficient, encourage energy conservation and green design to support sustainability goals.
- Hazards associated with extreme heat (as a result of climate change) are mitigated and addressed in the Safety Element Update.

Lori Grundman expresses their appreciation for all of the effort that the Community Development Department has put into this project. They strongly support the Housing Element update, as written, with the caveat that units are spread evenly throughout the city to avoid overburdening certain areas.

Response: The City intends to continue to disperse housing throughout the city to avoid overburdening certain areas, as feasible given available land and potential for development.

Mary Jo Sherman-Nelson believes that if there aren't sites for large developments, then we need to build infill units on undeveloped lots. They believe that the City should reconsider Southampton open spaces. They state that the City needs more multifamily housing rather than single family homes. They hope the housing element update includes these ideas.

Response:

- There are no open space sites in the current draft of the Housing Element.
- The City of Benicia General Plan promotes sustainability, climate change mitigation, and infill development as a central tenant of the community's values. The Housing Element Update will remain consistent with the General Plan by promoting these values as well.

Kitty Griffin shares that they support the Hastings Drive and Southampton Road development for multi-family housing. They believe that this area has no community value as open space. They oppose permanently closing it to development that would benefit the entire community, at the personal behest of some nearby private residents. If you decide to zone this undeveloped site for multifamily housing, I would be grateful if it could be targeted for low-income accessibility, and that it be as attractive as other multi-family development along Southampton Road, with trees and bushes separating it from adjacent single family housing to the north of it.

Response: The Hastings and Southampton Open Space site has been removed from the current draft of the Housing Element.

Suzanna St. Jacques shares that they are impressed while skimming through the Housing Element presentations and materials. They observed the careful consideration has been given to the sensitive site selections. They express gratitude for not rushing through such an important plan. They share the following thoughts:

- They do not like seeing the Southampton Center on the Core Site listing or the Solano Square on the Second Tier Site list. Both of these grocery/retail sites are critical to the everyday life of all current residents. Disruption of these sites will severely disrupt the community. They understand the need to have the mass acreage in the plan but to make them a high priority for a future development plan conversation is unsettling.
- They suggest that underutilized City Parks need to be considered.
- They suggest that the Benicia Unified School District footprint can also be considered, including the fields at Joe Henderson and Robert Semple and Liberty High School given its small student population.
- They are grateful for preserving the special character of Benicia while addressing the larger needs of society.

Response:

- The Southampton Shopping Center and Solano Square, if redeveloped with housing, would retain the existing businesses and redevelop the sites with mixed-use development.
- At this time, the City has not found it necessary to remove active City parks to provide housing. The Benicia Zoning Code states in Section 16.32.040 that "New residential dwelling units increase demand on existing park facilities and create the need for expanded park facilities to

serve the new development." Therefore, the increase in residential uses would incidentally increase the need for more parks.

- At this time, the City has not found it necessary to remove land from active public schools to provide housing.
- The City owns the land off Park Road as referenced by the commenter.
- There are many landowners surrounding the Camel Barn Museum, including both public and private entities.

Nicole McCafferty-Harbaugh express their concerns about the with the buildings being recommended off of Hasting in the open space. They question if existing schools have the capacity for new school-aged residents. They want Benicia to remain special, to remain unique. They believe there are alternatives to make housing affordable without building into Benicia's beautiful landscape.

Response:

- The Hastings and Southampton Open Space site has been removed from the current draft of the Housing Element.
- If new sites are proposed for development, City and State regulations would require analysis of growth impacts and resulting mitigation strategies to ensure new development does not substantially impact facility and infrastructure needs.

Joe Marinos opposes the proposed affordable housing projects that are being considered especially if they include section 8. They believe that it not only decreases home values but will increase crime. They only support low-income housing if it does not involve government assistance and that it decreases costs for existing homeowners and renters in Benicia.

Response:

- The Hastings and Southampton Open Space site has been removed from the current draft of the Housing Element.
- The Hastings and Southampton Open Space site was not proposed to accommodate lower-income units.

Steven Goetz requests that the Commission ask the City Council to direct staff to use a more transparent review process when a housing project is being approved under the ministerial procedures authorized by Senate Bill (SB) 35. They recommend the City disclose in its final determination letter on the project's consistency with the SB 35 standards, the reason or reasons the City uses when it finds that a project complies with a particular SB 35 standard. They provided their insights for the 1451 Park Road project. Staff share with them that they could not say whether the final letter of determination would provide the information I have requested. They request that the City provide reasoning when the City finds that a project complies with a SB 35 standard. Passage of SB 35 warrants the City revisit this standard procedure for the review of projects eligible for ministerial approval. Public disclosure of the reason or reasons supporting a project's finding of consistency with SB 35 standards is one way the City can demonstrate to its constituents that the City is appropriately applying General Plan and zoning requirements to projects that would otherwise require discretionary review without the passage of SB 35. It is important that the Commissioners communicate soon to the City Council any concerns about the transparency of the review process for SB 35 housing projects. Two projects are being reviewed now

and they have deadlines for the receipt of documentation from the City on their compliance with SB 35 objective planning standards.

Response: Implementation of SB 35 is a topic that is outside the scope of the Housing Element.

Michael Hayes questions whether developers would entertain the idea of developing part of the City Cemetery but given the nature of real estate development in California, he would not be surprised if it might be an option at some point in the future. Further, some politicians, including the current Mayor, have indicated that Benicia is one of the few cities in the Bay Area that owns a Cemetery, and that the City should not be in that type of business. Comments like this suggest that there may be a point in the future where the City would try to sell of part of the cemetery for development. They reiterate their concerns about using the cemetery for housing development as it would prevent future generations of local residents the option of being buried there. They provide a correction for information provided by Benicia staff. Staff state that no burial plots have been sold in the cemetery parcel that is being looked at for development. That is probably correct, however their Dad put together the Benicia City Cemetery survey book has stated that in the 1850s and 1860s specific burial records were spotty at best and that the locations of all the burials are not known. Having worked for Benicia Parks Dept in the past, they have asked long time coworkers if they have ever dug up human remains in areas where the maps show there were not supposed to be known burials. I was told that while it is not common, it has happened in the past. In the 1800s some burials were simply marked with a wooden headboard. Numerous fires that have swept the hillsides thru the 1800s have destroyed these wooden grave markers. Thus, it may be possible that human remains could be uncovered if excavation for housing on the cemetery parcel. I would also like to add that while no written records have surfaced to confirm this, my Dad was told by longtime resident, Charlene Irwin, in the 1970s that the area of the City Cemetery at the top of the hill where the parking lot is now and where the City piles extra dirt and chipped bark is where the Chinese were buried in the 1800s. According to their Dad, Charlene was told that by the then City gravedigger in the 1940s. This all illustrates that if you go digging anywhere up in the Cemetery, you might find human remains.

Mike believes the small green space in the Southhampton area must be preserved to prevent unhealthy overcrowding in this community. More development will decrease the home values of this area, has the potential to increase crime and overburden our fire, police and school services. Furthermore, the city of Benicia has not demonstrated the ability to manage existing obligations or costs to infrastructure like roads, sewer, water or EV stations. Adding more homes that steal valuable open space and wildlife and jeopardize the health and well-being of our existing residents would be irresponsible actions by our elected officials.

Response: The City is aware of the uncertain historical record regarding 19th Century burials at the City Cemetery but does not have any specific information identifying historic burials in the portion of the cemetery parcel identified for possible residential development. The City is aware of the need for further due diligence should this site be carried forward. The required due diligence would either be completed prior to the sale of this property through the SLA process, or scoped into the SLA RFP.

Paul Leimone expresses their gratitude for the time and effort the City put in to developing a plan. They share their concern that some of our open space may be used for housing. They believe water is a big concern given that residents are being told to cut their water usage and now the City is trying to develop housing. They recommend the City first figure out how to recycle water waste. They don't believe single

family housing should be changed to allow fourplexes to be built, which is believed to increase congestion on streets not designed for them.

Response:

- There are no open space sites in the current draft of the Housing Element .
- If new sites are proposed for development, City and State regulations would require analysis of growth impacts and resulting mitigation strategies to ensure new development does not substantially impact infrastructure needs.

David Wagner believes it makes sense to at least consider the area off Southampton and Hastings for some sort of development in a reasonable fashion. We can't have the entire responsibility fall on the neighborhoods south of 780. They want to continuously state the need for at least a small playground or park area in the area around the middle school. They understand Benicia is a small town and residents like that, and that Southampton is more of a suburban feel, but everyone needs to do their part to stem the housing crisis, while also generating income for the City. We can't sit back and say we want to help those experiencing homelessness without adding to the housing stock. Those of us who are homeowners must think how it was as renters and how hard it is now to even consider being homeowners. They may misunderstand the proposal, but question why the land where the two churches are on Southampton and Turner is being designated, since they imagine there will be no homes built there.

Response:

- The Hastings and Southampton Open Space site has been removed from the current draft of the Housing Element.
- Multiple church sites are included in the Housing Element because State law allows redevelopment of underutilized parcels with housing. Multiple church owners have expressed interest in developing their site with housing.

Tony Morgado believes the City needs to respect the original open space planning and not intrude into current open spaces with housing. The City needs to explain why the State of California and by consequence, the City of Benicia has to plan for additional housing. The State of California does not have the power grid nor the water supply to support more residents. In regard to the open space in the Southampton site, though not documented in formal transfer documents the admission that it is clear that the intent at the time of the transfer to the City was for this parcel to remain as open space. The suggestion is to formalize this status by updating or filing appropriate documents to record a covenant or deed restriction requiring it to remain open space. This would formalize the acknowledged intent and remove the question for future reviews. They understand that the State mandates a report and holds Cities hostage for compliance. However, this type of governmental bureaucracy leads to a waste of time, money and resources. As stated in many documents, though there are no requirements to submit a plan for additional housing units, we are not required to build them. I assume that the State can change the rules at any time by legislation and change the rules requiring building. They suggest including provisions in the housing element that the State must meet in order to comply with any future mandated building. For example, in order to build the recommended housing, the State must provide a stable PowerGrid, with no black or brown outs, which meets 125% of the States peak power needs. In regard to water, the

State must provide water storage that meets 125% of normal needs with at least a 10-year surplus of water storage capacity to combat future drought situations.

Response:

- There are no open space sites in the current draft of the Housing Element.
- Per California Government Code sections 65580-65589.11, the California Department of Housing and Community Development has authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or Housing Element Law. This includes failure to implement program actions included in the housing element. To date, no jurisdictions in California have won a lawsuit in response to rejecting Housing Element law. The City plans to comply with State law and avoid costly legal ramifications.

Andre J. Stewart submitted the following comments:

- States that Benicia's housing growth has been below half a percent since 2010. We need 800 plus units. We need to ensure we step up for underrepresented groups, which was pointed out in the report. They state that Citizens with disabilities comprise over 10% of our total population There is inadequate housing for citizens that seek assisted and retirement living. They believe folks would like to move out of their houses but don't want to leave Benicia. They believe using 2019 data may be incorrect regarding housing costs. Such costs have increased dramatically since 2019; therefore, more folks are in crisis regarding rent payments, thus increasing the current 32% of residents with cost burden and severe cost burden status.
- States that page 25 of the Housing Needs Data Report, reflects that 30% of Black people are at the poverty level and represent 3 to 4% of the population. This is a large percentage of a population that, in many cases, moved to town. They ask if there is outreach being done to share resources with affected populations. They Human resources board is seeking to answer this. In addition, 8% of 70% of the population is white and lives below poverty. They ask what is being done to help this group. This group has a high percentage of single mothers. Page 34 of the Housing Needs Data Report points out there is no desire to build low-income housing. What is being done to educate the population that this low-income housing term is a stop thought statement that is being misused to create fear? Page 35 of the Housing Needs Data Report states substandard housing is not an issue, where is this coming from? They find it hard to believe.

Response:

- The Housing Element has multiple programs in place to enhance accessible dwelling unit options for people with disabilities and seniors. Program 3.02 in the Housing Element requires that the City adopt a reasonable accommodation ordinance addressing rules, policies, practices, and procedures that may be necessary to ensure equal access to housing for those with disabilities. In addition, Program 4.01 establishes a rehabilitation grant or reimbursement program to assist homeowners, particularly for mobile home park residents and lower-income households, with rehabilitation needs to provide weatherization, accessibility retrofits, or other rehabilitation services. Furthermore, Program 5.01 take actions to address significant disparities in housing access and needs for all persons regardless of race, color, religion, sex, gender, sexual

orientation, marital status, national origin, ancestry, familial status, source of income, or disability and any other characteristic protected by the California Fair Employment and Housing Act, Government Code Section 65008, and any other state and federal fair housing and planning law.

- HCD, in collaboration with California’s various Councils of Governments (COGs), developed pre-approved, data packages for the 5th and 6th cycle Housing Element updates. Because the data has been pre-approved (for COGs to use in preparing their Housing Element updates), it is not subject to further review by HCD. Therefore, 2019 data from the State is used in this Housing Element.
- This comment references a report from ABAG referencing Bay Area statistics. In Benicia, only 3.2 percent of the population is Black/African American. The City does not have current city-level data on the proportion of people below the poverty line who are Black/African American. However, various consultations with fair housing advocates and housing service providers service providers conducted as part of the Housing Element Update noted a shortage of housing resources for those who are experiencing homelessness and a need for a comprehensive system to identify affordable housing resources and tenant protection, particularly for seniors, the disabled, gender equality/familial status, and communities of color. The programs and policies in this Housing Element are intended to address these gaps in housing support for lower-income individuals, especially in marginalized communities.
- This comment references a report from ABAG referencing Bay Area statistics, and this information is not accurate for Benicia nor featured in the Benicia Housing Element. In Chapter II of the Housing Element, programs under Policy 1.03 intends to educate the public on affordable housing topics and solicit public participation by all economic segments of the community to implement the Housing Element.
- This comment references a report from ABAG referencing Bay Area statistics, and this information is not accurate for Benicia nor featured in the Benicia Housing Element. Appendix A and Appendix B in the Housing Element evaluate the substandard housing conditions in Solano County and Benicia. Program 4.04 in Chapter II of the Housing Element assists the mobile home owner in accessing state or federal funds for improvements to substandard or dilapidated mobile home parks and units or in converting the park to resident ownership. In addition, Program 4.07 will conduct a windshield survey of substandard homes twice during the next eight years, and use the Code Enforcement program as the primary tool for the City to identify and confirm dwelling units that are unsafe to occupy.

Matt Campbell submitted the following comments:

- Requests that all opens lands associated with the Benicia Historical District be removed from the Housing Element opportunity lists. There are several reasons which have been listed in prior communications. Among them:
 - The historic Benicia Arsenal is an integral element of Benicia’s history and needs to be protected from future developments that would cause us to lose this piece of historic land forever.
 - The land is incompatible for high density housing, and development would inject residents into an industrial area and put them in close proximity to hazard emissions, petrochemical substances, and industrial noise and traffic.

- In Jan 2023, the sites will have been on the opportunity list for a length of time that will make them eligible for development of 20% low-income housing with even less oversight requirements than this SB 35 process, and this needs to be avoided.
- The area is not zoned residential but rather zoned for mixed use with a residential component.
- Proclaims they're frustrated that the City continues to allow more and more condos be considered for areas east of East 5th St. Our area has enough of this type of house, and other areas of Benicia need to absorb their fair share. What we need on the east side of town is a park, and this historic area of the Benicia Arsenal with its sweeping views of the waters and the Carquinez Straits makes a perfect area to place one. Its open spaces were once enjoyed by countless visitors and dignitaries to the base back when it was operational, and it should continue to be enjoyed that way for future generations.

Response:

- As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.
- Most sites in the Arsenal will not be eligible after January 2023 for by-right development if 20 percent of housing proposed is affordable. State law indicates that sites identified in two consecutive prior housing elements are made available to accommodate by-right development if at least 20 percent of the housing on those sites be affordable to lower income households. Most sites in the Arsenal were not on two consecutive prior housing elements.
- The State accepts mixed-use zoning that allows residential development as an option for the City to meet their Regional Housing Needs Allocation.

Steven Goetz submitted the following comments:

- The Housing Element has a disproportionate impact on disadvantaged neighborhoods. The fair housing assessment in Appendix B suggests that the City is proposing a disproportionate share of new units in the eastern side of the city, specifically in Census Tract 2521.02. Appendix B analyzes available data to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty or affluence, disparities in access to opportunity and disproportional housing needs, including displacement risk. Appendix B shows Census Tract 2521.02 at the low end of the spectrum of living conditions in the city and that it also houses populations with special needs. The Housing Element site inventory proposes to place in the eastern side of the city 37% of all new units and 46.8% of new lower-income units. This census tract currently accommodates only 14.8% of the city's population and 15.1% of the city's housing units. The disproportionate share of new housing in the eastern side of the city can constitute a form of environmental racism, which is the concept of locating low-income housing closer to environmental hazards and degraded environments than the general population. The Housing Element places this disproportional burden on the most environmentally challenged area of the city as shown in Appendix B, Figure 3-9: Local TCAC/HCD Environmental Score "Less Positive Environmental Outcome." This figure identifies census tracts that have lesser access to environmentally positive outcomes. Figure 3-9 shows Census Tract 2521.20 with a score in the 7th percentile, meaning it is the area of the city with the least positive environmental outcomes.

The disproportionate environmental burden in the eastern side of the city is also shown in Figure 3-34: Local CalEnviroScreen Percentiles (prepared by the California Environmental Protection Agency) which identifies areas that are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. Census Tract 2521.02 scores in the 45th percentile, making it the census tract with the highest environmental burden in the city.

- The Housing Element creates this disproportionate impact through two programs that implement Policy 2.04: Disperse affordable housing throughout the city to avoid concentration in any one part of the city. Program 2.02 proposes to revise land use policies in the next update of the General Plan to establish efficient land use and development patterns. Program 2.03 will annually evaluate the inventory of sites to meet Regional Housing Needs Assessment (RHNA) requirements and shall rezone for sufficient sites as needed. Neither of these programs avoid concentration of affordable housing in any one part of the city.
- The Housing Element contains statements that minimize the findings from Figures 3-9, 3-34 and 3-46 in Appendix B. Page 73 makes the following statement regarding Figure 3-34, which shows Census Tract 2521.02 scoring in the 41st to 50th percentile range, the highest score in the city for neighborhoods with environmental burdens:
“just west of E. 2nd Street, the overall environmental burden scores drop significantly to the 13th and 15th percentiles and population characteristics are generally indicative of healthy living conditions throughout Benicia, scoring in less than the 35th percentile for population characteristics throughout the city.” The above statement does not acknowledge the fact that residential development west of East 2nd Street is protected by a 1,500+ foot buffer from the industrial uses to the east, which may help reduce the environmental burden on neighborhoods west of E. 2nd Street. Such a buffer does not exist for the residents of Census Tract 2521.02, and the Housing Element does not dispute the fact that this census tract bears the greatest pollution burden of any tract in the city (CT 2521.02 at 45th percentile vs. Citywide at less than 35th percentile). The residents of this census tract are in close proximity to environmental hazards and degraded environments compared to the general population in Benicia.
- The analysis on Page 73 of Appendix B minimizes the findings of Figure 3-9 that the eastern side of the city has neighborhoods that experience the least positive environmental outcomes compared to the rest of the city. “The area east of E. 2nd Street scores in the 7th percentile according to TCAC/HCD; however, this area only has residential uses in the southern-most areas, adjacent to a high-scoring residential tract. The census tract with the low TCAC/HCD environmental domain score is geographically large and most of its land area is outside of Benicia city limits. Given that only a small portion is residential, it is likely that these residents experience more similar conditions to the adjacent residential neighborhoods and the score in the 7th percentile is not reflective of actual conditions for these residents.”
- The fact that most of the land area for this census tract is outside the city limits (largely open space and rural residential) is irrelevant to the conditions inside the city limits where most all of the industrial and residential development evaluated by the TCAC/HCD is located. No evidence is provided to substantiate that the conditions experienced by the residents of Census Tract 2521.02 are similar to residents in other Benicia census tracts or that the TCAC/HCD evaluation is wrong. Page 11 of the state guidelines for including environmental justice principles in General Plans states “depending on the data and information available, local governments

should consider whether there are disadvantaged communities in geographic units that are smaller than a census tract to ensure that all disadvantaged communities are recognized.”

- Page 114 of Appendix B contains unsupported statements regarding Figure 3-46 which shows 46.8% of the new low-income units allocated to the eastern side of the city. “The City has identified slightly greater capacity for lower income units in areas with higher rates of pollution burden compared to moderate and above moderate-income capacity. Most undeveloped and underdeveloped land remaining in the city is in these areas with higher pollution burdens; however, construction of new housing in closer proximity to pollution sources, such as the eastern side of the city closer to the Valero Refinery and Port of Benicia, has the potential to impact quality of life of these residents while not altering existing patterns. To address this, the City has included Program 5.04 to alleviate and mitigate pollution sources to improve conditions for current and future residents across the city.” The City provides no information to show that most of the undeveloped and underdeveloped land remaining in the city is located in the eastern side of the city. Rather than avoiding the concentration of low-income housing in neighborhoods with high pollution burdens, the Housing Element chooses to put more housing in harm’s way, with the promise to mitigate pollution sources and provide amenities to improve conditions for residents. The City has the ability to completely avoid steering low-income residents towards this adverse environmental exposure. The City can remove the parcels from the sites inventory that are located in the Arsenal Historic District which have the greatest exposure to the heavy industrial uses located there, while retaining the sites that locate new housing away from these environmental burdens. This optional course of action is not even mentioned in the Housing Element.”
- The Housing Element provides other data in Appendix B that identifies disadvantaged populations that reside in the eastern side of the city who are disproportionately impacted by the proposed inventory of sites. They point out the following figures:
 - Figure 3-8: Local Median Income shows that households residing in one of two Census Block Groups in Census Tract 2521.02 fall within the lowest median income category listed for Benicia;
 - Figure 3.17: Local Racial Demographics, shows one of two Census Block Groups located within Census Tract 2521.02 is one of the lowest income areas of the city with a non-white population of 41.4% (the city’s non-white population is 34.9%);
 - Figure 3-21: Single-Parent Female-headed Households with Children in Benicia, shows households in Census Tract 2521.02 reside in relatively lower-income neighborhoods that have the city’s highest percentage of single-parent female-headed households (greater than 20%, compared to 10.2% of households citywide); and
 - Figure 3-23: Population with a Disability in Benicia shows Census Tract 2521.02 is among the Benicia census tracts where residents living with disabilities are found at marginally higher rates and coincide with the city’s relatively lower-income and environmentally adverse census tracts.
- The Housing Element should evaluate other data that can help describe conditions experienced in Benicia’s disadvantaged communities. The Housing Element describes the City’s Housing Choice Voucher (HCV) Program which provides rental assistance to low, very low, and extremely low-income households through Section 8 of the Housing Act of 1937. Identifying which neighborhoods have the market rents that fall within the levels supported by HCV Program

might help address disparities in housing opportunities for these households. The Housing Element indicates that the Housing Authority administers the HCV Program to 372 participating households. Page 58 of Appendix B identifies a concentration of 47 HCV users north of Rose Drive. It would be helpful to provide a map or table to show the distribution of HCV users citywide according to census tract. They point out the following tables:

- Table 3-4: Residential-Zoned Land Capacity and the RHNA, estimates that 511 new units could be accommodated by land in the city currently zoned for residential use. It would be helpful to provide a map or table to show the distribution of these units by census tract. This data could show whether or not current zoning policies concentrate affordable units at specific sites.
- Table 2-21: Housing Units by Year the Structure was Built (Appendix A: Housing Needs Assessment, page 45) shows the general ages of the housing stock in Benicia. This data could help understand whether housing in an area is more likely to have rehabilitation needs or is more likely to be redeveloped if the area is rezoned for higher densities. It would be helpful to provide a map or table to show the age characteristics of housing within each census tract in the city.
- The State advises local governments to “evaluate whether low-income areas are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. The statute does not include a definition or process for determination of disproportionate pollution burden or other hazards. However, it is important that local jurisdictions broadly analyze possible disproportionate burdens to further the protective intent of Government Code section 65302(h)”, [this is the State statute promoting environmental justice principles in General Plans]. The State’s guidance on how General Plans evaluate environmental justice issues recommends that General Plans “propose methods for providing for the location of new schools and residential dwellings in a manner that seeks to avoid locating these uses in proximity to industrial facilities and uses that will contain or produce material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant hazard to human health and safety”. The disproportionate impact of the Housing Element can be corrected by eliminating the proposed new units from the Arsenal Historic District. The City can avoid the concentration of affordable housing in the eastern side of the city by removing parcels from the Housing Element site inventory that are located in the Arsenal Historic District. Removing residential as an eligible use of land in the Arsenal would create the following benefits:
 - Removes parcels in the Housing Elements sites inventory that are most vulnerable to the environmental burdens and potentially create new liabilities for the city;
 - Protects the historic resources of the Arsenal Historic District from development that could result in removing this area’s listing on the National Register of Historic Places;
 - Protects the viability of heavy industrial uses in the industrial park and the waterfront; and
 - Increases the likelihood that low-income housing can occur on sites located in areas with fewer environmental burdens and improved fair housing opportunities.
- The Housing Element sites inventory gives the city the option to strategically remove sites to avoid locating housing in unsafe areas, to preserve historic resources in the Arsenal Historic District and to avoid conflicts with the heavy industry operating in the Arsenal. The Housing Element provides 511 new units through existing zoning, so another 239 new units would be

needed through rezoning other parcels for residential use to meet the 750-unit RHNA target. The Housing Element sites inventory provides over 1,400 new units outside the Arsenal Historic District boundary that can be used to meet RHNA through rezoning parcels for higher density residential uses. The sites for housing in the Arsenal Historic District are not needed to meet the RHNA target. Parcels in the Arsenal Historic District provide an estimated 340 new units; some of these parcels are already zoned for housing while other parcels are proposed for rezoning for residential use. The Housing Element sites inventory provides more than enough sites to meet RHNA and to rezone the Arsenal Historic District to remove new housing sites and improve land use compatibility with the operations of the heavy industry located there.

State law allows the City to reduce housing capacity on a parcel or parcels as long as it concurrently rezones other parcels to provide an equivalent increase in housing capacity.

Parcels in the Housing Element sites inventory have the capacity to rezone sufficient land to demonstrate that there would be no net loss in housing capacity by the elimination of future housing from the Arsenal Historic District.

- The City should use City-owned open space to provide new units in the Housing Element sites inventory. Using a small portion of the 1,810 acres of city-owned open space north of the freeway for housing should be considered by the City. Staff has reported that several city-owned open space areas in Southampton that were included in an earlier version of the sites inventory have been removed because developing these sites for housing would conflict with the city's original intent to preserve these areas as open space. If the intent of the city fathers was to preserve this land as open space in perpetuity, they would have required the developer to create a homeowner's association to own and maintain this land. The Southampton open space is owned by the city and maintained by all city taxpayers. The fact that a city council fifty years ago decided to acquire this land and zone it for open space does not bind future city councils from rezoning this land for other purposes to address community needs and priorities.
- The Council has received numerous letters from Southampton residents about the value open spaces provide to wildlife habitat and the problems created by the traffic that comes with new housing. These comments could be made by the neighbors of other vacant lots elsewhere in Benicia that are being considered by the City as housing sites. One advantage of using the City-owned open spaces is the ability to develop housing on only a portion of the parcel, leaving the majority of the parcel available for trails and landscaping and other improvements for the benefit of the community. Park improvements will be needed to serve the additional population accommodated by new housing. Other advantages of the parcels of City-owned open space previously included in the list of housing opportunity sites is that the parcels are reasonably close to services, have good access, and are in areas of high opportunity to facilitate economic mobility for low income households.
- In the Bay Area where existing homeowners have become the gatekeepers for new housing, meeting our need for more housing will mean making tradeoffs. New housing should respect existing height limits and design standards and preserve our historic resources to maintain the small-town character of Benicia. New housing should be higher density than single-family construction to respect our urban growth boundary that preserves the natural areas outside Benicia. And any new housing in Southampton open space should be limited to a small fraction of the 1,810 acres that the City owns, be close to shopping and services, and be located and

designed to preserve views, improve wildlife habitat and provide other amenities and benefits for the community.

- The City has the ability to rezone some of the City-owned open space parcels for residential use and add them to the sites inventory. Such an action would significantly improve the ability of the Housing Element to provide fair housing opportunities for low-income residents. Earlier versions of the housing opportunity sites for the Housing Element identified four sites in City-owned open space for consideration as opportunity sites. These four sites encompass 67 acres, which represents only 4% of the City-owned open space in Southampton. Preliminary information provided by the City indicated there are no deed restrictions on these parcels that prevent their use for housing. If 10% of the acreage in each of these four sites were developed for housing at 30 units/acre, that would provide 200 new units for the Housing Element sites inventory in an around a neighborhood identified in the Fair Housing Assessment as a “Local Racially Concentrated Area of Affluence,” (Appendix B: Figure 3-18). The remainder of these four sites could be used for park and open space improvements.
- The Housing Element should add a policy or program to prevent displacement of existing low-income residents from redevelopment. Most policies currently proposed to address displacement involve assistance with down payments for first time homebuyers, increasing housing throughout the city, reducing costs for construction, making housing denser, and implementing the inclusionary housing ordinance. How do these programs keep a person already living in a low-rent apartment building from being displaced if the owner of the building wants to redevelop for a taller and larger apartment building?
- The City should expand Program 4.06 to cover low-income tenants who could be displaced when the un-restricted unit they rent is being replaced with a taller and larger apartment building, or are these tenants already covered by this program. They also ask if the Housing Element can offer a program that will give tenants displaced by redevelopment preference for locally-available affordable housing. They state that they City can enhance Program 4.05.

Response:

- Program 2.03 is written in accordance with State law to ensure that the City does not experience a net loss of housing availability. The purpose of Program 5.04 is to address the environmental concerns pointed out by the commenter by employing tools under the City's jurisdiction.
- On Page 114 of Appendix B, the Housing Element states that “Environmental health conditions are less desirable than economic and educational conditions in Benicia, as described in the Environmental Health section of this assessment. This is largely due to pollution and possible contamination due to sources such as proximity to the Valero Refinery, the Port of Benicia, and other industrial uses on the eastern side of the city.” The Housing Element explicitly acknowledges the differences in environmental conditions based on proximity, but it does not explicitly state that there is a greater buffer from industrial uses to the east because that is clearly stated in the text and visibly clear in the maps. The City will add additional language about the 1500-foot buffer, rather than make a general statement about proximity, but it will not change the analysis. The purpose of Program 5.04 is to address the environmental concerns pointed out by the commenter by employing tools under the City's jurisdiction.
- The purpose of Program 5.04 is to address the environmental concerns pointed out by the commenter by employing tools under the City's jurisdiction. The Housing Element text

comparing environmental concerns within Census tracts was written using local knowledge of typical wind patterns in Benicia and proximity to polluters. The City does not have access to environmental data that is more granular than Census tract-level data. Therefore, the City cannot compare data from this area in the southern portion of tract 2521.01 to compare it to the neighboring tract in Benicia. The City will add a statement to that effect in Appendix B of the Housing Element.

- The Housing Element statement about developable land is based on aerial views and City knowledge of developable parcels in the city. The Vacant Lands Inventory documented the undeveloped lands in the city that are not zoned Open Space. City Council directed to distribute affordability throughout the city, with a 60/40 ratio of affordable/moderate unit distribution. This distribution could receive further consideration with the sites refinement discussion that will follow HCD's first review.
- The City will add language to programs in Chapter II that address the stock of affordable housing, concentrations of poverty, housing types, and environmental conditions to specifically call out the neighborhoods that experience a concentration of these issues.
- As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.
- The City evaluated Open Space parcels throughout the City. While most are either deed restricted to open space uses or lack suitable characteristics to accommodate housing development, several were deemed to be reasonable candidates for housing development. However, these sites were removed from the Housing Element due to the clear intent for these parcels to remain as open space at the time they were transferred to the City, though not perfected in the recorded deeds.
- The City has programs in the Housing Element to reduce displacement in the type of situation the commenter raises. These issues are addressed by the following programs in Chapter II: Program 4.01, Program 4.03, Program 4.04, Program 4.06, and Program 4.07. However, the City will add anti-displacement language to Programs 4.03 and 4.04, and the City will add language in Program 4.07 to indicate requirements for relocation assistance for displaced tenants.
- This is already part of what is required under Program 4.06
- The City Attorney will review the legality of implementing housing preferences in City-owned housing developments.
- Neither the City nor Benicia Housing Authority have staff capacity or resources available to enhance Program 4.05 beyond what is currently written.

Jennifer Campbell submitted the following comments:

- They are the owner of a 151- year-old home and are expected to adhere to the standards of the Benicia Historical Design Review Commission to have any changes or additions approved by the City before we are allowed to proceed with external home improvement projects. They conclude that when they purchased our house, they understood the social contract, the agreement they have with the City of Benicia, to adhere to strict guideline and standards set forth by the Benicia Historic Preservation Review Commission to preserve the historic nature of our home to protect the integrity of Historic District C. They question why the City of Benicia does not hold up their end of this agreement by allowing builders to put apartments and condos

that are completely out of compliance with the preservation and conservation plan of Historic District C. The provisions of the 1451 Park Road and Jefferson Ridge projects, as part of the rules of SB 35, state that these projects must comply with objective standards. These objective standards must be uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal and not involve any personal or subjective judgment by a public official.

- The Benicia Arsenal Historic District was designated as Historic District C in order to preserve its legacy and ensure that future development or improvements reflected the heritage and style of the past it represented. As I demonstrated earlier, this designation established a social contract between residents in the historic district, the citizens of Benicia, and the city government whereby the residents of the historic district agreed to put in the extra expense, time, effort, and abide by strict rules around architectural style and the use of more expensive, original-style materials in the use of repair or upgrade in exchange for a promise from the city government to preserve the historical essence of the area and only approve plans for the area that conformed with its established architecture as well as its historical land use.
- So, what are the socially agreed objective standards for the area? What are the criteria and benchmarks? What have the citizenry of Benicia already agreed to? To find answers, we must look at the available, verifiable and knowable history of this historic district to determine that. Jefferson Street and Jefferson Ridge were the areas where all of the Benicia Arsenal's leadership lived, and the buildings reflected an elevated style for the housing of the base's non-commissioned and commissioned officers. It was not the location, at any historical point, for high-density barrack style buildings. This is an available and knowable fact just by simply walking the neighborhood or by picking up a book like "Benicia, Portrait of an Early California Town, An Architectural History by Robert Brueggemann." The historical fact that no barracks ever existed along the street and ridge has established the benchmark and the criterion by which the heritage, style, and type of any new structures in the Benicia Arsenal Historic District must comply.
- In summary, these current projects do not comply with a historically established objective standard for Historic District C. They are large, multi-family units resembling barracks; a form, function and style of building that was never located along Jefferson Street and Jefferson Ridge. They urge this city council to deny approval of the current forms of these projects for not only this reason, but to also preserve the social contract, the trust, and the integrity it has with its citizens. At the very minimum they encourage the applicants to review, revise, and resubmit the 1451 Park Rd. plans so that they conform with the type and style of homes along Jefferson Street. The most appropriate historical addition for the Jefferson Ridge area would be to put a park on this land, resembling as it once was when the officers during the Civil War presided on Jefferson Street's Officer's Row. If this land is built on with this massive amount of 138 apartments and condominiums, its historic preservation and most likely its position on the National Register of Places as Historic District C will be lost forever, so therefore they also ask that it be eliminated from the Benicia Housing Element list.

Response: Implementation of SB 35 is a topic that is outside the scope of the Housing Element.

Corinne Koopowitz received a notice that mentions "How the City will grow and address the changing needs of the community". They believe it implies that the City believes the City will grow but want opinions. They believe that is a contradiction and manipulative. If the Planning Commission or City Council is trying to tell people that the City is required to build homes, or affordable housing, then I would like to see that requirement in writing. They ask that the City listen to their opposition. Benicia had a small town feel and even that is being lost.

Response: Per California Government Code sections 65580-65589.11, the California Department of Housing and Community Development has authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or Housing Element Law. This includes failure to implement program actions included in the housing element. To date, no jurisdictions in California have won a lawsuit in response to rejecting Housing Element law. The City plans to comply with State law and avoid costly legal ramifications.

Marilyn Bardet submitted the following comments:

- She endorses and incorporates the comments submitted on the Housing Element Update by professional planners, Natalie Macris, and Steve Goetz. Her letter dated April 19, 2022, on the scoping for the Draft Environmental Impact Report on the Housing Element/Climate Vulnerability Assessment Update is pertinent to their comments on the HEU. She calls for a General Plan Amendment to permanently eliminate residential as a permitted use in the Arsenal Historic District/lower Arsenal area because of two major reasons:
 - The obvious incompatibility of residential with major industrial uses in the port waterfront area where Valero's and Amports' facilities are ever-present existing sources of pollution, hazards and risks to which future residents and sensitive receptors (families, children, elderly, immune compromised) would be vulnerable, and from which there are very limited ways for those future occupants to be protected from those facilities' physical hazards and also air, soil and water pollution. State agencies would be involved in any proposed mitigations: EPA's DTSC, BAAQMD, the Water Board and State's Port Authority. Allowing residential including affordable housing within the Arsenal Historic District would potentially locate from 400 - 500 future residents in harm's way. The City should not be relying on ""Buyer Beware"" notices, represented primarily by real estate disclosure statements (see SB 35 project applications), to be conveyors of detailed information about existing hazards and major sources of chronic pollution. While SB 35 projects are exempted from CEQA, leaning exclusively on such a flawed law, and thereby seeming to escape evaluation of such known existing hazards and pollution sources is an irresponsible position of a city government. The primary job of elected officials is to be looking forward and proactively engaging in protecting the health and safety of current and future residents as the General Plan's Health and Safety chapter outlines. This is an issue of environmental justice.
 - Of equal and paramount concern is saving the Arsenal Historic District's incomparable Civil War era Officers' Enclave from destruction. Identified in the Arsenal Historic Conservation Plan [AHCP] as ""sub District C"", a national treasure listed in 1976 on the National Park Services' National Register of Historic Places, to this day, this district is visibly intact as designed by the Army under orders of President Abraham Lincoln and served as the central heart of the Arsenal's command structure from the mid-19th c until the Arsenal's closure in 1964. District C has 11 original historic structures—the Clocktower Fortress, commanding officers' living quarters and their administrative buildings surrounded by open space

grounds— the surrounding landscape setting of Officers' Row of the Jefferson Ridge, inclusive of the assembly area where the Arsenal flagpole originally stood. These landscapes are deemed ""cultural landscapes"" of District C. The 1993 Arsenal Historic Conservation Plan, though it needs updating, represents the intent of the City and community, as affirmed in the General Plan, for preserving the National Register district's distinct character as a venerable asset that invites the development of historic tourism, as the General Plan envisions. The draft HEU does not specify, describe, or characterize the distinctions conferred on the Arsenal Historic District and particularly District C. Why not? Staff presentations have also not used proper names, such as are used on historic maps and other official materials and the AHCP, such as ""Officers' Enclave"" or ""National Register District C"". The scant description in the HEU does not accurately represent the distinctions and values of these esteemed cultural assets. It is not surprising, then, that such prestigious distinctions have not been accounted for in the SB 35 project applications for residential development within the Arsenal Historic District. Distinctions that must be named and discussed for their value to the City, state and nation: In 1936, the Arsenal earned California's official state landmark status; and in 1976, the National Park Service of the U.S. Dept of the Interior listed 4 subdistricts on the National Register of Historic Places as distinguished in the Arsenal Historic Conservation Plan, [AHCP, Figure 2, p.7 "National Register Districts and Properties of the Benicia Arsenal"] Generalized references to the Arsenal Historic Conservation Plan protections are not sufficient to inform the public of our major cultural elements, including the cultural landscapes along Jefferson Ridge that have been integral to the design of Officers' Row since 1859. Many residents have no knowledge of the Conservation Plan, let alone, the history of the City and the Arsenal's role in its foundation and subsequent prominence through the Civil War era, the 20th century's world wars, the Korean War and peacetime defense, until the Arsenal closed in 1964. But City elected officials are expected to understand and promote those values and historical relevance.

- SB 35 projects are now being evaluated under minimum objective standards, if approved, would destroy District C in every way pertinent to its integrity, character and standing on the National Register as a unified, intact district. Over the past twenty-five years issues cited in one and two were deliberated by staff, planning commission, council, and the public. Concern for protecting historic resources and for addressing environmental hazards in the lower Arsenal port area that would impact the Arsenal Historic District and its future uses have still not been resolved. These issues were previously raised during controversy in 1994-1995 over a large- scale industrial development proposal for the Port of Benicia, submitted by Koch Industries, for a petroleum coke storage and shipping terminal facility that was planned to serve all 5 Bay Area refineries. In the aftermath of public outcry and defeat of Koch Industries' proposal, a number of housing development proposals, beginning in 2001, were floated and subsequently withdrawn for residential infill in the Arsenal Historic District's National Register District C. A culminating public defeat of the Draft EIR for the Lower Arsenal Mixed Use Specific Plan, reviewed through two attempts at certification between 2006-2007, meant that upwards of 115 units of infill housing proposed for parcels along the Jefferson Ridge, Park Rd and Grant St, were not permitted. Now, however, given two projects that could ruin the Arsenal Historic District forever, the city claims that SB 35 allows for no avenue of appeal of any ministerial decision for approval that would be made by its own staff.

- The reasons cited above in one and two, which are more fully accounted for in my April 19th letter, request that the following parcels be removed from the HEU's "Vacant Lands" inventory and those cited as "Opportunity Sites" for residential infill, and also, those parcels previously permitted for residential use in "mixed use districts". From HEU's Figure 3.1.E. City of Benicia Sites Inventory #5, they request removal of the "Considered "suitably zoned": Parcels # 123, 124, 6, 7, 2, 3, 4, 5; as well, those parcels proposed for zoning changes and/or zoning overlay: Parcels # 52, 53, along Grant St. and Parcel #45, at 1471 Park Rd. Included are the two SB 35 project application sites at 1451 Park Road Project (categorized as a "Core Site"), and 7.9 acres on the Jefferson Ridge, the "Jefferson Ridge Project".
- A prime example of a city-owned property that should be removed from the HEU: 1471 Project Road, Parcel #45, which is in every aspect equally unsuitable for residential development of any kind as are the parcels cited above within District C and Grant St parcels. Parcel #45 lies within the boundaries of former Benicia Arsenal and is within the Arsenal Historic District. [See Figure 3, Arsenal Historic Conservation Plan. p 9]. Because it lies within the former boundaries of the former Benicia Arsenal it would require DTSC clearance with regard former possible contamination from former military uses. The 1471 Park Rd parcel is triangle-shaped and fronts onto Park Rd. Its location on Park Rd would put future residents entering and leaving the development in daily danger. Park Rd cuts up from the lower Arsenal industrial area to connect to a major intersection at Bayshore Rd and Industrial Way, at the entrance to the Valero refinery. Park Road is the ONLY and busiest, heavily truck-trafficked road that cuts through the eastern side of town connecting the lower Arsenal industrial area to the industrial park. Park Road is particularly important to both Valero's refinery and Asphalt Plant, as well as Amports LLC car import business operations, whose headquarters and parking lots border Park Rd. For example: Park Rd is used by huge tractor-trailers hauling cars from the port to Amports' other parking areas along Park Rd., just north of the 1471 Park Rd parcel. The parcel at 1471 Park Road is bounded on the north by 2 lanes of the I-780 freeway that form a low overpass over Park Rd.; just north of those lanes, there is a flyover of I-680 lanes connecting to the Benicia/Martinez bridge. The parcel's eastern side, bounded by Park Rd, is also where Valero's 6 active pipelines run parallel to the road, running from the refinery, and then following a course along the base of the Jefferson Ridge's northern side to Valero's tanker dock at Bayshore Rd at Army Pt., the dock owned and governed by the State of California's Port Authority. On the east side, Amports uses the property across Park Rd and bordered by Oak Road as a parking lot for cars offloaded at their shipping terminal. Further, the parcel is approx. 2,500 ft from Valero's southern tank farm and less than a mile from Valero's Asphalt plant.
- In regard to the need to build affordable housing, while the serious aim to provide affordable housing is necessary and laudably noble, how can this aim be justly and equitably realized by current means, wherein, for example, SB 35 projects are required to build only 10% affordable of the total number of units proposed for maximum density? And, since SB 35 streamlined approval processes lie outside the purview of CEQA, it appears that ""environmental justice issues"" are given no attention by SB 35, e.g., consideration of conditions of a specific location where such a density infill project could be developed. Ergo, those projects' potentially significant impacts related to environmental justice could remain uncharacterized, veiled by SB 35 proscriptions against CEQA. The implications of SB 35, and by example and precedent, how the streamlined review is being conducted for the two SB 35 projects proposed for the Arsenal

Historic District, are ominous for Benicia, since SB 35 projects are likely to be proposed for "vacant lands" and "opportunity sites" throughout the community to fulfill RHNA numbers.

- In regard to the "underserved" East Side, they are particularly concerned about how future anticipated increases of residential infill will improve and/or adversely impact Benicia's East Side, which is still considered to be "underserved", lacking services and amenities, as described by a City study initiated in 1985 on East Side conditions. How will the full impacts to the East Side be accounted for if ALL projects proposed for the East Side were to be developed apropos the HEU, whether as Opportunity Sites or Vacant Lands, in addition to any and all SB 35 projects approved now or in the future for the East Side? The full scope of cumulative effects of the HEU, should development of all parcels represented be developed, must be evaluated as part of the HEU DEIR. Right now, those SB 35 projects for the Arsenal Historic District will not have had analyses of potential cumulative impacts on future residents, pertinent to environmental justice issues. Such evaluation is currently left uncharacterized and excluded from the prospective review of SB 35 projects.
- The Climate Vulnerability Assessment Update allows for projected increases in population. The lack of a substantial "passive recreation" park on the East Side is a glaring problem. The CVAU cites the importance of parks that provide shade and respite outdoors for residents during long hot summers. Where is this concern represented in the HEU as related to existing conditions on the East Side? Parcels considered now for development on historic landscapes within the Jefferson Ridge's District C are the last substantial green "open spaces" left on the East Side and within the old Arsenal's central historic core. This fact has not been recognized by the HEU but should be.

Response:

- As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.
- Implementation of SB 35 is a topic that is outside the scope of the Housing Element
- The Housing Element does not have authority designated by the State to require that low and very low income units be built on sites identified in the Sites Inventory. It only designates where housing may be built.
- The Housing Element EIR would evaluate the City's standards for services for impacts to the physical environment resulting from the Housing Element.
- The Jefferson Ridge property is directly adjacent to the Commanding Officers Quarters and the Clocktower, both of which are owned by the City. The open lawn and parking areas surrounding and between the two buildings are managed by the City and included in the Parks, Trails & Open Space Master Plan. The Jefferson Ridge site itself is in private ownership.

Natalie Macris submitted the following comments:

- Requests that the Jefferson Ridge and other Arsenal Historic Conservation Plan sites be removed from the list of potential housing sites in the Draft Housing Element. As explained in more detail in my April 16, 2022, letter to the City Council, the 12 Arsenal sites, shown in Draft Housing Element Figure 3.1.E, should be removed due to:

- The health and safety hazards of siting housing in an active heavy industrial area that includes the Valero refinery, the Port of Benicia, and the adjoining Interstate 780 freeway; and
- The potential for high-density housing, especially streamlined projects enabled by state law (Senate Bill [SB] 35), to overwhelm the Benicia Arsenal Historic District, a nationally significant historic gem that deserves careful planning.
- Asks that the City review the draft sites inventory with the intent to remove the Jefferson Ridge and other Lower Arsenal parcels from the list of potential housing sites, for the following reasons:
 - The Lower Arsenal is not a safe place for housing. Jefferson Ridge is right next to the Port of Benicia, with aboveground Valero fuel pipelines running along the northern boundary of the site. Other potential housing sites in the Lower Arsenal are also surrounded by heavy industry. The recent Port fire and news of ongoing air quality violations at the Valero refinery are just current examples of why a heavy industrial area is not a good place for housing. The existing Housing Element calls for 153 units of very low- and low-income housing on Jefferson Ridge. Even if that number were realistic, which seems doubtful, there are serious health, safety, and environmental justice issues with siting that much housing, especially low-income housing, in a heavy industrial area, with all the hazards and nuisances it would create for residents.
 - Jefferson Ridge is the heart of a nationally significant historic district that deserves careful planning. Jefferson Ridge is the city's most historic place – and it's a historic district, not just a collection of historic buildings. It's a place that's important in state and national history, as well as local history. The entire district is on the National Register of Historic Places, which makes it very special. The recent Senate Bill (SB) 35 proposals there have shown how high-density housing development will completely overwhelm the historic nature of the place. A change.org petition opposing the SB 35 proposals because of their impact on the historic district has 800 signatures and is still growing. There is community support for preserving the historic district and planning for it more carefully. Removing the Jefferson Ridge parcels from the Housing Element is an important first step.
 - The City can meet its Regional Housing Needs Allocation on other sites. City staff and the consultant team have done an excellent job of scouring the city for housing opportunity sites. They found some very interesting possibilities for sites throughout the city with a range of housing types and densities – places where housing could work well, for the people who live there and for the city as a whole, whether it's downtown, in other commercial areas, or in residential neighborhoods. These sites have more than enough housing unit potential for the City to meet its Regional Housing Needs Allocation.
The Housing Element update is an exciting opportunity to do some creative and far-reaching planning for Benicia's future. I hope you will take advantage of it.
- States that the City has identified many other sites where development of housing would be more appropriate and would easily meet the City's Regional Housing Needs Allocation. These sites are in existing residential neighborhoods, close to services and away from hazardous industrial activity. They offer ample opportunities for replacing the housing development potential of the Arsenal. The fact that the City has removed some of these logical infill sites from consideration while continuing to designate housing in the Arsenal raises serious environmental

justice concerns. The process to date has created the unfortunate impression that the City will quickly remove sites in response to sentiments from residents of existing, established neighborhoods, but has no qualms about placing future residents—many of them low-income—in a heavy industrial area, where they will face air pollution, noise, truck traffic, and other hazards and nuisances not experienced in other parts of Benicia. The Draft Housing Element designates the 12 Arsenal sites for 340 units, of which 176 would be “lower income.” Those numbers represent almost 50% of the City’s total Regional Housing Needs Allocation (750 units), and more than 50% of the lower income housing allocation (339 units). Ironically, the Draft Housing Element contains a policy (5.03) and a program (5.04) that try to address the health and safety hazards that residents on the east side of town already face due to heavy industrial uses—and yet it plans for almost half the city’s new housing to be in the Arsenal, even closer to industry. By removing the Arsenal parcels from consideration for housing, the City can resolve this contradiction and begin planning more responsibly and creatively for the Arsenal and Benicia as a whole. The City can meet its housing obligations in more appropriate locations and retain the Arsenal as an important place in the history of the city and the nation.

Response: As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.

Cynthia and Mike Herd submitted the following comments:

- Express their gratitude for serving in the job capacities for the best interests of their charming community of Benicia. They realize your efforts to comply to the California state law of providing affordable housing. However, their concern is the proposed development of 62 units at corner of Southhampton and Hastings Drive. Obviously on Southhampton Road, there are 2 churches, Benicia Middle School, 2 huge apartment buildings, converted condo complex, Southhampton shopping plaza, etc. It is one of the most traffic congested streets in this city! They provide the following suggestions:
 - Traffic study of Southhampton Road when school is in session. (Can hardly drive on this street when school is out.)
 - Require a traffic light at Southhampton and Hastings.
 - Require an extra turn lane from Southhampton into affordable housing of 62 units. (Estimate at least 100 cars there.)
 - Consider affordable housing in the Open Space off Cambridge from Rose Drive to Cooper. Past the Benicia Highlands Condominiums, it is vacant.
- State that overall, the City’s consideration and respect for the residents of Benicia would be greatly appreciated by all. Please view the online petition to save Southhampton Open Space currently up to 883 signatures and increasing.

Response:

- The Hastings and Southhampton Open Space site has been removed from the current draft of the Housing Element

- If new sites are proposed for development, City and State regulations would require analysis of growth and traffic impacts and resulting mitigation strategies to ensure new development does not substantially impact infrastructure and circulation needs.
- The City has evaluated the open space site suggested by this commenter, which includes multiple parcels. Most of the parcels are deed restricted to open space uses, with other constraints on the remaining parcels preventing site development for uses other than park, trail, and open space uses.

Kathleen Brown share that it has come to their attention, what they consider an emergency, that there are proposed high density housing, apartment buildings, at the Arsenal Park. They clarify that they are not a Planner, or a lawyer, but a concerned citizen. They agree that we need more affordable housing but believe that modern apartment buildings would ruin the historical area that is in the Arsenal Park. They don't think it is too late to stop this development. I know that SB 35 makes the situation more complex. I read Mayor Young's letter to the Editor in the Herald that describes his visit to Senator Wiener. Mayor Young describes SB 35 as "not a good law." He says he is opposed to it. He describes being treated "dismissively." They ask that the City should not give up easily. They want to confirm is it is true that there is the "opportunity to remove sites from the inventory" of sites identified as possible locations for Affordable Housing. They also ask if the City can amend the General Plan and the City's zoning regulations in case there are any inconsistencies. They ask the City to preserve the history and heritage of this special place for generations to come. They ask for the community to imagine a different long-term plan and future for that area. They ask the City to stop large apartment buildings that are incompatible with the historic area being built.

Response: As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.

Amir Firouz submitted the following comments:

- Benicia has a very high unit cost for its waste-water treatment, roughly 6 times that of city of Dixon and 3.5 times that of the cities of Fairfield- Suisun. I have not investigated yet the cost for other Cities in Solano County, but my guess is that it would confirm the same trend, that Benicia has one of the highest costs for wastewater treatment plant. Since low-cost housings are eligible for low-cost water/sewage rates in Benicia and the allocation of the low and very low-cost housing is proportionally very high in Benicia, then each new housing unit costs Benicia residents more than for similar house in Fairfield-Suisun or Dixon. Basically, looking at it objectively, it is more expensive to build and maintain a house in Benicia than in other Cities. It makes sense to build a project where it costs less to build and maintain unless it is a state/county policy for their own reason. Therefore, the State/county should compensate Benicia for added cost of forcing Benicia to build it in more expensive areas to comply with their policies. The City of Benicia has had the lowest population growth rate among Cities in Solano County, in the last two decades, almost 0% based on Table 2.1 of this report. The state and county are expected to grow at very low annual rate in the next decade, less than 0.8% per year. And if Benicia is to follow its own previous natural growth rate, it would grow much less than the state or county. The basic requirement of the new housing units for Benicia and other cities, appears to completely ignore this previous trend and appears to be proportional to total

number of the existing housing (with some minor modifications for some other factors). It appears then that the program is trying to stimulate a higher growth rate for Benicia, by providing cheap subsidized housing. I am not sure what is the rationale for this. If this is desirable outcome for the state, and county, then they should participate in sharing the cost to implement this plan.

- This report is mainly concerned with describing and advocating for benefits of the programs proposed in the report. By contrast, when it comes to discussing the costs of the program, the report is mainly silent. Except for a very few secondary items for which cost figures were produced in this report, I could not find any mention of the total cost of the programs (total housing), nor the cost of the main components of the programs (the four categories of housing), proposed in this report. It is as if a cost/benefit analysis of the programs recommended in the report is not necessary and has no bearing on the decision making process. This approach seems to be completely irrational and unjustified. I would recommend that cost estimate for the first costs as well as recurring costs of the program for its main components to be included in the report. The overall thrust of the report. The following four (4) implicit assumption appear to have shaped this report and its programs: a) the number of proposed housing and its distribution have already been decided and cannot be modified; b) the City of Benicia is obligated to comply and implement the program as it is now and cannot modify it; c) the City of Benicia is obligated to implement the program no matter what is the initial costs of the program to the City; d) the City is obligated to commit to pay for the recurring costs of the program in future years. In order to make the report more easily readable and understandable, I recommend that these basic implicit assumptions to be made explicit.
- Since the state of California is mandating how many housing units, and in what combinations of cost categories the City has to build, then the State has to compensate the City for the costs associated with the land, building, maintenance, water, and other services and utilities imposed on the City by the mandate, above and beyond what would have been built based on the natural growth rate for the City. The authors of the report, as the consultants/advisors hired by the City, should investigate, and advise the City not only about what are the City's obligations to the State/ County, but also advise and advocate for the City about what are the State/County obligations to the City. Does state have a right to force unfunded mandates on the Cities? The report should have dedicated a section to options available to the City's for: a) challenging or appealing details and extent of the programs; b) guiding the City on how to recuperate some of funding obligations that is forced on the City by seeking compensation from the State/County agencies that have mandated these obligations to begin with.
- On page iii in the Table of Contents, there is a line item with a duplicate and wrong page number.
- The City administration is cautioned that setting the precedent of opening the open space for private use will stay with the City and its residents long after the present administration is gone and replaced by officials with quite different agendas and interests. They might want to use the open spaces then for causes much less "noble" than affordable housing. Also note that the deed to the housing in Southampton development area excludes underground mineral and natural gas/ oil . etc. Those hydrocarbon and mineral rights are owned by other private entities. If you allow the open space for use by private/commercial use, then the owners of those mineral rights may pressure the City to allow them access to the open space in order to exploit and

extract those minerals (that is their property) directly from the open space area. Do we want to see a bunch of oil/gas pumps all over our open space areas, similar to the landscape in southern California in the last century and some still there?

- In Chapter 1, Introduction, the sentence on page 1: The report describes a system-wide problem that is primarily caused by the state and federal rules, regulations, and policies. However, the solution that the report advocates for falls only on the shoulder of the local population and administration (the City), without making any reference to the main cause of the problem or suggest ways to directly influence those causes. Please note that the more successful the local governments are at subsidizing low-cost housing, the more businesses and state/federal governments will count on that as a part of their employees' "effective" compensation and therefore, will adjust the real paycheck of their workers downward. Moreover, unlike the State/Federal government, the City does not have the power to decide state/federal budget priorities; increase minimum wage; reduce the wealth gap between rich and the poor; regulate interest rate; impose rent control; stop large funds from buying houses for investment and drive up home prices and rental; impose surtax on vacant houses or on secondary residences, in order to drive down the cost of housing for first time home buyers. The preceding are the primary causes of the reduction in affordable housing. Only the Federal and State governments have the authority, and sufficient means, to address the causes of the previous problems and reduce their impact on affordable housing. It is irrational, unrealistic, and unfair to expect the City to solve the problems that are caused by Federal/State governments' policies.
- In Chapter 1, Introduction, the sentence on page 1: Another cause of reduction in housing/rental places, which the City might have a role to play, is absence of effective local regulation to limit "Airbnb" type of vacation home rentals, since studies have shown that these types of short term rentals reduce the available long-term housing/rental for local population and increase the price of remaining housing/rentals. The commenter observed on the Airbnb website that there are multiple vacation short term rentals presently operating in Benicia. These are potential housing and condo residences that are not available to home buyers or long-term renters, and moreover they have driven up the prices for the remaining housing/rental. The present report has completely ignored this subject. I recommend a comprehensive treatment of this subject to see their effect at present, and formulation of effective policies by the City to limit their negative impact on housing/rental availability, especially in the affordable category.
- In Chapter 1, Introduction, the sentence on page 2 reads: "The current housing affordability crisis is not unique to Benicia, but local solutions to the crisis must be." This is a misleading statement. It gives the false impression that we have a choice since we are free to choose our "local solution". Yes, we have a choice for secondary issues like the exact location or look and color of the housing, but we do not have a choice to decide the primary issues of who pays for it and how many units we have to provide.
- In Chapter 1, Introduction, the sentence on page 3 reads: "Analyze the differences between what was intended and what was achieved." This report partially (for the first 6 years) describes what was achieved and what was intended but does not analyze cause(s) of this discrepancy. The description of the situation is not the same as analysis of the situation.
- In Chapter 1, Introduction, the sentence on page 3 reads: "The RHNA for Benicia is shown in Table 1.1, whereby Benicia must have the appropriate zoning in place to allow 750 new units to be built through the year 2030." It is not clear how this mandate was decided and allocated to

Benicia. It is presented here as something to be obeyed and not questioned. According to Table C.1 and Table 1.1, why the required number of housing goals for the City of Benicia has dramatically increased from 327 in the previous cycle by 2.3 times to 750, even when the total number of housing units built in the previous cycle was only 39? How about other cities in Solano County? The County total increased by about 1.5 times only.

- In Chapter 1, Introduction, the sentence on page 4 reads: "While the City is not responsible for the actual construction of these units, Benicia is, however, responsible for creating a regulatory environment in which the private market could build these additional homes. This includes the creation, adoption, and implementation of City-wide goals, policies, programs, and zoning standards, along with economic incentives to facilitate the construction of a wide range of housing types." Somehow this report uses euphemism that Benicia shall create "economic incentive" to mean in plain English that Benicia shall use its general fund to subsidize market price houses so that the effective price paid by the occupants drops into Very Low/Low category. I suggest that the report to use straight forward language rather than convoluted construct, this will make the text simpler to understand.
- In Chapter 1, Introduction, the sentence on page 5 reads: "For the General issues, the goals, policies, and programs of each element must be internally consistent. This Housing City will need to update the Land Use Element and Land Use Diagram to retain consistency across its policies. Consistency between the Housing Element and the General Plan will continue to be evaluated whenever an element of the General Plan is amended. The City will continue to ensure that the Housing Element's goals and policies are consistent with—and supported by—goals and policies in the other elements of the General Plan or make amendments as necessary to maintain consistency." Is the report saying that the City's actions will be consistent with the General Plan, and when it cannot be, then the City will amend the General plan so that the General Plan is consistent with the City's actions?
- The proposed programs in Chapter II require full or partial funding from the General Fund of the City of Benicia. Some of them might require small amount of funding, while others might require substantial funding support. However, I have not located any information regarding an estimate of the magnitude of financial obligation that the City is undertaking by complying with this written document. I am not sure how all these diverse programs can be evaluated and agreed to unless some estimate of the actual present and future cost plus the administrative cost to the City is known.
- In Chapter III, on Figures 3.1.A through 3.1.E are the housing sites in this Figure cross-referenced in Tables in Appendix D?
- In Appendix B on page 2, the sentences in reference state: " The countywide average was 12.2 percent between 2000 and 2021. The city with the 2021 was the smallest city, Rio Vista, with a 54.1-percent increase." These annual growth rates are an order of magnitude too high. Real cities do not grow by 12% to 54% per year over 21 years. They also differ from the values in the table below. Please verify and correct both. The commenter has not checked all of these numbers. They ask that the City please also check all other figures and numbers make sure they have not made similar mistakes.
- In Appendix B, on Table 2-1 Population Growth Trends, 2000-2021, the Average Annual Growth column in this spreadsheet for some unknown reason appears to be using the wrong equation. It uses the values of the Total Change column to its left and then divides them by 11 for some

unknown reason. Please correct the spreadsheet. The commenter has not checked all the spreadsheets, and they ask the City to review them all and make sure they are error free.

- In Appendix B, on Table 2-40 Assisted Units At Risk Of Conversion, they state that the numbers for Total Units cannot be less than the Affordable Units. They ask that the City transpose the values.
- In Appendix B, on Table 3-7: Performance Scores For Benicia Unified School District, 2019, the City should check the numbers. The correct Chronic Absenteeism Rate for Mary Farmar Elementary appears to be 8.0%. No real school can function with 80.0% absenteeism.
- In Appendix C, on page C-1, the sentence reads: "From January 2015 through December 31, 2020, the City low-income unit and three low-income units were approved and built." The reported period is only 6 years and not the full 8 years.
- In Appendix C, on page C-1, the sentence reads: "However, housing goals and policies have been restructured and revised to some extent to eliminate redundancy, clarify the intent, address new State law, or respond to needs identified by the public and City staff (unless stated otherwise, programs have been carried forward)." What does "carried forward" mean? Why are all programs carried forward?
- In Appendix C, on Table C.1 Progress During Previous Planning Period, 2015-2020, the goal of (94+54) very low and low categories, out of a total of 327 units (i.e., more than 45%) appears to be very high. Why such a high percentage? Was it mandated by the State/County, or it was set voluntarily so high by the City of Benicia? It is more expensive to build in Benicia due to its hilly terrain, compared to typically flat areas such as Fairfield and Vacaville. The period reported is only 6 years of the total 8 years of the plan. We should by now have an estimate for the remaining two years. What is the estimate for the remaining two years? Why the actual constructed projects fell so much below the goal? Was it because the goals were totally unrealistic? Was it an unforeseen market condition? Was it a failure of the City to execute properly to achieve the goal? Why this report of more than 400 pages has not provided and analysis of this discrepancy? If we do not understand the past failures, we may be doomed to repeat it in the future.
- In regard to Program 2.03 in the large table of Appendix C, what exactly it is? Is there a fund that is tied in litigation and therefore the City cannot access it? And what does delete mean? Does it mean the City is giving up on getting part or whole of the moneys in the fund?
- The City provide a column showing site number as marked on figures 3.1.A through 3.1.E for ease of cross referencing.
- Regarding Appendix E on page E-9, if the Figure is not coordinated with Figures 3.1.A through 3.1.E.

Response:

- No conflict of interest has been determined.
- Figures 3.1.A through 3.1.E in the Housing Element display the list of sites currently under consideration for the Sites Inventory. There are no open space sites in the current draft of the Housing Element. The map displayed in Appendix E is a picture of an exercise conducted at the April 6th Open House, where the City presented a larger variety of site options for residents to rank their site preferences for housing development. The sites included in the Sites Inventory for

the Public Draft Housing Element are a refined list of the site options presented in Appendix E. The text that precedes this picture in Appendix E explains the exercise.

- There are no open space sites in the current draft of the Housing Element.
- Availability of water and wastewater supply and infrastructure in Benicia is analyzed in Chapter V. Constraints.
- Benicia is required to plan for the RHNA unit numbers by zoning enough land to accommodate the RHNA.
- The State (HCD) requires timeframes and milestones be included for each program in the Housing Element, many of which are required by State law. Optional programs have been preliminarily assessed by the City for time and cost implications.
- The City will add text in Chapter 1 to make it more explicit that complying with the requirement to plan for the RHNA is required to gain compliance and that the RHNA is final.
- The City is not required to build the housing units called for in the RHNA, but to zone land to accommodate the RHNA. Funding sources including state funding sources when applicable are included for each program.
- The City will revise the Table of Contents to remove a duplicate entry with the wrong page number.
- The City is required to adopt a compliant Housing Element to be eligible for state funding and to stay in compliance with state law.
- The City Council will consider a Short Term Rental Ordinance in September 2022 outside of the Housing Element Update process.
- Detailed information in response to this comment is in Appendix C: Review of the Previous Housing Element.
- In Chapter 1, Introduction, additional text on page 3 reads: “State housing element law (Government Code Section 65580 et seq.) requires regional councils of government (COGs) to identify for each city and county its “fair share” of the RHNA provided by HCD. The Association of Bay Area Governments (ABAG) is the COG for the nine-county Bay Area, which includes Solano County. ABAG adopted the RHNA in December 2021 for the period June 30, 2022, to December 15, 2030 (see Table 1.1). Benicia’s share of the county’s housing need is determined by Solano County through the Regional Housing Needs Plan, adopted on September 16, 2021. The plan contains the RHNA and takes into account several factors in preparing the RHNA, including projected households, job growth, regional income distribution, and location of public transit.” Check out the specific methodology prepared for all jurisdictions in Solano County here: https://www.solanocounty.com/depts/rm/planning/regional_housing_needs_allocation_and_housing_element.asp. The City will add additional text to this section clarifying the ramifications of failure to implement the RHNA in compliance with State law.
- The City has not established programs that would use General Fund dollars to directly subsidize affordable housing construction. The text in the Housing Element uses specific terminology defined by the State, but the City attempts to maintain a readable document.
- Yes, that is what the excerpted text quoted in this comment is saying.
- The State (HCD) requires funding sources be included for each program in the Housing Element, many of which are required by State law. Optional programs have been preliminarily assessed by the City for time and cost implications.

- On pages 35 and 40 (the pages preceding the referenced maps that appear in Chapter III), the text states that the sites shown in Figures 3.1.A through 3.1.E are listed in the tables in the chapter and Appendix D.
- This error noted in the comment on page 2 of Appendix B has been revised in the Housing Needs Assessment.
- This error noted in the comment on Table 2-1 of Appendix B has been revised in the Housing Needs Assessment.
- This error noted in the comment on Table 2-40 of Appendix B has been revised in the Housing Needs Assessment.
- Data collection and tabulation is a time-intensive process, and the City does not yet have data available for the number of units constructed in 2021 or 2022. Therefore, the City has included data for the 6 years that have data available.
- "Carried forward" means that the existing program from the previous Housing Element has been continued in this updated Housing Element due to reasons provided in table that comprises the majority of the chapter.
- Programs have been carried forward either to comply with State law or continue to implement the community's vision and General Plan.
- The city has not developed housing to meet the RHNA in the 5th cycle planning period due to market conditions and regulatory barriers, which are discussed in detail in Chapter V, Constraints.
- The Housing Trust Fund program has not been implemented by the City since the early 2000's, and it currently does not exist. Due to limited staff resources and time, the City has opted to remove this program and pursue other programs in the Housing Element Update that will focus on bringing the City into compliance with State law and yield larger results to populations in need.
- This Excel spreadsheet is provided by the State Department of Housing and Community Development, and it is locked. Therefore, the City cannot revise it to add a new column with reference numbers. The APNs and site numbers in the site-by-site tables in Chapter III provide reference images and information for the lower-income sites and sites with a proposed zoning change.
- The figure in question is a picture taken from a mapping exercise conducted at the Open House on April 6, 2022. This image is included in this chapter to show the results of the exercise, which are also summarized on pages E-4 and E-5.

Kristen Valperga shared that it has come to their attention, what they consider an emergency, that there are proposed high density housing/ apartment buildings, at the Arsenal Park. They clarify that they are not a Planner, or a lawyer, but a concerned citizen. They agree that we need more affordable housing but believe that modern apartment buildings would ruin the historical area that is in the Arsenal Park. They don't think it is too late to stop this development. I know that SB 35 makes the situation more complex. I read Mayor Young's letter to the Editor in the Herald that describes his visit to Senator Wiener. Mayor Young describes SB 35 as "not a good law." He says he is opposed to it. He describes being treated "dismissively." They ask that the City should not give up easily. They want to confirm is it is true that there is the "opportunity to remove sites from the inventory" of sites identified as possible locations for Affordable Housing. They also ask if the City can amend the General Plan and the City's

zoning regulations in case there are any inconsistencies. They ask the City to preserve the history and heritage of this special place for generations to come. They ask for the community to imagine a different long-term plan and future for that area. They ask the City to stop large apartment buildings that are incompatible with the historic area being built.

Response: As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.

Belinda Smith, from the Benicia Historical Society, submitted the following comments:

- I believe that the draft Housing Element poses a significant detrimental effect on the city's historic districts. The proposed Housing Element has included parcels in the Benicia Arsenal National Register Historic District and parcels in the Benicia Downtown Historic District on Housing Element sites inventory. The Housing Element also proposes a housing overlay ordinance that would change land use zoning, increase density, and increase building heights.
- The downtown commercial area has been recognized by the City as a historic district since 1969 (Benicia General Plan Chap. 3 Community Identity pg. 102). The Benicia Arsenal was occupied by the U.S. Army until its closure in 1964, at which time the City took possession. In 1976 structures and landscapes in the Arsenal and downtown area were documented in the Historic American Building Survey. Also, in November of 1976 the Benicia Arsenal was listed on the National Register of Historic Places as the Benicia Arsenal Historic District, which consists for four geographic areas – Districts A through D. Further in October or 1987 the City enacted a special historic overlay district. In 1989 the City applied the Historic Overlay District to the downtown commercial and residential area centered along First Street, and the Benicia Arsenal Historic District, based on extensive surveys and documentation. In 1990 and 1993, the City prepared and adopted conservation plans for both overlay districts. General Plan Goal 3.1 Maintain and enhance Benicia's character and its policies and programs to achieve that goal using the documents mentioned above are intended to promote the conservation, preservation, protection, and enhancement of each historic district. Historic districts are a composition of landform, historic and contributing structures, landscapes, streets, visual appearance, views, etc. The whole is greater than the sum of its parts. If a historic district was like a chess game, and you started substituting checkers for chess pieces, would you still be playing chess? And although it's the same board you wouldn't have any kind of game at all. If the City continues to ignore the whole of each district, we will not have any historic districts. To the extent that the proposed housing overlay ordinance promotes new structures in Benicia's two historic districts it has the potential to greatly diminish the historic integrity of those districts. Benicia's downtown, centered on First Street from the waterfront to Military, is the historic and cultural heart of the city. Recognizing the importance of Benicia's historic downtown, the City created an expanded the downtown historic district and adopted the Downtown Historic Conservation Plan (DHCP) in 1990 (amended 1992). Lastly, in 2007 the City adopted the Downtown Mixed Use Master Plan (DMUMP). The Historical Society is not opposed to housing in the downtown historic district; in fact, housing has been a part of the downtown area since it was established. However, we are concerned that the proposed housing overlay ordinance that is included in the Housing Element and its' application to downtown, and especially the Town Core area will result in the dilution of this historic commercial district, and lead to demolition of existing commercial

structures in favor of residential-only structures. The DMUMP allows for 40' height and 2 ½ stories and allows for residential development on the ground floor on parcels along First Street as long as the residential use is behind the ground floor commercial space. The difference in density from the housing overlay ordinance may provide for a few more housing units but can drastically change the street profile and commercial nature of First Street. Staff has stated that the housing overlay ordinance will not override the DMUMP, however when you look at the three areas that will alter the DMUMP, land-use, height, and density, it changes the core components of the DMUMP. The DMUMP was a thoroughly vetted community process that is now being set aside. Will the housing overlay ordinance override the DHCP as well? It should be noted that in the event of conflict between the DHCP and the DMUMP, the DHCP prevails. Another concern is the placement of garages on street frontages. Within the Downtown Historic District, in both the Town Core and Town Core Open areas, alleyways are used which has limited the number of driveways on street frontage and helps reinforce the pedestrian nature of these historic streets. When the City defines the elements of the housing overlay ordinance, it should not allow additional driveways on streets in the Downtown Historic District for parcels with alley access.

- The proposed Housing Element update includes the Benicia Arsenal Historic District C in the housing inventory. This jeopardizes District C's listing on the National Register of Historic Places and could result in delisting from the National Register. The Arsenal Historic District C should be removed from the Housing Element sites inventory. The proposed housing overlay ordinance must not be applied to the Benicia Arsenal Historic District C since that addition of new structures will overwhelm and diminish the historic integrity of District C. While we support additional housing, any new housing in District C will come at great cost to its integrity, cohesiveness, and unity. The Housing Element as proposed is in conflict with General Plan Goal 3.1 to Maintain and enhance Benicia's historic character.
- The Historic Society opposes including any parcel in the Benicia Arsenal Historic District in the Housing Element site inventory and the application of the housing overlay district in the Benicia Arsenal Historic District C and Town Core. They recommend that driveways be prohibited on parcels in the Town Core Open that have alley access, the redevelopment of any non-historic structure in the Town Core Open that do not have alley access shall be required to create alley access for any proposed parking, and that the Secretary of Interior Standards be applied to any development project proposed in the Downtown Historic District. They believe that Benicia is fortunate to have a historic identity, something that distinguishes it among Solano County cities. It is our hope that you will choose to protect our historic districts and retain Benicia's identity.

Response:

- As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.
- The Housing Element does not construct housing in Downtown Benicia. It identifies sites that are available for housing development in the next eight years. The Overlay Zone proposed on sites in Downtown Benicia do not entirely alter development standards on these sites, and the development standards proposed for change with the Overlay Zone (i.e., height limits, ground floor residential uses) do not conflict with existing on-the-ground historic uses in Downtown

Benicia. The City is committed to celebrating and preserving the historic character of Downtown Benicia while ensuring that housing in Downtown Benicia is accessible for all.

- The Housing Element does not construct housing in Downtown Benicia. It identifies sites that are available for housing development in the next eight years. The Overlay Zone proposed on sites in Downtown Benicia do not entirely alter development standards on these sites, and the development standards proposed for change with the Overlay Zone (i.e., height limits, ground floor residential uses) do not conflict with existing on-the-ground historic uses (including building heights and driveways fronting streets, and more) in Downtown Benicia. The City is committed to celebrating and preserving the historic character of Downtown Benicia while ensuring that housing in Downtown Benicia is accessible for all. These comments will be further considered as the City refines the overlay zone in the coming months.
- Application of the Housing Overlay Zone in Downtown Benicia will preserve existing historic character in the Downtown while expanding development provisions in Downtown Benicia to allow equitable access to housing throughout the city.
- The parcels in the Housing Element in Downtown Benicia do not adjoin an alley, so it is not possible to create alley access due to the built environment and parcel layout in the vicinity.
- The Secretary of Interior's Standards are already evaluated as part of the California Environmental Quality Act for a discretionary permit but are not objective and therefore cannot be applied to a project that would require a ministerial permit.

Betsy Henderson submitted the following comments:

- Expresses that they do not support the proposed housing overlay ordinance which would allow residential use in the ground floor and buildings of three stories on First St. They believe that the City needs to preserve the views, charm, commercial-residential balance, and historic resources of our downtown. They share an example from the One Bay Area community which chose to allow unfettered development after 2008 and lost their historic downtown is Redwood City, according to a new neighbor who used to live there. Let's learn from their mistakes and save what our community loves most about our town.
- Believes that Elizabeth Patterson said it very well. Thank you for noting my strong opposition to the proposed development inside the Arsenal Historic District.
They reference Elizabeth Patterson's comment from Joint Study Session: "Dear Council Members and Commissioners: I am writing to request that the Jefferson Ridge and other Arsenal Historic Conservation Plan parcels be removed from the list of potential housing sites in the Draft Housing Element. As explained in more detail in Elizabeth Patterson's April 16, 2022 letter to the City Council (attached), the 12 Arsenal sites, shown in Draft Housing Element Figure 3.1.E, should be removed due to:
 - The health and safety hazards of siting housing in an active heavy industrial area that includes the Valero refinery, the Port of Benicia, and the adjoining Interstate 780 freeway, and
 - The potential for high-density housing, especially streamlined projects enabled by state law (Senate Bill [SB] 35), to overwhelm the Benicia Arsenal Historic District, a nationally significant historic gem that deserves careful planning. The City has identified many other sites where development of housing would be more appropriate and would easily meet the City's Regional Housing Needs Allocation. These sites are in existing residential

neighborhoods, close to services and away from hazardous industrial activity. They offer ample opportunities for replacing the housing development potential of the Arsenal. The fact that the City has removed some of these logical infill sites from consideration while continuing to designate housing in the Arsenal raises serious environmental justice concerns. The process to date has created the unfortunate impression that the City will quickly remove sites in response to sentiments from residents of existing, established neighborhoods, but has no qualms about placing future residents—many of them low-income—in a heavy industrial area, where they will face air pollution, noise, truck traffic, and other hazards and nuisances not experienced in other parts of Benicia. The Draft Housing Element designates the 12 Arsenal sites for 340 units, of which 176 would be “lower income.” Those numbers represent almost 50% of the City’s total Regional Housing Needs Allocation (750 units), and more than 50% of the lower income housing allocation (339 units). Ironically, the Draft Housing Element contains a policy (5.03) and a program (5.04) that try to address the health and safety hazards that residents on the east side of town already face due to heavy industrial uses—and yet it plans for almost half the city’s new housing to be in the Arsenal, even closer to industry.

- By removing the Arsenal parcels from consideration for housing, the City can resolve this contradiction and begin planning more responsibly and creatively for the Arsenal and Benicia as a whole. The City can meet its housing obligations in more appropriate locations and retain the Arsenal as an important place in the history of the city and the nation.

Response:

- The Housing Element does not construct housing in Downtown Benicia. It identifies sites that are available for housing development in the next eight years. The Overlay Zone proposed on sites in Downtown Benicia do not entirely alter development standards on these sites, and the development standards proposed for change with the Overlay Zone (i.e., height limits, ground floor residential uses) do not conflict with existing on-the-ground historic uses (including building heights and driveways fronting streets, and more) in Downtown Benicia. The City is committed to celebrating and preserving the historic character of Downtown Benicia while ensuring that housing in Downtown Benicia is accessible for all.
- As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.

Karen Massey is responding to the City’s request for comments on the Public Review Draft Housing Element, on behalf of the owners of the property located at 1043 Grant Street and identified as Site 51 in the City’s Draft Housing Site Inventory. They applaud Staff’s efforts to date on the draft Element and commend the City for producing a draft that is both responsive to the requirements of State housing law but also to the needs and desires of the local community. In particular, we support the City’s efforts to maintain an adequate supply of housing that supports inclusivity and equitability, not only in the type of housing provided, but also by its dispersion so as to avoid concentrations of affluence. Continuing to identify housing sites within the Lower Arsenal is not only consistent with the area’s historic use and the City’s existing land use practice, but also directly supports the City’s overarching housing goals of inclusivity and dispersion while at the same time preserves open space. Approximately 43 acres of land designated as Lower Arsenal under the City’s General Plan currently allow for residential uses, including

multifamily and mixed use residential, and at least four of the sites on the City's Housing Site Inventory have been included on prior inventories. The addition of new Arsenal sites, and moreover the development of these types of underutilized infill sites, would serve to revitalize an area that has historically accommodated a range of uses, including housing, and properly locate housing opportunities more proximate to services and transit and away from open space. Future development within the Arsenal will be required to adhere to the Arsenal Historic Conservation Plan which provides design guidelines for new development and ensures the historic integrity of the district and historic structures are safeguarded. These guidelines and regulations are in addition to those of the underlying zoning district which further restrict the type and intensity of uses allowed and will dictate new development in the area. The City's Design Review process will help ensure any new development is consistent with the character of the area, is compatible with adjacent existing development and does not detract from Benicia's historic heritage. The required environmental review process will analyze any potential environmental impacts associated with new development to further ensure compatibility and that any new potential impacts are mitigated to a less than significant level. For these reasons, with these existing safeguards in place, we support efforts to provide an adequate supply and mix of housing types throughout the City, including in the Lower Arsenal. Finally, we would like to note the land use and zoning identified for Site 51 was incorrectly stated in the draft Element and should be revised to correctly reflect the Mixed Use: Lower Arsenal Land Use Designation and General Commercial Zoning District for the parcel.

Response: 1043 Grant Street is included on the Sites Inventory in the Housing Element. The typo on the land use and zoning listed in the Housing Element will be corrected.

Marilyn Bardet submitted the following comments:

- The overarching goal of the Benicia General Plan is sustainability. When considering sites for infill residential, there should be evaluation of the proximity of such parcels to existing services, shopping, and public transit. The Housing Element Update proposes parcels within the Arsenal Historic District's Jefferson Ridge, Grant Street, and at 1451 and 1471 Park Rd, and thus ignores the General Plan's sustainability goals, policies, and programs, as well as the Climate Action Plan and Climate Vulnerability Assessment that accord with state laws that would reduce our carbon footprint. A primary aim is to reduce residents' "VMT"- vehicle miles traveled to and from basic services and employment. It makes no sense to include parcels that cannot pass this fundamental test. Further, having to provide new services and infrastructure to these areas would be a huge cost born by the City -e.g., taxpayers.
- The California legislature's "over-reach" is expressed in SB 35: The state of California gave authority to local governments to determine local land use, and a general plan was required by the state to be created to guide future development. Right now, SB 35 denies the right of local governments to control their cities' futures in accordance with their established general plans' goals, policies, and programs and in keeping with the public's interests and concerns to protect residents' health and safety through environmental reviews under CEQA, which SB 35 denies. Further, certain state laws are inconsistent with each other and thus create conflicts for cities to abide by them. Our General Plan and Arsenal Historic Conservation Plan call for preserving the character of our most valuable heritage sites, including National Register District C inclusive of its historic structures and cultural landscapes. SB 35 does not allow for those protections and would permit destruction of the district, its character and integrity. My letter of July 7th gives particular examples and reasons why all

parcels cited in the Housing Element Update that lie within the Arsenal Historic District must be removed from consideration. This includes the parcels under current review for development under SB 35- the Jefferson Ridge and 1451 Park Rd. Again, they call for a General Plan amendment that would exclude residential as a future permitted use in the Arsenal Historic District for all the reasons previously stated.

- The issue of environmental justice is a key component of the social realm of sustainability. Page 5 of the Housing Element says that the City is not required to prepare an Environmental Justice Element. Yet the state guidance on the subject says, "Locate new housing in a manner that seeks to avoid locating these uses in proximity to industrial facilities and uses that will contain or produce material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant hazard to human health and safety." This means keeping development's future residents out of harm's way, away from major sources of hazards and pollution. This Draft Housing Element compounds past planning mistakes by the City, steering more affordable housing in harm's way, thus making a case that the City must prepare an Environmental Justice Element for the General Plan and adopt it as part of this new Housing Element.

Response:

- As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.
- Implementation of SB 35 is a topic that is outside the scope of the Housing Element
- Per Senate Bill 1000, the State requires Environmental Justice Elements be prepared if the city has a Disadvantaged Community, as defined by data mapped in CalEnviroScreen. Census tracts with a cumulative CalEnviroScreen Score of 75 or higher are designated as Disadvantaged Communities. Under this legal definition, the city does not contain any Disadvantaged Communities, and therefore no Environmental Justice Element is required. The identification of sites in the Housing Element does not create a Disadvantaged Community under State law.

Friends of Blake Court believe that the land surface of the church-as listed-owned property at the end of the Blake Court is unfit for and unsafe for human habitation. The "cleanup" survey that removed the top layer of soil and replaced it with "clean soil" only removed the top foot or so of the contaminated Blake Court surface, and that was only on part of the property and not the entire property now under consideration for development. It would take an investigation of at least the top 5-10 yards of depth of the entire property under consideration to determine the degree of contamination. They believe that if, hypothetically, a three- or four-story building were constructed there, the building would need to be on top of a two story underground parking facility to accommodate the enormous additional parking needs for such a development, considering that Blake Court is a tiny cul-de-sac with no available additional street parking. So, we now need to determine the safety of soil up to 45 feet deeper. Since the church property abuts an area rich in animal life and has a wide variety of all kinds of animals and birds, the subsoil most likely has pathogen spores, such as anthrax, and a wide variety of viruses causing serious human illnesses. The owner of the property in question bears a major moral responsibility in projects such as this one, to promote the security, safety and health of children and their parents. If, for example, 50+ families lived there, or, say, approximately 200 people, the life, good health, benefits, and satisfactions of these people is a clear moral and ethical responsibility of the property owner. When any

multi-unit dwelling owner in Benicia acts immorally, irresponsibly, and/or unethically, they are subject to the moral judgments and good will of the community around them. Not only the high risks to health of living on that property are of immediate concern. The many months of construction proposed would contaminate the whole neighborhood every day over many months, and the residual contamination would be a severely unethical experiment in slow poisoning while the site is being excavated and developed. If hundreds of new residents were living in the constructed in the Blake Court neighborhood and a predictable and unfortunate set of emergencies: stroke, heart attack, drug abuse, gas stove explosion, broken water pipe, falling down a stairwell, and more, or head-on crash (DUI) at the intersection of Rose Drive and Blake Court, already a very busy traffic area, it could become impossible for ambulances, fire trucks, and other emergency assistance to be provided in time to save lives. Thus, the responsibility for those lives, and those children, remains with every member of the Planning Commission and the City Council and cannot be erased by any evasions or excuses. True leadership by our elected Benicia officials can be best summarized in four words: "The Buck Stops Here."

Response: As of the August 16th City Council meeting, the City Council has directed City staff to remove the Blake Court site from the current draft of the Housing Element.

Kathy Kerridge submitted the following comments:

- I have gratitude toward staff for a comprehensive and well thought out document. They think the maps and the site inventory are tremendous. They visuals help and they appreciate all of the work that went into this. They are aware that this is mandated by state law, and I know that the city does not build projects or housing. Nevertheless, they hope that this is only the first step in having a more dense and diverse community. The whole Bay Area desperately needs housing and low-income housing. One only has to look at the median value of homes to understand why we have so many people who are homeless and in their RVS and vehicles. This is a disgrace in such a wealthy area, and something must be done about it. The city should consider giving its land to a developer with the condition that all units be affordable and that they be kept that way in perpetuity. They firmly believe that building all types of housing in a denser way will help alleviate our housing problem. Having spread out housing only contributes to climate change as it contributes to vehicle miles driven and it puts a tremendous burden on families who must endure long commutes at the expense of their family time. Denser development helps alleviate that problem. Single family zoning is one of the worst things that happened to America. I live on the West side of town in an older neighborhood with in-law units, duplexes, small apartment complexes and lots with 6 or 8 small housing units on them with a bit of yard. If all of our development had been this way, we might not have quite the crises that we have today. I love my neighborhood and love the mix up of housing types. I only wish that we were doing more to promote that throughout Southampton and Water's End. I appreciate the efforts that the state is making at the state level to increase housing. I don't think the cities will ever do it on their own. It takes the state that can see all the problems that localities have created to clear the way. If cities can't do more to solve these problems, then I think we may see even more aggressive action on the state level as more businesses have problems finding employees and the homeless crises get even worse. I attempted to see what I could come up with on my own by looking at the inventory and shared it in the attached document.
- The City could exclude most of the lower Arsenal. I do not object to housing in an historic area. Frankly, I think that area would be better with a park at the center and housing throughout. It

has not been attractive since I got here 37 years ago. But I do have serious concerns about building so close to so many industrial facilities. Maybe keep it tucked away for the future when we will be off fossil fuels. Blake Court is similar. I don't think there would be traffic problems and I think the density there is fine, but I am concerned about building anything over a former toxic waste dump. Before we do that, there should be testing done by multiple people that extend far down into the soil and far beyond the boundary. I would not trust the state testing without doing it independently. If testing showed nothing, then that could be added. I have not included Blake Court or the core of the Arsenal in my inventory. In general, I put only parcels that the owner indicated they would like to develop. I deleted a couple of parcels that probably contain low-income housing now. We don't want to make the problem worse. I excluded one site, Site 36: 507 Claverie Way, in my neighborhood and would ask that the city exclude it too. It contains the Workshop, the only restaurant in the neighborhood and the only restaurant serving Creole food in Benicia, and Rod's Bait and Tackle, which provides vital services for all of the fishermen using the 9th Street boat launching ramp. These are unique businesses which cannot be replaced. It would be slated for only 2 units of housing. This should be zoned commercial. I question the inclusion of the Yuba site because of sea level rise. That would leave you short of low-income units. You need more low-income units in more places. Why aren't there any at the Raley's shopping center or the cemetery site? Certainly, low-income units would be appropriate in both places. Or maybe we would need to change the zoning on site 45 as a tradeoff.

Response:

- The City has identified several City-owned sites for housing development in the Housing Element. Multiple sites are proposed for entirely lower-income development. However, at the direction of the City Council and public input, on most sites in the Housing Element, the City has proposed to provide a mix of units at various income categories to avoid segregation by socioeconomic status in Benicia.
- As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.
- As of the August 16th City Council meeting, the City Council has directed City staff to remove the Blake Court site from the current draft of the Housing Element.
- Existing businesses would remain on this site after the Housing Element is adopted. The property owner of this site retains the right to preserve or develop their property as they see fit.
- The character of this neighborhood is largely residential, and, if the property owner is interested in housing development, existing businesses have the opportunity to relocate to more heavily commercial areas of the city.
- The Yuba site as proposed in Chapter III contains 308 lower-income units. As shown in Table 3.5 of Chapter III, the Housing Element contains a surplus of 561 lower-income units. Therefore, the removal of the Yuba site would not leave the City with a deficit of lower-income units to meet the RHNA.
- The projected residential unit yield on the Yuba site was adjusted downward to remove development potential from low-lying areas that could potentially be subject to flooding risks.
- The Safety Element will address sea level rise and flooding issues.

- Both the Southampton Shopping Center and the Benicia Cemetery site are larger than 10 acres in size. Per California Government Code Section 65583.2, "a site larger than 10 acres shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site can be developed as lower income housing." The City has elected to not locate lower income units on these sites due to the limitations of State law.
- The City already rezoned 498 Military East to MU-I, which has the highest density limitations for residential uses in the city. The City is proposing to allow 30 units per acre on the King Solomon Baptist Church site, which is the second-highest residential density limitation in the city. The Housing Element's realistic development capacity assumptions are listed in Section 3.1.2 of Chapter III and are applied equitably across applicable sites unless otherwise specified.
- On 502 East N Street, the property owner is interested in redeveloping the site with the inclusion of moderate-income housing, and this site does not currently contain deed-restricted housing. This site is not proposed for a rezoning in the Housing Element Update, so existing uses on the property can be changed at the discretion of the property owner in accordance with the Zoning Code.
- The Church Street Sites are smaller than 0.5 acres. Per California Government Code Section 65583.2, "a parcel smaller than one half acre is considered inadequate to accommodate housing affordable to lower income households, unless the housing element demonstrates development of housing affordable to lower income households on these sites is realistic or feasible." The City has elected to not locate lower income units on these sites due to the limitations of State law.

Betsy Henderson is concerned that the list as it stands misrepresents our city. It is much more built out than the list indicates and perhaps the new housing, etc. that occupy some of supposed vacant properties have not even been counted as built. By my count, the built out and duplicate findings represent more than a third of the Vacant listings and more than half of the Non- Vacant ones. Also, they strongly oppose development of any of the proposed Arsenal sites. They should be parkland and preserve the National Register Historic property. Lastly, has the City calculated the water demand increase that would accompany the higher density development/growth mandated by the State? Could it be accommodated? At what expense? How does that fit in with the State's goal of 20% urban water use reduction? She provided her own analysis and claims that it is has a sufficient number of sites for the inventory for the City to consider. It includes the following sites:

- 1: Scout Site
- 6: 1451 Park Rd
- 8: E Street Lot #1
- 9: E Street Lot #2
- 10: 498 Military East (this could have more units)
- 11: 1401 East 5th
- 12: 475 Military East
- 13: 502 East N Street, trailer Court (don't displace what low income we have now)
- 14: 385 Military East
- 15: 456 Military East

- 17: King Solomon Missionary Baptist Church (could have more)
- 18: 356 East I Street
- 19: Senior Center and Adjacent Land,
- 20: 1030 West 6th Street
- 21: 255 Military West
- 22: 1400 Military West
- 23: East N Street
- 24: West 2nd Street Site
- 25: West 5th Street Site
- 26: East 6th Street Site
- 27: East 6th Street Site
- 28: 612 East I Street
- 29: 600 Block of East I Street
- 30: Yuba Site (vulnerable to sea level rise)
- 31 701 Southampton Road
- 32 Southampton Shopping Center (development of shopping centers is happening all over)
- 35: 2170 Columbus Parkway
- 37: 560 First Street
- 39: Benicia Fire Museum Site
- 44: 827 First Street
- 45: 1471 Park Road
- 46: Church Street Sites (why not a couple of low-income units)
- 48: Benicia Cemetery Site (why not a couple of low-income units)
- There are issues with the following sites:
 - W L & W 11th - Built Out (BO)
 - Grant Ct & Capitol Dr – BO
 - 1st & Harbor Vista Ct – BO
 - Daniel Hills Ct – BO
 - W K & W 7 x2 - Dup, on Non-Vacant List
 - W J & W 3 – BO
 - Corte Del Sol & El bonito Way – BO
 - St Augustine & E 2 – BO
 - W 6 & W J – BO
 - 635 W I - Does not exist/BO
 - W E & W 3 – BO
 - John's Pl & W 6 – BO
 - E 7 & E J - Dup, see earlier in this list
 - 900 E 2 - Dup, see Non-Vacant List
 - 60 Wingfield Way – BO
 - W 4 & W I x3 - Dup, see earlier in this list
 - 123 E N – BO
 - Harbor Vista Ct & E 2 – BO
 - Mills Dr & Cambridge – Tiny
 - 1201 W K – BO
 - E 5 & E O - Nothing available - 780 offramps
 - E 6 & E N - Dup, see earlier in this list

- W - 2 - Where?
- Adams St & Park - Arsenal. Where? May be dup
- Adams St & Washington - Arsenal. Where?
- 230, 150, & 187 E L - already key city facilities and parking
- 802 Southampton R - already key shopping center
- Solano Square - already key shopping center (my Safeway!) and in addition to unacceptable duration of rebuilding, existing homeowners to north would not accept multistory going up between them and their water views
- 507 Claverie Way should be 511 Claverie Way
- 202 E J - already 2 story apartments
- E N & E 2 - Where?
- 1367 E 2 - important medical lab and shopping center
- 827 First - Don't want garages on First St - pedestrian safety issue
- 163 E H - Dup, see Vacant List
- 800, 808, 888 E 7 - Dups, on Vacant List
- Along E 7 - Dup, on Vacant list
- 1043 Grant - Dup, on Vacant list
- 1025 Grant - Dup, on Vacant list
- Grant & Polk - is under an I780 overpass
- 100 Block of W E - Where/ may be Dup of Vacant list
- 882 Blake Ct. - Remediated? Too many residents oppose
- 111 W H - Dup, see Vacant list (and no more parking lots allowed downtown!?)
- 150 Riverhill Dr. - should not have City cemetery on the chopping block

Response:

- The commenter's definition of "built out" is unclear. According to the UC Berkeley Turner Center, "No cities are in fact 'built-out'....Build-out is a political judgment, and cities that determine themselves closer to build-out are cities that are politically more hostile to development" and "Most cities could easily add large numbers of new housing units if they rezoned" (Built-Out Cities? How California Cities Restrict Housing Production Through Prohibition and Process, 2020). As part of the Housing Element, the City is proposing to rezone or has recently rezoned currently developed sites to provide opportunities for new housing development.
- Sites listed as "duplicate" by this commenter are sites that can currently accommodate some residential development under current zoning but are also proposed to be rezoned as part of this Housing Element to accommodate additional residential development. In the revisions to the Draft Housing Element, the City will include those "duplicate" sites only on Table B to reduce reader confusion.
- The City has evaluated the development potential for each site on this list using historic development trends. There are no sites in the Housing Element that are too small to be feasible for housing development, given these historic trends.
- The City is proposing to include select developed sites in the Housing Element due to the high potential for redevelopment of these sites in the next eight years. The Southampton Shopping Center and Solano Square, if redeveloped with housing, would retain the existing businesses and redevelop the sites with mixed-use development. If the Solano Square site was redeveloped, it

would be required to adhere to City requirements for building height limitations. The City facilities referenced by the commenter are City-owned, and the City has included these sites per direction from the City Council to identify City-owned underutilized sites in Benicia for inclusion on the Sites Inventory.

- The commenter's note that the Claverie Way site address should be changed is incorrect. The City has confirmed their records and can confirm that the site identified is 507 Claverie Way.
- The inclusion of 827 First Street in the Sites Inventory of the Housing Element does not require the development of housing on that site. If the site was developed with housing, the Downtown Mixed Use Master Plan would regulate parking on First Street, and the Housing Element does not propose to change that regulation.
- The City Cemetery is not proposed to be redeveloped with housing as part of the Housing Element. The City proposes to include a small unused portion of the larger site at 150 Riverhill Drive (2.75 acres of a 20 acre parcel) in the Sites Inventory for the Housing Element. This site is owned by the City, and the City Council directed City staff to identify City-owned underutilized sites in Benicia for inclusion on the Sites Inventory.
- As of the August 16th City Council and Planning Commission meeting, the City Council has directed City staff to keep the Arsenal sites on the Housing Element Sites Inventory for further consideration.
- Availability of water and wastewater supply and infrastructure in Benicia is analyzed in Chapter V. Constraints.

Vohra submitted the following comments:

- The Blake Court site 1 Blake Ct. is uninsurable; an insurance company informed them that not only was that no longer possible, but that they wouldn't provide us an earthquake Insurance quote either because no responsible insurance company would provide a policy to any building located so close to a hillside due to being likely to have future landslides. If they would not even give us a quote, living on Rose Drive, what will they do for a building located on the steep hillside itself? They believe that Cell phone reception, including 911, is unpredictable. There is very poor TV reception and even variable quality is often interrupted. In case of fire, medical or other emergency what If occupants of a new development can't even be sure a 911 call will work? The traffic on Rose Dr is above reasonable capacity. The quiet nature preserves are part of Benicia charm and attractiveness. The state that residents also have a need for quiet enjoyment of our property; we need the thinking space and quiet to work. There are toxic hazards at end of Blake Ct that can cause hydrogen cyanide, hydrogen sulfide, and arsenic. They question if there are any City staff, Planning Commissioners, or City Council that have a direct or indirect conflict of interest on this proposed, including a personal profit potential from this project. They ask about the performance bond and the financial commitment to ensure timely completion and that any damage to Rose Drive area homes and neighbors is addressed.
- Fairness in Benicia City housing is only fair when it is fair for the whole spectrum of the city residents. They claim that Single Family zoning covers about 40 percent of the land area of Benicia and that this percentage is among the lowest in the State of CA. Thus, Benicia does not have the sublet discrimination that might be attached to a much higher percentage of single-

family only zoning. Benicia is a model of leading the way for fairness for other cities. State mandates for adding even more affordable housing units recently imposed on Benicia, do not ensure concern for fairness to existing Benicia residents. Zoning changes now being considered by Benicia Councils and Commission to implement the new mandates may achieve some goals and prevent or destroy equally worthy goals such as scenic views, new bicycle paths along Benicia streets, or smooth traffic flows instead of regular snarls and increased accidents and injuries. Residents are concerned for our residents and provide extensive support for the portion of our population that has the lowest portion of income per household or individual. They share examples:

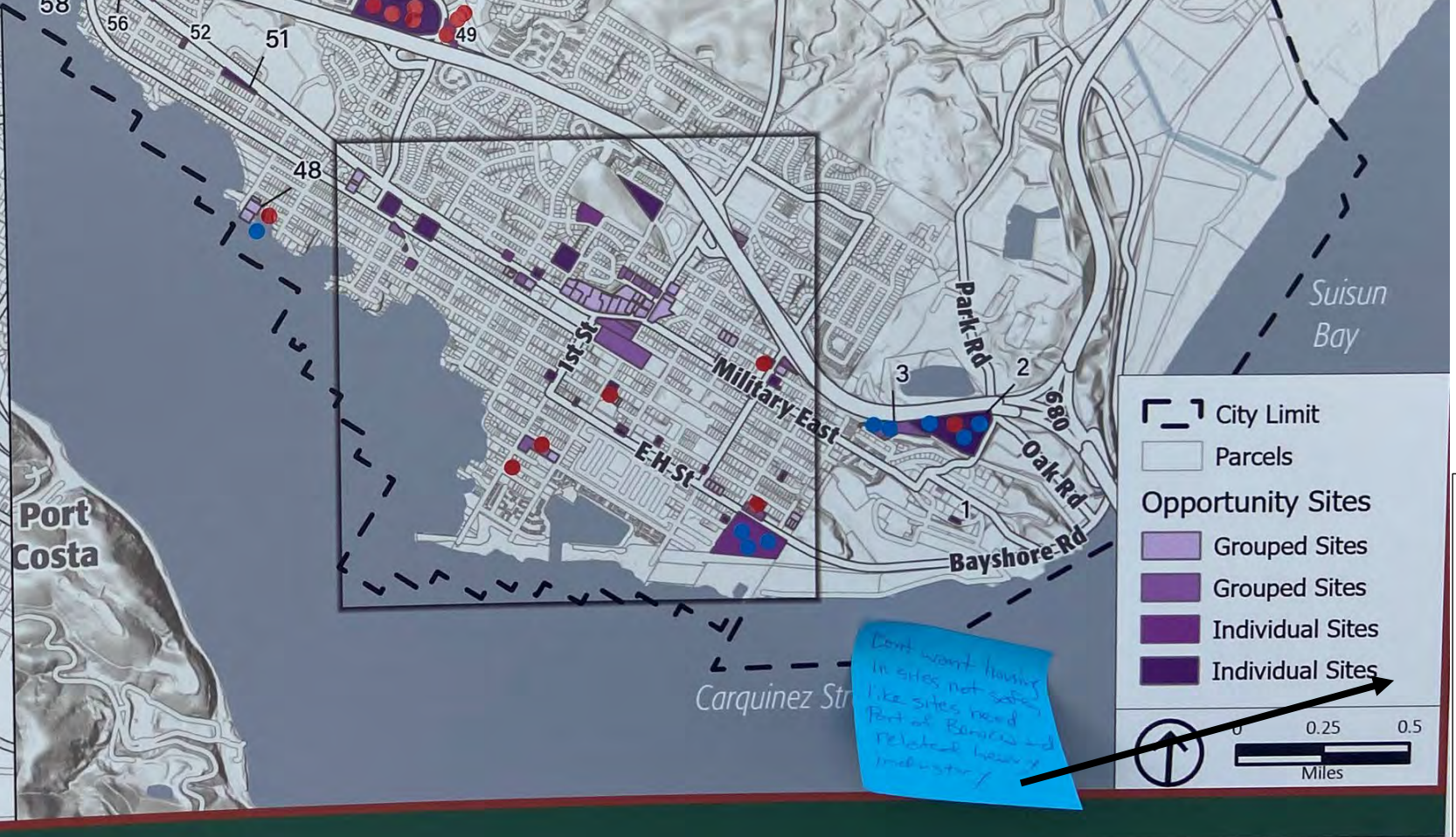
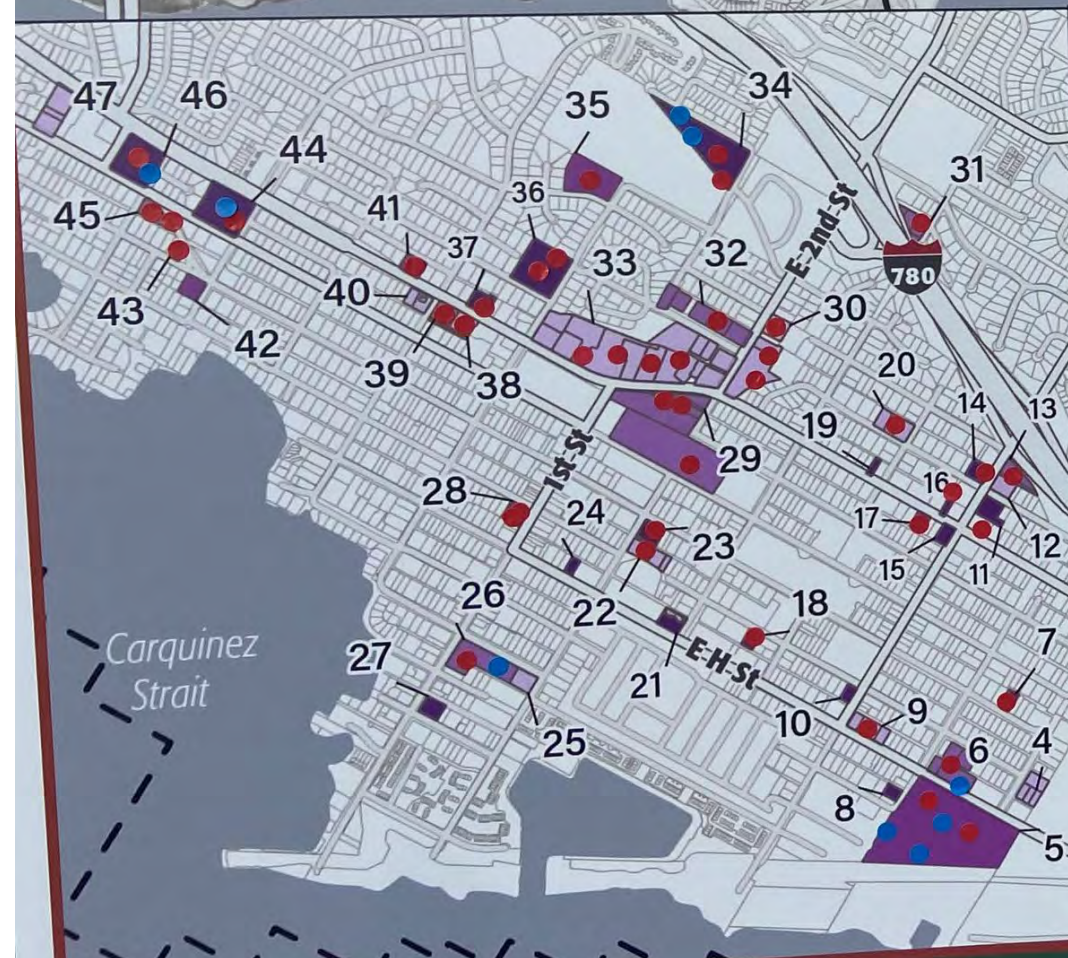
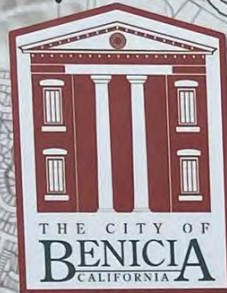
- Full-time police officer assigned to help unhoused individuals and families
- Numerous religious and non-profit organizations that provide food and other assistance for those in need.
- Benicia is the only city in CA that has a diversity and inclusion officer as a city employee.
- Benicia is years ahead of other cities in the Diversity Plan.
- The State appears unconcerned by the expropriation of our open space by forcing development most city residents don't want. Government of the people, by the people and for the people, as we constituted our government based on liberty and freedom, suggests that people should direct government, not vice versa! This expropriation leads to overbuilt and crowded neighborhoods emerging, focused on many places where people invested their whole lives and families in the homes they bought. They did not expect to be crowded by high-density apartment buildings. Traffic will increase because we don't have adequate public transportation infrastructure to handle the population growth we have now. Insufficient parking within these new developments which appear to not yet have a mandate to ensure completed adequate roads and lanes and off-street parking be required for all such developments will lead to overcrowded accident-prone residential streets. Those who purchased homes with the expectation of living in an uncrowded and charming small Bay Area city with beautiful and historic open space are disillusioned by the latest legal tactics by the state of CA to force unwanted development. The Fair Housing law ends up being an unfair housing law because it is biased against one segment of the population.

Response:

- As of the August 16th City Council meeting, the City Council has directed City staff to remove the Blake Court site from the current draft of the Housing Element.
- There are no open space sites in the current draft of the Housing Element.

Candidate Sites

Which sites would you like prioritized for potential development with housing? Place a sticky note indicating your preferred options and write additional comments about the site on the sticky note if you like. Please write the site number you are commenting on the sticky note.



City Limit

Parcels

Opportunity Sites

- Grouped Sites
- Grouped Sites
- Individual Sites
- Individual Sites

0 0.25 0.5
Miles

Don't want housing in sites not safe like sites need Port of Benicia and related heavy industry

Note reads:
Don't want housing in sites not safe like sites need Port of Benicia and related heavy industry.

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THE CITY OF
BENICIA
CALIFORNIA





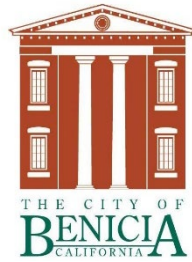
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Appendix 3-2

City of Benicia Health and Safety Element: Background Report, Climate Change Vulnerability Assessment Report, and Draft Policies*

* The City of Benicia Health and Safety Element Update has not been adopted at the time of release of this public Draft EIR. The Background Report, Climate Change and Vulnerability Report, and Draft Policies have been completed and form the framework of the Safety Element. However, the Element in its final form has not been compiled and portions of the Element are subject to change.



City of Benicia Community Health and Safety Element Background Report

Administrative Draft

August 2022

Prepared for:

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COMMUNITY HEALTH AND SAFETY ELEMENT

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COMMUNITY HEALTH AND SAFETY ELEMENT

1 OVERVIEW

1.1 PURPOSE AND CONTENT

The safety-related section of the Benicia Community Health and Safety Element is a state-mandated General Plan element that must identify potential natural and human-created hazards that could affect the City of Benicia's (City's) residents, businesses, and services. The purpose of the Community Health and Safety Element is to establish a framework that anticipates these hazards and prepares the community to minimize exposure to these risks.

The Community Health and Safety Element conveys the City's goals, policies, and actions to minimize the hazardous situations and protect and improve public health in and around Benicia. It identifies the natural and human-caused hazards that affect existing and future development, describes present and expected future conditions, and sets policies and standards for improved public safety. This includes efforts to minimize physical harm to the buildings and infrastructure in and around Benicia to reduce damage to local economic systems, community services, and ecosystems.

Some degree of risk is inevitable because the potential for many disasters cannot be eliminated completely, and the ability to predict such disasters is limited. However, the Community Health and Safety Element aims to reduce this risk through the following functions:

- Developing a framework by which safety considerations are introduced into the land use planning process.
- Establishing a policy framework for periodic updates of the hazard mitigation plan.
- Facilitating the identification and mitigation of hazards for new development and strengthening existing codes, project review, and permitting processes.
- Presenting policies directed at identifying and reducing hazards in existing developed areas.
- Strengthening preparedness planning and post-disaster reconstruction policies for earthquake, flood, dam inundation, wildland fire, and other relevant hazards.
- Identifying how natural and climate-related hazards are likely to increase in frequency and intensity in the future and provides policies to increase community resilience through preparedness and adaptation.

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The Community Health and Safety Element addresses the topic of public health and safety following state requirements, as presented in Section 65302(g) of the California Government Code. State law requires that the Community Health and Safety Element contain background information and policies to address multiple natural hazards, analyze the vulnerabilities from climate change and contain policies to improve climate change resilience, and assess residential areas with evacuation constraints. The public safety issues in Benicia include emergency preparedness and response, flood and inundation hazards, seismic and geologic hazards, fire hazards, hazardous waste and materials, as well as climate-related hazards, such as drought, extreme heat, and severe weather. The Community Health and Safety Element identifies goals and policies for each of these hazards.

1.2 RELATIONSHIP TO OTHER DOCUMENTS

The Benicia Community Health and Safety Element does not exist in a vacuum but is instead one of several plans that address community public safety and related topics. These other plans include other General Plan elements, the 2022 Solano County Multi-jurisdictional Hazard Mitigation Plan (MJHMP), the City of Benicia Emergency Operations Plan (EOP), and various local regulations. The Community Health and Safety Element should be consistent with these other elements and plans to minimize conflicts between documents and ensure that the City has a unified strategy to address public safety issues. The Community Health and Safety Element incorporates information, technical analyses, and policies from these other documents where appropriate to help support this consistency.

1.2.4 GENERAL PLAN ELEMENTS

The City Council adopted the Benicia General Plan in 1999. It includes three chapters, which cover six of the seven state-mandated elements plus the Housing Element. The Housing Element is a stand-alone document but remains part of the General Plan. The three chapters are organized as follows:

- Community Development and Sustainability Chapter (containing the Land Use and Growth Management Element, Economic Development Element, Circulation Element, and Community Services Element)
- Community Identity Chapter (containing the Historic Resources Element, Cultural Resources Element, Visual Character Element, and Open Space and Conservation of Resources Element)

COMMUNITY HEALTH AND SAFETY ELEMENT

- Community Health and Safety Chapter (containing the Healthy Community Element, Hazards to the Community Element, Responses to Hazards Element, and Noise Element)

The Community Health and Safety Element provides policy direction and identifies safety improvements that complement the intent and policies of other General Plan elements. Crucial relationships exist between the Community Health and Safety Element and the other General Plan elements. How land uses are determined in areas prone to natural hazards, what regulations limit development in these areas, and how hazards are mitigated for existing development, are all among issues that tie the elements together. For instance, the Community Development and Sustainability Chapter diagrams and policies must consider the potential for various hazards identified in the Community Health and Safety Element and must be consistent with the policies to address those hazards. The Open Space and Conservation of Resources Element in the Community Identity Chapter is also closely tied to the Community Health and Safety Element. Floodplains, for example, are not only hazard areas, but often serve as sensitive habitat for threatened or endangered species or provide recreation or passive open space opportunities for residents and visitors. As such, flood and inundation policies balance the need to protect public health and safety with the need to protect habitat and open space. Community Health and Safety Element policies, especially those concerning evacuation routes and critical facilities, must also be consistent with those of the Community Development and Sustainability Chapter. This Community Health and Safety Element is consistent with the other elements of the Benicia General Plan.

1.2.5 SOLANO COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

In collaboration with the City and other local agencies and special districts, the County of Solano led preparation of the 2022 MJHMP in accordance with the federal Disaster Mitigation Act of 2000 and the Federal Emergency Management Agency's (FEMA's) hazard mitigation assistance guidance. Solano County's MJHMP is a plan that assesses hazard vulnerabilities from natural and human-caused hazards, including risk to people and facilities, and identifies mitigation actions to reduce or eliminate hazard risks in Solano County, including in incorporated communities. The MJHMP includes a dedicated annex for Benicia, which discusses additional information specific to the City of Benicia, with a focus on providing additional details on the planning process, risk assessment, and mitigation strategy for the city. The mitigation actions in the MJHMP include both short-term and long-term strategies, and involve planning, policy changes, programs, projects, and other activities. These mitigation actions are identified based on assessments of hazards, vulnerabilities, and risks and the participation of a wide range of stakeholders and the public in the planning process. Local

COMMUNITY HEALTH AND SAFETY ELEMENT

governments are required to develop a hazard mitigation plan as a condition for receiving certain types of non-emergency disaster assistance. To comply with the federal Disaster Mitigation Act of 2000,¹ the Benicia City Council adopted the MJHMP Benicia Jurisdictional Annex. The current 2022 MJHMP, approved by FEMA in December 2021, is incorporated into this Element by reference, as permitted by California Government Code Section 65302.6 and available online at https://www.solanocounty.com/depts/oes/emergency_plans.asp.

The MJHMP and Community Health and Safety Element address similar issues, but the Community Health and Safety Element provides a higher-level framework and set of policies that pertain to the safety of the city, while the MJHMP focuses on more specific mitigation, often short-term, actions to enable jurisdictions to better protect lives, property, and natural systems. The MJHMP, as its name implies, focuses on mitigation-related actions, while the Community Health and Safety Element also includes policies related to emergency response, recovery, and preparation activities. Hazard mitigation plans form the foundation for a community's long-term strategy to reduce disaster losses and break the cycle of disaster damage, reconstruction, and repeated damage.

1.2.6 CITY OF BENICIA EMERGENCY OPERATIONS PLANS

The EOP describes planned response to extraordinary emergency situations associated with natural disasters, technological (human-caused) emergencies, and war emergency operations in, or affecting, the City of Benicia. The EOP establishes an Emergency Management Organization that will respond given any significant emergency or disaster affecting the City of Benicia; policies, responsibilities, and procedures required to protect the health and safety of the community, public and private property, and the environment from the effects of natural and human-caused (technological) emergencies and disasters; the operational concepts and procedures associated with field response to emergencies, Emergency Operations Center (EOC) activities, and the recovery process; and the organizational framework for implementation of the Standardized Emergency Management System (SEMS) and National Incident Management System (NIMS) within the City of Benicia. The EOP is the principal guide for the City of Benicia and responding special districts who respond to and mitigate emergencies

¹ The federal Disaster Mitigation Act of 2000 requires that states review LHMPs as part of their state hazard mitigation planning process. The intent is three-fold:

1. To gather hazard, vulnerability, and mitigation information from the local level for use in state-level planning
2. To ensure that state and local hazard mitigation planning is coordinated to the greatest extent practical
3. To ensure that local jurisdictions are made aware of the hazards and vulnerabilities within their jurisdiction and to develop strategies to reduce those vulnerabilities

COMMUNITY HEALTH AND SAFETY ELEMENT

and disasters within the City of Benicia geographic boundaries. It is intended to facilitate multi-agency and multi-jurisdictional emergency operations and coordination, particularly between local government and the operational area (county boundary) and addresses state and federal response upon request.

1.3 COMMUNITY PROFILE

The City of Benicia is in the southwestern portion of Solano County, covering approximately 14 square miles. Unincorporated Solano County borders Benicia to the north, Suisun Bay to the east, Carquinez Strait to the south, and Vallejo to the west. Benicia is made up primarily of rolling hills, rising to an elevation of 1,160 feet. The rolling hills reach almost to the shoreline. On the west boundary, Sulphur Springs Mountain reaches approximately 950 feet. Two creeks—Sulphur Springs Creek in the west and Paddy Creek in the east—run approximately north-south through the city.

The city is built on a peninsula of land that reaches south from the main body of Solano County and creates a prominent bend in the Carquinez Strait. From this peninsula, highway and railroad bridges span the Strait to connect Benicia with the Contra Costa County cities of Martinez and Concord. Southern Benicia slopes gently down to the Carquinez Strait. Most of the older residential areas and the Downtown are in this portion of the city. Eastern Benicia is bordered by the marshlands of Suisun Bay. Relatively flat areas adjacent to the marshes provide sites for industry, including a large petroleum refinery operated by Valero. Southwest Benicia includes another flat, marshy area that has been preserved as the Benicia State Recreation Area.

Benicia has a Mediterranean climate, with rain in the winters and hot, dry summers, and Diablo winds occurring throughout the year. Benicia's climate is typical of the area where the northern Central Valley meets the Bay Area.² On average, annual high temperatures in Benicia range from 56 degrees Fahrenheit (°F) in December and January to 82°F in July. Low temperatures range from 42°F in December and January to 57°F in July and August.³ The city receives an average of approximately

² Pacific Gas and Electric Company (PG&E). 2006. *The Pacific Energy Center's Guide to California Climate Zones*. https://www.pge.com/includes/docs/pdfs/about/edusafety/training/pec/toolbox/arch/climate/california_climate_zones_01-16.pdf.

³ Weather Spark. N.d. "Climate and Average Weather Year Round in Benicia." <https://weatherspark.com/y/588/Average-Weather-in-Benicia-California-United-States-Year-Round>.

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19.6 inches of precipitation annually.⁴ Most precipitation falls during the winter months, although summer storms occur rarely.

Land uses within the city primarily consist of industrial, residential, and parks and open space uses. According to the 2020 Decennial Census, Benicia is home to approximately 27,000 residents and 11,400 households. According to the 2019 American Community Survey, approximately 14,700 residents in the city are employed. An estimated 11 percent of Benicia residents are under 10 years of age and an estimated 22 percent are 65 years of age or older.⁵ Benicia has nine schools; two fire stations and a police station; community facilities such as City Hall, a public library, and senior center; a wastewater treatment plant; and a water treatment plant. The Benicia Police Department and Benicia Fire Department provide police and fire services to the community, respectively.

Benicia's primary transportation access is from Interstate (I-) 680 and I-780. I-680 connects Benicia to Fairfield to the north and Contra Costa County to the south. I-780 connects Benicia to Vallejo to the west and the Benicia-Martinez Bridge to the east. Solano County SolTrans Yellow Line provides connection from Benicia to Vallejo, Pleasant Hill, and Walnut Creek.

1.4 CLIMATE CHANGE VULNERABILITY

Changes to the global climate system are expected to affect future occurrences of natural hazards in and around Benicia. Many hazards are projected to become more frequent and intense in coming years and decades, and in some cases, these trends have already begun. Key climate change considerations that affect Benicia include increasing temperatures, changes in precipitation, and sea level rise. Overall, precipitation levels are expected to increase slightly; however, there are likely to be more years of extreme precipitation events and droughts that last longer and are more severe. According to

What is vulnerability?

Vulnerability is the degree to which natural, built, and human systems are susceptible to harm from exposure to stresses associated with environmental and social change and from the absence of a capacity to adapt.

Source: California Governor's Office of Emergency Services. 2020. California Adaptation Planning Guide. <https://www.caloes.ca.gov/climate>.

⁴ Cal-Adapt. 2018. "Annual Averages." <https://cal-adapt.org/tools/annual-averages>.

⁵ U.S. Census Bureau. 2020. 2016-2020 American Community Survey 5-Year Estimates: Age and Sex, Table S0101. <https://data.census.gov/cedsci/table?q=Benicia&t=Age%20and%20Sex&y=2020>.

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California's Fourth Climate Change Assessment,⁶ Benicia can expect to experience various changes to climate-related hazard events.

- Sea level rise is a gradual process, taking place over years or decades. Along the Benicia shoreline, sea levels are projected to rise approximately 24 inches by 2050 and 84 inches by 2100.⁷ The areas most vulnerable to sea level rise are the low-lying areas in the southern part of Benicia along the shoreline, including the Benicia Marina, residential areas in lower Downtown Benicia, the southern areas of the Valero Refinery, and the Benicia Industrial Park next to the railway. However, it is possible that sea levels could rise faster than these projections.⁸ Rising sea levels can also cause the shoreline to flood more frequently and severely during storms or king tide events, which are the highest predicted high tide of the year due to the orbits and combined alignment of the Earth, moon, and sun. Because ocean levels are higher during normal conditions due to sea level rise, shoreline floods can reach further onto land. For example, a storm that has a 1 in 5 chance of occurring in a given year (known as a 5-year storm) can create a temporary increase in sea levels of approximately 24 inches. This means that if sea levels rise by 24 inches during normal conditions, a 5-year storm event would create a temporary sea level rise of around 48 inches.
- Both droughts and floods are expected to become more frequent as rainfall is expected to occur in fewer, more intense storms due to climate change. Although Benicia is likely to experience only a slight increase in overall annual precipitation levels from climate change, rainfall is expected to fall in fewer, extreme precipitation events, including throughout the Sacramento and San Joaquin River watersheds that drain through the Carquinez Strait. As a result, floods are expected to occur more often in Benicia, and climate change may expand the parts of the city that are considered prone to flooding, including along the shoreline of Benicia, lower downtown, the Benicia State Recreation Area, along the channelized drainage of Sulphur Springs Creek, and wetlands adjacent to the Benicia Industrial Park. The wetlands in the Benicia State Recreation Area adjacent to the Benicia Industrial Park are resilient habitats able

⁶ Bedsworth, Louise, Dan Cayan, Guido Franco, Leah Fisher, Sonya Ziaja. (California Governor's Office of Planning and Research, Scripps Institution of Oceanography, California Energy Commission, California Public Utilities Commission). 2018. Statewide Summary Report. California's Fourth Climate Change Assessment. Publication number: SUMCCCA4-2018-013.

⁷ Ocean Protection Council. 2018. *State of California Sea-Level Rise Guidance*, https://opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_Exhibit-A_OPC_SLR_Guidance-rd3.pdf.

⁸ California Coastal Commission. 2018. *California Coastal Commission Sea Level Rise Policy Guidance: Science Update – July 2018*. https://documents.coastal.ca.gov/assets/slr/guidance/2018/3_Ch3_2018AdoptedSLRGuidanceUpdate.pdf.

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to adapt to the impacts of sea level rise, particularly since the wetlands are not hemmed in by development. However, there are concerns that the wetlands may not be able to adapt to a fast rate of sea level rise. Wetlands in areas with urban development, such as those in the lower downtown, are more vulnerable to sea level rise inundation due to existing development and the amount of impervious surfaces that constrain where wetlands can migrate to.

- Climate change is expected to also increase the frequency and severity of droughts that cause soil to dry out and condense. When precipitation does return, dry ground means that more water runs off the surface rather than being absorbed into the ground, which can lead to floods. Drought conditions will likely strain the water supplies derived from the State Water Project and Solano Project, causing the water shortage contingency plan and demand-reduction actions to go into effect more frequently.
- Severe weather events, such as lightning, hail, heavy rainfall, and high winds, may become more frequent and intense due to climate change. Climate change is expected to cause an increase in intense rainfall, which is usually associated with strong storm systems. Heavy rainfall may also contribute to an increased risk of landslides in the hills around Benicia. Most severe weather events in Benicia consists of atmospheric rivers or high winds. Although connection between climate change and severe weather is not as well established as other hazards, severe winds such as the Diablo winds, which tend to be most frequent during the fall and winter months, may coincide more frequently with wildfire conditions. This can cause fires to grow and spread more rapidly as well as public safety power shutoff (PSPS) events to occur to prevent wildfires from sparking.
- Warmer temperatures are projected to cause an increase in extreme heat events. The number of extreme heat days, defined in Benicia as a day when the high temperature is at least 97.6°F, is expected to rise from a historical annual average of 4 to 16 days per year by the middle of the century (2035 to 2064), and to an average of 30 days per year by the end of the century (2070 to 2099). In addition to the increases in extreme heat events, Benicia is expected to see an increase in the average warmer nights. The number of warm nights, defined in Benicia as a night when the minimum temperatures stay above 60.6°F, is expected to rise from a historical annual average of 5 to 43 nights per year by the middle of the century (2035 to 2064), and to an average of 103 nights per year by the end of the century (2070 to 2099). Extreme heat and warm nights pose a significant human health risk, especially to senior citizens, outdoor workers, and persons who do not have access to adequate cooling, including people

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experiencing homelessness. Some buildings and infrastructure systems may be damaged by very high temperatures, constraining their ability to meet community needs.

- Hotter, drier weather because of climate change, is expected to lead to an increase in wildfires in the surrounding area and across Solano County. Drier conditions earlier in the year could result in a large portion of the region experiencing moderate to extreme drought conditions prior to summer. Consequently, these continued dry conditions with above-normal temperatures will leave fuel moisture levels lower than normal, increasing the potential for wildfire activity and an extended wildfire season. Increased winds may result in more erratic fire behavior, making fires harder to control and increasing the likelihood that wildfires will travel into Benicia. Furthermore, an extended wildfire season increases the likelihood that Diablo wind events coincide with wildfires, which can allow wildfires to spread more rapidly. Across the region, more frequent and intense wildfires may also create poor air quality for Benicia.
- Climate change can increase the rates of infection for various diseases because many of the animals that carry diseases are more active during warmer weather. There are a number of diseases that are linked to climate change and can be harmful to the health of Benicia community members, such as hantavirus pulmonary syndrome, Lyme disease, and West Nile fever. Many of these diseases are carried by mice and rats, ticks, mosquitos, and other pests. Warmer temperatures earlier in the spring and later in the winter can cause these animals to be active for longer periods, increasing the time that these diseases can be transmitted.

1.4.4 VULNERABILITY ASSESSMENT RESULTS

Under California law, the Community Health and Safety Element is required to include a vulnerability assessment that looks at how people, buildings, infrastructure, and other key community assets may be affected by climate change. The City conducted a Climate Change Vulnerability Assessment in the spring of 2022 to analyze Benicia's susceptibility to climate-related hazards. Benicia's vulnerability assessment, prepared in accordance with the most recent available guidance in the *California Adaptation Planning Guide*, assesses how eight climate-related hazards (drought, extreme heat and warm nights, human health hazards, inland flooding, landslides, sea level rise and shoreline flooding, severe weather, and wildfire and smoke) may affect 64 different population groups and community assets. Each population or asset received a score of V1 (minimal vulnerability) to V5 (severe vulnerability) for each climate-related hazard. The Climate Change Vulnerability Assessment indicates that Benicia's populations and assets are most vulnerable to shoreline flooding, severe weather, and inland flooding.

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Overall, populations in Benicia tend to be most vulnerable to shoreline flooding, extreme heat and warm nights, wildfire and smoke, and human health hazards, which directly affect health outcomes. The most vulnerable communities include households in poverty and low-resourced people of color, both of which are highly or severely vulnerable to all climate change hazards. Additional highly vulnerable populations include immigrant communities, persons experiencing homelessness, persons with chronic illnesses and/or disabilities, pollution-burdened populations, and seniors living alone.

Climate change could affect the transportation network and associated economic activity within Benicia by creating strain on transportation infrastructure, resulting in impacts to travel behavior, goods movement, and supply chain business continuity. Areas between East Second Street and East Fifth Street, including the areas south of E Street are vulnerable to flooding and sea level rise inundation impacts. Lower Downtown is especially vulnerable given its proximity to the shoreline and its history of nuisance flooding during high tides. Some streets in this area are closed for several days throughout the year as a result of flooding during king tide events. Sea level rise is likely to have a significant impact on property values and disrupt transportation, access to the shoreline, as well as recreational and economic activity such as dining, entertainment, and shopping. Given the area's history of nuisance flooding during high tide events, sea level rise is expected to increasingly compound these impacts over the next century. Transportation infrastructure such as roadways, bridges, and railways are all potentially at increased risk due to inland and shoreline flooding, landslides, and severe weather events. When parts of the transportation infrastructure network fail due to hazard events, typical travel routes for both passenger travel and goods movement may be disrupted, including I-680 and I-780. Localized disruption of these local transportation roadways due to hazards such as flooding, landslides, wildfires, or severe weather could significantly impact the transportation of goods and services provided in the city, the economic vitality of the community, ability to evacuate during an emergency, and the livelihood of many businesses particularly if the impacted areas include key nodes of Benicia's transportation network. Similarly, residents that rely on I-680 and I-780 as a means of transportation for work could be greatly impacted by disruptions to this infrastructure. Although the areas affected by hazards may be small, this could still create significant disruptions to freeway traffic.

Citywide, energy delivery is vulnerable to multiple hazards, including severe weather, such as high winds that can trigger PSPS events, extreme heat that reduces the capacity and strains the system, and wildfires that damage the system, ultimately disrupting energy service. Extreme heat can also lead to power outages by causing mechanical failure of grid equipment, heat damage to power lines, and by creating a high demand for electricity to power air conditioners, all of which place stress on the network and lead to rolling blackouts. Electrical transmission infrastructure is subject to harm from

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landslides and shoreline flooding, which can undermine the foundations of transmission towers and flooding substations, straining the electricity delivery system.

PSPS events or interruptions in energy service due to extreme heat can create vulnerabilities for Benicia community members. A loss of electricity can cause a loss of refrigeration for food and medical supplies, limit cooking, cause loss of cooling (particularly dangerous during extreme heat events), lighting, and limited or no access to the Internet or other information systems. Many businesses are forced to close during a power outage, causing economic hardships and depriving community members of important services, such as grocery stores, gas stations, and banks/ATMs. Power outages may also be harmful to people who depend on electrically powered medical devices.

Climate change is also expected in the parts of the city that are considered prone to both inland and shoreline flooding, due to sea level rise and stronger storm systems. As a result, homes and commercial properties adjacent to the shoreline of Benicia, as well as the Benicia State Recreation Area, Sulphur Springs Creek, and wetlands adjacent to the Benicia Industrial Park will likely experience an increase in the frequency and magnitude of inland and shoreline flood events in future years, although as noted above, wetlands in the Benicia State Recreation Area and adjacent to the Industrial Park may be well positioned to accommodate sea level rise over the next century. Rising tides may increase groundwater levels and inundate contaminated land. Given that some hazardous sites in Benicia sit near the shoreline, rising groundwater may pose the risk of contaminated soils leaching into new, different areas. Increases in damaging flood events in the city are expected to cause greater property damage, public health and safety concerns, displacement, and loss of life. The City's wastewater treatment plant is within both the 100-year floodplain and the 2050 sea level rise hazard area, and experiences more frequent flood events, damaging wastewater infrastructure and interrupting service. Increased sea level rise and shoreline flooding may also harm the outdoor water recreation industry, which relies heavily on marinas and piers that could be damaged and become unusable in the future. These facilities could experience regular overtopping beginning in 2050 and become permanently inundated by 2100. However, many of the piers are aging and will need to be replaced in the coming years. While the facilities may not be permanently inundated by 2050, repeated shoreline flooding could damage the berths and docks, rendering them unusable until repairs are completed. However, it is possible that the piers will be replaced prior to regular overtopping as a result of sea level rise. In any case, the next generation infrastructure should be designed to withstand these impacts. The Benicia Port Terminal is threatened by sea level rise, which could harm the industrial facilities that depend on the port terminal. As previously noted, a small portion of I-680 is threatened by sea level rise and is within the 2100 sea level rise hazard area, although it may not directly affect freeway access. Similarly, the railroad is vulnerable to sea level rise and is within the 2100 sea level rise hazard area.

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The Community Health and Safety Element includes goals, policies, and implementation actions to increase community resilience and help lower vulnerability scores, particularly for the populations and assets that received a score of V4 or V5 in the Vulnerability Assessment. A full list of the Vulnerability Assessment results is in **Appendix A**.

2 PUBLIC SAFETY ISSUES

This section outlines the existing and likely future hazardous conditions and other public safety issues in Benicia and policy responses to these issues. The public safety issues in Benicia include:

- Emergency preparedness and response
- Flood and inundation hazards
- Seismic and geologic hazards
- Fire hazards
- Hazardous waste and materials
- Additional climate-related hazards (drought, extreme heat, and severe weather)

This section provides details pertaining to probable locations each hazard or issue is likely to occur (per availability of data), past notable events in and around Benicia, agencies responsible for providing protection from these public safety issues, and other background information required by the State of California Government Code Section 65302(g)(4).

The results of the Vulnerability Assessment are integrated into the hazards and other public safety issues previously mentioned.

2.1 EMERGENCY PREPARATION AND RESPONSE

2.1.4 LOCAL EMERGENCY RESPONSE

The Benicia Police Department and Benicia Fire Department conduct emergency preparedness activities in Benicia.

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2.1.4.1 Benicia Police Department

The Benicia Police Department operates out of the Benicia Police Station at 200 East L Street. The Benicia Police Department is staffed with 33 sworn officers, 20 non-sworn employees, 2 reserve officers, and 10 citizen volunteers. The department is led by the Chief of Police, and it is organized into three divisions, which include operations, investigations, and services. A Lieutenant provides general management direction and control for each division.

2.1.4.2 Benicia Fire Department

The Benicia Fire Department currently operates two fire stations in the city with a total of two engines and one ladder truck staffed 24 hours per day. The Fire Department provides fire suppression, fire prevention, basic and advanced life support medical services, technical rescue services, disaster preparedness, vegetation management, and weed abatement services for all areas within the city limits and some nearby areas outside the city.

In addition to fire protection services, the Fire Department responds to certain emergency incidents such as rail accidents, spills of hazardous materials, or similar accidents. The Benicia Fire Department and Valero have joint responsibility for fire protection at the Valero refinery. Primary fire protection at the refinery is provided by the refinery fire brigade, which is composed of firefighters and trained emergency medical technicians. All technicians and operating team supervisors at the refinery are trained in industrial firefighting.

2.1.5 COMMUNITY WARNING SYSTEMS

Benicia uses Alert Solano to notify residents and businesses within Solano County that are impacted by, or are in danger of being impacted by, an emergency. The system provides basic information about incidents and what specific protective actions (shelter in place, lockdown, evacuate, avoid the area, etc.) are necessary to protect life and health.

Alert Solano enables agencies within Solano County to provide residents with critical information quickly in a variety of situations, such as severe weather, unexpected road closures, missing persons, and evacuations of buildings or neighborhoods. In the event of an emergency, public safety officials, including local police and fire, send out a message about a potential safety hazard or concern, including severe weather alerts, road closures, and natural disasters directly to those who have registered for Alert Solano. The Alert Solano emergency notification system allows users to provide customized

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information to allow the most efficient delivery of emergency information. Alerts can be sent to all devices registered with Alert Solano, maximizing the chances of alerting users in a timely manner.

Other systems include the Emergency Alert Systems (EAS) and the Emergency Digital Information System (EDIS). The EAS is a national public warning system commonly used by state and local authorities to deliver important emergency information, such as weather and AMBER alerts, to affected communities. EAS participants – radio and television broadcasters, cable systems, satellite radio and television providers, and wireline video providers. FEMA, the Federal Communications Commission, and the National Oceanic and Atmospheric Administration’s (NOAA’s) National Weather Service (NWS) work collaboratively to maintain the EAS and Wireless Emergency Alerts, which are the two main components of the national public warning system and enable authorities at all levels of government to send urgent emergency information to the public. The EDIS is a wireless emergency and disaster information service operated by the State of California Governor’s Office of Emergency Services and is an enhancement to the EAS. These systems are available in multiple languages.

Weather-related emergency alerts are broadcast by the NWS and monitored by the police department and Solano County Sheriff’s Dispatch. If the NWS posts a warning that would affect the Solano County area, dispatch notifies the Fire Department on-call Battalion Chief and the Police Department Watch Commander, as well as the Director of Emergency Services and Assistant Director of Emergency Services and others as needed directly.

2.1.3 EMERGENCY EVACUATION

With advanced warning, evacuation can be effective in reducing injury and loss of life during a catastrophic event. Figure 1 shows residential parcels with evacuation constraints, as required by Senate Bill 99, meaning that they are at least a half mile from a major roadway and may have access to only one emergency evacuation route. The lack of multiple emergency access points limits roadway access for these properties, which may create difficulties if there is a need to evacuate. It also shows the evacuation routes throughout the city. Primary emergency access and evacuation routes include I-680 and I-780, 1st Street, Military West, 2nd Street, Rose Drive, and other primary local roadways. Although limited to a small area, I-680 faces a potential disruption from a flooding event and all evacuation routes in Benicia face a potential disruption from an earthquake event, which may block roadways, damage the roadway surface, or collapse bridges and overpasses. In the event of widespread disruption to local evacuation routes, remaining evacuation routes may become congested, slowing

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down evacuation of the community or specific neighborhoods. This issue may be compounded since evacuation routes for Benicia will also likely serve as evacuation routes for surrounding communities, and so potential disruptions may have regional effects.

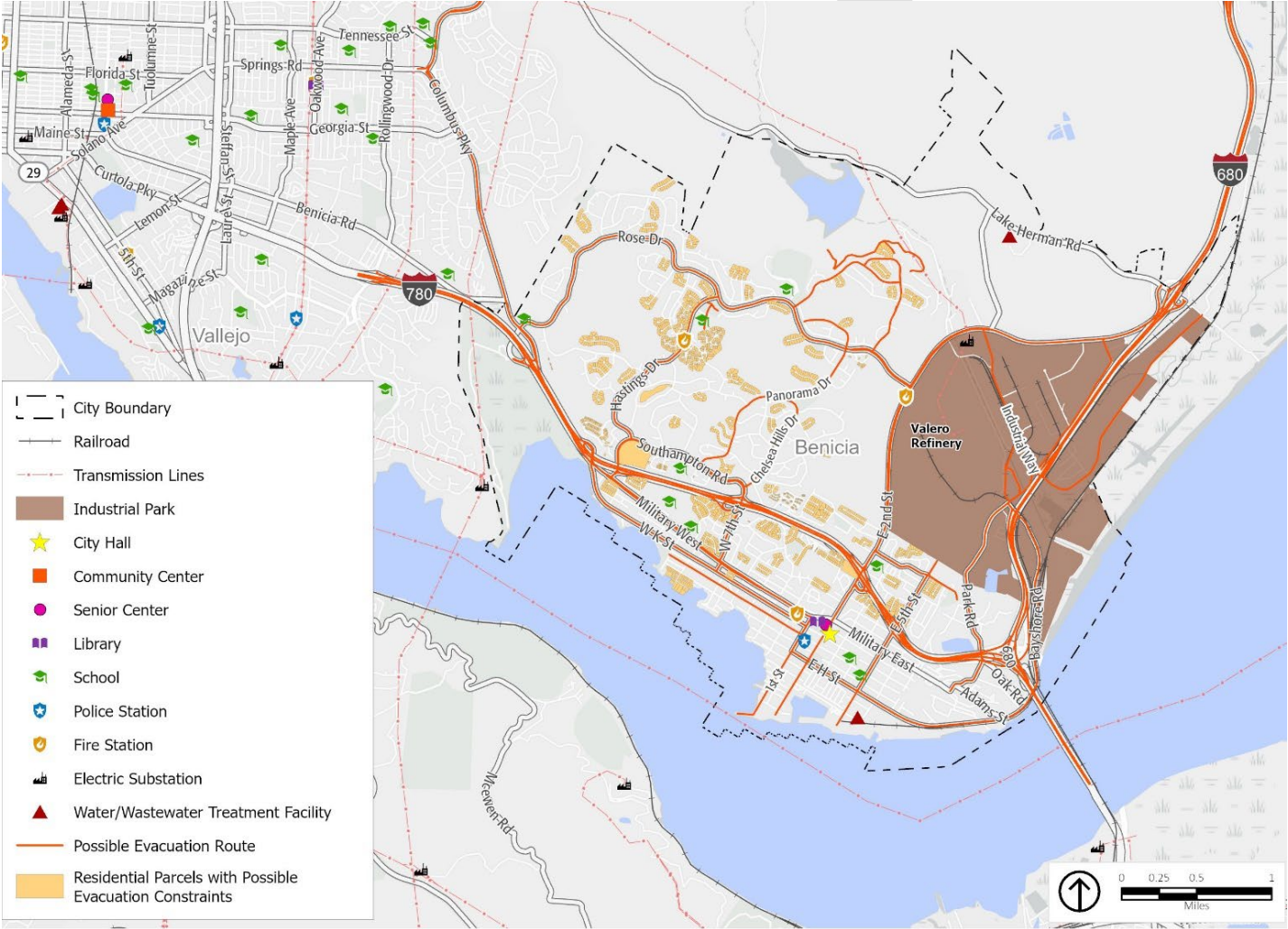
2.1.6 DISASTER PREPAREDNESS

In recent years, the County of Solano has expanded its emergency preparedness planning. The County of Solano is required under state law to prepare and maintain a Standardized Emergency Management System (SEMS) Multi-hazard Functional Plan. The California Governor's Office of Emergency Services has extensive guidelines outlining the requirements of the Solano County SEMS.

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Figure 1: Evacuation Routes and Residential Parcels with Evacuation Constraints



Source: Solano County, PlaceWorks 2022, ESRI

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2.2 FLOOD AND INUNDATION HAZARDS

Flooding is the rising and overflowing of a body of water onto normally dry land. Floods are among the costliest natural disasters in terms of human hardship and economic loss nationwide, significantly threatening the health and life of community members and causing substantial damage to structures, landscapes, and utilities. Flooding can be extremely dangerous, and even six inches of moving water can knock a person over given a strong current. Floodwaters can transport large objects downstream, which can damage or remove stationary structures, such as dam spillways. Ground saturation can result in instability, collapse, or other damage. Objects can be buried or destroyed through sediment deposition. Floodwaters can also break utility lines and interrupt services. Standing water can cause damage to roads, foundations, and electrical circuits. Other problems connected with flooding and stormwater runoff include erosion, degradation of water quality, losses of environmental resources, and certain health hazards.

Historically, floods are one of the most frequent natural hazards impacting communities in Solano County, including Benicia. In Benicia, floods are usually caused by one of three instances: coastal flooding from high tides or strong winds, flooding from heavy rains inland that significantly increase the amount of water flowing through the Carquinez Strait, and local flooding from storm drains that are blocked or cannot keep up with heavy rains.

Tidal flooding, also known as king tide flooding, or nuisance flooding, is the temporary flooding of low-lying areas near a coast. Tidal flooding usually occurs through the combination of winds, offshore storms, and full moon cycles during high tide events such as full moons and new moons. At-risk areas can experience this flooding multiple times a year.

The Carquinez Strait experiences seasonal flooding as a result of heavy rain that flows throughout the watershed and into rivers and tributaries that feed into the narrow tidal strait. This strait is part of the tidal estuary of the Sacramento and San Joaquin Rivers that drain into the San Francisco Bay, carrying precipitation from the Sierra Nevada and Central Valley regions. Flooding throughout the Carquinez Strait is influenced by the amount of water these rivers deliver over a period of time. During heavy and prolonged rainfall, these rivers contribute to the tidal flooding experienced in Benicia.

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Factors that directly affect the amount of flood runoff in the watershed include precipitation amount, intensity and distribution, soil moisture content, channel capacity, seasonal variation in vegetation, snow depth, and water-resistance of the surface due to urbanization. Rapid snowmelt in the watershed compounds the impacts associated with flooding in the Carquinez Strait.

A relatively common weather pattern that brings strong winds and heavy rain to California, including Benicia, is often referred to as an atmospheric river. Atmospheric rivers are long, narrow regions in the atmosphere that transport most of the water vapor carried away from the tropics. When an atmospheric river makes landfall, it can fuel a storm surge that combines with seasonally high-water levels and a high tide, causing a high-tide flood. According to a study that analyzed 36 years of data to understand how atmospheric rivers and other factors drive chronic coastal flooding, more than half of the high-tide flooding events in the San Francisco Bay were accompanied by an atmospheric river.⁹ However, storm surges caused by atmospheric rivers are rarely enough to cause high-tide floods without help from other factors, such as peak tides and seasonally high sea levels.

In these recurring minor flood events, seawater comes up through storm drains, disrupts sewage infrastructure, and engulfs streets. These low-level floods may seem minor, although they have the potential to interfere with transportation, damage homes and businesses, and threaten the public safety and long-term health of the community over time. In the City of Benicia, Lower Downtown is especially vulnerable given its proximity to the shoreline and its history of nuisance flooding during high tide events. Occasionally, flash flooding from short-duration, high-intensity precipitation events may occur, even during drought conditions. In urban areas, flash flooding is an increasingly serious problem due to removal of vegetation and replacement of ground cover with impermeable surfaces such as roads, driveways, and parking lots. Site development and hard infrastructure (such as roadways, sidewalks, and the like) create impermeable surfaces and reduce the total surface area that can absorb water. Moreover, developed areas generate irrigation water runoff from landscaping, which may channel stormwater and other runoff flows into nearby underdeveloped areas and street gutters.

⁹ S. Li, T. Wahl, A. Barroso, S. Coats, S. Dangendorf, C. Piecuch, Q. Sun, P. Thompson, L. Liu. 2022. Contributions of Different Sea-Level Processes to High-Tide Flooding Along the U.S. Coastline, *Journal of Geophysical Research: Oceans*, 10.1029/2021JC018276, 127, 7.

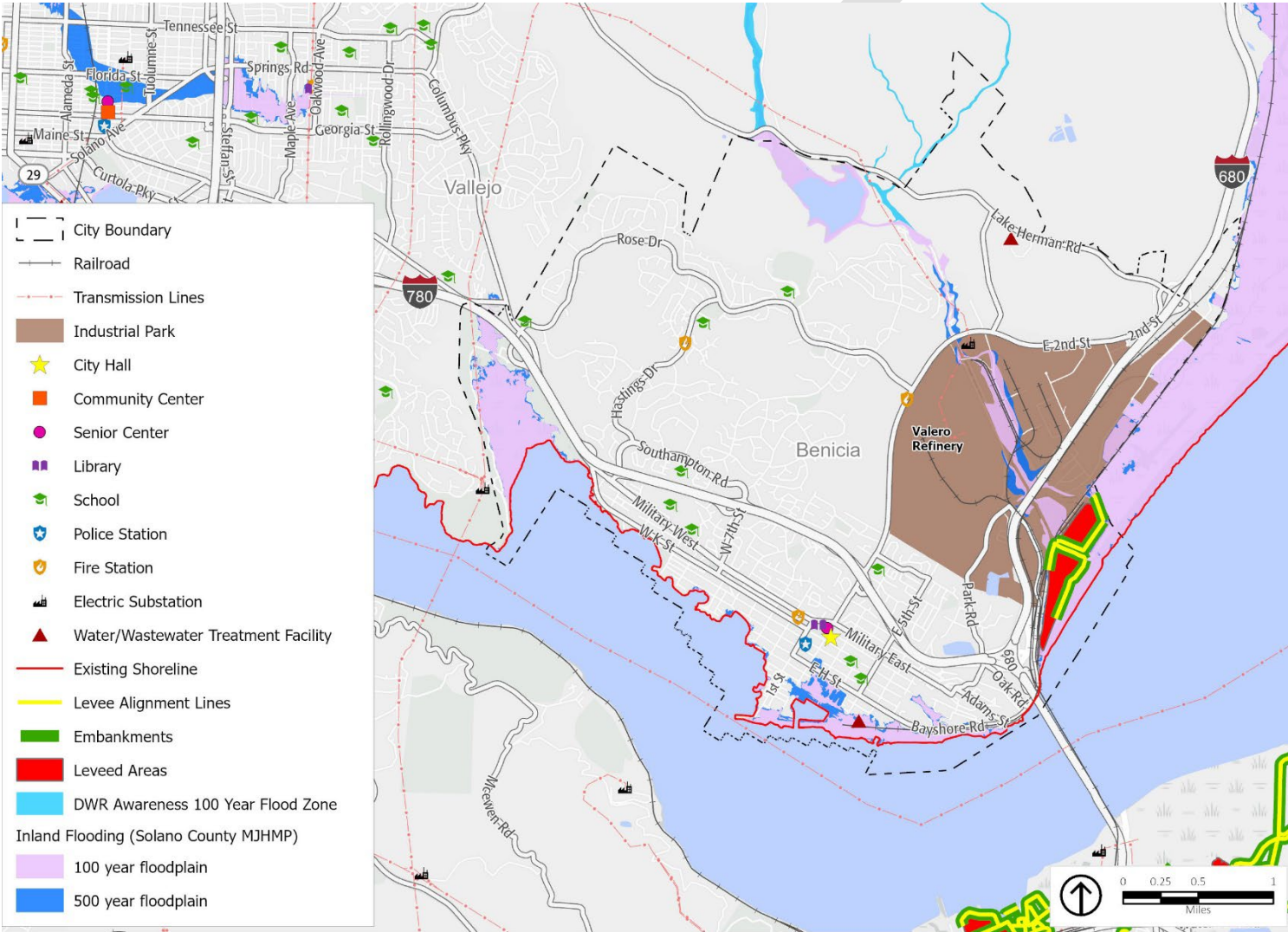
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Areas at an elevated risk of flooding are generally divided into 100- and 500-year flood zones. A 100-year flood zone has a 1-percent chance of experiencing a major flood in any given year and a 500-year flood zone has a 0.2-percent chance of flooding in any given year. Figure 2 shows the 100- and 500-year flood zones in and around Benicia. FEMA's flood hazard zones are established based on historical data and may not fully predict the future areas that are most at risk of flooding or the frequency of future flood events.

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Figure 2: Flood Hazard Zones



Source: National Levee Database, Solano County, PlaceWorks 2022, ESRI

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The 100- and 500-year floodplains in Benicia include the areas along the shoreline, lower downtown, as well as the Benicia State Recreation Area, along the channelized drainage of Sulphur Springs Creek, and wetlands adjacent to the Benicia Industrial Park. The city experiences repeated inland flooding in several places due to proximity to the shoreline. Historically, flooding has occurred in lower Downtown Benicia in the footprint of the historic coastal salt marsh, at the Benicia Wastewater Treatment Plant, and the Channel Road area in the Benicia Industrial Park. Most notably, lower Downtown Benicia experiences nuisance flooding centered along East Second Street and B Street during high tide events. The lower downtown area, Benicia Wastewater Treatment Plant, and the Channel Road area in the Benicia Industrial Park have historically experienced flooding that has not only flooded buildings, but also the roadways and infrastructure supporting these areas.

During heavy rainfall events, the city is subject to flooding of low-lying residential areas along the shoreline near Downtown Benicia. Regular flooding of residential areas occurs during high tide and storm events, primarily between East Second Street and East Fifth Street, including the areas south of E Street. Residential areas that have historically been impacted by flooding include Portside Village, the Rancho Benicia mobile home park, and other properties surrounding the Benicia Marina. The City's Fire Department supports a sandbag program to help residents and businesses prepare for flooding events in the city.

Agencies responsible for flood control in Benicia include the United States Army Corps of Engineers (USACE), the Benicia Public Works Department, Solano County Water Agency, Federal Insurance Administration (FIA), and the Department of Water Resources (DWR).

- The USACE identifies the need for and constructs major flood-control facilities. It also develops flood and dam inundation maps and reports.
- The Benicia Public Works Department is responsible for flood management throughout the city and manages embankments, shoreline protection structures, and berms.
- The Solano County Water Agency is also responsible for the management of embankments, shoreline protection structures, berms, and five miles of levees along San Pablo Bay, Carquinez Strait, and Suisun Bay.
- FEMA manages the National Flood Insurance Program (NFIP), providing insurance to the public in communities that participate in the program. FEMA is the main federal government agency contact during natural disasters and publishes the Flood Insurance Rate Maps (FIRM), which identify the extent of flood potential in flood-prone communities based on a 100-year flood (or base flood) event.

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- The FIA is the primary agency that delineates potential flood hazard areas and floodways through the FIRMs and the Flood Boundary and Floodway Map. Flood insurance is required of all homeowners who have federally subsidized loans.
- DWR is responsible for managing and protecting California’s water. DWR works with other agencies to benefit the state’s people, and to protect, restore, and enhance the natural and human environments. DWR also works to prevent and respond to floods, droughts, and catastrophic events that would threaten public safety, water resources and management systems, the environment, and property.

Floodplains can change over time. The floodplain and watercourse of a stream can be affected by anthropogenic (human) influences, such as the development of land into residential or commercial structures and the resulting reduction of pervious land (resulting in increased stream flow), the construction of bridges or culverts, or the creation of levees or other impoundment structures that control the flow in the watercourse.

2.2.4 SEA LEVEL RISE

Sea level rise is an increase in the ocean’s surface height relative to the land in a particular location. The two major causes of sea level rise are thermal expansion caused by warming of the ocean (since water expands as it warms) and increased melting of land-based ice, such as glaciers and ice sheets. Sea level rise is a gradual process, taking place over years or decades. Sea level rise, a direct result of climate change, affects coastal communities as well as those along the San Francisco Bay and into the Sacramento/San Joaquin Delta region. Sea level rise has the potential to inundate homes, businesses, and infrastructure near the shorelines, as well as to cause erosion of coastal lands over time. The sea level rose during the twentieth century, and observations and projections suggest that it will rise at a higher rate during the twenty-first century. San Francisco has recorded an average sea level rise of about 2.0 millimeters (mm) per year since the late nineteenth century. This is comparable to a global average during the twentieth century of 1.4 mm per year, a pace that has not been exceeded in any century since at least 2,800 years ago.¹⁰ Rising seas increase the risk of coastal flooding, storm surge inundation, coastal erosion and shoreline retreat, and wetland loss. The cities and infrastructure that line many coasts are already vulnerable to damage from storms, which will likely increase as the sea level continues to rise and inundate areas further inland.

¹⁰ San Francisco Bay Keeper. 2022. Sea Level Rise in California. <https://baykeeper.org/shoreview/california-slrl>.

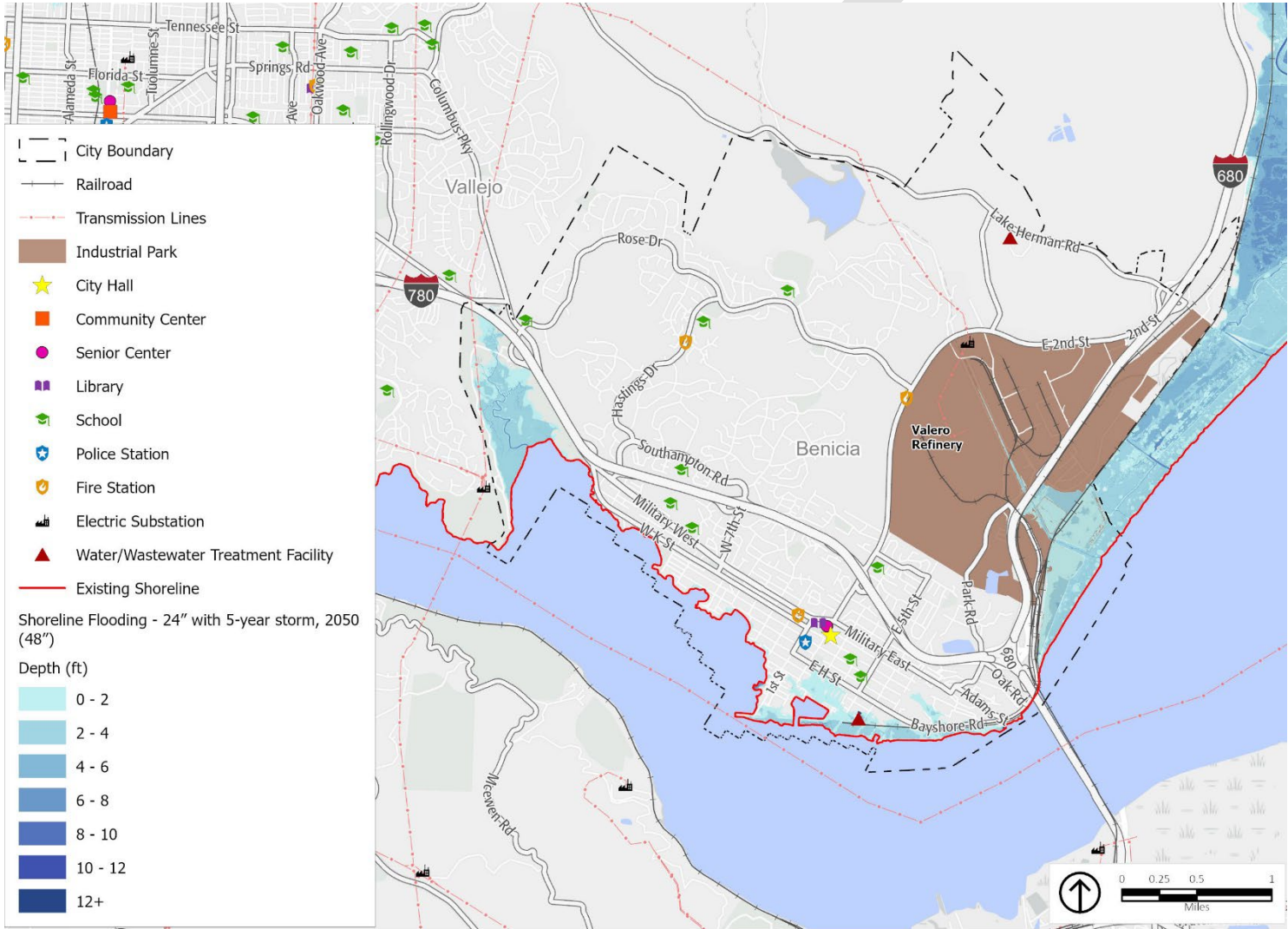
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Along the Benicia shoreline, sea levels are projected to rise approximately 24 inches by 2050 and 84 inches by 2100. However, it is possible that sea levels could rise faster than these projections. Sea levels may increase enough by 2100 to permanently flood low-lying areas in the southern part of Benicia along the shoreline, including the Benicia Marina, residential areas in lower Downtown Benicia, the southern areas of the Valero Refinery, and the Benicia Industrial Park next to the railway. Rising sea levels can also cause the shoreline to flood more frequently and severely during storms or king tide events. Because ocean levels are higher during normal conditions due to sea level rise, shoreline floods can reach further onto land. For example, a storm that has a one in five chance of occurring in a given year (known as a five-year storm) can create a temporary increase in sea levels of approximately 24 inches. This means that if sea levels rise by 24 inches during normal conditions, a 5-year storm event would create a temporary sea level rise of around 48 inches. Sea level rise projections for the year 2050 in Benicia concurrent with a 5-year storm are shown for the entire community and the downtown/Industrial Park areas in Figures 3 and 4, respectively, while Figures 5 and 6 show the sea level rise projections for 2100 with a 5-year storm. Rising seas increase the risk of flooding, storm surge inundation, erosion and shoreline retreat, and wetland loss. In addition, rising tides may increase groundwater levels and inundate contaminated land. Given that some hazardous waste sites in Benicia sit near the shoreline, rising groundwater may pose the risk of contaminated soils leaching into new, different areas.

The San Francisco Bay Conservation and Development Commission (BCDC) requires that shoreline protection projects, such as levees and seawalls, be designed to withstand the effects of projected sea level rise and be integrated with adjacent shoreline protection. Whenever feasible, projects must integrate hard shoreline protection structures with natural features, such as marsh or upland vegetation, that enhance the Bay ecosystem. BCDC also requires risk assessments for projects within 100 feet of the shoreline; however, as a matter of best practice, development within areas susceptible to sea rise should be designed for resilience.

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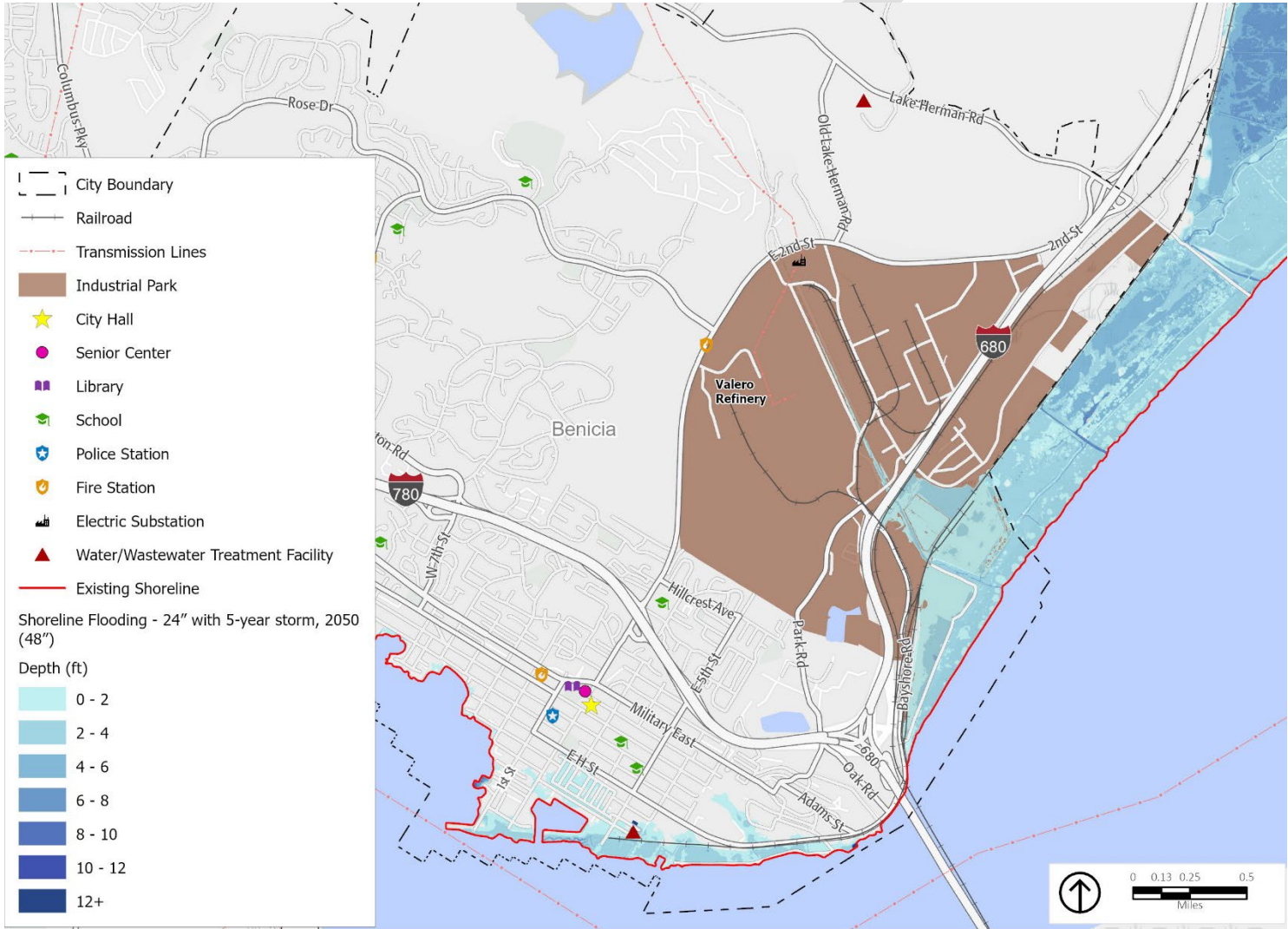
Figure 3: Sea Level Rise Projections – 2050



Source: Adapting to Rising Tides 2020, PlaceWorks 2022, ESRI

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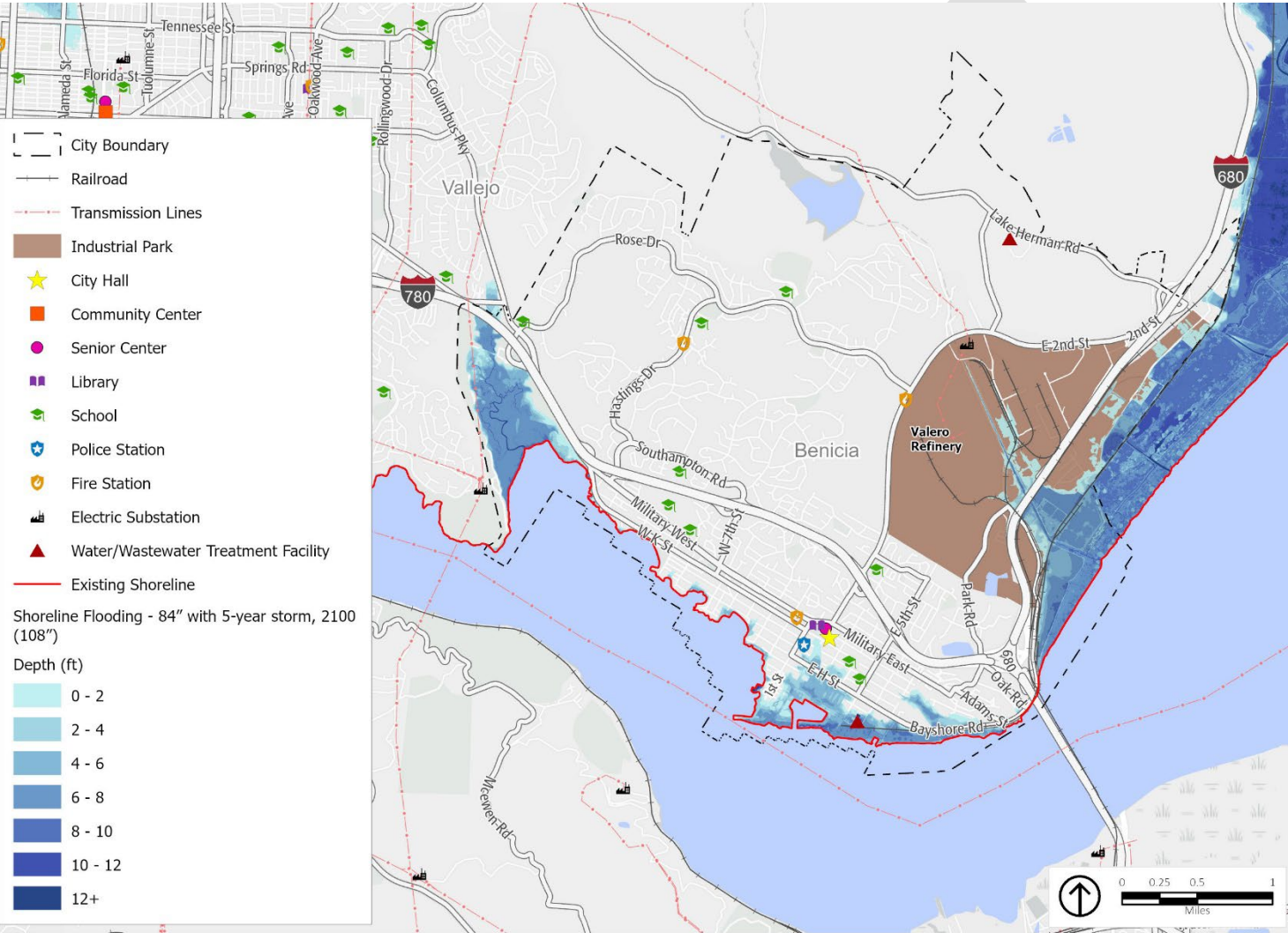
Figure 4: Sea Level Rise Projections – 2050, Downtown and Industrial Park



Source: Adapting to Rising Tides 2020, PlaceWorks 2022, ESRI

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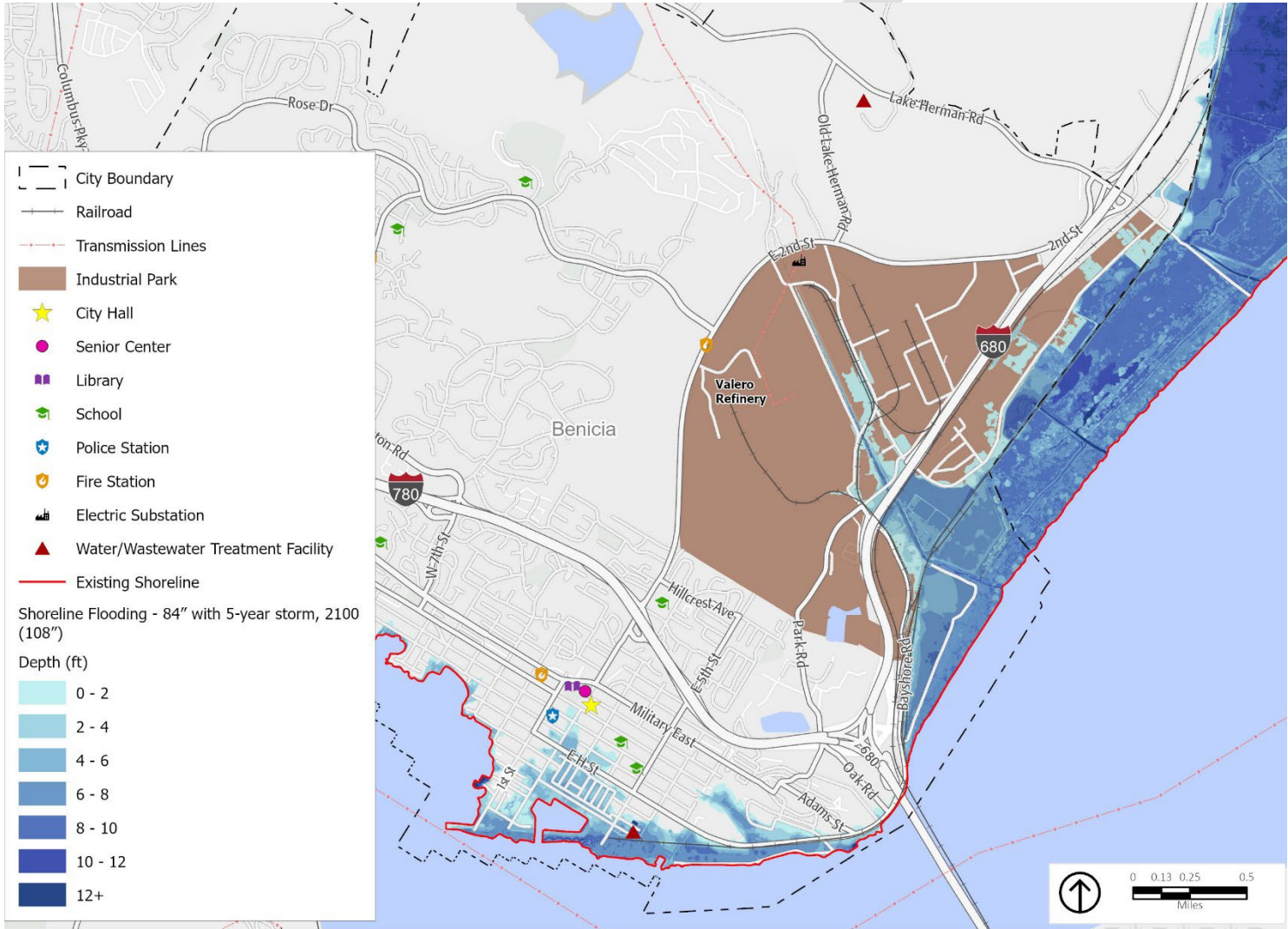
Figure 5: Sea Level Rise Projections – 2100



Source: Adapting to Rising Tides 2020, PlaceWorks 2022, ESRI

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Figure 6: Sea Level Rise Projections – 2100, Downtown and Industrial Park



Source: Adapting to Rising Tides 2020, PlaceWorks 2022, ESRI

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2.2.5 DAM FAILURE

A dam failure is an uncontrolled release of water from a reservoir through a dam because of structural failures or deficiencies in the dam, usually associated with intense rainfall or prolonged flooding. Dam failures can range from minor to catastrophic and can potentially harm human life and property downstream from the failure. In addition, ecosystems and habitats are destroyed because of waters flooding them. Although dam failures are very rare, these events are not unprecedented. There are four major causes of dam failures:

- **Overtopping:** These failures occur when a reservoir fills too high with water, especially in times of heavy rainfall, leaving water to rush over the top of the dam. Other causes of this type of failure include settling of the crest of the dam or spillway blockage.
- **Foundation defects:** These failures occur as a result of settling in the foundation of the dam, instability of slopes surrounding the dam, uplift pressures, and seepage around the foundation. All these failures result in structural instability and potential dam failure.
- **Piping and seepage failures:** These failures occur as a result of internal erosion caused by seepage and erosion along hydraulic structures such as the spillways. Erosion may also be caused by animal burrows and cracks in the dam structure.
- **Conduit and valve failure:** These failures occur as a result of problems with valves and conduits.

Many dam failures are also the secondary result of other natural disasters, such as earthquakes, landslides, extreme storms, or heavy snow-melt. Other causes include equipment malfunction, structural damage, and sabotage.

The Lake Herman Reservoir, an earth dam owned by the City of Benicia and regulated by the DWR Division of Safety of Dams is the only dam that poses an inundation threat to the city. Dam inundation zones are based on the highly unlikely scenario of a total catastrophic dam failure occurring in a very short period. Figure 7 illustrates areas in the city that would be affected by inundation if any of these dams failed. In the event of a dam failure, land extending from the channelized drainage of Sulphur Springs Creek down to the industrial area and Benicia shoreline would likely flood.

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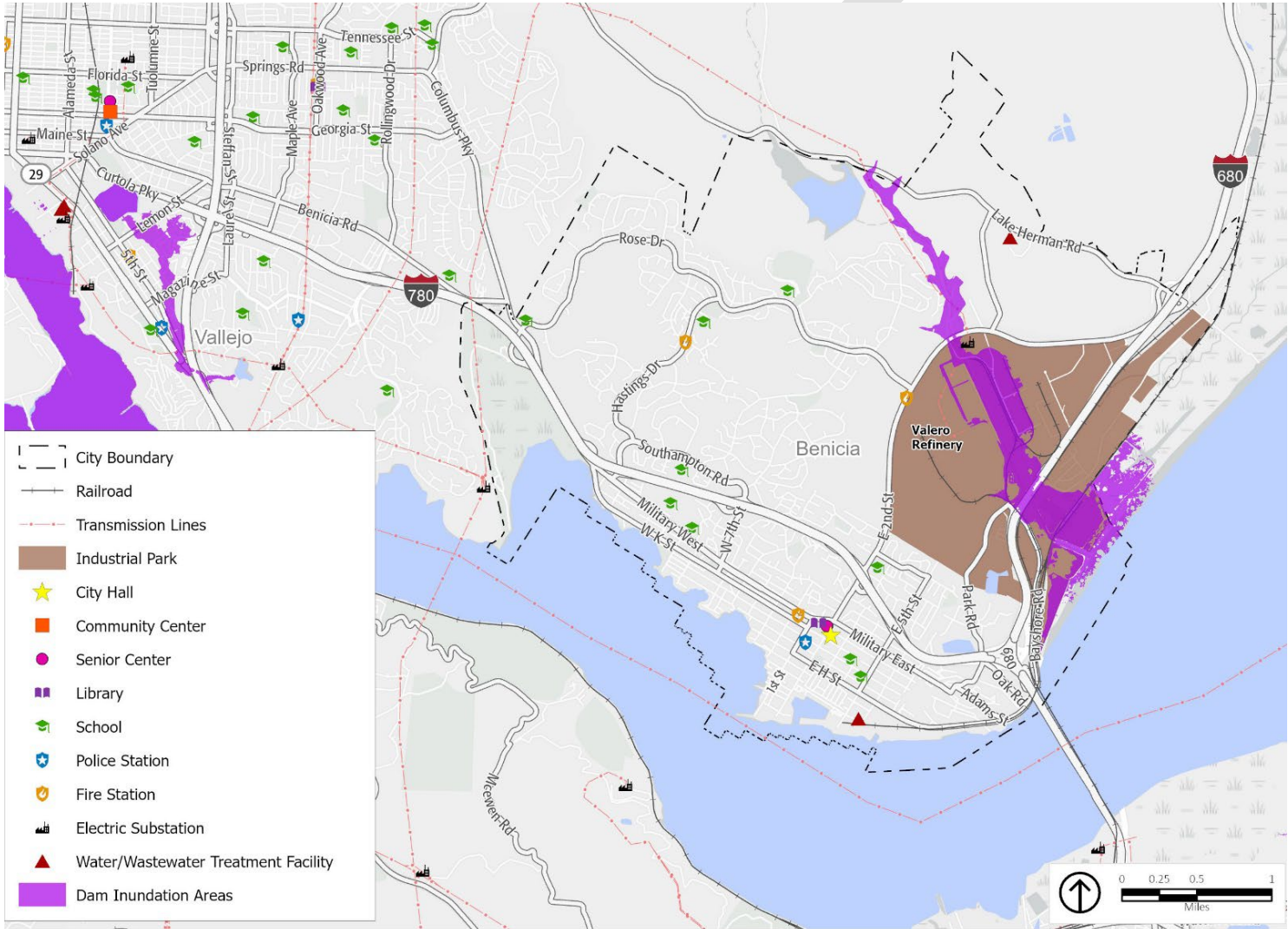
In Benicia, a major earthquake could cause a dam failure. Dams are constructed with safety features known as “spillways” that allow water to overtop the dam if the reservoir fills too quickly. Spillway overflow events, often referred to as “design failures,” result in increased discharges downstream and increased flooding potential. In a dam failure scenario, the greatest threat to life and property typically occurs in those areas immediately below the dam since flood depths and discharges generally decrease as the flood wave moves downstream. The primary danger associated with dam failure is the high-velocity flooding downstream of the dam and limited warning times for evacuation.

The Federal Energy Regulatory Commission (FERC), as required by federal law, has reviewed and approved comprehensive emergency action plans (EAPs) for each of these dams. The EAP minimizes the threat to public safety and the response time to an impending or actual sudden release of water from project dams. The EAP is also designed to provide emergency notification when floodwater releases may present the potential for major flooding.

As mandated by the National Dam Inspection Act, the USACE has the authority and responsibility for conducting inspections of all dams. The purpose of these inspections is to check the structural integrity of the dam and associated structures, ensuring protection of human life and property. Periodic inspections disclose conditions that might disrupt operation or dam safety. DWR provides oversight to the design, construction, and maintenance of over 1,200 jurisdictional-sized dams in California. The Lake Herman Dam, which is a dam within the jurisdiction of DWR, is inspected on an annual basis to ensure it is safe, performing as intended, and is not developing issues.

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Figure 7: Dam Inundation



Source: DWR DSOD 2021, PlaceWorks 2022, ESRI

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2.2.6 PAST OCCURRENCES

Floods are a regular feature in California and cause the second-greatest number of disaster declarations in the state. In 2005, a series of severe winter storms impacted the Bay Area and Solano County. These storms were responsible for flooding, mudslides, and landslides, which resulted in approximately \$100 million in damage, two deaths, as well as damages to businesses and homes.

2.2.7 POTENTIAL CHANGES TO FLOOD RISK IN FUTURE YEARS

Likelihood of Future Occurrence

Historically, extended heavy rains have resulted in floodwaters that exceed normal high-water boundaries and cause damage in Benicia. Such flood events are likely to continue to occur in the 100- and 500-year floodplains and in other localized areas. As land uses and climate conditions shift and as improvements are made to flood-control channels, the size of these flood zones is likely to change.

Sea levels have risen in the Bay and are expected to continue to rise at an accelerated rate over the coming century. Sea level rise will occur slowly over time and increase impacts of other coastal hazards, such as shoreline erosion and the potential impact of tsunamis. The potential for a dam failure event in Benicia is likely to remain a risk in future years, although the odds of such events are expected to remain very low.

Climate Change and Flooding

Floods are among the most damaging natural hazards in Solano County, and climate change is expected to make flood events worse. Although climate change may not change average precipitation levels significantly, scientists expect that it will cause more years with extreme precipitation events. This means that more years are likely to see particularly intense storm systems that drop enough precipitation over a short enough period to cause flooding. Because of this, floods are expected to occur more often in Benicia and climate change may expand the parts of the city that are considered prone to flood. Flood events are expected to become more frequent, and the areas currently subject to flooding are expected to expand. There are some indirect effects of climate change that may also increase flooding in the city. Climate change is expected to increase the frequency and severity of droughts, which cause soil to dry out and become hard. When precipitation does return, more water runs off the surface than is absorbed into the ground, which can lead to floods.

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In addition to the pressure resulting from sea level rise, climate change will result in increased severity of winter storms, particularly in El Niño years.¹¹ Such weather events will result in higher levels of seasonal flooding than those currently experienced. This too will strain levees and increase floodplain areas.

While the risk and associated short- and long-term impacts of climate change are uncertain, experts in this field tend to agree that among the most significant impacts include those resulting from increased heat and precipitation events that cause increased frequency and magnitude of flooding. Increases in damaging flood events will cause greater property damage, public health and safety concerns, displacement, and loss of life. Displacement of residents can include both temporary and long-term displacement, increase in insurance rates, or restriction of insurance coverage in vulnerable areas. Climate change is unlikely to increase earthquake frequency or strength, and therefore unlikely to influence the occurrence of tsunamis, although rising sea levels may increase the areas at risk from tsunami inundation.

The science associated with sea level rise is regularly updated, revised, and strengthened. Although there is no doubt that sea levels have risen and are projected to continue to rise at an accelerated rate over the coming century, it is difficult to predict with certainty what amount of sea level rise will occur within a given time frame. The uncertainties increase over time (i.e., the uncertainties associated with 2100 projections are greater than those associated with 2050 projections) because of uncertainties in future greenhouse gas (GHG) emissions, the sensitivity of climate conditions to GHG concentrations, and the overall capabilities of climate models. Nonetheless, rising seas increase the risk of tidal flooding, storm surge inundation, coastal erosion and shoreline retreat, and wetland loss. Increased flooding as a result of increased stormwater flows through the Carquinez Strait during large storm events is a major concern for Benicia. The impacts to the community become compounded when atmospheric rivers coincide with king tides. King tides bring unusually high water levels and can cause local tidal flooding.

Community assets and infrastructure that border the shoreline are vulnerable to damage from storms, which will likely increase as the sea level continues to rise and inundate areas further inland. As sea levels rise, the area and the number of people at risk because of flooding will also increase.

¹¹ El Niño is a naturally occurring climate pattern associated with warming of the ocean surface temperatures in the central and eastern tropical Pacific Ocean, which can significantly influence weather patterns and ocean conditions globally. El Niño occurs on average every 2 to 7 years, and episodes typically last 9 to 12 months. El Niño has its largest impacts during the winter. In the winter, El Niño typically brings milder weather to the northern parts of the United States and wetter conditions across the southern United States.

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2.3 SEISMIC AND GEOLOGIC HAZARDS

Seismic and geologic hazards are risks caused by the movement of different parts of the Earth's crust, or surface. Seismic hazards include earthquakes and hazardous events caused by them. Geologic hazards are other hazards involving land movements that are not linked to seismic activity and are capable of inflicting harm to people or property.

2.3.4 SEISMIC HAZARDS

Seismic activity occurs along boundaries in the Earth's crust, called faults. Pressure along the faults build over time and is ultimately released, resulting in ground shaking that we refer to as an earthquake. Earthquakes can also trigger other hazards, including surface rupture (cracks in the ground surface), liquefaction (causing loose soil to lose its strength), landslides, and subsidence (sinking of the ground surface). Earthquakes and other seismic hazards often damage or destroy property and public infrastructure, including utility lines, and falling objects or structures pose a risk of injury or death.

Earthquakes

While Benicia is at risk from many natural and human-caused hazards, the event with the greatest potential for loss of life or property and economic damage is an earthquake. This is true for most of the San Francisco Bay Area region, since damaging earthquakes affect widespread areas and can trigger many secondary effects that can overwhelm the ability of local jurisdictions to respond. The Bay Area region lies within the active boundary between the Pacific and the North American tectonic plates. The Pacific Plate is constantly moving northwest past the North American Plate at a rate of about 2 inches per year. Earthquakes in the Bay Area region result from strain energy constantly accumulating across the region because of the motion of the Pacific Plate relative to the North American Plate. The San Andreas Fault is the major plate boundary and has the potential to cause the strongest earthquakes.

Earthquake risk is very high in Solano County, including the City of Benicia, due to the presence of several active faults in the region. The closest and most prominent active faults are the Rodgers Creek Fault and the Concord-Green Valley Fault, whose nearest approaches lie within one-mile east of city limits. The Rodgers Creek Fault is connected to the Hayward Fault under San Pablo Bay, which forms a combined Hayward-Rodgers Creek Fault that is 118 miles long, stretching from north of Healdsburg through Santa Rosa down to Alum Rock in San Jose.¹² Other potentially active faults include the

¹² Watt, J., Ponce, D., Parsons, T., & Hart, P. 2016. Missing link between the Hayward and Rodgers Creek faults. *Science advances*, 2(10), e1601441. <https://doi.org/10.1126/sciadv.1601441>

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Concord-Green Valley Fault system, running north and south through the county and passes just east of Benicia; the Great Valley 06 (Midland) Fault zone, which extends north to south through the center of the county; the Franklin Fault, which runs south from Vallejo into Contra Costa County; and the Southampton Fault on the other side of the Carquinez Strait. According to the US Geological Survey (USGS), no historical seismic events have been attributed to these faults. There is one Alquist-Priolo fault zone in Benicia, which includes the Green Valley Fault Zone; this fault zone crosses Goodyear Road and the Union Pacific Railroad in the northeastern portion of the city and encompasses land with warehouses. Alquist-Priolo earthquake fault zones are regulatory zones surrounding the surface traces of active faults in California. Other faults, such as the San Andreas and Hayward Faults, may also be capable of generating significant earthquakes with damaging effects in the county.

Benicia's greatest community-wide risk for strong to violent shaking would be associated with a large earthquake along the Concord-Green Valley Fault. Areas of Benicia that are most susceptible to amplification during ground shaking are underlain by soft sediments such as bay mud. In several areas along the Benicia waterfront, fill and buildings have been placed over bay mud. These areas are likely to experience substantially stronger ground shaking than areas underlain by bedrock. Figure 8 shows the location of regional faults.

In the event of an earthquake, the location of the epicenter, as well as the time of day and season of the year, would have a profound effect on the number of deaths and casualties, as well as property damage. There are several small-scale earthquakes that happen weekly and are barely felt or not felt at all by people, but larger-scale or catastrophe shaking is less likely. Property and human life in Benicia are at risk for a significant earthquake causing catastrophic damage and strains on response and mitigation resources.

A major earthquake along any of these five faults could result in substantial casualties and damage resulting from collapsed buildings, damaged roads and bridges, fires, flooding, and other threats to life and property. Most of the loss of life and injuries from earthquakes are due to damage and collapse of buildings and structures. Building codes for new construction have generally been made more stringent following damaging earthquakes. However, in Benicia, structures built prior to the enactment of these improved building codes have generally not been upgraded to current standards and are vulnerable in earthquakes. In Benicia, approximately 5,912 homes, or 49 percent of all housing in the community, were constructed prior to 1980.¹³ The City also has a number of unreinforced masonry buildings. These are buildings that are generally composed of earthen materials such as brick, stone, adobe, or hollow concrete blocks. The masonry is not strengthened with embedded steel bars or by

¹³ United States Census Bureau. 2016 - 2020 American Community Survey 5-Year Estimates: Year Structure Built.

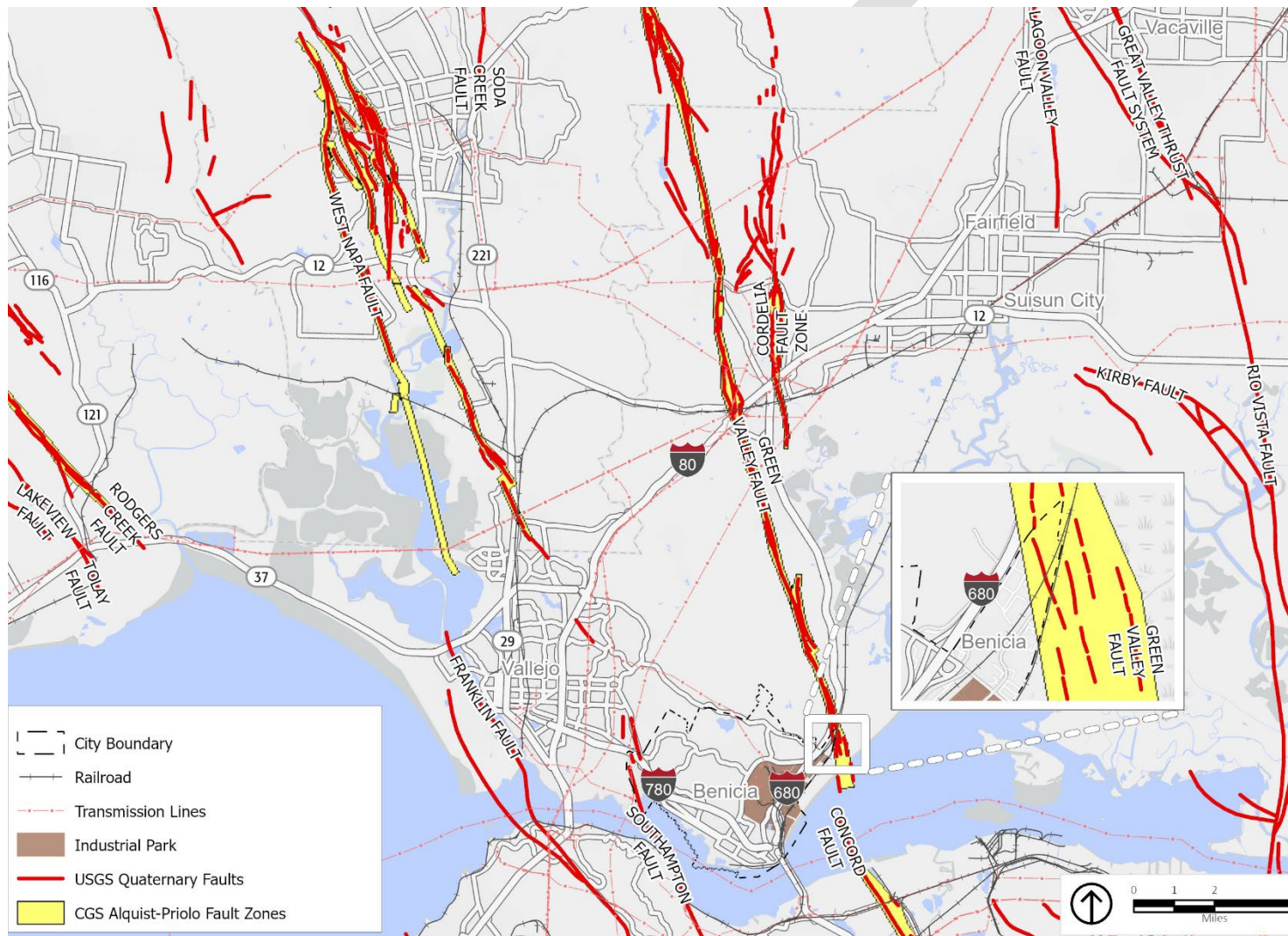
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other means and is therefore called “unreinforced.” In earthquakes, these structures are susceptible to severe damage because the masonry walls tend to disconnect from the building and fall outward, creating a hazard for people below and sometimes causing the building to collapse. The historic districts in the city contain many unreinforced masonry buildings that are of particular concern. The damage caused by the shaking of earthquakes may trigger secondary hazards, including urban fires, dam failures, and toxic chemical releases.

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Figure 8: Regional Fault Lines



Source: USGS, CGS, PlaceWorks 2022, ESRI

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Liquefaction

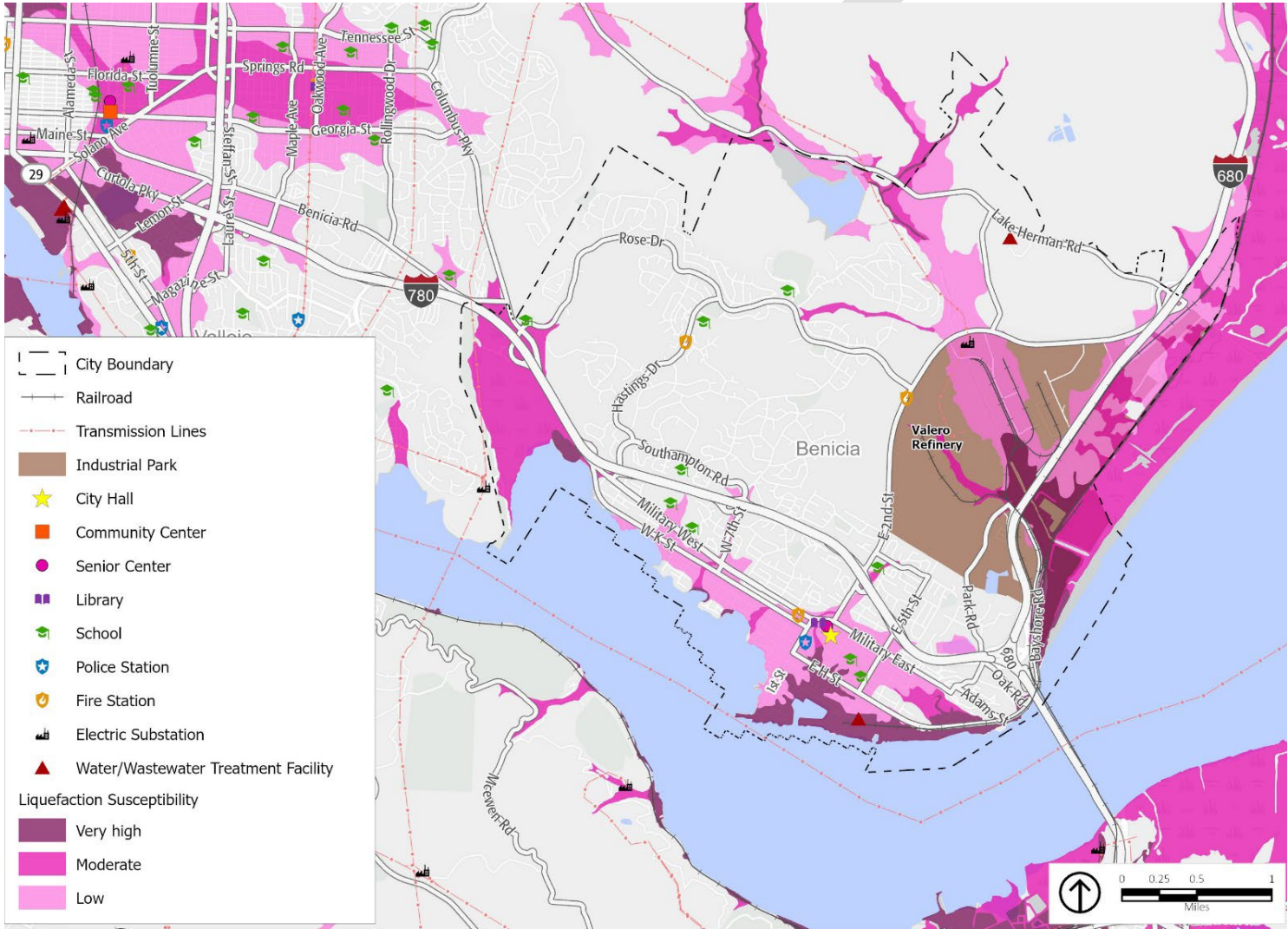
In addition to the direct physical damage that can result from the motion of the earthquake, damage can result from liquefaction. Liquefaction occurs where water-logged soils near the ground surface lose compaction during strong ground motion, causing the soils to lose strength and behave as liquid. This can cause building foundations to shift and can result in significant structural damage. Soils susceptible to liquefaction are typically found in areas of low-lying, current, or former floodplains. Liquefaction is most often triggered by seismic shaking, but it can also be caused by improper grading, landslides, or other factors. The potential for liquefaction is greatest in areas underlain by bay mud or alluvium.

In the downtown area, liquefaction potential is greatest along the shoreline areas east of First Street, including residential condominium communities, Rancho Benicia mobile home park, and the Wastewater Treatment Plant. In the Industrial Park, liquefaction susceptibility is greatest along the Suisun Bay and in the vicinity of Bayshore Road, as well as areas along East Channel Road, which correspond to the Sulphur Springs Creek floodplain.

Areas with groundwater levels that are less than 10 feet to the surface can cause the highest liquefaction susceptibility, with lower groundwater levels causing lower liquefaction risks. Site-specific geotechnical studies are the only practical and reliable way of determining the specific liquefaction potential of a site; however, a determination of general risk potential can be provided based on soil type and depth of groundwater. The parts of the city susceptible to liquefaction are shown on Figure 9.

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Figure 9: Liquefaction Hazard Zones



Source: USGS 2006, PlaceWorks 2022, ESRI

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2.3.5 TSUNAMIS

Earthquakes can create tsunamis as a secondary hazard, which have the potential to affect the shoreline areas of Benicia. Tsunamis are typically caused by earthquakes generated in subduction zones, areas where ocean plates are forced down into the mantle by plate tectonic forces. This creates an enormous friction between the plates. When the energy is released, causing an earthquake, the sudden movement displaces a large volume of water, creating a tsunami wave.

A tsunami wave travels across the ocean at speeds up to 700 miles per hour. The actual height of a tsunami wave in open water is generally only one to three feet and can often be unnoticeable to people aboard ships. However, the energy of a tsunami passes through the entire water column to the seabed, unlike surface waves, which typically reach only to a depth of 30 feet or so. As the tsunami enters shallower water near coastal shorelines, it slows to about 20 to 30 miles per hour and the wave can increase to a height of 90 feet or more as it approaches the coastline, and the water column compresses. Tsunamis can result in severe property damages and loss of life to affected areas near the coast. They can also disrupt emergency services and transportation routes.

Although earthquake magnitude is one factor that affects tsunami generation, there are other important factors to consider. The earthquake must be a shallow marine event that displaces the seafloor. Thrust earthquakes, such as those in subduction zones that cause up or down movements (as opposed to strike-slip earthquakes, which cause side-to-side movement) are far more likely to generate tsunamis, but small tsunamis have occurred in a few cases from large (i.e., greater than magnitude 8) strike-slip earthquakes.

Earthquakes of magnitudes below 6.5 are very unlikely to trigger a tsunami. Earthquakes of magnitudes between 6.5 and 7.5 do not usually produce destructive tsunamis. However, small sea level changes might be observed along shorelines near the epicenter. Tsunamis capable of producing damage or casualties are rare in this magnitude range but have occurred due to secondary effects such as landslides or submarine slumps. Earthquakes of magnitudes between 7.6 and 7.8 might produce destructive tsunamis, especially near the epicenter. At greater distances, small sea level changes might be observed. Tsunamis capable of producing damage at great distances are rare in the magnitude range. Earthquakes of magnitude 7.9 and greater are typically destructive.

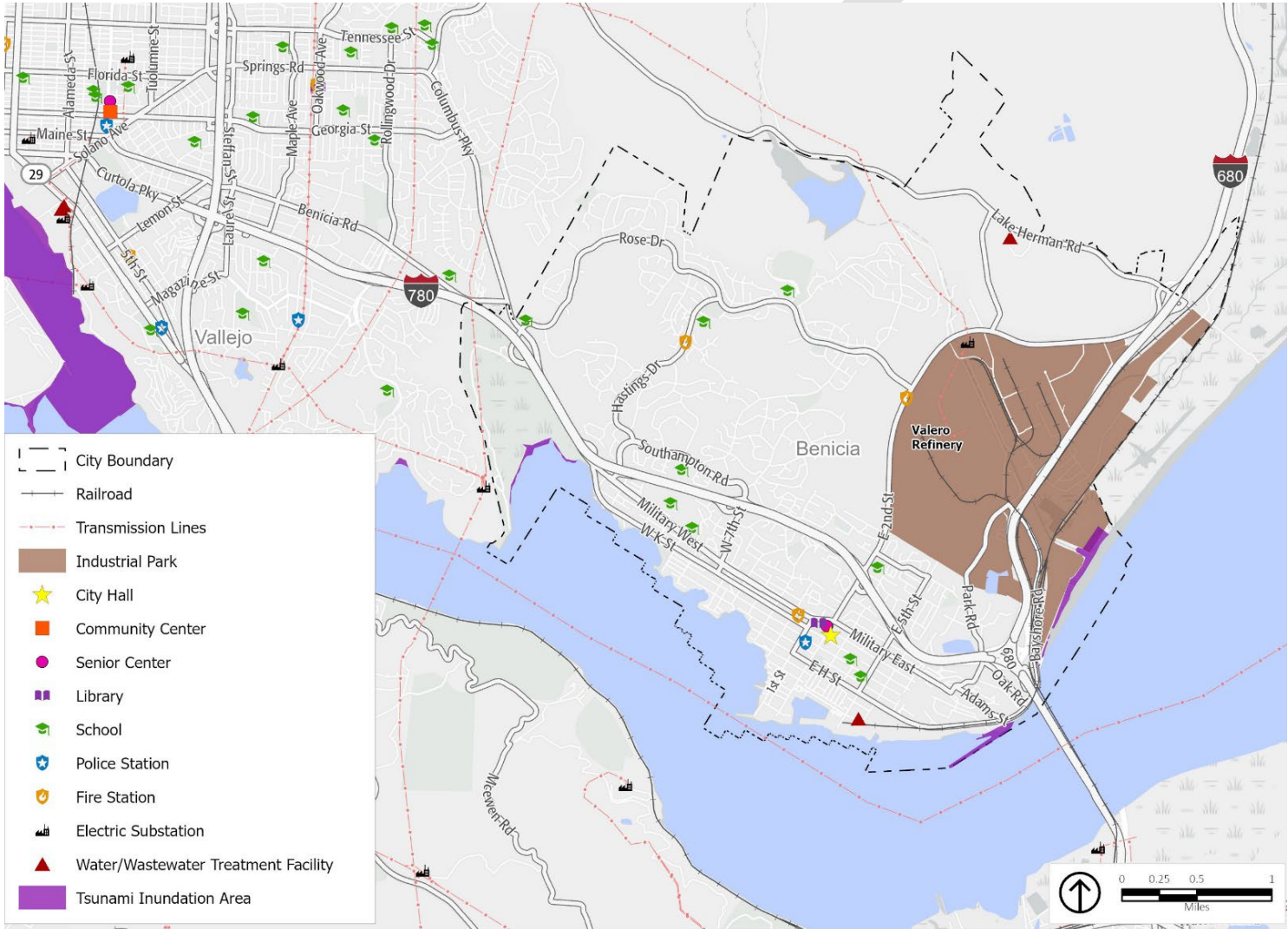
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Figure 10 illustrates the area that may be subject to inundation from tsunamis in Benicia, primarily along the Benicia shoreline and adjacent to Bayshore Road in the southern limits of the city. The infrastructure most vulnerable to inundation from tsunamis include the Port of Benicia, specifically the wharf and petroleum terminal. All other areas subject to inundation are made up of coastal salt marsh.

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Figure 10: Tsunami Inundation Area



Source: CGS 2009, PlaceWorks 2022, ESRI

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2.3.6 GEOLOGIC HAZARDS

Geologic hazards, such as landslides and erosion, depend on the geologic composition of the area. Landslides and rock falls may occur in sloped areas, especially areas with steep slopes, and usually in areas of loose and fragmented soil. Landslides, rockfalls, and debris flows occur continuously on all slopes; some processes act very slowly, while others occur very suddenly, often with disastrous results. There are predictable relationships between local geology and landslides, rockfalls, and debris flows. Slope stability is dependent on many factors and interrelationships, including rock type, pore water pressure, slope steepness, and natural or human-made undercutting.

Landslides are often triggered by other natural hazards such as earthquakes, heavy rain, floods, or wildfires, so landslide frequency is often related to the frequency of these other hazards. In Solano County, landslides typically occur during and after severe storms, so the potential for landslides largely coincides with the potential for sequential severe storms that saturate steep, vulnerable soils. In Solano County, landslides and mudslides are a common occurrence and have caused the most damage to homes, public facilities, roads, parks, and sewer lines.

Mapped landslide zones in Benicia are mostly found on steeper hillsides throughout the community; areas most susceptible are concentrated along the undeveloped hillside to the northwestern, northern, and eastern portion of the city. Due to the differences in the physical characteristics of slope materials, some superficially similar areas may differ widely in terms of landslide hazard potential. For this reason, site-specific geotechnical analyses are considered essential to the accurate assessment of landslide hazard risk at a given location.

Figure 11 illustrates areas in Benicia that are most susceptible to landslides. A majority of the city is within a low to medium landslide susceptibility class. However, there are several areas throughout the city within medium landslide susceptibility areas, with higher landslide susceptibility areas surrounding the shoreline, Valero Refinery, and Benicia Industrial Park.

Benicia has a history of landslides that generally occur in the hilly, undeveloped areas during high precipitation years of the winter. While certain hillside areas in the Southampton neighborhood and open space near Lake Herman show evidence of past landslide activity, Benicia for the most part remains an area with a history of few landslides. Multiple critical communication, power, bridges, fire stations, water and wastewater facilities, and school facilities are at risk for landslides.

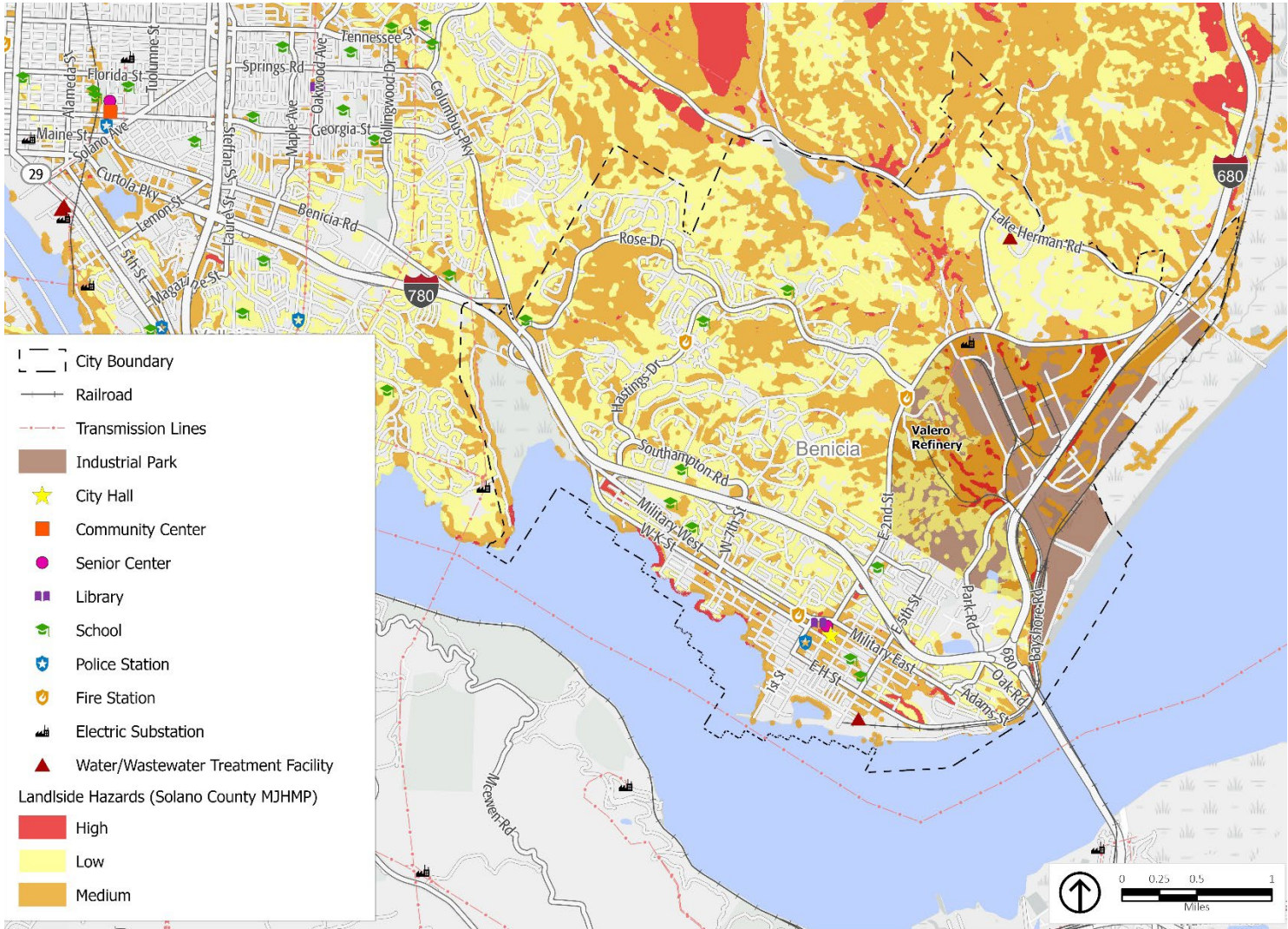
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Benicia is also susceptible to hazards related to erosion, or the geological process in which earthen materials are worn away and transported by natural forces such as water or wind, causing the soil to deteriorate. Eroded topsoil can be transported into streams and other waterways. Water erosion is the removal of soil by water and transportation of the eroded materials away from the point of removal. The severity of water erosion is influenced by slope, soil type, soil water storage capacity, nature of the underlying rock, vegetation cover, and rainfall intensity and period. The impact of soil erosion on water quality becomes significant, particularly as soil surface runoff. Highly erosive soils can damage roads, bridges, buildings, and other structures.

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Figure 11: Landslide Susceptibility



Source: Solano County, PlaceWorks 2022, FSRI

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2.3.7 PAST OCCURRENCES

Benicia is in a region of high seismicity with numerous local faults nearby. Several significant (more than magnitude 4.5) earthquakes have occurred in and near Solano County over the last 16 years. On August 24, 2014, the South Napa earthquake was the most recent earthquake to occur near Solano County, along the West Napa Fault. Its epicenter was about 14 miles northwest of Benicia, and with a recorded magnitude of 6.0, it was one of the largest in the Bay Area in about 25 years. The South Napa Earthquake caused extensive damage through both ground shaking and surface cracking. This earthquake resulted in 1 death and approximately 200 injuries in the affected region. Ground shaking was also felt in Benicia. In the city, the earthquake damaged various pieces of infrastructure, including the 24-inch Cordelia Transmission Main, which provides raw water supply to Benicia. The total cost of the transmission main repair was approximately \$105,000.

The 1989 Loma Prieta earthquake, which occurred on the San Andreas Fault roughly 70 miles south of Benicia and 10 miles northeast of Santa Cruz, near Mt. Loma Prieta in the Santa Cruz Mountains, was a magnitude 6.9 earthquake. Statewide, approximately 18,306 houses were damaged and 963 were destroyed, and approximately 2,575 businesses were damaged and 147 were destroyed. The most notable damage included the collapse of the elevated Cypress Structure section of I-880 in Oakland, the collapse of a section of roadbed on the Bay Bridge, and extensive damage to downtown Santa Cruz and San Francisco's Marina District. The Bay Bridge was unusable for a month. This earthquake resulted in an economic loss of approximately \$10 billion. There were 63 people killed, 3,757 reported injured, and 12,053 displaced. This earthquake was felt as far away as San Diego and western Nevada. As experienced before, an earthquake equivalent to this strength in the Bay Area would produce strong shaking and ground failure throughout the region, causing significant damage in nearly every Bay Area city and county.

Earthquake Magnitude Scale

Magnitude 2.5 or less: Usually not felt but can be recorded by seismograph.

Magnitude 2.5 to 5.4: Often felt, but only causes minor damage.

Magnitude 5.5 to 6.0: Slight damage to buildings and other structures.

Magnitude 6.1 to 6.9: May cause a lot of damage in very populated areas.

Magnitude 7.0 to 7.9: Major earthquake. Serious damage.

Magnitude 8.0 or greater: Great earthquake. Can destroy communities near the epicenter.

Source: Michigan Technological University. 2022. Earthquake Magnitude Scale. <https://www.mtu.edu/geo/community/seismology/learn/earthquake-measure/magnitude/>.

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While major earthquakes are rare in Benicia, minor earthquakes occur more often. Small landslides, however, are a common occurrence and have occurred on hillsides throughout the city and generally occur in winter during high precipitation years.

In 2005, a series of severe winter storms impacted the Bay Area and Solano County. These storms were responsible for flooding, mudslides, and landslides, which resulted in approximately \$100 million in damage, two deaths, as well as damages to businesses and homes.

2.3.8 POTENTIAL CHANGES TO GEOLOGIC AND SEISMIC RISK IN FUTURE YEARS

Likelihood of Future Occurrence

Seismic Risk

Earthquakes are likely to continue to occur on an occasional basis and are likely to be small in most instances. Most are expected to cause no substantive damage and may not even be felt by most people. Major earthquakes are rare, but a possibility in the region. A major earthquake along any of the nearby faults could result in substantial casualties and damage, although the greatest risk in Benicia is from the Rodgers Creek-Hayward Fault and the Concord-Green Valley Fault due to their proximity and high potential to cause a severe earthquake. A major earthquake on the Hayward Fault could damage or destroy the primary evacuation routes and bridges, limiting access in and out of the community. Underground utility lines are also susceptible where they lack sufficient flexibility to accommodate the ground motion. With a magnitude 6.7 or greater earthquake, most parts of Benicia are expected to experience very strong shaking. This magnitude can create shaking severe enough to cause major damage to structures and foundations not designed to resist the forces generated by earthquakes. Based on historical data and the location of Benicia relative to active and potentially active faults, the city will likely experience a significantly damaging earthquake. If serious shaking does occur, newer construction is in general more earthquake resistant than older construction because of improved building codes. While liquefaction often causes severe damage to structures, structural collapse is uncommon. Furthermore, the risk to public safety is relatively low as structures can be protected from liquefaction by special foundations.

The frequency and severity of future tsunamis depends on factors such as earthquake magnitude, the proximity of Benicia to the earthquake epicenter, and the depth of its epicenter. Major earthquakes in the region could generate tsunamis under some circumstances. A more likely instance is a tsunami triggered by a distant earthquake, which could still be large enough to cause damage in Benicia. The

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faults offshore of California are not subduction faults, which are usually associated with large tsunamis, although tsunamis from more distant subduction zones may still affect Benicia.

Geologic Risk

Geologic risks, such as small landslides, are common occurrences in Benicia. With significant rainfall, additional slope failures are likely in the community's landslide hazard areas and minor to moderate landslides will likely continue to impact the area when heavy precipitation occurs, as they have in the past.

Climate Change and Geologic and Seismic Hazards

While climate change is unlikely to increase earthquake frequency or strength, the threats from seismic and geologic hazards are expected to continue. Climate change may result in precipitation extremes (i.e., wetter rainfall periods and drier dry periods). While total average annual rainfall may not change significantly, rainfall may be concentrated in more intense precipitation events. Heavy rainfall could cause an increase in the number of landslides or make landslides larger than normal. Increased wildfire frequency can destabilize hillsides due to loss of vegetation and change in soil composition, which can contribute to greater runoff and erosion. The combination of a generally drier climate in the future, which will increase the chance of drought and wildfires, and the occasional extreme downpour, is likely to cause more mudslides and landslides. Impacts from these conditions would compound landslide potential for the most susceptible locations.

2.4 FIRE HAZARDS

Fire hazards include both wildfires and urban fires. The combination of complex terrain, Mediterranean climate, and productive natural plant communities, along with ample natural ignition sources, has created conditions for extensive wildfires in and around Benicia. Wildfire is a hazard of high concern for the City of Benicia. Historically, the fire season extended from early summer through late fall of each year during the hotter, dryer months, although it is increasingly a hazard that can occur year-round. Fire conditions arise from a combination of high temperatures, low-moisture content in the air and plant matter, an accumulation of vegetation, and high winds.

Three types of fires are of concern to Benicia: (1) wildfires, (2) wildland-urban interface fires, and (3) structural fires.

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2.4.4 WILDFIRES

Wildfires occur on mountains, hillsides, and grasslands. Fuel, weather, and topography are primary factors that affect how wildland fires spread. In Benicia, grassland and woodland habitat provide highly flammable fuel that is conducive to wildfires. These plant species are capable of regeneration after a fire, making periodic wildfires a natural part of the ecology of these areas. The climate of Benicia keeps the grass dry and more readily combustible during fire season. Seasonal drought conditions exacerbate fire hazards.

Wildfire potential for Solano County is typically greatest in the months of August, September, and October, when dry vegetation coexists with hot, dry winds, known as Diablo winds. Diablo winds come from the north and northeast, carrying extremely dry air at a high velocity, usually in the San Francisco Bay Area. These hot, dry winds can quickly desiccate vegetation and other combustible materials and can push a fire down or up a slope at very high speeds. These winds often occur between the spring and fall but are especially dangerous in the driest months of late summer and fall. During these times, controlling a fire becomes far more difficult. Seasonal drought conditions exacerbate fire hazards. Areas adjacent to the city that are susceptible to wildfires are also of concern as these conditions could exacerbate vulnerabilities within the city. These areas include lands north of the city, which consist of undeveloped hillsides that run parallel to I-680 and are adjacent to the City of Vallejo.

Because areas of the city with natural vegetation are extremely flammable during late summer and fall, wildfire is a serious hazard in undeveloped areas and on large-lot home sites with extensive areas of unirrigated vegetation. Grassland fires are easily ignited, particularly in dry seasons. These fires are relatively easily controlled if they can be reached by fire equipment, although after a fire, the burned slopes are highly subject to erosion and gullyng. While brush-lands are naturally adapted to frequent light fires, fire suppression in recent decades has resulted in heavy fuel accumulation on the ground. Wildland fires, particularly near the end of the dry season, tend to burn fast and very hot, threatening homes and leading to serious destruction of vegetative cover. A wildland fire can generate a destructive crown fire, which is a fire that burns materials at the top of trees, spreading from treetop to treetop. They can be very intense and difficult to contain.

Many species of oaks are relatively tolerant to fire and are known to be part of California's fire-dependent ecosystem. In general, oak woodlands are well adapted to periodic fire in the landscape. However, fire suppression in the twentieth century has led to an increase of ton per acre of various fuel types. The buildup of dense understories and higher density of small trees, enhance the risk of high-severity fires under hot, dry, and windy conditions. The combustibility of the fuel depends on its

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moisture content, physical structure, and chemical content. The drier the fuel, the more flammable it will be. Regardless, all vegetation in the region reaches some degree of combustibility during the dry summer months and, under certain conditions, during the winter months.

In addition, tree mortality due to drought and sudden oak death have increased densities of dead fuels and contributed to higher fire risk in the Bay Area. Under moderate drought conditions, oak woodlands generally present low fire risk, and treatments that remove ground fuels further reduce risk of high-severity fire. High-intensity fires increase the likelihood of a fire growing and spreading quickly. Furthermore, the production of embers carried through the wind can lead to spot fires that occur beyond the immediate perimeter, and these are often the primary cause of ignition for structures. Oak woodlands and grasslands north of Benicia have the potential to spread wildfire rapidly due to the community's steep topography, fuel load, and climatic conditions during the summer and fall make fire suppression challenging.

Wildfire Smoke

Increasing local and regional fire frequency can create recurring air quality degradation events leading to respiratory health effects. Wildfire smoke consists of a mix of gases and fine particulate matter from burning vegetation and materials. The pollutant of most concern from wildfire smoke is fine particulate matter (PM_{2.5}). PM_{2.5} from wildfire smoke is damaging to human health due to its ability to deeply penetrate lung tissue and affect the heart and circulatory system. Although wildfire smoke presents a health risk to everyone, sensitive groups may experience more severe acute and chronic symptoms from exposure to wildfire smoke, such as children, older adults, people with chronic respiratory or cardiovascular disease, or people experiencing low socioeconomic status.

2.4.5 WILDLAND-URBAN INTERFACE FIRES

The wildland-urban interface (WUI) is an area where buildings and infrastructure (e.g., cell towers, schools, water supply facilities) mix with areas of flammable wildland vegetation. The WUI is composed of both interface and intermix communities. The distinction between these is based on the characteristics and distribution of houses and wildland vegetation across the landscape. Intermix WUI refers to areas where housing and wildland vegetation intermingle, while interface WUI refers to areas where housing is in the vicinity of a large area of dense wildland vegetation. The Wildfire Influence Zone refers to an area made up of wildfire susceptible vegetation up to 1.5 miles from the WUI. The WUI threat zone is an additional strip of vegetation modified to reduce flame heights and radiant heat. Hundreds of homes now border major forests and brush areas in California. According to a

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publication in the International Journal of Wildfire, the interface WUI in California contained 50 percent of buildings destroyed by wildfire, whereas intermix WUI contained only 32 percent. The proportion of buildings destroyed by fires among classes was similar, though highest in interface WUI areas (15.6 percent). The results demonstrated that the interface WUI is where most buildings were destroyed in California, despite less wildland fuel.¹⁴ Human-caused fires are the leading cause of wildland fires, and with thousands of people living near and visiting wildland areas, the probability of human-caused fires is growing.

In the WUI, efforts to prevent ignitions and limit wildfire loss hinge on hardening structures and creating defensible space through a multi-faceted approach, which includes engineering, enforcement, education, emergency response, and economic incentive. Different strategies in the defense and threat zones of the WUI help to limit the spread of fire and reduce the risk to people and property.

2.4.6 STRUCTURAL FIRES

Benicia is also at risk from structural fires. These fires occur in built-up environments, destroying buildings and other human-made structures. Structural fires are often due to faulty wiring or mechanical equipment and combustible construction materials. The absence of fire alarms and fire sprinkler systems are often conditions that exacerbate the damages associated with a structural fire. Structural fires are largely from human accidents, although deliberate fires (arson) may be a cause of some events. Older buildings that lack modern fire safety features may face greater risk of damage from fires. To minimize fire damage and loss, the City's Fire and Building Codes, based on the California Fire and Building Codes, sets standards for building and construction. They require the provision of adequate water supply for firefighting, fire-retardant construction, and minimum street widths, among other things.

2.4.7 FIRE HAZARD ZONES

CAL FIRE establishes Fire Hazard Severity Zones (FHSZs), designating each as moderate, high, or very high severity. Incorporated areas where local agencies are responsible for fire protection service, such as Benicia, are called Local Responsibility Areas (LRAs). Unincorporated areas where state agencies have responsibility for providing fire protection are called State Responsibility Areas (SRAs). CAL FIRE only designates very high fire hazard severity zones within LRAs. There are no very high

¹⁴ Kramer, Heather Anu; Mockrin, Miranda H.; Alexandre, Patricia M.; Radeloff, Volker C. 2019. High wildfire damage in interface communities in California. *International Journal of Wildland Fire*. 28(9): 641-. <https://doi.org/10.1071/WF18108>.

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FHSZs in the city. The Sky Valley Open Space, which is an SRA, is designated as a very high FHSZ. Additionally, the largely undeveloped SRAs north of the Valero Benicia Refinery and other industrial uses are within a Moderate and High FHSZ. Residential and industrial uses occur in proximity to these open space areas, posing potential fire safety problems. Grasslands pose a high wildfire risk, although wildfire risk with this type of vegetative cover is more easily controlled through preventive weed abatement measures than in places with heavier brush and more trees. The WUI, where high-value structures such as homes meet highly flammable native vegetation, are more vulnerable and, as a result of serious wildland fires throughout the state in recent years, are more stringently subject to fire-prevention regulations on development.

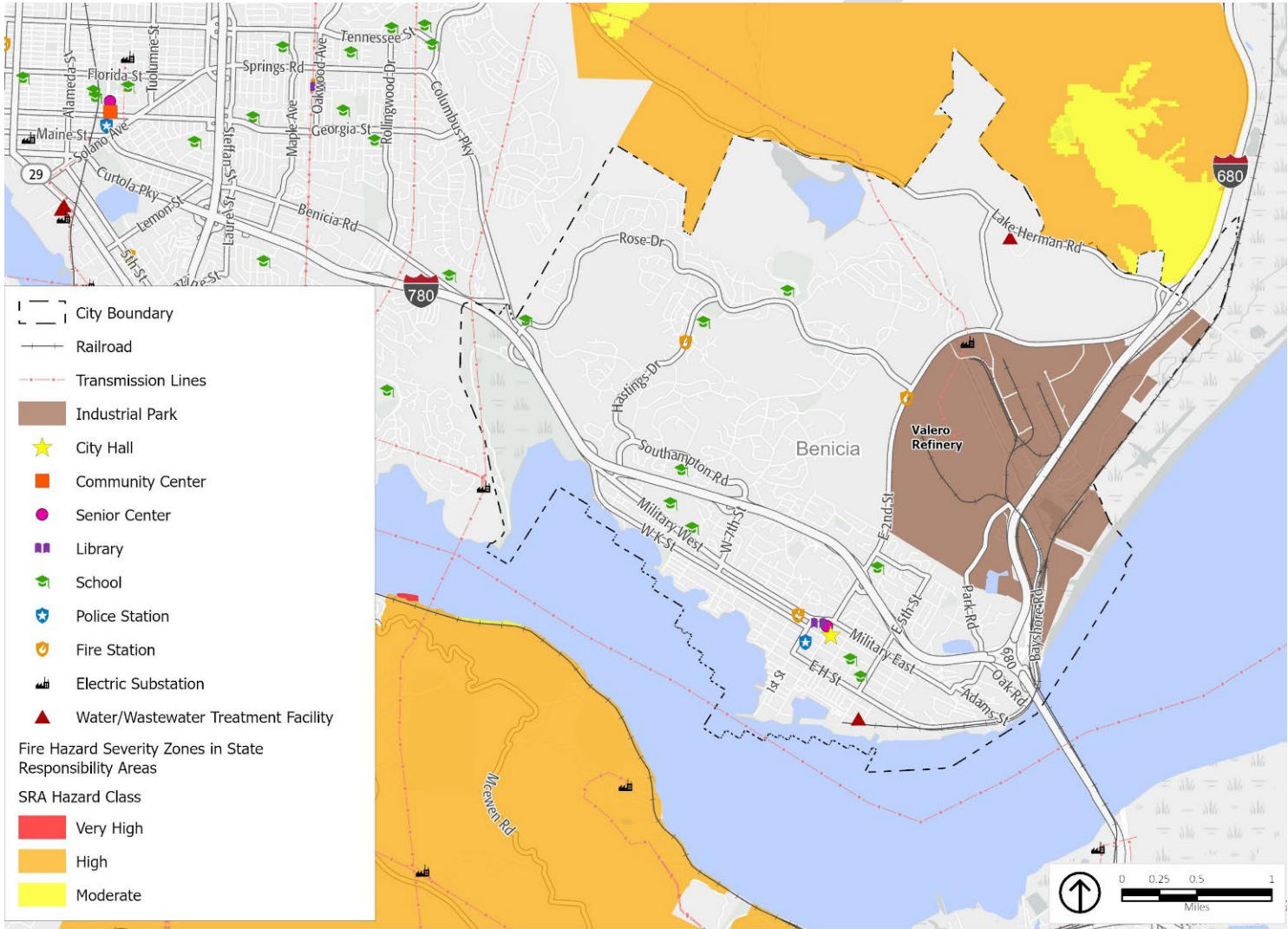
To address fire prevention in open space areas, the Fire Department administers a Vegetation Management Program. The goal of Vegetation Management is to control plant material to prevent the spread of wildfire by changing the characteristics of the vegetation surrounding homes and other structures. The focus of vegetation management is not to remove all vegetation within this area, but rather to create both horizontal and vertical separation between the various vegetation in the area and adjacent structures. The separation serves to slow the spread of a wildfire, thereby improving fire containment efforts. The efforts to conduct this task are not a one-time event. The City of Benicia uses multiple approaches in its Vegetation Management Program, including disking, spraying, and goats.

Residential development in the WUI, the introduction and proliferation of exotic species, accumulated fuel because of the exclusion of naturally occurring fire, and climate change-driven compression of the historic rainy season exacerbates the fire problem. Taken together, these factors result in more people, property, critical infrastructure, and natural resources in harm's way on a more frequent basis. While large-scale wildfires do not occur every year, wildfire incidents driven by extreme weather conditions have repeatedly been difficult to contain.

A combination of factors, including weather, topography, and vegetation put Benicia, including the WUI, at a high risk. Figure 12 shows the wildfire hazard severity zones in and around Benicia and Figure 13 identifies the WUI.

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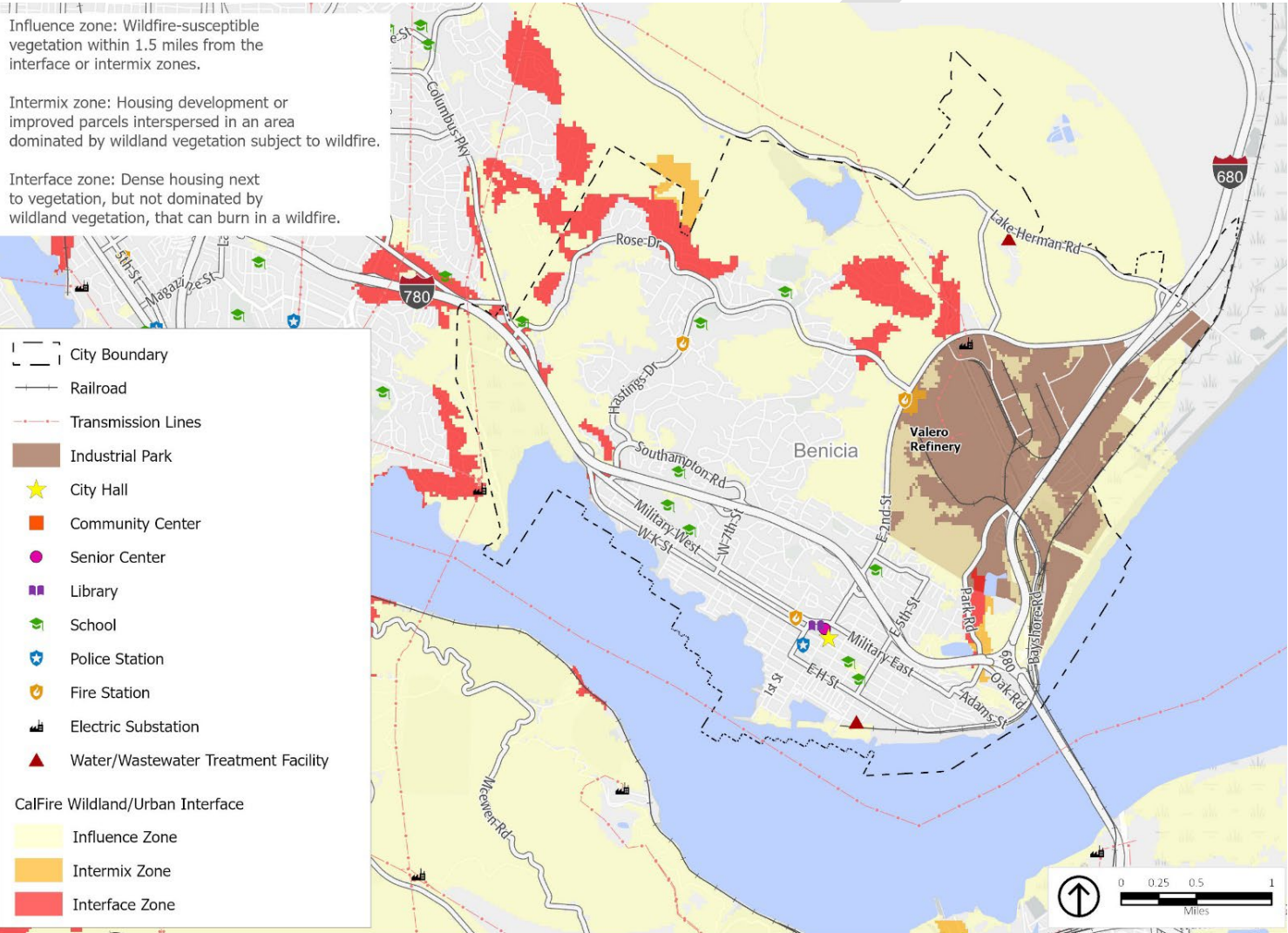
Figure 12: Wildfire Hazard Severity Zones



Source: Solano County, PlaceWorks 2022, ESRI

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Figure 13: Wildland-Urban Interface Zones



Source: CalFire 2015, PlaceWorks 2022, ESRI

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2.4.8 FIRE PROTECTION

Fire protection in Benicia is provided by the City of Benicia Fire Department. The City of Benicia is signatory to the California Mutual Aid Fire Protection System. This agreement was established to aid with major emergency incidents anywhere in the state. The City maintains mutual-aid agreements with several agencies. When major incidents occur, the City of Benicia Fire Department must deploy all its resources and depend on mutual-aid agreements with neighboring jurisdictions. This includes all other fire departments in Solano County. Mutual-aid agreements help ensure adequate response times in the outlying areas. The City also has a contract with the State Office of Emergency Services. In addition to these contracts, the City has specific agreements for special hazards with the Cordelia Fire Protection District, and the Contra Costa Fire Protection District for emergency responses on the Benicia-Martinez Bridge.

The City of Benicia Fire Department offers Community Emergency Response Team (CERT) training to residents and members of the business community to increase disaster awareness and emergency response capability. The program was founded and first implemented by the San Francisco Fire Department in 1990 following the mass community effort during the 1989 Loma Prieta earthquake. The CERT program is an adaptation of the San Francisco concept and one of many throughout the Bay Area. The CERT program consists of classes taught by Benicia firefighters and includes training tools focused on fire safety, hazardous material and terrorist incidents, disaster medical operations, and search and rescue.

The City of Benicia Fire Department operates two stations in Benicia:

- **Fire Station 11** at 150 Military West
- **Fire Station 12** at 601 Hastings Drive

2.4.9 PAST OCCURRENCES

There is limited detailed information on historic fires in the Benicia area. However, in June 2006, the Sky Valley Fire burned approximately 40 acres in the undeveloped hillsides to the north, near Syar Industries, encroaching on the border of Benicia city limits. This fire was the result of arson, and no injuries or deaths were reported.

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There are four major factors that contribute to historic wildfire events:

1. Extreme vegetation diversity
2. Diverse fire weather and fire behavior
3. Dynamic fire history
4. Complex land use patterns

From 2005 to 2020, there were 15 wildfires in Solano County, some of which overlapped with neighboring counties, each burning over 100 acres in the region. Some burned considerably more acreage, most notably the 2017 Atlas Fire and the 2020 LNU Lightning Complex. These events are listed in Table S-1.

TABLE S-1: FIRE SIZES AND DATES (100 ACRES OR GREATER 2000-2020)

Date	Fire Name	Size in Acres
2005	Gordon	194
2000	Winters	404
2004	Cement	1,007
2002	128	188
2003	Sacket	192
2004	Mix	296
2006	Sky Valley	226
2008	Wild	4,102
2011	Beacon	703
2015	Wragg	8,049
2017	Timm	126
2017	Atlas	51,625
2018	Nelson	2,158
2019	American	527
2020	LNU Lightning Complex	160,260

Source: California Fire, Incident Database

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2.4.9.1 Atlas Fire (2017)

The Atlas Fire, which started on October 8, 2017, impacted Napa County and Solano County and lasted approximately 123 days. The fire burned portions of these counties and extended to the east of the City of Napa. The fire killed 6 people, damaged 783 structures, and destroyed 120 structures, including residential homes, commercial buildings, and other structures. The fire burned approximately 51,625 acres. According to CAL FIRE, this fire was California's 14th most-destructive fire in history, as well as the state's 15th deadliest fire.

2.4.9.2 LNU Lightning Complex and Hennessey Fire (2020)

The LNU Lightning Complex was a series of lightning-sparked fires that began in August and continued through October 2020 in Solano, Colusa, Lake, Napa, and Yolo Counties. The LNU Lightning Complex included the Hennessey Fire, which started on August 17, 2020, near Lake Hennessey in Napa County. Parts of the fire burned south into Solano County, affecting areas east of Vacaville and north of Fairfield. In total, the complex burned 363,220 acres and were active for 47 days. In Solano County, the fires killed 2 people and destroyed 711 structures, including 302 residential homes and burning approximately 42,000 acres.

2.4.10 POTENTIAL CHANGES TO FIRE RISK IN FUTURE YEARS

Likelihood of Future Occurrence

The wildfire season in Solano County historically lasts from June through November. Extreme weather conditions during periods of low humidity, low fuel moisture, and high winds also contribute to the severity of any potential wildfires. Extreme weather conditions during periods of low humidity, low fuel moisture, and high winds also contribute to the severity of any potential wildfires. Fires occurring during these times typically burn hot and fast and are difficult to control unless initial suppression occurs immediately. Wildfire for Benicia is a concern given its WUI designations, as well as the area's unique ecology – particularly the topography, climate, and vegetation, which provides the setting for recurrent catastrophic wildfires. Moreover, the community consists of, and is surrounded by, undeveloped hillsides to the north, which makes these areas high risk for wildfire. Wildfire will continue to be a high-risk hazard for personal safety and property damage in Benicia and smoke impacts from local and regional wildfires are likely to continue to be problematic. The likelihood of structural fires occurring in the city is low since these

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fires are usually associated with human accidents or mechanical issues in buildings that rarely happen.

Climate Change and Wildfire

Changing climate conditions are expected to increase the fire risk in and around Benicia. Warmer temperatures brought on by climate change can exacerbate drought conditions. Droughts can kill or dry out plants, creating more fuel for wildfires. Warmer temperatures are also expected to increase the number of pest outbreaks, such as the pine beetle, creating more dead trees and increasing the fuel load. Hot, dry spells may also increase disease and insect infestations resulting in higher fuel loads. Increased winds may result in more erratic fire behavior, making fires harder to contain. Warmer temperatures are also expected to occur during more of the year, extending the wildfire season, which is likely to begin earlier in the year and extend later than it has historically. Wildfires occurring later or earlier in the year are more likely to occur during Diablo wind events, which can cause wildfires to move more quickly and increase the likelihood of burning in the WUI areas.

2.5 HAZARDOUS WASTE AND MATERIALS

Hazardous materials are materials that pose a significant risk to public safety or human or environmental health. These include toxic chemicals, flammable or corrosive materials, petroleum products, and unstable or dangerously reactive materials. They can be released through human error, malfunctioning or broken equipment, or as an indirect consequence of other emergencies (e.g., if a flood damages a hazardous material storage tank). Hazardous materials can also be released accidentally during transportation, as a consequence of vehicle accidents.

A release or spill of bulk hazardous materials could result in fire, explosion, toxic cloud, or direct contamination of water, people, and property. The effects may involve a local site or many square miles. Health problems may be immediate, such as corrosive effects on skin and lungs, or gradual, such as the development of cancer from a carcinogen. Damage to property could range from immediate destruction by explosion to permanent contamination by a persistent hazardous material.

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Most hazardous materials in the region are being transported on truck routes along major roadways that pass through Benicia, such as I-680 or I-780. The most vulnerable areas along this route are the on-/off-ramps and interchanges. Since 1970, there have been no reported roadway hazardous materials incidents in Benicia.

Hazardous materials and waste within Benicia are managed by the Certified Unified Program Agency (CUPA), a local administrative agency within the Solano County Environmental Health Services Division. The CUPA consolidates, coordinates, and makes consistent the regulatory activities of several hazardous materials and hazardous waste programs, including Hazardous Materials Management, California Accidental Release Prevention, Hazardous Waste Management, Underground Storage Tanks, Aboveground Storage Tanks, and Emergency Response.

Several state agencies monitor hazardous materials/waste facilities. Potential and known contamination sites are monitored and documented by the Regional Water Quality Control Board (RWQCB) and the California Department of Toxic Substances Control (DTSC). A review of the leaking underground storage tank (LUST) list produced by the RWQCB and the DTSC EnviroStor database indicates two hazardous waste sites (Athens Environmental Services Inc. and Olin Corporation) and 21 LUST cleanup sites, including the Valero Oil Refinery..

Although hazardous materials are carefully regulated today, past activities have left several contaminated sites in Benicia, and there are others where contamination is suspected and investigation is underway. Contamination has resulted from LUSTs, disposal of hazardous materials, and various past industrial practices. The potential for accidents and spills means that the City must strive to reduce risks and be prepared for emergencies. DTSC oversees the environmental cleanup of contaminated sites.

If a hazardous material spill poses an imminent public health threat, the City will support local regulating agencies in notifying the public. Caltrans regulates the transport of hazardous materials/wastes and explosives through the city. Transporters of hazardous wastes are required to be certified by the United States Department of Transportation and manifests are required to track the hazardous waste during transport. The danger of hazardous materials/waste spills during transport does exist and will potentially increase as transportation of these materials increase on I-680 and I-780. The Benicia Fire Department, Solano County Office of Emergency Services, and Solano County Environmental Health Services Division are responsible for hazardous materials accidents at all locations within the city.

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Benicia has a wide range of industries. Toxic hazards from any industry typically include hazards to employees relating to chemical use during the manufacturing processes, or inadvertent or accidental spillage during transport and handling, which could also potentially release toxic chemicals to the soil or groundwater. Other toxic hazards include inadvertent releases of airborne substances, including toxic gases, fumes, or dust, which could expose workers or the community to health hazards. In addition to toxic hazards, public health and safety concerns relate to the potential for fire and explosive hazards and transportation-related accidents.

The Benicia Arsenal, Braitto Landfill, and Valero Refinery are the hazardous material sites that are of primary concern. The Benicia Arsenal site is between I-680 and 4th Street. The site is 2,728 acres in size with potential contaminants of concern that include explosives, lead, petroleum, and volatile organics. Benicia Arsenal was used by the U.S. Army as a principal depot for ordnance storage and issuance (e.g., ammunition, small arms parts, and military supplies) and the manufacture and testing of small arms and mobile and seacoast targets. The site is composed of residential, industrial, and undeveloped areas. Possible receptors include residents and employees, as well as flora and fauna in the undeveloped portions of the site.

The Braitto Landfill, also referred to as the Solano County Sanitary Landfill was a privately owned landfill that operated from 1995 to 1978. The landfill was at Rose Drive and Blake Court and today is a closed cleanup site. A portion of the Southhampton community currently occupies this area. The landfill operated primarily in two areas: the 12.3-acre east canyon site and the 6.4-acre north canyon site. The area subject to the environmental investigation was the north canyon site.

Historically, the landfill was not classified as a hazardous or toxic materials disposal site, but rather a Class III landfill. However, historical records show that hazardous wastes (e.g., tannery wastes) were also disposed at the site, and that several related enforcement actions were taken. In the early 1980s, houses were constructed at the site. During site excavation and grading activities, the decision had been made to leave wastes at Blake Court because the wastes appeared to be “substantially decomposed.” In June of 1991, the discovery of subsidence in the backyard of one of the homes (Lot 50), led to the discovery of a soft “black material” (believed to be tannery wastes) buried beneath a home and adjacent lots. Later it became apparent that approximately 24,000 cubic yards of hazardous waste remained buried at the site. In March 1997, the responsible parties completed the remedial investigation/feasibility study.

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The Valero Benicia Refinery as well as petroleum refineries in nearby Richmond and Martinez, also present a threat to public health due to the risk of water and soil contamination. Petroleum products are the refined products of crude oil, including gasoline, kerosene, diesel fuels, and oils. These products, including crude oil, are all composed of compounds called petroleum hydrocarbons. These compounds are highly mobile, and therefore, if they are in soil, they can be readily transported to water resources. Several petroleum hydrocarbons like benzene, toluene, ethylbenzene, and xylene can also cause cancer. Petroleum products have the greatest risk for human health when they are present in drinking water. However, Benicia's drinking supply is not at risk from petroleum products in the area since the city's water supply is primarily derived from the State Water Project and Solano Project.

Moreover, crude oil also produces a byproduct known as petroleum coke, which is typically used as a fuel source in power plants. This byproduct is currently exported from the Port of Benicia. Facilities that store and handle this material are required to take measures to prevent the off-site dispersion of dust. Significant quantities of fugitive dust from petroleum coke storage and handling operations present a health risk. The U.S. Environmental Protection Agency (EPA) is particularly concerned about fine particulate matter with a diameter of 10 microns or less (PM₁₀) associated with fugitive dust from petroleum coke because these particles can pass through the throat and nose and enter the lungs. Once inhaled, these particles can affect the heart and lungs and cause serious health effects.

Humans can also be exposed to petroleum products by inhaling the fumes from contaminated soil. Alternatively, humans can ingest contaminated soil, which is primarily a risk for children. Despite some individual petroleum hydrocarbons being carcinogenic at low levels, many are readily broken down into less harmful products in your body. Nonetheless, continued exposure, even at low levels, creates a risk for health issues for both children and adults.

2.5.4 POTENTIAL CHANGES TO HAZARDOUS MATERIALS IN FUTURE YEARS

Likelihood of Future Occurrence

Given that there have been no major hazardous materials incidents in transport through the city in the past 50 years, it is unlikely that hazardous materials releases will occur in Benicia on a frequent basis, although there remains some level of risk. Moreover, according to Caltrans, most incidents are related to releases of fluids from the transporting vehicles themselves and not the cargo. The

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likelihood of a significant hazardous materials release within the city, from either transportation or stationary sources is considered low, but possible. Future risk from exposure to contaminated soils and water remains a concern due to current industrial uses and past groundwater and soil contamination in the city and surrounding area.

Climate Change and Hazardous Materials

Climate change is unlikely to substantially affect hazardous materials transportation incidents, or conditions relating to the exposure of pollution and contamination in the community. However, increases in the frequency and intensity of hazards, such as floods, landslides, and severe storms, may create a greater risk of hazardous materials releases during these events.

2.6 ADDITIONAL CLIMATE-RELATED HAZARDS

2.6.4 DROUGHT

A drought is an extended period when precipitation levels are well below normal. Drought is a normal part of the climate cycle. Drought may cause losses to agriculture; affect domestic water supply, energy production, public health, and wildlife; or contribute to wildfire. Like most of California and the western United States, Benicia chronically experiences drought cycles. Drought impacts the city's water supply, which may in severe instances, ultimately makes less water available for people, businesses, and natural systems.

Less snow falling in mountainous areas causes water levels in lakes and reservoirs to drop, which can affect recreation activities. Local ecosystems that are not well adapted to drought conditions can be more easily harmed by it. Droughts can also indirectly lead to more wildfires, and the stress caused by water shortages can weaken plants, making them more susceptible to pests and diseases.

The U.S. Drought Monitor recognizes a five-point scale for drought events: D0 (abnormally dry), D1 (moderate drought), D2 (severe drought), D3 (extreme drought), and D4 (exceptional drought). According to the U.S. Drought Monitor, the most intensive drought conditions in recent years occurred during most of 2014, when all of Solano County was classified as being in "extreme" drought. More recently, in 2021, from May through the end of the year, the county was also classified as being in "extreme" drought. As of June 2022, Solano County, including Benicia, was classified as being in "severe" drought. During severe drought conditions, water shortages are

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common and water restrictions may be imposed to meet essential community needs. Benicia's 2020 Water Shortage Contingency Plan contains actions to implement and enforce regulations and restrictions for managing a water shortage when it declares a water shortage emergency under the authority of the Water Code.

The City's water supply was historically derived from Sulphur Springs Creek watershed (both surface water and groundwater) but expanded to include various supplies from both the Putah Creek drainage and Sacramento River watershed. Although the City still uses supplies from Sulphur Springs Creek watershed to serve its urban and industrial demands, it relies mostly on supplies derived from the State Water Project and Solano Project to meet its needs. The State Water Project is a collection of 700 miles of canals, pipelines, reservoirs, and hydroelectric power facilities that deliver water from the Sierra Nevada to the Central Valley, South Bay Area, and Southern California. The Upper Feather Watershed is a major source of the state's water needs and provides nearly all the water delivered by the State Water Project. The Upper Feather River Watershed includes all waters tributary to the Feather River from the headwaters in the Sierra Nevada crest downstream to Lake Oroville. The Solano Project is a federal project with the Bureau of Reclamation that stores water in Lake Berryessa for delivery to users throughout the Solano County region.

The water treatment plant near Lake Herman Road produces drinking water for areas within the city limits. Water is supplied to the treatment plant through the Cordelia Transmission Main that runs along I-680 from Cordelia to Lake Herman Road, and from there to the treatment plant.

The City purchases approximately 10,000 acre-feet or 3.3 billion gallons of water per year, and approximately half of this water is used at the Valero Benicia Refinery. The State Water Project supplies 75 to 85 percent of the City's water from the Sacramento-San Joaquin Delta and the Solano Project supplies 15 to 25 percent of the City's water from Lake Berryessa. Lake Herman has historically been used as an emergency water supply and temporary storage reservoir.

2.6.4.1 Potential Changes to Drought in Future Years

Likelihood of Future Occurrence

Drought is different than many of the other natural hazards in that it is not a distinct event and usually has a slow onset. Drought can severely impact a region both physically and economically, affecting different sectors in different ways and with varying intensities. Adequate water is the most critical issue for commercial and domestic use. As the population in the city continues to grow, so

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will the demand for water. However, water supply is currently considered adequate to meet projected water needs through the year 2045. The 2020 Urban Water Management Plan demonstrates that Benicia has adequate capacity to accommodate its water demand through 2045 through a diversified and resilient portfolio that includes recycled water and conservation programs.

Based on historical information, the occurrence of drought in California, including Solano County, is cyclical, driven by weather patterns. Drought has occurred in the past and will occur in the future. Periods of actual drought with adverse impacts can vary in duration, and the period between droughts is often extended. Although an area may be under an extended dry period, determining when it becomes a drought is based on comparing observed precipitation with what is normal (climatologic), comparing soil moisture and crop conditions with what is normal (agricultural), or by looking at how much water is contained in snow, the level or flow rate of moving water, water in reservoirs, or groundwater levels (hydrologic). However, how individuals recognize drought depends on the ways in which it affects them. The impacts from drought include reduction in water supply and an increase in dry fuels.

Climate Change and Drought

Although droughts are a regular feature of California's climate, scientists expect that climate change will lead to more frequent and intense droughts statewide. Overall, precipitation levels are expected to stay similar, and may even increase in some places. However, the state's current data say that there will be more years with extreme levels of precipitation, both high and low, as a result of climate change. This is expected to cause more frequent and intense droughts compared to historical norms that cause soil to dry out and become hard. When precipitation does return, more water runs off the surface than is absorbed into the ground, which can lead to floods. Higher air temperatures are expected to increase evaporation, causing more water loss from lakes and reservoirs, exacerbating drought conditions. Reduced winter precipitation levels and warmer temperatures have greatly decreased the size of the Sierra Nevada snowpack (the volume of accumulated snow), which in turn makes less freshwater available for communities throughout California, including the imported water supply for Benicia through the North Bay Aqueduct via the State Water Project and the Putah South Canal via the Solano Project. Continued decline in the Sierra Nevada snowpack volume is expected, which may lead to lower volumes of available imported water.

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In the Upper Feather River Watershed area, the source of most of the water delivered through the State Water Project, the state Cal-Adapt database indicates the snowpack levels (i.e., snow water equivalent) in the spring are expected to decline from a historical average of 7.8 inches to as low as an average of 2.4 inches (a 69 percent decrease) by the middle of the century (2035 to 2064), and as low as an average of 0.7 inches (a 91 percent decrease) by the end of the century (2070 to 2099).

Climate change is expected to cause more precipitation to fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90 percent. How much snowpack will be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under wetter climate projections, the loss of snowpack would pose potential water shortage issues and exacerbate drought conditions.

2.6.5 EXTREME HEAT

California's Cal-Adapt database of climate change effects defines extreme heat as temperatures that are hotter than 98 percent of the historical high temperatures for the area, as measured between April and October of 1961 to 1990. Days that reach this level are called extreme heat days. In Benicia, the extreme heat threshold is 97.3°F. An event with five extreme heat days in a row is called a heat wave. Extreme heat can also occur in the form of warm nights when temperatures do not cool down overnight and provide community members with relief from the warm days. This can also cause higher electricity use during the nighttime hours as community residents need more energy to cool homes. In Benicia, a warm night occurs when the temperature stays above 60.6°F.

Health impacts are the primary concern with this hazard, though economic impacts are also an issue. The Center for Disease Control and Prevention (CDC) recognizes extreme heat as a substantial public health concern. Historically, NOAA data indicates that about 175 Americans succumb to the demands of summer heat, although this number has increased in recent years. From 2004 to 2018, studies by the U.S. Department of Health and Human Services indicate that there is an average of 702 deaths annually that are directly or indirectly linked to extreme heat. Following a record-breaking heat wave in 2006, over 16,000 emergency room visits, more than 1,100 hospitalizations, and at least 140 deaths were reported. As heat events are projected to become more frequent and last longer, preparing for the public health challenges they pose is critical.

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Extreme heat events are dangerous because people exposed to extreme heat can suffer heat-related illnesses, including heat cramps, heat exhaustion, and (most severely) heat stroke. As described in the Vulnerability Assessment, elderly persons, small children, chronic invalids, those on certain medications or drugs, and persons with weight and alcohol problems are particularly susceptible to heat reactions. The elderly and individuals below the poverty level are the most vulnerable to extreme heat. Nursing homes and elder-care facilities are especially vulnerable to extreme heat events if power outages occur, and air conditioning is not available. In addition, individuals below the poverty level may be at increased risk to extreme heat if use of air conditioning is not affordable. Areas with lower extreme heat thresholds are not necessarily at lower risk, as persons and community assets used to cooler temperatures may be less prepared for extreme heat events.

Trees and other vegetation in the natural and urban environment help to lower surface and air temperatures by providing shade and through evapotranspiration. Evapotranspiration, alone or in combination with shading, can help reduce peak summer temperatures by 2°F to 9°F.^{15, 16} Very high temperatures can harm plants and animals that are not well adapted to them, including natural ecosystems. Extreme heat can increase the temperature of water in lakes, streams, creeks, and other water bodies, especially during drought events when water levels are lower. In some cases, water temperatures may exceed comfortable levels for several plants and animals, causing ecological harm. Outdoor workers in construction or landscaping are also much more exposed to the elements than most people, so they are more susceptible to extreme heat conditions and the potential illnesses associated with very high temperatures. Indirectly, extreme heat puts more stress on power lines, causing them to run less efficiently. The heat also causes more demand for electricity (usually to run air conditioning units), and in combination with the stress on the power lines, may lead to brownouts and blackouts. Wildfire risk increases as vegetation dries out. Damage to roadways, bridges, and other transportation infrastructure may also occur.

Nearly half of all homes in Benicia are older homes and were constructed over 42 years ago. Given that 5,912 homes, or 49 percent of all housing, were constructed prior to 1980, some homes are unlikely to have air conditioning and may lack effective insulation. Therefore, people living in these homes, especially vulnerable populations, are at higher risk for heat-related illnesses from extreme

¹⁵ Huang, J., H. Akbari, and H. Taha. 1990. The Wind-Shielding and Shading Effects of Trees on Residential Heating and Cooling Requirements. ASHRAE Winter Meeting, American Society of Heating, Refrigerating and Air-Conditioning Engineers. Atlanta, Georgia.

¹⁶ Kurn, D., S. Bretz, B. Huang, and H. Akbari. 1994. The Potential for Reducing Urban Air Temperatures and Energy Consumption through Vegetative Cooling. ACEEE Summer Study on Energy Efficiency in Buildings, American Council for an Energy Efficient Economy. Pacific Grove, California.

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heat events. To help provide relief from the heat, the City opens cooling centers at the Senior Citizens Center and Benicia Public Library during extreme heat days and heat waves. These air-conditioned community spaces provide essential cool spaces for vulnerable populations, especially those susceptible to heat-related illnesses.

2.6.5.1 Potential Changes to Extreme Heat in Future Years

Likelihood of Future Occurrence

Extreme heat tends to occur on an annual basis and is likely to continue occurring annually. While the western portions of Solano County closer to San Francisco Bay generally experience cooler temperatures than the eastern portions, high temperatures in Benicia will continue to be a common occurrence.

Climate Change and Extreme Heat

The warmer temperatures brought on by climate change are likely to cause an increase in extreme heat events. Depending on the location and emissions levels, the state Cal-Adapt database indicates the number of extreme heat days is expected to rise from a historical annual average of 4 to 16 by the middle of the century (2035 to 2064), and an average of 30 by the end of the century (2070 to 2099), with some years occasionally experiencing much more extreme heat days. The number of warm nights in Benicia is projected to increase from an average of 5 historically to an average of 43 warm nights per year by mid-century, and an average of 103 warm nights per year by the end of the century.

Overall, Benicia is expected to see an increase in the average daily high temperatures. Depending on the future severity of climate change, the state Cal-Adapt database indicates the annual average maximum temperature is expected to increase from a historical annual average of 70.5°F to an average of up to 75.0°F by the middle of the century (2035 to 2064), and an average of up to 78.1°F by the end of the century (2070 to 2099). Although the temperature increases may appear modest, the projected high temperatures are substantially greater than historical norms. These increases also make it more likely that an above-average high temperature will cross the extreme heat threshold. As temperatures increase, Benicia is expected to face increased risk of death from dehydration, heat stroke, heat exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

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2.6.6 SEVERE WEATHER

Severe weather is generally any destructive weather event, but usually occurs in Benicia as localized storms that bring heavy rain, hail, thunderstorms, and strong winds. Severe weather is usually caused by intense storm systems, although types of strong winds can occur without a storm. The types of dangers posed by severe weather vary widely and may include injuries or deaths, damage to buildings and structures, fallen trees, roads and railways blocked by debris, and fires sparked by lightning. Severe weather often produces high winds and lightning that can damage structures and cause power outages. Lightning from these storms can ignite wildfires and structure fires that can cause damage to buildings and endanger people. Objects such as vehicles, unprotected structures (e.g., bus stops, car ports), fences, telephone poles, or trees can also be struck directly by lightning, which may result in an explosion or fire.

Atmospheric rivers are a relatively common weather pattern that brings southwest winds and heavy rain to California. They can be hundreds to thousands of miles long, and though they are narrow in the context of weather systems, narrow can mean up to 300 miles across. When the atmospheric rivers make landfall, they often release this water vapor in the form of rain or snow, often causing heavy rains that can lead to flooding and mudslide events. On average, California experiences approximately five to six atmospheric rivers per year. However, in some years, California may only experience one to two atmospheric rivers. Up to 50 percent of California's annual precipitation can come from atmospheric rivers.

A thunderstorm is a rain event that includes thunder and lightning. A thunderstorm is classified as "severe" when it contains one or more of the following: hail with a diameter of three-quarter inch or greater, winds gusting in excess of 57.5 miles per hour (mph), or tornado. However, tornadoes are uncommon in Solano County; only two have been recorded in the county since 1950.

High winds, often accompanying severe storms, can cause significant property damage, threaten public safety, and have adverse economic impacts from business closures and power loss. High winds, as defined by the National Weather Service, are sustained wind speeds of 40 mph or greater lasting one hour or longer, or wind gusts of 58 mph or greater for any duration. These winds may occur as part of a seasonal climate pattern or in relation to other severe weather events, such as thunderstorms. Solano County experiences high wind on an annual basis. On January 11, 2021, strong and damaging winds developed across interior northern California resulting in power outages, downed trees, downed power lines, and several small wildfires. Peak gusts ranged from 30 to 60 mph in the Central Valley, and generally between 40 and 80 mph for the mountains and

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foothills. Stronger winds were observed along the Sierra Crest. Solano County reported that high winds brought down several trees and power lines across the county. The report also included that several vegetation and car fires were started due to wind damage and that 2,000 customers were without power from this event. Total damages were estimated at approximately \$50,000. On October 11, 2021, Solano County reported 53 to 57 mph winds in the Fairfield area. The California Highway Patrol reported numerous down trees, tree limbs, and powerlines across the region.

All wind events pose several different types of threats. By themselves, the winds pose a threat to the health of people and structures in the county. Dust and plant pollen blown by the wind can create breathing problems. The winds can blow roofs off buildings and cause tree limbs to fall on structures. High winds also increase the threat of wildfires. Winds may dry out brush and forest areas, increasing the fuel load in fire-prone areas. Winds may spark wildfires by knocking down power lines or causing them to arc. If wildfires do start, high winds can push flames quickly into new areas, contributing to rapid spread of wildfires and making them harder to control. This can affect the air quality in Benicia and may disrupt regional infrastructure networks.

2.6.6.1 Potential Changes to Severe Weather in Future Years

Likelihood of Future Occurrence

According to historical hazard data, severe weather is an annual occurrence in Solano County. Damage and disaster declarations related to severe weather have occurred and will continue to occur in the future. Heavy rain and thunderstorms are the most frequent type of severe weather occurrences in the county. Wind and lightning often accompany these storms and have caused damage in the past. However, actual damage associated with the primary effects of severe weather have been limited. It is the secondary hazards caused by severe weather, such as floods and fire, which have had the greatest impact on the county. In general, any severe storm that affects Solano County has local effects in Benicia as well. Thunderstorms, high winds, and lightning can each have localized impacts on infrastructure, properties, and public safety. Transportation, including freight shipping, faces increased congestion when severe storms occur.

Climate Change and Severe Weather

Climate change is expected to cause an increase in intense rainfall and strong storm systems. This means that Benicia could see more intense weather resulting from these storms in the coming years and decades, although such an increase may not affect all forms of severe weather. While average annual rainfall may increase only slightly, climate change is expected to cause an increase in the

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number of years with intense levels of precipitation. Heavy rainfall can increase the frequency and severity of other hazards, including flooding.

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BENICIA COMMUNITY HEALTH AND SAFETY ELEMENT UPDATE

CLIMATE CHANGE VULNERABILITY ASSESSMENT REPORT

PUBLIC REVIEW DRAFT

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INTRODUCTION

The City of Benicia (City) prepared this Climate Change Vulnerability Assessment Report (Vulnerability Assessment) to enable the community to prepare for, respond to, withstand, and recover from disruptions created or caused by climate change. The Vulnerability Assessment acts as a foundation for preparation of adaptation and resilience policies for inclusion in the updated General Plan Community Health and Safety Element by identifying a set of priority vulnerabilities in the City of Benicia. The City prepared this report in accordance with California Government Code Section 65302(g)(4) requirements to assess climate change adaptation and resilience as part of the Community Health and Safety Element Update. This report presents the regulatory framework and method for preparing a vulnerability assessment, the climate change hazards affecting Benicia’s population and assets included in the assessment, a summary of the vulnerability assessment results, and implications for the Community Health and Safety Element Update.

Community Profile

The City of Benicia covers approximately 14 square miles in the southern portion of Solano County and was originally home to the Confederated Villages of Lisjan, Karkin, Muwekma, and Patwin tribal nations.¹ As shown in **Figure 1**, Benicia is bordered by unincorporated Solano County to the north, Suisun Bay to the east, Carquinez Strait to the south, and Vallejo to the west. Benicia has nine schools; two fire stations; a police station; community facilities such as City Hall, a public library, and senior center; a wastewater treatment plant along the Carquinez Strait; a reservoir (Lake Herman), gravity dam, and a water treatment plant. The Benicia Police Department and Benicia Fire Department provide police and fire services to the community, respectively. Benicia’s primary transportation access is from Interstate (I-) 680 and I-780. I-680 connects the City of Benicia to Fairfield and Contra Costa County. I-780 connects Benicia to Vallejo and I-680 at the Benicia-Martinez Bridge. SolTrans provides regional bus transit options, and Amtrak provides regional rail transit services, accessible from Martinez.

The city has a Mediterranean climate, with rain in the winters and hot, dry summers; Diablo winds occur throughout the year. On average, annual high temperatures in Benicia range from 56 degrees Fahrenheit (°F) in December and January to 82°F in July. Low temperatures range from 42°F in December and January to 57°F in July and August.² The city receives an average of approximately 19.6 inches of precipitation annually.³ Most precipitation falls during the winter months with rare occurrences of summer storms.

Land uses within the city consist of primarily residential, industrial, and parks and open space. **Table 1** provides an overview of the land use categories within Benicia. According to the 2020 Decennial Census, Benicia is home to approximately 27,000 residents and 11,400 households. According to the 2019 American Community Survey, Benicia supports about 14,700 jobs. The American Community Survey data is an estimate only, which has some margin of error. Of the total residents in the city, an estimated 11 percent are under 10 years of age and an estimated 22 percent are 65 years of age or older.⁴

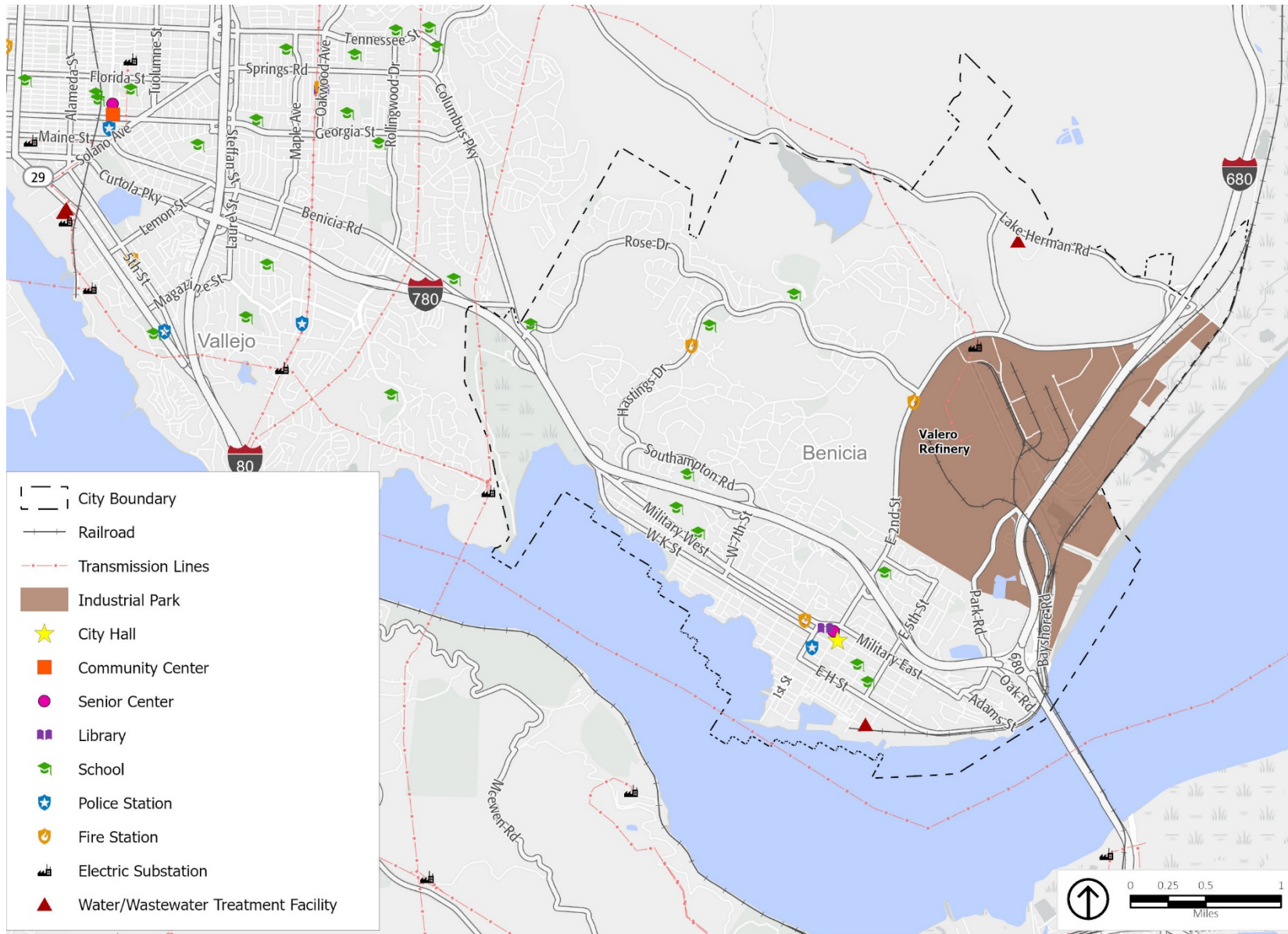
Housing in Benicia

The majority of housing units in Benicia are owner-occupied, with an estimated 8,100 (71 percent) owner-occupied units and 3,300 (29 percent) renter-occupied units.

Source: U.S. Census Bureau. 2020. 2016-2020 American Community Survey 5-Year Estimates: Selected Housing Characteristics, Table DP04. <https://data.census.gov/cedsci/table?q=Benicia&t=Homeownership%20Rate>.

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Figure 1. Community Overview



Source: CalOES 2021, PlaceWorks 2022, ESRI

Table 1. City of Benicia Land Use Overview

Land Use Type	Acreage	Percentage of Total Land Area
Industrial	2,578	31%
Parks/Open Space	2,046	25%
Residential	1,733	21%
Transportation (e.g., freeways)	1,195	15%
Commercial	381	5%
Public/Quasi-Public	230	3%
Total	8,163	100%

Source: City of Benicia. 1999. *Benicia General Plan*. [https://www.ci.benicia.ca.us/vertical/Sites/%7BF991A639-AAED-4E1A-9735-86EA195E2C8D%7D/uploads/General_Plan_-_Reduced_-_Updated_2016-compressed\(1\)\(1\).pdf](https://www.ci.benicia.ca.us/vertical/Sites/%7BF991A639-AAED-4E1A-9735-86EA195E2C8D%7D/uploads/General_Plan_-_Reduced_-_Updated_2016-compressed(1)(1).pdf).

Note: Numbers may not reflect recent zoning efforts.

Major economic areas in Benicia include the Benicia Industrial Park, Benicia Arsenal, and Downtown, Southampton Center. The Industrial Park is in the southeastern portion of Benicia and includes the Valero Refinery, Benicia’s largest employer.⁵ The Industrial Park area covers over 3,000 acres and includes approximately 7 million square feet of building space and 600 businesses. This area comprises over 50 percent of the total private employment in the city.⁶ The Benicia Industrial Park Association, a division of the Benicia Chamber of Commerce, supports the Industrial Park and the businesses within its boundaries.

The Benicia Arsenal Historic District consists of several historic buildings and sites, including the Benicia Clock Tower, Jefferson Street Mansion, and Benicia Historical Museum. This district and associated buildings were added to the National Register of Historic Places in the 1970s. The Benicia Port Terminal, which is adjacent to the Benicia Arsenal Historic District and owned by the City but privately operated by AMPORTS, is primarily used for importing and exporting automobiles and petroleum products.

The Downtown Area of Benicia, also known as the Downtown Historic District, is home to historic landmarks, such as the Benicia Capitol State Historic Park and Southern Pacific Depot, as well as shops, galleries, and restaurants. This area attracts visitors from around the Bay Area and supports the economic operations at the Benicia Marina, which is a full-service marina with 320 boat slips.⁷ The Benicia Marina is primarily used for private boating vessels and includes 32 liveboard slips.

Unemployment in Benicia

Benicia has a lower unemployment rate than the rest of Solano County, with an estimated 3.4 percent unemployment in the city compared to an estimated 5.9 percent in Solano County.

Source: U.S. Census Bureau. 2020. 2016-2020 American Community Survey 5-Year Estimates: Employment, Table S2301.

<https://data.census.gov/cedsci/table?q=Benicia&t=Employment&tid=ACST5Y2020.S2301>.

Regulatory Framework

In 2015, the state adopted Senate Bill (SB) 379, amending Section 65302(g) of the California Government Code to require the Safety Element of the General Plan to include more information about wildfire hazards, flooding risks, and short-term and long-term threats posed by climate change. SB 379 requires local governments to conduct vulnerability assessments as part of their long-range planning efforts and to prepare resilience and adaptation policies that will protect against harm caused by climate change. A vulnerability assessment evaluates the impacts that climate change hazards will have on people and community assets, as well as the current resources and programs available to help people and community assets prepare and respond to those impacts. This analysis creates a prioritized list of vulnerable populations and assets that will be used to develop policies and actions in the Community Health and Safety Element to increase resilience citywide. The City has prepared this Vulnerability Assessment to meet this requirement.

Definitions

Climate Change. A long-term change in the average meteorological conditions in an area, which is currently changing due to an increase in greenhouse gas (GHG) emissions that trap heat near the Earth's surface

Resilience. The ability of a community to withstand, recover, and to learn from past disasters to strengthen future response and recovery efforts

Source: California Governor's Office of Emergency Services. 2020. California Adaptation Planning Guide.

Other important updates to the California Government Code related to Safety Elements, climate change, and resiliency and addressed in the City's General Plan Update include SB 1241, SB 1035, SB 99, Assembly Bill (AB) 2140, and AB 747/1409.

- SB 1241 added Section 65302(g)(3) to the California Government Code, requiring jurisdictions in a state responsibility area or very high fire hazard severity zone to provide background, historical context, and goals, policies, and implementation measures to address wildfire risks in a community. The City of Benicia does not have lands within the state responsibility area or very high fire hazard severity zones, and therefore this requirement does not apply; however, historical context and other wildfire content will be included in the Community Health and Safety Element Update.
- SB 1035, which established Section 65302(g)(6) of the California Government Code, builds on previous legislation and requires local governments to review and update their Safety Element during an update to their Housing Element or Local Hazard Mitigation Plan (LHMP), or no less than every eight years. Any revisions should include updated information related to flood hazards, fire hazards, and climate adaptation and resilience.
- AB 2140 added Sections 8685.9 and 65302.6 of the California Government Code, enabling cities and counties to adopt an LHMP into the Safety Element.
- SB 99 established Section 65302(g)(5) of the California Government Code and requires jurisdictions to review and update the Safety Element to include information identifying residential developments in hazard areas that do not have at least two emergency evacuation routes.
- AB 747 added Section 65302.15 to the California Government Code (amended by AB 1409), requiring local governments to identify the capacity, safety, and viability of evacuation routes and

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locations in the Safety Element or LHMP. This requirement is triggered by future updates to the LHMP.

This Vulnerability Assessment, along with the update to the Safety Element, will help the City of Benicia meet the state's requirements; it is also an opportunity to further integrate and increase consistency with the Benicia LHMP. The Benicia LHMP is a locally specific, FEMA-approved annex of the Solano County Multi-Jurisdictional Hazard Mitigation Plan, adopted in 2022.

The State of California prepared a guidance document, the [California Adaptation Planning Guide](#) (APG) to assist communities in addressing climate adaptation and resilience and complying with Section 65302(g) of the California Government Code, along with the guidance in the Office of Planning and Research's *General Plan Guidelines*. The APG presents a step-by-step process for gathering the best available climate change science, completing a climate change vulnerability assessment, developing adaptation strategies, and integrating those strategies into general plans and other policy documents. The City's Vulnerability Assessment is consistent with the guidance and recommended methods provided in the APG.

CLIMATE CHANGE IN BENICIA

What is Climate Change?

Climate change is a long-term change in the average meteorological conditions in an area. Currently, the global climate is changing due to an increase in greenhouse gas (GHG) emissions that trap heat near the Earth's surface. While some levels of these gases, such as carbon dioxide, are necessary to maintain a comfortable temperature on Earth, an increased concentration due to human activity traps additional heat, changing Earth's climate systems.⁸ This can intensify or create new natural hazards, such as flooding, wildfire, and extreme heat, that can increase the risk of damage to critical infrastructure, injury to frontline populations, and disruption of essential services. This Vulnerability Assessment has been prepared to inform the Community Health and Safety Element update and to promote the community's understanding of how a changing climate may harm Benicia, and which aspects of the community – including people, buildings and infrastructure, services, and economic drivers – are most vulnerable to its effects. This report presents a summary of the Vulnerability Assessment methods, results, and implications.

In Benicia, climate change is expected to intensify many existing hazards, such as shoreline flooding and wildfire smoke, or create new hazards, such as landslides and human health hazards. The Vulnerability Assessment evaluates how hazards are expected to occur, including frequency and severity, and how this will affect community populations and assets.

Climate Change Modeling Considerations

The Intergovernmental Panel on Climate Change (IPCC), an organization that represents the global scientific consensus about climate change, identified four climate scenarios in the Fifth Assessment Report, also called Representative Concentration Pathways (RCPs), that can be used to project future conditions. RCPs are labeled with different numbers (e.g., RCP 2.6, RCP 6) that refer to the increase in the amount of energy that reaches each square meter of Earth’s surface under that scenario. The four RCPs are:

- **RCP 2.6:** Global GHG emissions peak around 2020 and then decline quickly.
- **RCP 4.5:** Global GHG emissions peak around 2040 and then decline.
- **RCP 6:** Global emissions continue to rise until the middle of the century.
- **RCP 8.5:** Global emissions continue to increase at least until the end of the century.

Projections of climate hazards from Cal-Adapt, the *State of California Sea-Level Rise Guidance*, and other sources rely on climate models, which are computer simulations that forecast future climate conditions under these different RCP scenarios. It is critical for the City to account for all reasonably plausible future conditions, including the most severe of plausible conditions, which will help ensure greater resiliency from climate change. Therefore, the projections in the Vulnerability Assessment use the RCP 8.5 scenario, following State of California guidance and to be consistent with the IPCC Sixth Assessment Report. No model can project future conditions perfectly, but current models are heavily reviewed by climate scientists and can accurately reproduce observed climate conditions.

The Vulnerability Assessment also relies on the understanding that “weather” and “climate” are two different things. “Weather” describes the conditions at a particular time and place, and “climate” describes the long-term average of conditions. Because there are large variations in the weather, it is difficult to accurately project weather conditions more than a few days in advance. However, because climate is a long-term average, it can be projected out for years or decades with a high degree of accuracy. It is important to remember that, because climate is an average, it does not say whether an event will or will not occur, only how likely it is. For example, extreme heat is likely to become more frequent in Benicia, but a year with few heat waves does not mean that this projection is wrong, because the projection only says that extreme heat days are expected to occur, on average, more often than in the past.

IPCC Sixth Assessment Report

The IPCC recently released “The Physical Science Basis” and “Impacts, Adaptation, and Vulnerability” of the Sixth Assessment Report that updates global climate change projections for the near-term, mid-term, and long-term based on GHG emission trends from the past decade. It moves away from using Representative Concentration Pathways (RCPs), instead using five different scenarios called “shared socioeconomic pathways,” which consider socioeconomic trends underlying each scenario. This Vulnerability Assessment does not use these updated projections because at time of writing they are not available at a local scale. However, the IPCC report does reaffirm the use of projections comparable to RCP 8.5 as the suggested emission scenario to use for Cal-Adapt data.

Climate Change in California

The most accurate data for California-specific projections, which is hosted by Cal-Adapt.org, is available for the RCP 4.5 and RCP 8.5 scenarios. These scenarios help generate climate models, which are meant to simulate conditions across the globe. The model divides Earth's surface into cells using a grid, and then forecasts the conditions in each square of the grid. The size of these squares makes them suitable for projecting global conditions, but they are too big to accurately model the difference in climate across smaller areas.⁹ Per state guidance, these models have been "downscaled" to much finer grids of less than four miles on each side to show projections on a county or city level. The California Fourth Climate Change Assessment and Cal-Adapt, developed and updated through a collaboration between the California Governor's Office of Planning and Research, California Natural Resources Agency, California Energy Commission, Geospatial Innovation Facility at University of California Berkeley, and California Strategic Growth Council, provide a foundation of climate change science and downscaling for the state. The State of California has also developed a comprehensive set of reports and tools that local jurisdictions can use to assess climate change hazards and how to prepare for these hazards. The State-provided reports and tools used in the Vulnerability Assessment include:

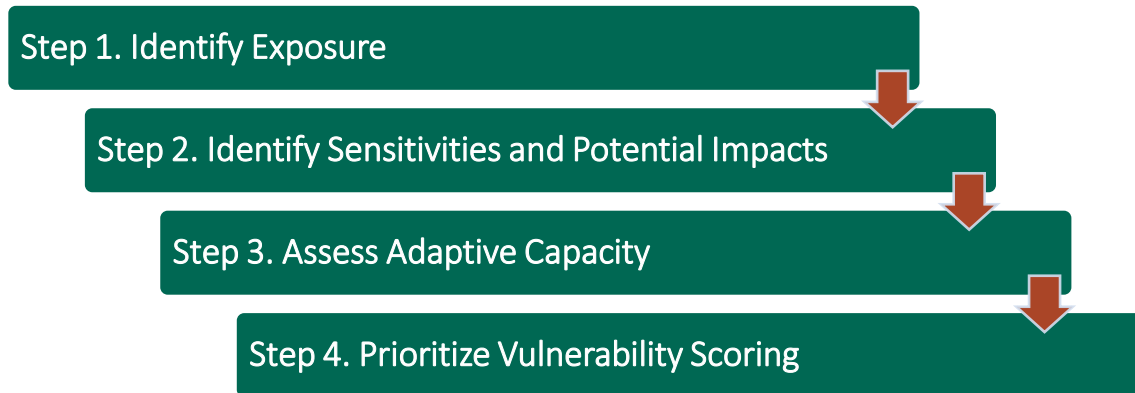
- Cal-Adapt.org
- California Adaptation Clearinghouse
- *California Fourth Climate Change Assessment* (statewide and regional reports) (2018)
- *California Building Resilience Against Climate Effects* (2018)
- *Defining Vulnerable Community in the Context of Climate Adaptation* (2018)
- *Planning and Investing for a Resilient California* (2018)
- *State of California Sea-Level Rise Guidance* (2018)
- *Department of Transportation Climate Change Vulnerability Assessments, District 4* (2019)
- *Adapting to Rising Tides Bay Area, Regional Sea Level Rise Vulnerability and Adaptation Study* (2020)
- *California Adaptation Planning Guide* (2020)
- *California Climate Adaptation Strategy* (2021)
- *California's Wildfire and Forest Resilience Action Plan* (2021)
- *Draft California Extreme Heat Action Plan* (2022)

BENICIA VULNERABILITY ASSESSMENT

Vulnerability Assessment Method

The Vulnerability Assessment primarily follows the recommended process in the APG, published in 2020 by the California Governor's Office of Emergency Services. This includes a four-step process: (1) characterizing the city's exposure to current and projected climate hazards; (2) identifying potential sensitivities and potential impacts to city populations and assets; (3) evaluating the current ability of the populations and assets to cope with climate impacts, also referred to as its adaptive capacity; and (4) identifying priority vulnerabilities based on systematic scoring. **Figure 2** presents these steps.

Figure 2. California Adaptation Planning Guide Recommended Model



Step 1. Identify Exposure. The goal of this step is to characterize the community’s exposure to current and projected climate change hazards. The climate change hazards included in the Vulnerability Assessment are **drought, extreme heat and warm nights, human health hazards, inland flooding, landslides, sea-level rise and shoreline flooding, severe weather, and wildfire and wildfire smoke.** These hazards are discussed in more detail later in this report. Some of the hazards are compounding climate change effects where one climate change hazard leads to another more severe disaster, also known as “cascading effects.” **Figure 3** provides an example of these cascading effects.

Figure 3. Example of Cascading Effects



The project team gathered the climate change hazard data from best available downscaled data. In addition to the state data listed previously, this Vulnerability Assessment also uses data from the *2022 Benicia Local Hazard Mitigation Plan* and *Climate Change Adaptation Plan: Preparing Benicia for a Resilient Future*.

Projections of climate change hazards rely on multiple scenarios that reflect different levels of GHG emissions and concentrations over time. The Cal-Adapt database, which provides California-specific climate change hazard projections, uses RCP 4.5 for a low-emissions scenario and RCP 8.5 for a high-emissions scenario. The Governor’s Office of Planning and Research *Planning and Investing for a Resilient California* document and the *California Adaptation Planning Guide* recommend using RCP 8.5 for analyses considering impacts through 2050 and 2100, as there are minimal differences between emission scenarios for the first half of the century and for late-century projections, this is a more conservative and risk-averse approach. The RCP 8.5 scenario was used as input for global climate models on the Cal-Adapt database, *Adapting to Rising Tides*, and other resources.

Step 2. Identify Sensitivities and Potential Impacts. This step involved evaluating potential future climate change impacts to community populationsⁱ and assets. City staff first identified a comprehensive list of populations and assets to understand how susceptible the people, places, ecosystem services, and services within the community are to climate change hazards. This list includes 20 populations, 16 infrastructure types, 9 building types, 5 economic drivers, 5 ecosystems and natural resources, and 8 key services, as shown in **Table 2** and described in more detail in **Appendix A**. Some assets, such as outdoor recreation, are in neighboring areas but serve residents of Benicia as employment or recreation centers, and therefore were included in the assessment. After confirming this list, City staff looked at which hazards are likely to affect which populations and assets. For example, human health hazards are likely to impact most populations, but it would not physically affect buildings.

After the applicability review, City staff evaluated potential impacts to the applicable populations and community assets. The City considered several different questions that helped assess how severe the impacts of each relevant hazard are on the relevant populations and community assets. Based on the results of the impact assessment, each population and asset was identified as experiencing low, medium, or high impacts for each relevant hazard. Impact is considered a negative quality, and therefore, a higher impact score means that there is a higher potential for harm to a population or asset. A lower impact score means that there is a lower potential for harm to a population or asset.

Direct Impacts vs. Indirect Impacts

Direct impacts are those that immediately affect buildings and infrastructure, health or populations, or immediate operations of economic drivers or community services, and they can lead to secondary *indirect impacts* on the broader system or community, including populations or asset types in a different category. For example, extreme heat can *directly* cause people to increase air conditioning use, which increases the load on electrical transmission lines and causes power outages, which can *indirectly* impact persons with chronic illnesses and/or disabilities who depend on the electricity for life-support systems.

ⁱ Community populations are groups of people that may be uniquely vulnerable to climate change hazards due to existing stressors such as financial instability, health conditions, mobility challenges, and housing conditions.

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Table 2. List of Populations and Assets

Category	Populations or Assets		
Populations	Children under 10	Outdoor workers	Persons without access to lifelines
	Cost-burdened households	Overcrowded households	Pollution-burdened populations
	Households in poverty	Persons experiencing homelessness	Renters
	Immigrant communities	Persons living in mobile homes	Seniors (65+)
	Linguistically isolated persons	Persons living on single-access roads ^a	Seniors living alone
	Low-income households	Persons with chronic illness and/or disabilities	Unemployed persons
	Low-resourced people of color	Persons without a high school degree	
Infrastructure	Benicia Port Terminal	Electric vehicle charging stations	Railway
	Benicia Marina and Pier	Flood-control infrastructure	Solid waste facilities
	Bicycling and pedestrian trails	Hazardous materials sites	Transit facilities
	Bridges	Major roads and highways	Valero pipelines
	Communication facilities	Natural gas pipelines	Water and wastewater, infrastructure
	Electrical transmission infrastructure	Parks and open space	
Buildings	Benicia Industrial Park	Government buildings	Medical and care facilities
	Community centers and libraries	Historic buildings and museums	Public safety buildings
	Commercial businesses	Homes and residential structures	Schools
Economic Drivers	Education services	Major employers	Retail centers
	Industrial facilities	Outdoor recreation	
Ecosystems and Natural Resources	Coastal scrub	Marshland	Riparian areas
	Grassland	Oak woodland	
Key Services	Communications services	Government administration and community services	Solid waste removal
	Emergency medical response	Public safety response	Water and wastewater treatment, delivery, and collection
	Energy delivery	Public transit access	

Notes:

a. Persons living single-access roadways are those who live in roadways with only one vehicle ingress and egress route.

Step 3. Assess Adaptive Capacity. Adaptive capacity is the ability of populations and community assets to prepare for, respond to, and recover from the impacts of climate change using existing resources and programs. Benicia, Solano County, and community-based organizations already provide some of these tools and resources to both populations and community asset owners or managers. The following list describes the plans, projects, programs, and initiatives that increase adaptive capacity throughout the city.

- **Plans**
 - Emergency Operations Plan methods for responding to hazardous events and an Emergency Manager on staff.
 - 2021 Solano County Multi-Jurisdictional Hazard Mitigation Plan, Benicia Annex Mitigation Action Plan.
 - 2009 Climate Action Plan.
 - 2016 Climate Change Adaptation Plan.
 - 2020 Solano County Active Transportation Plan.
 - 2020 City of Benicia Urban Water Master Plan water shortage contingency plan and demand-reduction actions.
 - City of Benicia Open Space Vegetative Fuels Management Plan (to be completed in 2022).
- **Municipal Code Requirements**
 - Provisions for Flood Hazard Reduction (Municipal Code Chapter 15.48).
 - Stormwater Management and Discharge Control (Municipal Code Chapter 15.64).
 - Shoreline Protection Overlay District (Municipal Code Chapter 17.58).
 - Fire Prevention and Life Safety Code (Municipal Code Chapter 8.28).
 - Weeds and Rubbish (Municipal Code Chapter 8.08).
 - Grading and Erosion Control (Municipal Code Chapter 15.28).
 - Emergency Water Conservation Plan (Municipal Code Chapter 13.35)
- **Capital Improvement Projects**
 - Library Exterior Improvement Project Capital Improvement Project.
 - ATP-Funded Safe Routes to School Project.
 - Grant Street Bridge Repairs.
 - Storm Damage Repair Projects.
 - Willow Glen Park-Pathway Improvement Project.
 - Water Master Plan Update.
 - Cordelia Transmission Main Replacement.

Non-Climate Stressors

Non-climate stressors are trends unrelated to climate hazards that can exacerbate impacts or impede adaptive capacity, making populations or assets more vulnerable. They are also known as pre-existing conditions that make populations or assets more susceptible to harm from hazards because the stressors may impair their ability to prepare for, respond to, or recover from hazards. Addressing non-climate stressors can improve the adaptive capacity of populations and community assets.

Source: United State Global Change Research Program. 2016. "U.S. Climate Resilience Toolkit." <https://toolkit.climate.gov/>.

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- Water Reuse Project.
- Centralized Uninterruptable Power Supply for City Hall Server Room.
- Library Exterior Improvement.
- Air Monitors – Benicia Community Air Monitoring Program, Bay Area Air Quality Management District, Valero.
- **Programs and Initiatives**
 - Annual Storm Drain Maintenance Program.
 - Sandbag stations during storm events.
 - Solano County Water Agency programs: rebates for water-conserving products, Solano High-Efficiency Washer Rebate, Smart Irrigation Controller Rebates, Water-Efficient Landscape Rebate for both residential and commercial properties, Commercial Water Savings Incentive Program.
 - Solano County Green Business program initiatives.
 - Cooling centers at the Senior Citizens Center and Benicia Public Library.
 - City of Benicia Property Assessed Clean Energy Financing programs (HERO, Ygrene, Fig Tree, California FIRST, AllianceNRG).
 - Benicia Medic Ambulance, SolTrans, Solano County Mobility Program, Pace Solano, and Solano County In-Home Support Services to help individuals travel to cooling centers and medical facilities, as well as evacuate during emergencies.
 - Alert Solano through Solano County to inform residents of hazardous events or evacuation notices.
 - Local notifications from Benicia Police Department and Fire Department.
 - Independent Living Resources of Solano and Contra Costa Counties provides those with access and functional needs support with emergency preparedness, response, and recovery.
 - Marin Clean Energy programs: Multifamily Energy Savings, Home Energy Savings, Low-Income Families and Tenants (LIFT), Single-Family Comprehensive, Heat Pumps Water Heater Incentive for Contractors, Energy Storage Funding.
 - Energy efficiency and renewable energy incentive and rebate programs offered by PG&E and BayREN.
 - Phone trees and personal outreach door to door by neighbors and community members.
 - Benicia Fire Department Public Information Bank provides information on topics like hazardous materials and optional non-emergency notifications.
 - Benicia Fire Department Mobile Air Monitoring.

City staff evaluated each population and asset for adaptive capacity by considering a series of questions. Based on the results of the adaptive capacity assessment, the City ranked the adaptive capacity of each population or asset as low, medium, or high for each relevant hazard. Adaptive capacity is considered a positive attribute, so a higher adaptive capacity score means that a population or asset may be more adaptable to the hazard. A lower adaptive capacity score means that a population or asset may have a harder time adjusting to the changing conditions given available resources.

Step 4. Prioritize Vulnerability Scoring. The City used the impact and adaptive capacity scores for each population and asset for each relevant hazard to determine the vulnerability score. The vulnerability score reflects how susceptible a population or asset is to harm from a particular hazard. Vulnerability is assessed on a scale from V1 to V5, with V1 meaning minimal vulnerability and V5 meaning severe vulnerability. The following list describes the level of vulnerability:

- V1: Minimal vulnerability
- V2: Low vulnerability
- V3: Moderate vulnerability
- V4: High vulnerability
- V5: Severe vulnerability

Having a low vulnerability score does not mean that the population or asset will be unaffected by climate change, but that the effects are likely to be less substantial. The matrix in **Figure 4** shows how impact and adaptive capacity scores combine and translate into a vulnerability score. For example, extreme heat would create a high impact on energy delivery services as mechanical failures, heat damage, and high demand for electricity from cooling equipment can disrupt this service. Adaptive capacity is low because many community members need to use more electricity on extreme heat days to keep cool and retrofitting electrical equipment can be expensive. Therefore, energy delivery services have a high vulnerability to extreme heat. This report focuses on summarizing the V4/V5 (high and severe vulnerability) scores, and a full set of scores is provided in **Appendix B**.

Figure 4. Vulnerability Scoring Matrix

	Low Impact	Medium Impact	High Impact
Low Adaptive Capacity	V3	V4	V5
Medium Adaptive Capacity	V2	V3	V4
High Adaptive Capacity	V1	V2	V3

Climate Change Hazards and Key Vulnerabilities

The Vulnerability Assessment assigns vulnerability scores to 452 different pairings of 64 populations and assets for each of the relevant 9 hazards. This section summarizes the climate change hazards at the local level and discusses the significant vulnerabilities created by those hazards. Some of the most significant vulnerabilities in Benicia are:

- Households in poverty and low-resourced people of color are the most vulnerable to climate change hazards with shoreline flooding creating the most vulnerabilities for all populations.
- The Benicia Industrial Park, railways, older homes, and certain homes near the Carquinez Strait are the most vulnerable buildings and infrastructure, especially to inland flooding and shoreline flooding.
- Industrial facilities are the most vulnerable economic driver.
- Marshland is the most vulnerable ecosystem and natural resource.

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- Water and wastewater infrastructure and services are the most vulnerable key services, especially to shoreline flooding, inland flooding, sea-level rise, and wildfires.

For a complete list of vulnerability scores, see **Appendix B**.

Drought

A drought occurs when conditions are drier than normal for an extended period, making less water available for people and ecosystems. Droughts are a regular occurrence in California; however, scientists expect that climate change will lead to more frequent and more intense droughts statewide. As of April 2022, Benicia and surrounding Solano County are in severe drought conditions.¹⁰ Projected precipitation levels are expected to increase slightly, with more years of extreme precipitation events and droughts that last longer and are more intense.¹¹

The City of Benicia obtains water from the Solano County Water Agency, which receives water from the State Water Project via the North Bay Aqueduct, the federally managed Solano Project, and Putah Creek. Approximately 72 percent of Benicia's water is supplied through the State Water Project, which receives water primarily from the Feather River and relies heavily on water supplies from yearly snowpack. During drought conditions in mid-century (2023 to 2042), the North Fork of the Feather River watershed could experience a drop in snow water equivalence from a historic average of 1,465 inches to 427 inches.¹² By late century, snow water equivalence levels during a drought are projected to be 175 inches.¹³ The remaining 28 percent of the City's water supplies are Lake Berryessa through the Solano Project (16 percent) and Lake Herman, Vallejo, transfers, and other sources (12 percent).¹⁴

The City owns and operates a Water Treatment Plant just south of Lake Herman that treats up to 12 million gallons per day, in addition to 6 pump stations, 4 reservoirs, 160 miles of distribution and service lines, and a water quality laboratory.¹⁵

Snowpack levels in the Sierra Nevada, which the State Water Project water supply relies on, dropped by 25 percent during the 2011 to 2016 drought, and average springtime snowpack is expected to drop 64 percent by 2100.¹⁶ In the 2021 water year (October 1, 2020 to September 30, 2021), the snowpack in the Northern Sierra was 70 percent of the average, but the precipitation was less than 50 percent of the annual average, making it the third-driest water year on record.¹⁷ During drought conditions, water stored in the State Water Project's primary reservoirs decreases due to lack of rainfall and reduction in snowpack because of higher temperatures. This loss of snowpack could cause water shortages in the Sacramento River Watershed, where Benicia receives a majority of its water supply, during extended drought conditions, potentially affecting businesses or activities that depend on reliable water supplies. In 2014, the California Department of Water Resources reduced Benicia's allocation from the State Water Project to just 5 percent of normal levels, causing Benicia to purchase water from Vacaville for a cost of \$900,000.¹⁸ This additional cost fell onto ratepayers as a drought surcharge. Households in poverty and low-resourced people of color are particularly vulnerable to drought due to the inability to afford water price changes or economic harm to businesses that they may employ them. Rebate and retrofit programs are available through Solano County Water Agency; however, these populations may not be able to provide upfront costs for retrofits. Reduction in water use can also harm wastewater infrastructure, which requires minimum flow to function properly.

Natural systems in the city, including marshlands and riparian areas in the Benicia State Recreation Area, Sulphur Springs Creek, adjacent to the Benicia Marina, at Lake Herman, and east of the Industrial Park,

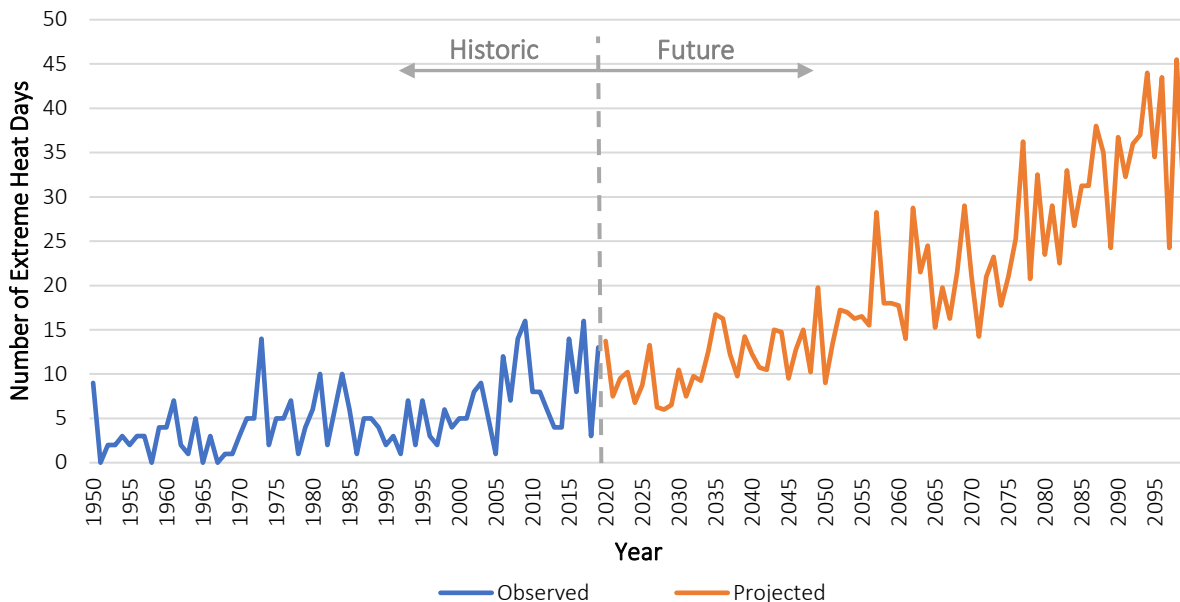
are highly vulnerable to drought conditions. Droughts can reduce the amount of freshwater flowing into and through both of these ecosystems, leading to algal blooms, low streamflow, higher temperatures, and increased erosion.¹⁹ Marshes may be able to recover in non-drought years; however, rising sea levels may cause higher concentrations of salinity in the water with the reduction in freshwater, harming both plants and wildlife. Drought conditions can also dry out vegetation in scrub, grassland, and woodland habitats, increasing wildfire conditions and potentially putting a strain on firefighting equipment and personnel.

Extreme Heat and Warm Nights

Extreme heat occurs when temperatures rise significantly above normal levels. In Benicia, an extreme heat day occurs when temperatures reach above 97.6°F. As shown in **Figure 5**, the number of extreme heat days in Benicia is projected to increase from an average of 4 days historically, to an average of 16 extreme heat days per year by mid-century, and an average of 30 extreme heat days per year by the end of the century.²⁰

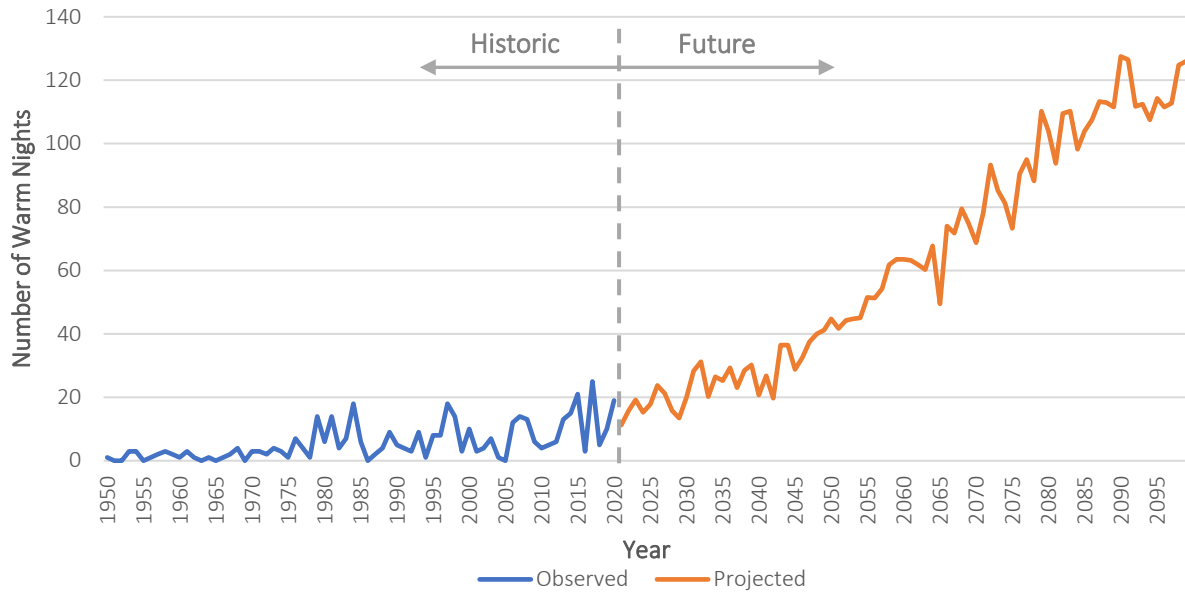
Extreme heat can also occur in the form of warm nights, when temperatures do not cool down overnight and provide community members with relief from warm days. This can also cause higher electricity use during the nighttime hours as community residents need more energy to cool homes. In Benicia, a warm night occurs when the temperature stays above 60.6°F. As shown in **Figure 6**, the number of warm nights in Benicia is projected to increase from an average of 5 historically to an average of 43 warm nights per year by mid-century, and an average of 103 warm nights per year by the end of the century.

Figure 5. Projected Extreme Heat Days in Benicia



Source: Cal-Adapt, 2018; National Weather Service, 2022.

Figure 6. Projected Warm Nights in Benicia



Source: Cal-Adapt, 2018; National Weather Service, 2022.

Extreme heat can be fatal, cause heat-related illnesses, such as heat cramps, heat exhaustion, and heat stroke, in addition to worsening respiratory and cardiovascular conditions. According to the *2022 Solano County Multi-Jurisdictional Hazard Mitigation Plan: Benicia Annex*, most households in Benicia lack air conditioning systems and Benicia has a high number of senior residents who are severely vulnerable to high heat events.²¹ The most vulnerable populations are those that spend a disproportionately high amount of time outside, such as children, outdoor workers, immigrant communities, and persons experiencing homelessness, since these populations may be unable to seek direct relief from high temperatures. Additionally, persons with chronic illnesses, populations with existing pollution burdens, and senior citizens, including seniors living alone, may have existing health conditions that make them highly vulnerable to extreme heat.

Persons with financial instability, low-resourced, or living in mobile homes are also highly vulnerable due to a lack of financial resources to prepare for or respond to extreme heat conditions. Renters have limited control over the structure they live in, and therefore are highly vulnerable to higher temperatures since they may be unable to insulate their homes or install air conditioning units. There are two cooling centers in Benicia, at the Senior Citizens Center and Benicia Public Library. However, these facilities may be subject to rolling blackouts associated with extreme heat events and generators may not be available.²² Rolling blackouts may also prevent residents from keeping indoor air temperatures or medications cool or cause food loss due to lack of refrigeration when the power is turned off, which could harm persons with financial instability or limited income.

Energy delivery services and associated infrastructure are highly vulnerable to extreme heat, as high temperatures can stress and overload the regional grid, causing power outages and damage to the transmission lines. Railway infrastructure is also highly vulnerable to extreme heat days and prolonged periods of high temperatures, as these events can cause thermal expansion and warping of the tracks.²³ Damaged railways can slow freight services and cause train accidents.

Additional extreme heat vulnerabilities include the following:

- Outdoor recreation, as people may be deterred from traveling to Benicia and residents may be less likely to recreate outdoors in high temperatures.
- Marshland habitat, which can experience warmer water temperatures that cause harmful algal blooms.
- Public transit access, extreme heat reduces ridership of the SolTrans system, since it may be more difficult to wait outside for the bus.

Human Health Hazards

Human health hazards are bacteria, viruses, parasites, and other organisms that can cause diseases and illness in people. Some of these diseases may only cause a mild inconvenience, but others are potentially life threatening. These diseases are often carried by animals such as mice and rats, ticks, and mosquitos. Warmer temperatures and high levels of precipitation can lead to increased populations of disease-carrying animals, creating a greater risk of disease and increased rates of infection.

Populations most vulnerable to human health hazards are those who spend a disproportionate amount of time outdoors (such as persons experiencing homelessness and outdoor workers), those with fragile immune systems or existing illnesses (which may include persons with chronic illnesses, seniors - particularly seniors living alone - and pollution-burdened populations), and those who may live in sub-standard housing or not have access to health insurance and medical care (which often includes households in poverty, low-resourced people of color, immigrant communities, overcrowded households, and persons without access to lifelines). These persons may be living in conditions that increase their chances of catching vector-borne illnesses or lack the ability to fight off infections. Many populations may also not have access to air purification systems that can filter out harmful pathogens.²⁴ Due to higher demand of emergency medical response services during human health hazard events, this service is highly vulnerable, as they may not be able to provide adequate services if there is an influx of health-related emergencies.

Cooling Centers

Many residents in Benicia lack air conditioning, and therefore are at risk of exposure to high indoor air temperatures during extreme heat events. To help provide relief from the heat, the City can open three cooling centers (Senior Citizens Center, Benicia Public Library, and Benicia Community Center) during extreme heat days and heat waves. These air-conditioned community spaces provide essential cool spaces for vulnerable populations, especially those susceptible to heat-related

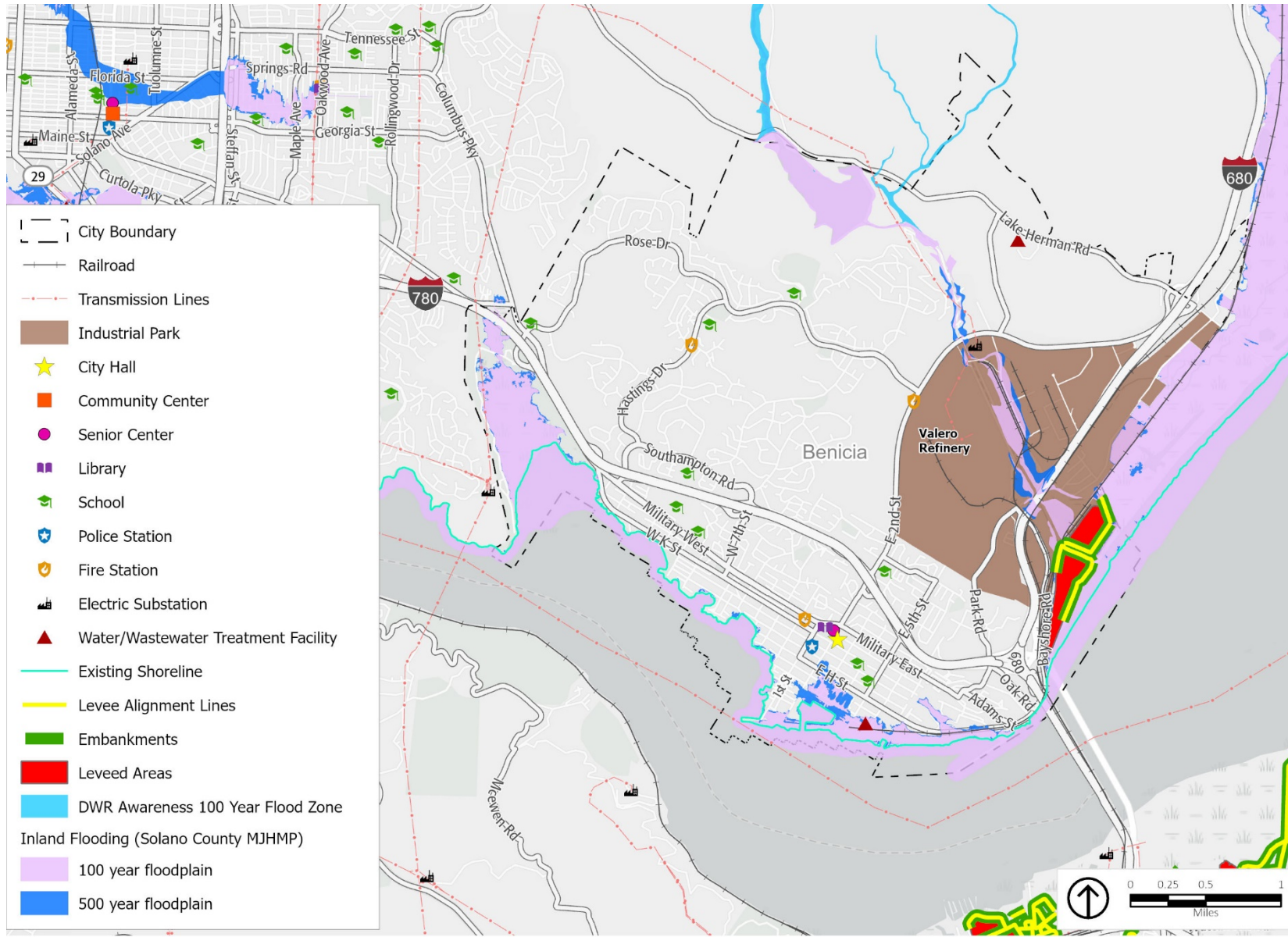
Inland Flooding

Inland flooding can cause significant harm to buildings, people, and infrastructure. Floodwater can be deep enough to drown people, may move fast enough to carry people or heavy objects (such as cars) away, and cause long-term damage to buildings due to mold and mildew growth. Flooding can be caused by heavy rainfall, long periods of moderate rainfall, or clogged drains during periods of light rainfall. In rare instances, a break in a dam holding back water in a reservoir, such as Lake Herman Reservoir, can cause devastating floods. Storm drainage systems throughout the city collect stormwater runoff and convey water to prevent flooding, although these systems are typically designed based on winter storms recorded in the past and may not be designed to accommodate more intense storms. Historically, flooding has occurred in lower Downtown Benicia in the footprint of the historic coastal salt marsh, at the Benicia Wastewater Treatment Plant, and the Channel Road area in the Benicia Industrial Park.²⁵

The Federal Emergency Management Agency (FEMA) defines a 100-year floodplain as an area with a 1 in 100-year chance, or 1 percent, annual chance of flooding in any given year and a 500-year floodplain as an area with a 1 in 500-year, or 0.2 percent, annual chance of flooding in any given year. FEMA's flood hazard zones are established based on historical data and may not fully predict the future areas that are most at risk of flooding or the frequency of future flood events. Floods are expected to occur more frequently as a result of climate change, affecting what the community understands as a "normal" flood. For example, what is currently considered a 100-year flood, or a flood that has a 1-percent chance of occurring annually, may occur with greater frequency (such as a 2- or 5-percent chance each year). **Figure 7** shows that the flood hazard areas are along the shoreline of Benicia, lower downtown, as well as the Benicia State Recreation Area, along the channelized drainage of Sulphur Springs Creek, and wetlands adjacent to the Benicia Industrial Park.

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Figure 7. Flood Hazard Zones



Source: National Levee Database, Solano County, PlaceWorks 2022, ESRI

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Several populations and assets face particularly high risks from flooding events.

- Persons experiencing homelessness, persons living in mobile homes, households in poverty, immigrant communities, and low-resourced people of color are severely vulnerable to flooding if they live in a flood-prone area, as they may lack financial resources to protect their homes or be ineligible for grant funding to recover from flood damage to their homes. Approximately 1,960 residents live within the 100-year floodplain and another 260 live within the 500-year floodplain.
- Persons with limited mobility and those without access to lifelines (i.e., a car, transit, or communication systems) may have difficulty evacuating prior to a flooding event, and therefore are also highly vulnerable.
- Linguistically isolated persons, approximately 250 people in Benicia, may be unable to receive emergency notifications or participate in recovery programs due to language barriers.
- Pollution-burdened populations are highly vulnerable to flooding that causes toxic chemicals and contaminants to spread into the water and soil, affecting the health of this population.²⁶
- Transportation infrastructure, including bridges and railways, can be inundated, blocked, and damaged by floodwaters, preventing the movement of people, goods, and services.
- Flood-control infrastructure could fail if floodwaters exceed the capacity of levees and other infrastructure.
- The Benicia Marina and Pier, as well as the supporting infrastructure, can be damaged by floodwaters, reducing the areas available to fish and storm boats in Benicia.
- Hazardous materials sites, natural gas pipelines, and the Valero pipelines could be damaged or destroyed by fast-moving floodwaters, causing toxic chemicals and contaminants to flow into the air, water, and soil.
- Homes, residential structures, commercial buildings, and the Benicia Industrial Park can be damaged, destroyed, or have mold and mildew growth from standing water after flooding.
- Employees may be unable to travel to work due to inundation of transportation infrastructure, disrupting major employers, services, and industrial facilities.
- Heavy rainfall and subsequent flooding could disrupt water and wastewater services, causing the water and wastewater treatment plants to not function properly and damaging infrastructure. This can cause effluent and other contaminants to flow into the surrounding water and soil.

Current Flooding in Benicia

The City of Benicia experiences chronic inland flooding in several places due to proximity to the shoreline. The downtown area, Benicia Wastewater Treatment Plant, and Benicia Industrial Park have historically experienced flooding that has not only flooded buildings, but also the roadways and infrastructure supporting these areas. The City's Fire Department supports a sandbag program to help residents and businesses prepare for flooding events in the city.

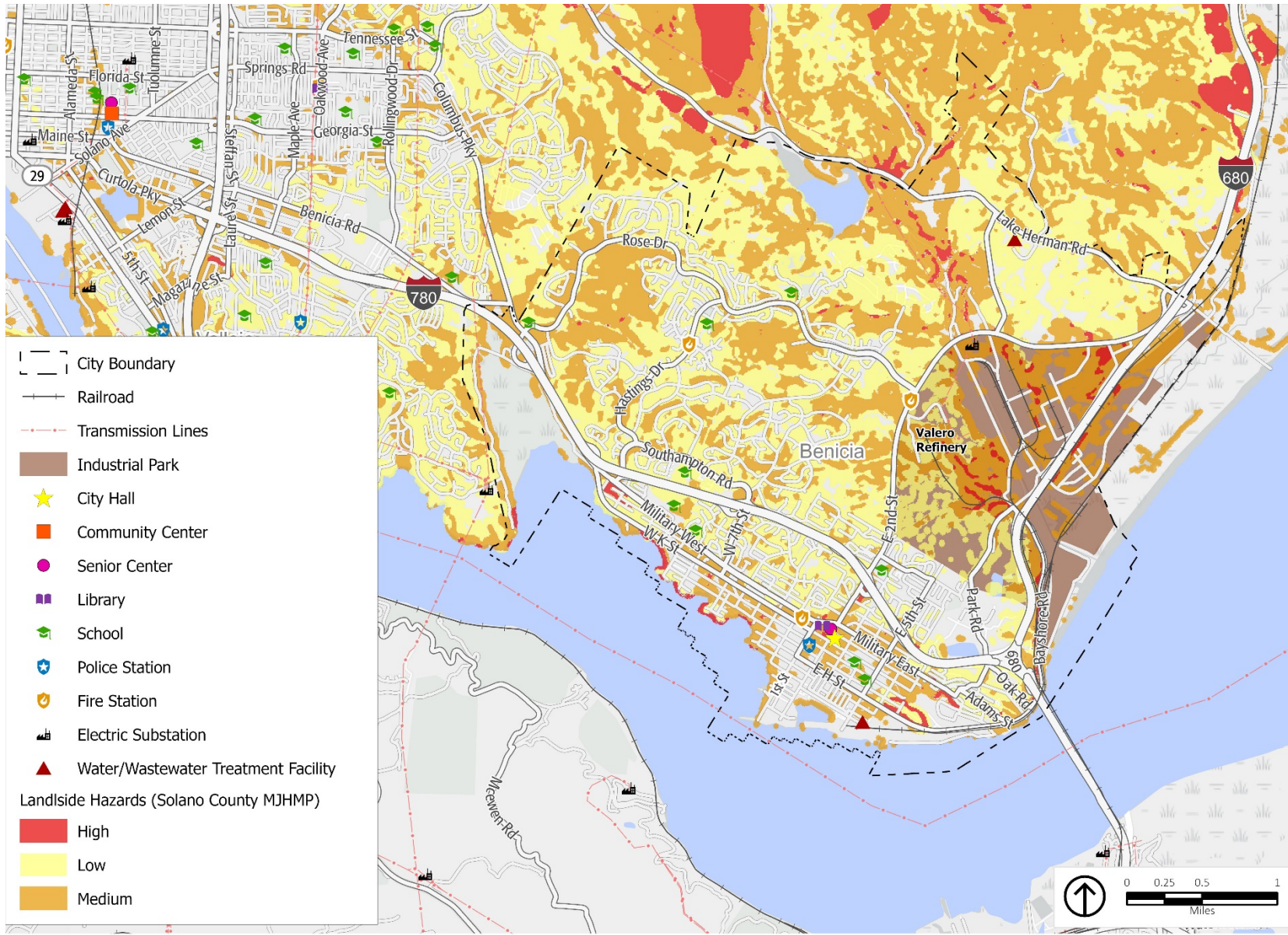
Landslides

Landslides occur when a hillside becomes unstable, causing soil and rocks to slide downslope. Landslides in Benicia can include deep failures of slopes and shallow debris flows.²⁷ Landslides are most common on steep slopes and hillsides made up of loose soil or other material where excavation and grading, drainage alterations, or changes in vegetation have occurred.²⁸ The Vulnerability Assessment looks at landslides that are caused by precipitation, although earthquakes can also trigger landslides. Hillsides commonly absorb water, which increases instability of the slope and may increase the risk of slope failure. In some cases, the hillsides can become so saturated that slope failures can result in a mudslide and debris flows (a mixture of soil and water moving downslope). As shown in **Figure 8**, several areas throughout the city are within medium landslide susceptibility areas, with higher landslide susceptibility areas surrounding the shoreline, Valero Refinery, and Benicia Industrial Park.

Landslides and mudslides can move fast enough to damage or destroy homes or other structures in their path, block roadways, and injure or kill people caught in them. The most vulnerable populations are those that may be unable to evacuate due to limited mobility, lack of access to a vehicle or communication, live in less-resilient housing units, or low-resourced populations that may prevent awareness and response to emergency notifications. Those living on single-access roadways in the northern portion of the city may lose access to their homes if roadways or the structures are damaged or destroyed by a landslide.

Infrastructure, such as electrical transmission lines, natural gas pipelines, the Valero pipelines, and hazardous materials sites can be damaged, break, or malfunction if the soil supporting them fails. This can lead to disruptions in energy delivery services and cause gases and hazardous materials to leak into the surrounding air, water, and soil. Water and wastewater pipelines and treatment facilities can also be damaged, disrupting water and wastewater services and potentially causing sewer overflows and suspension of water services. Major transportation infrastructure, such as major roadways and bridges along the I-780 and I-680 corridors, can be blocked or damaged by landslides preventing public transit access locally and regionally. Dozens of homes and residential structures are in landslide-prone areas, which can be damaged or destroyed in a landslide event. The Benicia Industrial Park also contains several areas in landslide-prone areas, and if damaged, industrial operations can be disrupted until repairs are made, harming the local economy.

Figure 8. Landslide Susceptibility Areas



Source: Solano County, PlaceWorks 2022, ESRI

Sea-Level Rise and Shoreline Flooding

As global temperatures heat up, glaciers and other land ice near poles melt and the water flows into the ocean, increasing sea levels across the globe. Higher temperatures also cause water to expand in oceans, causing further rising of sea levels in non-polar regions. Sea-level rise is a gradual process, taking place over years or decades. Along the Benicia shoreline, sea levels are projected to rise approximately 24 inches by 2050 and 84 inches by 2100.²⁹ However, it is possible that sea levels could rise faster than these projections.³⁰

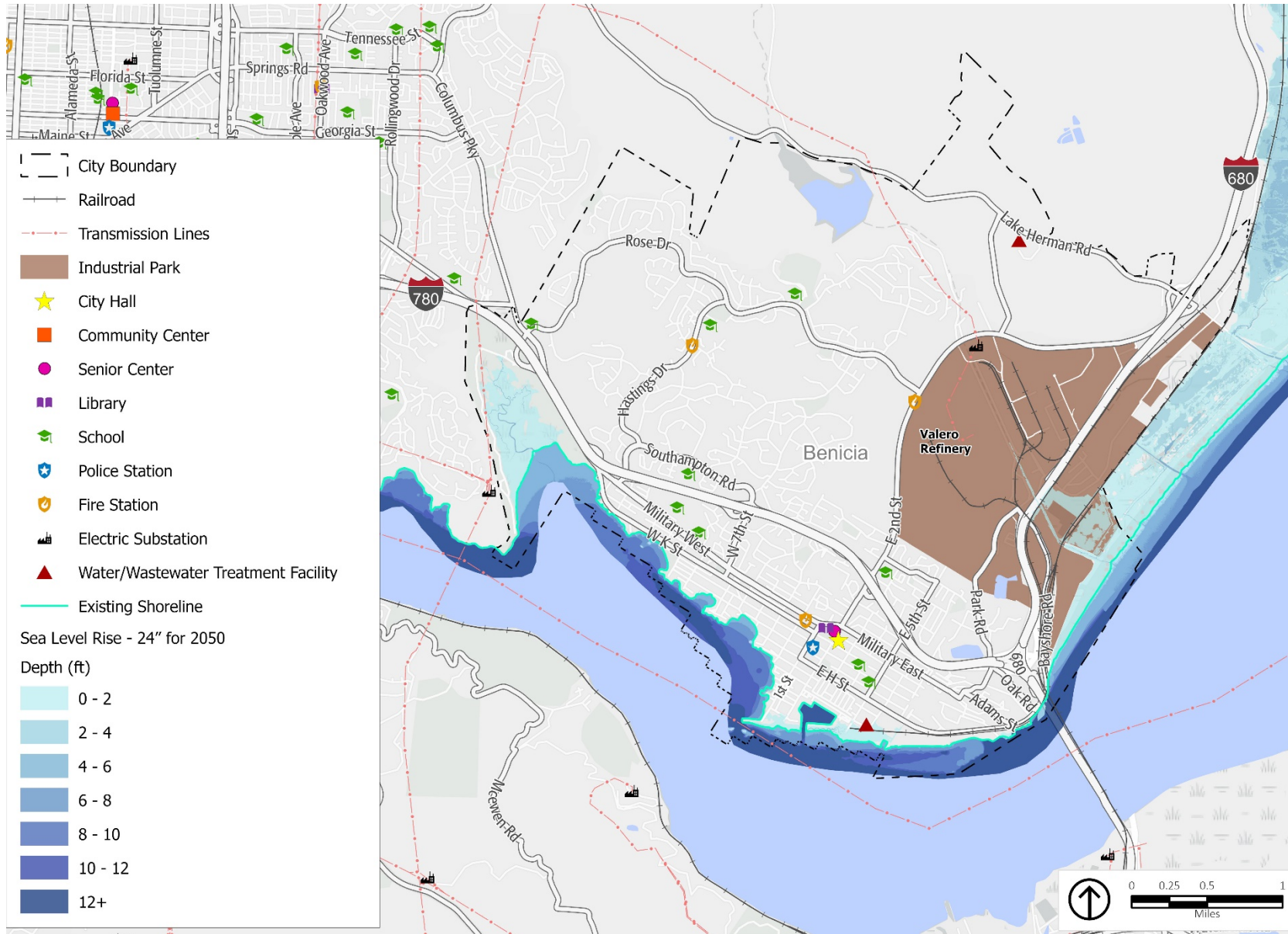
As shown in **Figure 9** and **Figure 10**, sea levels may increase enough by 2100 to permanently flood low-lying areas in the southern part of Benicia along the shoreline, including the Benicia Marina, residential areas, downtown Benicia, the southern areas of the Valero Refinery, and the Benicia Industrial Park next to the railway. Sea-level rise threatens essential buildings and infrastructure that support economic drivers and key services in Benicia, including those listed above and others such as the Benicia Port Terminal, I-680 and I-780, and the Benicia Wastewater Treatment Plant. Homes and structures built above the increased sea level can still be harmed if the higher levels of water erode the rock or soil supporting the structures, potentially making them unsafe and at risk of collapse. Sea-level rise can also cause roadways to become impassable, flood-control infrastructure to not work effectively, and hazardous material facilities to increase the risk of accidentally releasing harmful substances. In marshland habitat, higher tide levels lead to conversion to another habitat type that accommodates different plant and animal species, resulting in the alteration or loss of some ecosystem features.³¹

Rising sea levels can also cause the shoreline to flood more frequently and severely during storms or king tide events. Because ocean levels are higher during normal conditions due to sea-level rise, shoreline floods can reach further onto land. For example, a storm that has a 1 in 5 chance of occurring in a given year (known as a 5-year storm) can create a temporary increase in sea levels of approximately 24 inches. This means that if sea levels rise by 24 inches during normal conditions, a 5-year storm event would create a temporary sea-level rise of around 48 inches. Shoreline flooding in 2050 is shown in **Figure 11** and shoreline flooding in 2100 is shown in **Figure 12**. Higher sea levels can also give a “boost” to smaller floods that would not have been large enough to flood dry land during normal conditions, making shoreline flooding more frequent.

Benicia Port Terminal and Marina

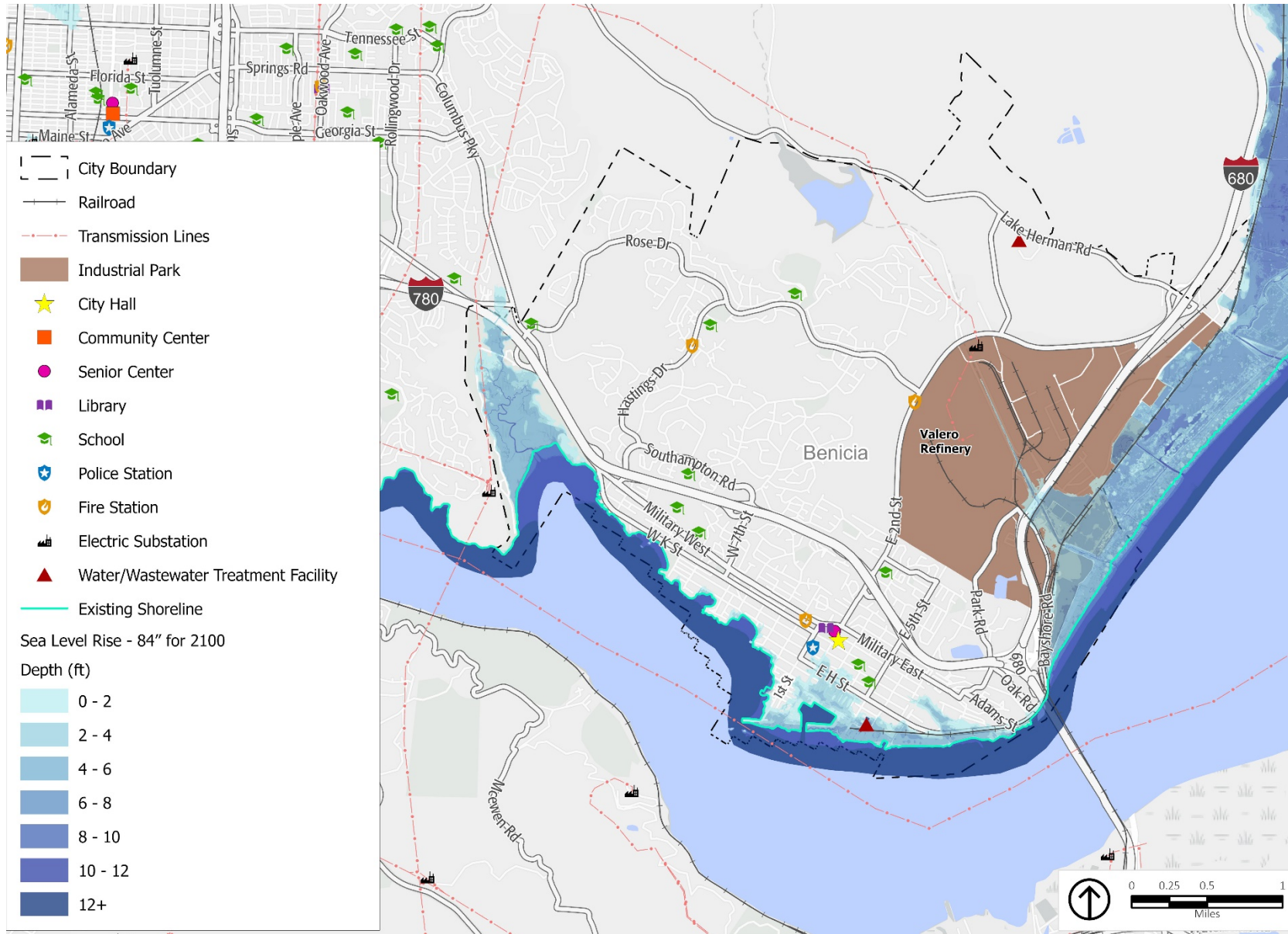
Two unique and important pieces of infrastructure and economic drivers include the Benicia Port Terminal and Marina. Although vastly different in size and services provided, these two assets will likely face devastating effects from sea-level rise and shoreline flooding. These facilities could experience chronic flooding from sea-level rise and become permanently inundated by 2100. By mid-century, while the facilities may not be permanently inundated, shoreline flooding could damage the berths and docks at both facilities, rendering them unusable until repairs are completed. This could harm the industrial facilities that depend on the port terminal and the outdoor recreation economic driver that depends on the Marina.

Figure 9. 2050 Sea-Level Rise



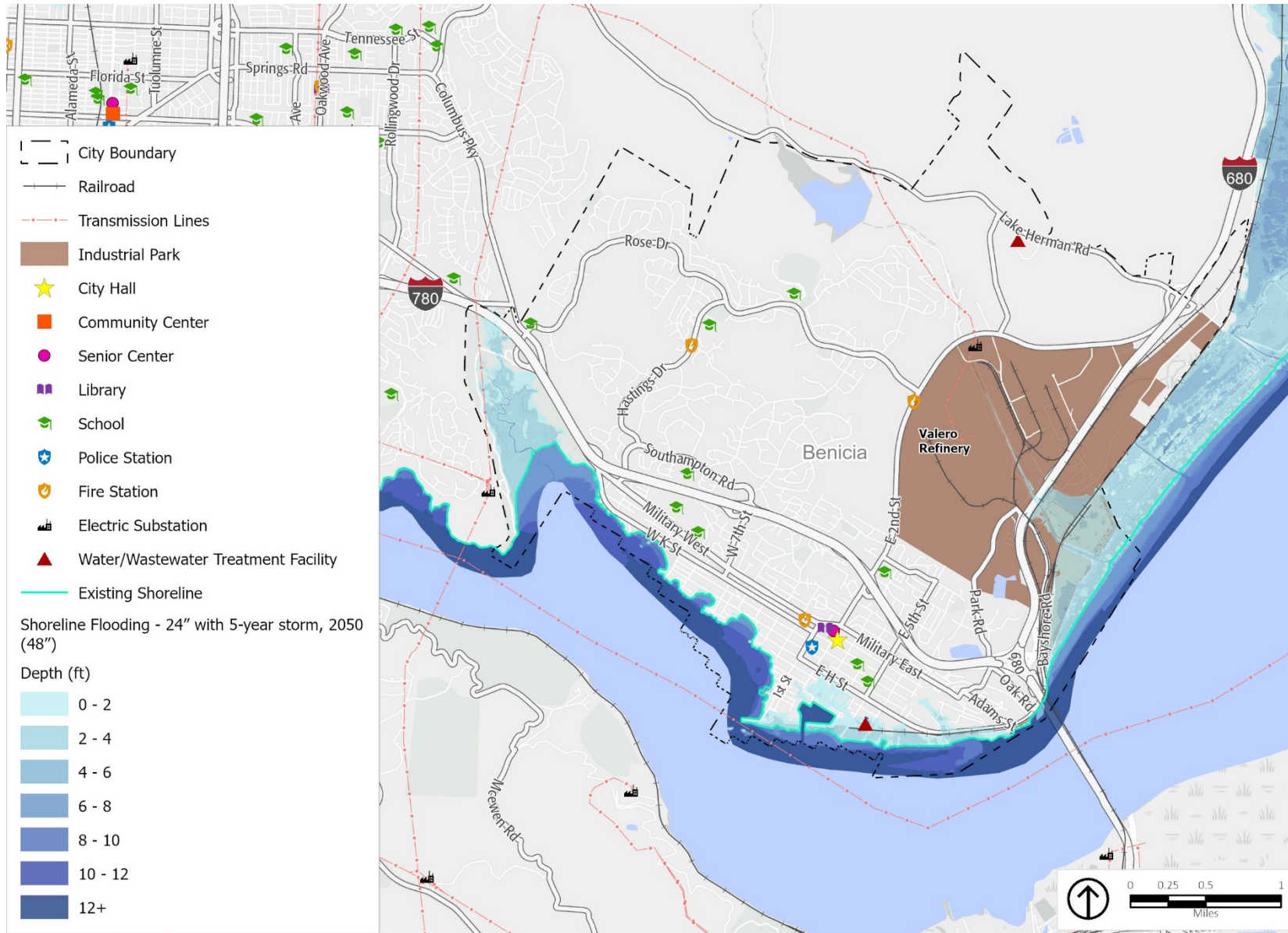
Source: Adapting to Rising Tides 2020, PlaceWorks 2022, ESRI

Figure 10. 2100 Sea-Level Rise



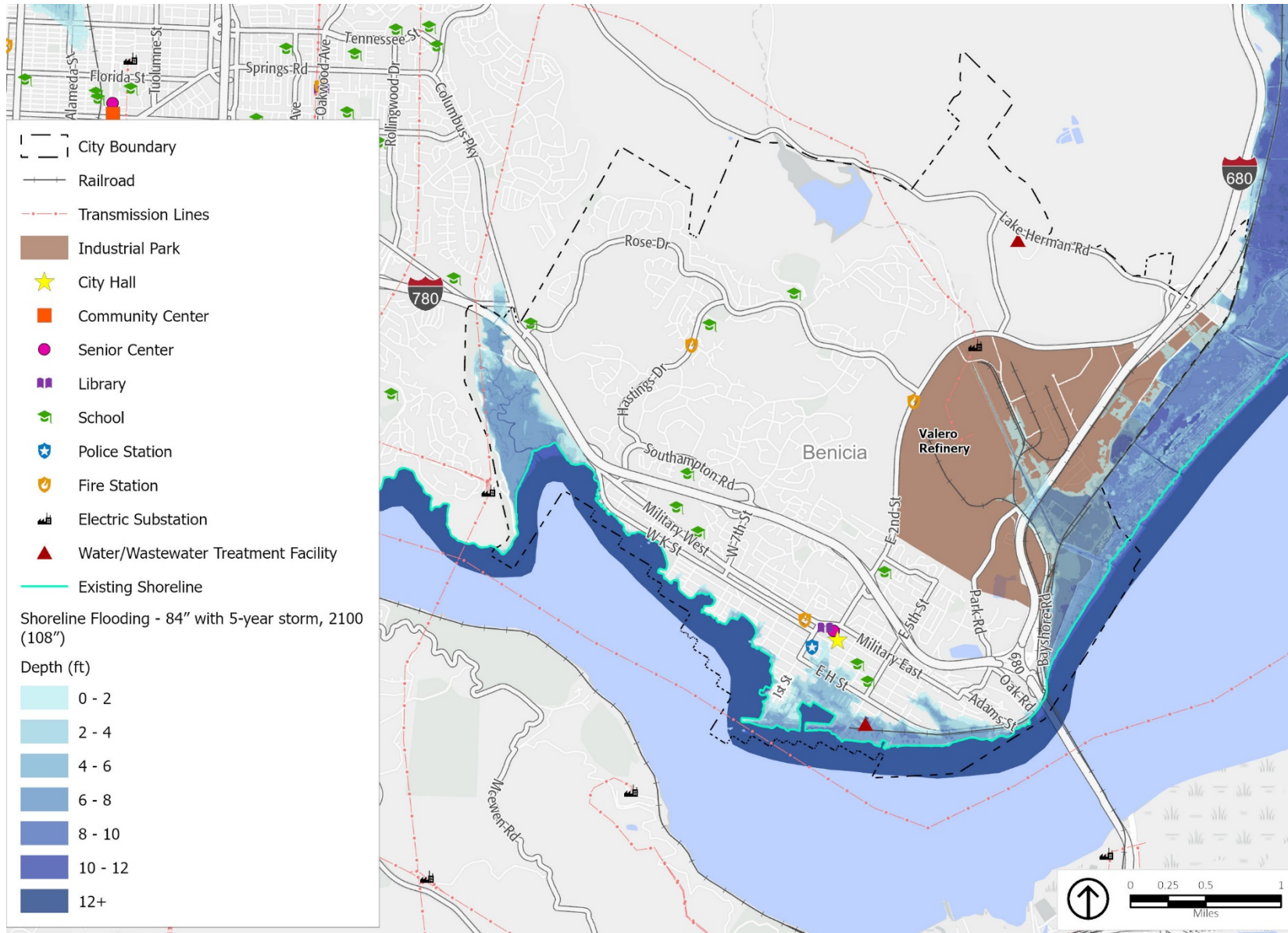
Source: Adapting to Rising Tides 2020, PlaceWorks 2022, ESRI

Figure 11. 2050 Shoreline Flooding



Source: Adapting to Rising Tides 2020, PlaceWorks 2022, ESRI

Figure 12. 2100 Shoreline Flooding



Source: Adapting to Rising Tides 2020, PlaceWorks 2022, ESRI

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During strong storms and king tides, shoreline flooding may damage or destroy homes and buildings in the Benicia Industrial Park in low-lying areas along the shoreline; disrupt transportation routes such as I-680, I-780, H Street, B Street, E. 2nd Street, East E Street, E. 5th Street, Park Road, Industrial Way, and K Street; and harm economic drivers, such as the industrial facilities, major employers, and outdoor recreation. Essential infrastructure, such as flood-control infrastructure protecting the Valero Refinery; bridges along I-680 and I-780; hazardous materials sites; and water and wastewater infrastructure (including the wastewater treatment plant), may be frequently and temporarily inundated, causing them and the economic drivers or services they support to not function as needed.³²

Those living along the shoreline, especially those in low-lying areas, are especially vulnerable to shoreline flooding. This includes many populations in Benicia, but those most vulnerable include persons living in mobile homes, low-resourced people of color, persons without access to lifelines, persons experiencing homelessness, and pollution-burdened populations. Persons with limited income may live in less-resilient structures or not have control over the housing units they live in, increasing the risk of damage from shoreline flooding and reducing the ability to recover from these events. Those with limited mobility, such as persons with disabilities and seniors, may not be able to prepare their homes for shoreline flooding and may not be able to effectively evacuate if needed. Due to potential damage to the Benicia Marina and Benicia Port Terminal, outdoor workers that depend on these facilities are highly vulnerable to shoreline flooding.

Severe Weather

Severe weather can include high winds, hail, and lightning, which are usually caused by intense storm systems, although types of high winds can occur without a storm. The connection between climate change and severe weather is not as well established as other hazards, but new evidence suggests that these forms of severe weather may occur more often than in the past.³³ Severe winds, such as the Diablo winds, tend to be most frequent during the fall and winter months and can include gusts of up to 40 miles per hour.³⁴ These winds can damage buildings, knock over trees, damage power lines and electrical equipment, and fan small fires into large wildfires in the region.³⁵ Severe weather can cause public safety power shutoff (PSPS) events to prevent sparking of power lines, cutting off electricity supply to residents and businesses for hours or days. Severe weather can also include heavy rainfall, which results in flooding of low-lying areas and flash flooding in areas such as Channel Road in the area of the Industrial Park. While less common in Benicia, hail and lightning can damage the buildings and infrastructure supporting economic sectors and key services within the city.

The people most vulnerable to severe weather are those who may be directly exposed to the hazard, such as outdoor workers and persons experiencing homelessness; those who may live in less structurally resilient buildings, such as households in poverty, immigrant communities, persons living in mobile homes, and low-resourced people of color; and those who may have difficulty preparing or responding to severe weather due to mobility or lack of access to transportation or communication. Individuals with chronic illnesses and/or disabilities who depend on electricity for life-sustaining equipment but lack backup power supply, such as a generator or battery system, are highly vulnerable due to the PSPS events that can occur during Diablo wind events. Persons living on single-access roads, including those off Rose Drive, Hastings Drive, Panorama Drive, Carolina Drive, Buena Vista, and Alta Loma, are also highly vulnerable to severe weather, as high winds and heavy rain can cause downed trees and powerlines, isolating these persons from the rest of the community if roadways are blocked.

Buildings and infrastructure, such as bridges, communication facilities, railways, hazardous materials sites, historic buildings, buildings at the Benicia Industrial Park, and homes, are highly vulnerable to severe weather, and they can be damaged by high winds, heavy rainfall, and debris carried by severe storms. Diablo wind events can damage electrical transmission and distribution infrastructure, potentially causing PSPS events, disrupting both energy delivery services and communication services.

Extreme winds and heavy rainfall can also harm ecosystems by causing large volumes of sediment to flow into riparian ecosystems and sudden oak death to spread more quickly through oak woodland forests.³⁶ Extreme heat and drought conditions may weaken natural ecosystems and prevent them from recovering from these severe weather events.

Wildfire and Wildfire Smoke

Wildfires are a regular feature of the landscape in much of California. They can be sparked by lightning, malfunctioning equipment, vehicle crashes, or many other causes. Warmer temperatures, an increase in drought conditions, and extreme Diablo wind events, are likely to create more fuel for fires in natural areas, leading to a greater chance that a spark will grow into a potentially dangerous blaze. Historically, wildfire typically occurred during the summer months, where temperatures were high and humidity was low. However, climate change is expected to extend the fire season throughout much (or even all) of the year, which may line up more closely with the Diablo wind events in fall and winter. **Figure 13** shows the fire hazard severity zones surrounding the City of Benicia, which include high fire hazard severity zones in a state responsibility area to the north and moderate fire hazard severity zones in the state responsibility area to the northeast along I-680. While these areas are outside of the city, **Figure 14** shows the wildland-urban interface, where a fire could travel from a fire hazard severity zone north of the city into developed areas south of Lake Herman. Many of the wildland-urban interface areas are near parks and open space, or the Benicia Industrial Park.

Defining the Wildland-Urban Interface

As shown on **Figure 13**, the wildland-urban interface is made up of three distinct zones:

1. **Intermix Zone.** Housing development or improved parcels interspersed in an area dominated by wildland vegetation subject to wildfire.
2. **Interface Zones.** Dense housing next to vegetation, but not dominated by wildland vegetation, that can burn in a wildfire.
3. **Influence Zone.** Wildfire-susceptible vegetation within 1.5 miles from the wildland-urban interface or wildland-urban intermix zones.

Source: CAL FIRE. 2019. *Wildland Urban Interface*.

https://frap.fire.ca.gov/media/10300/wui_19_ada.pdf.

The proximity to fire-prone areas also increases the potential for smoke from wildfires to increase air pollution levels, creating a significant health risk to community members. Because wildfires burn the trees and other vegetation that help stabilize a hillside and absorb water, landslide-prone areas burned by fire may also experience increased frequency or severity of landslides, as shown in **Figure 8**.

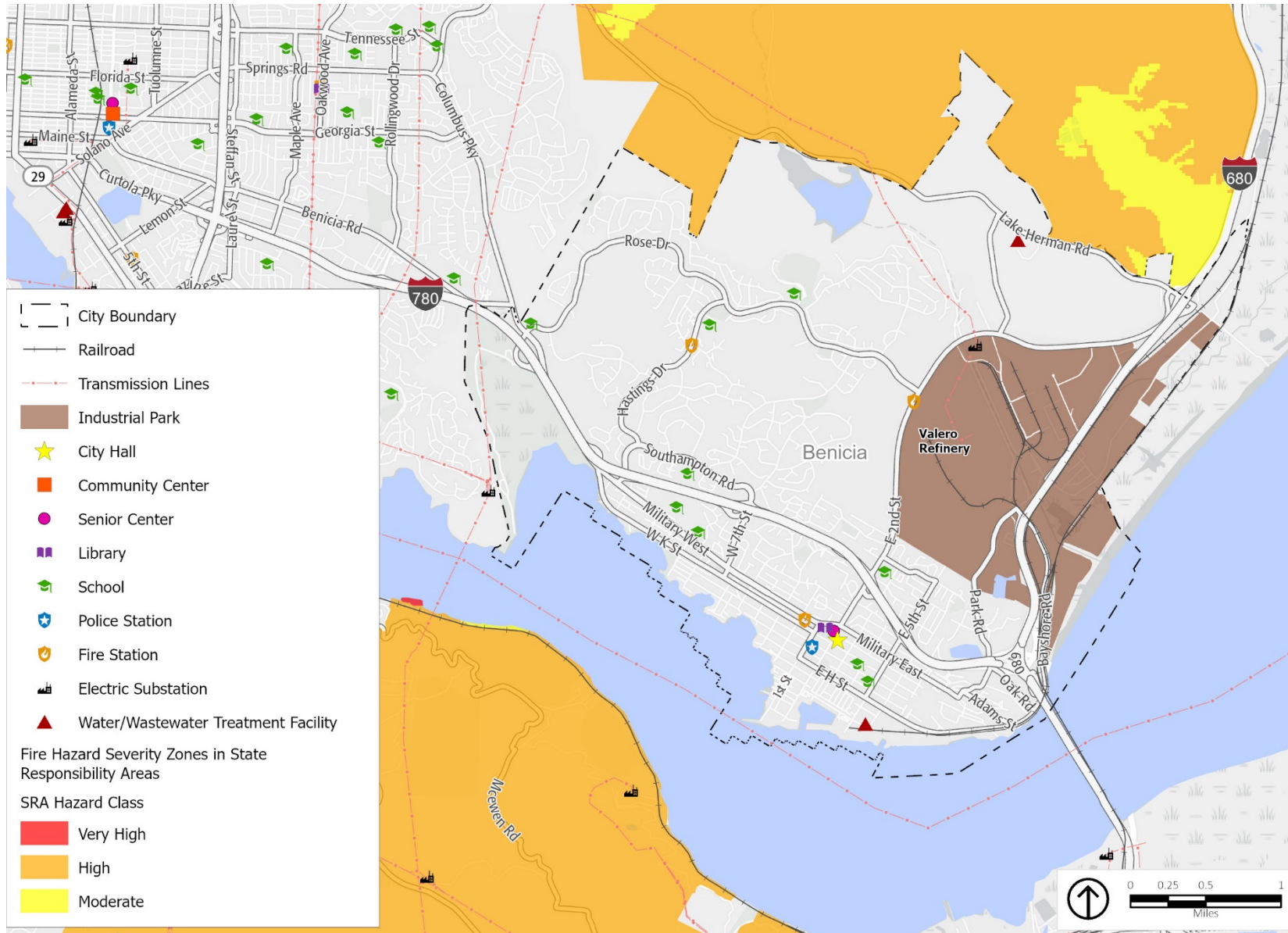
Over half of the populations evaluated in the Vulnerability Assessment are highly or severely vulnerable to wildfire and wildfire smoke. Some populations can stay indoors or travel to the Senior Citizens Center or Benicia Library to protect themselves from smoke conditions. However, those who lack medical insurance or have other financial hardships may not be able to seek medical attention for wildfire smoke-related illnesses and may be unable to afford retrofits to keep their indoor air quality clean. When wildfire smoke conditions and extreme heat events coincide, many community members are faced with either

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opening their windows to cool off their house, letting smoke in, or keeping windows closed, which keeps indoor air temperatures high. The following lists the populations most vulnerable to wildfire and wildfire smoke.

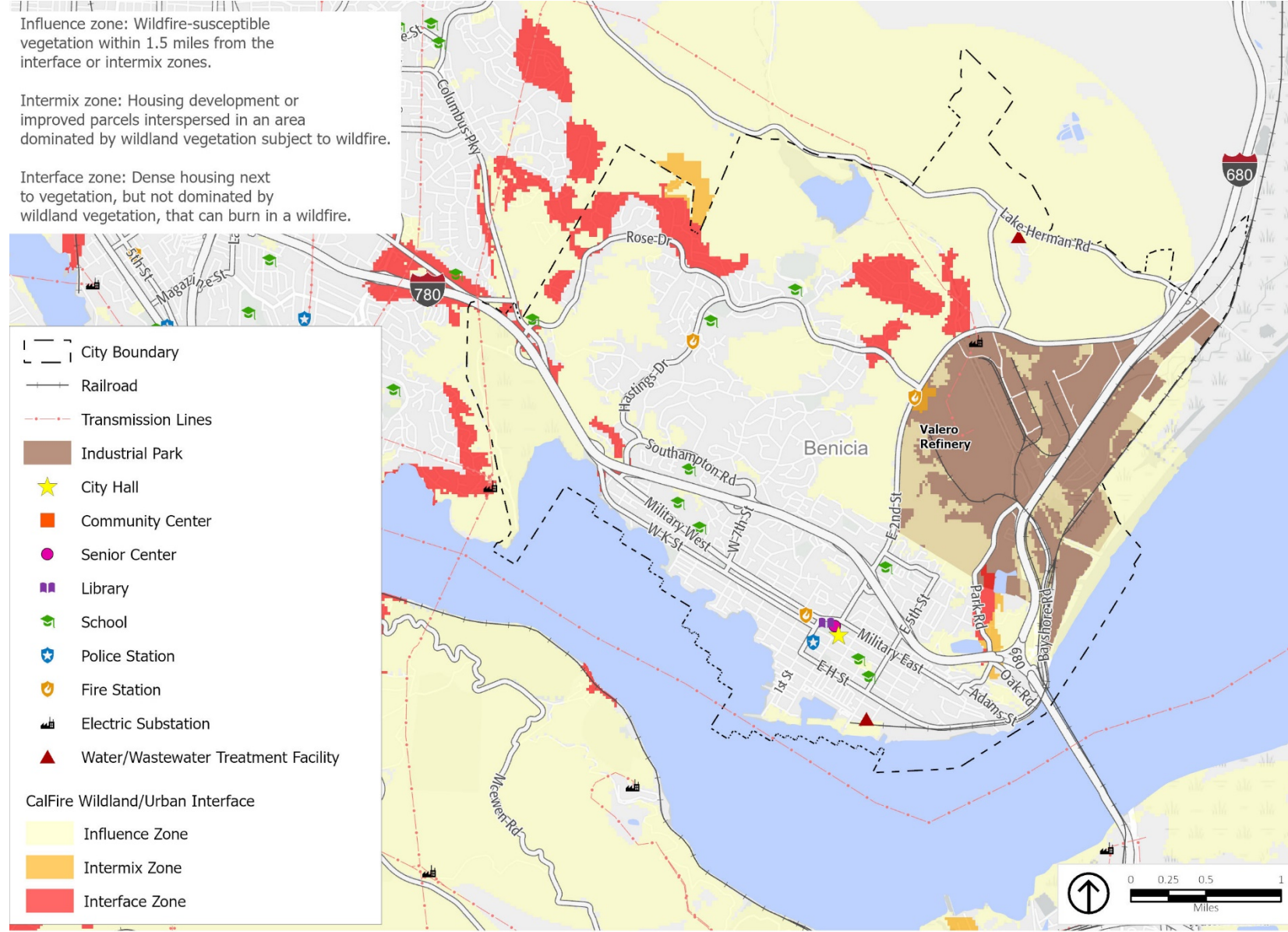
- Those with mobility issues or lack of access to transportation (seniors, children, persons without access to lifelines, persons with chronic illnesses and/or disabilities) may be unable to effectively evacuate during a wildfire emergency.
- Persons living on single-access roads could have their access point blocked by flames or debris from wildfires, and alternative routes may not be available to escape during a wildfire emergency.
- Households in poverty, immigrant communities, and low-resourced people of color may live in less-resilient structures that are more likely to burn down in the event of a wildfire. These persons may be ineligible for or lack the time and resources to rebuild and recover from wildfires and may not have medical insurance to seek help from smoke-related illnesses.³⁷
- Those who spend a disproportionate amount of time outdoors (outdoor workers and persons experiencing homelessness) may be directly exposed to smoke and ash from wildfires, causing asthma or respiratory conditions.
- Pollution-burdened populations may have existing health conditions due to pollutants in the land, water, or air where they live or work, which can be exacerbated by wildfire smoke.³⁸

Figure 13. Fire Hazard Severity Zone



Source: Solano County, PlaceWorks 2022, ESRI

Figure 14. Wildland-Urban Interface



Source: CalFire 2015, PlaceWorks 2022, ESRI

As shown in **Figure 13**, residential and industrial areas in northern and eastern Benicia are within the wildland-urban interface. Industrial buildings, including the Valero Refinery, could be burned and damaged by a wildfire, which could lead to the release of hazardous materials into the surrounding air, water, and soils. Homes and residential structures could also be burned down, reducing the available housing supply in Benicia and causing hardships for community members. Wildfires and smoke conditions may also deter community members and people from traveling to the city to participate in outdoor recreation activities, including those provided by the Benicia Marina and Pier. Although the economy can likely recover from these events, repetitive wildfire and smoke events may make recovery difficult in the recreation sector.

Key services, including energy delivery and water and wastewater treatment and delivery, are severely vulnerable to wildfires. Wildfire conditions, including days with red flag warnings (days with high temperatures, strong winds, and low humidity), can cause power outages that affect electricity delivery, and the flames of a wildfire can damage or destroy electrical transmission and delivery systems, disrupting energy delivery to both residents and businesses. Wildfires in the region could also impact the Solano Project and Lake Herman, which Benicia relies on for some of its water supply, by reducing water quality with ash and other particulate matter, although water treatment facilities can help address this. With more frequent smoke conditions, community members may be less likely to use public transit, reducing the fares collected on those days and harming public transit access services.

Vegetative Fuels Management Plan

The City of Benicia manages over 1,800 acres of open space, many of which surround residential and commercial developments. To protect these developed areas, the Vegetative Fuels Management Plan will include a site-specific approach to creating defensible space between the open space and built environment. The plan will include an evaluation of costs and benefits of vegetation management, a site-specific approach to determining wildfire risk and best management practices, and public engagement to set management goals in line with the values of Benicia residents. This plan will increase the resilience of the city to wildfires in the wildland-urban interface.

Source: City of Benicia Fire Department and Dynamic Planning + Solutions. 2021. "City of Benicia Vegetation Fuels Management Plan." <https://storymaps.arcgis.com/stories/aac933c4ca02470ab0d0e120955c5d31>.

COMMUNITY HEALTH AND SAFETY ELEMENT UPDATE IMPLICATIONS

Equity and Uncertainty

When addressing vulnerability and adaptation through general plan policies and the associated implementation plan, the *Adaptation Planning Guide* and *General Plan Guidelines* recommend consideration of equity and uncertainty.

Equity means that all people are justly and fairly included in society, and that everyone is able to participate, prosper, and achieve their full potential. Equitable climate adaptation planning involves identifying persons who are most vulnerable to climate change hazards, and ensuring that the planning process, distribution of resources, and efforts to address systematic wrongs are all conducted in an equitable manner. This Vulnerability Assessment identifies 20 vulnerable populations and assesses climate change impacts and the ability of these populations to prepare for, respond to, and recover from climate change hazards (see list in the Vulnerability Assessment Method section). Some of the most vulnerable populations in Benicia, such as households in poverty, are also considered characteristics of state-defined disadvantaged communities. Pollution-burdened communities are often environmental justice communities, or communities that face a disproportional amount of environmental pollutants, that may have a more difficult time preparing for and recovering from climate change hazards due to existing disparities, resources, and illnesses caused by polluted air, water, and soil in their neighborhoods.³⁹

Uncertainty is the second component to consider when determining how climate change hazards may affect Benicia. Climate change is driven by the concentration of greenhouse gases (GHGs) in the atmosphere, which is affected by how our communities use resources and how we regulate those uses through local, state, federal, and international GHG-reduction goals, regulations, plans, and programs. As governments, businesses and private organizations, and individuals take more action to reduce GHG emissions, the less severe the effects of climate change are expected to be. Climate change models consider the concentrations of atmospheric GHG emissions and the changes in these levels over time to project future extent or intensity of hazardous events.

Even with the extensive modeling, potential impacts are projections of more likely future conditions and are not certain. Similarly, there is also substantial uncertainty about the future state of technology, socioeconomic conditions, and other factors. According to recent studies, the best approach to uncertainty is to minimize inaction by developing “no regrets” strategies that help protect against both current and future conditions and have low costs compared to the benefits.

Greenhouse Gas Emissions

Currently, the global climate is changing due to an increase in GHG emissions that trap heat near the Earth’s surface. While some levels of these gases, such as carbon dioxide, are necessary to maintain a comfortable temperature on Earth, an increased concentration due to human activity traps additional heat, changing Earth’s climate systems.

Opportunities

Benicia currently experiences a wide range of climate change hazards that are projected to increase in frequency and intensity in the future. While measures in *2009 Benicia Climate Action Plan* helped reduce the amount of GHGs in the atmosphere, adaptation strategies are needed to increase the resilience of residents and businesses in Benicia.

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The Community Health and Safety Element of the General Plan should integrate adaptation and resilience measures that will help the community prepare for, respond to, and recover from climate change hazards. The Community Health and Safety Element’s goals, policies, and implementation actions can provide resilience strategies that support both reduced impacts and improved adaptive capacity of the community to climate change hazards, as identified in this Vulnerability Assessment, along with policies on other required hazards, such as seismic and geologic hazards. Policies within this element can ensure that health and safety concerns of the community are met, even with an increase in frequency and intensity of climate change hazards. Examples of specific policies or implementation actions could include:

- Develop a program to help residents and business owners install air conditioning units in buildings.
- Expand participation in programs and services that provide funding resources for economically disadvantaged households and businesses to conduct energy-efficiency, weatherization, and code compliance retrofits.
- Work with Solano County to provide alerts about potential, developing, and ongoing emergency situations through extensive early-warning and notification systems that convey information to all residents, in multiple languages and formats to ensure it is widely accessible.
- Implement the Vegetation Fuels Management Plan and require homes within the wildland-urban interface to maintain defensible space consistent with California Fire Safe Standards.
- Ensure evacuation routes remain open and functional during emergencies, including hardening or raising roadways above shoreline or inland flooding heights.
- Work with the Solano County Water Agency to promote water conservation measures, low-impact development, and green infrastructure that can help convey stormwater and reduce impacts from both drought and flooding.
- Retrofit the Benicia Wastewater Treatment Plant with flood-control devices and green infrastructure to reduce the flooding from both inland and shoreline sources.
- Conduct riparian and marshland restoration projects to protect against both inland and shoreline flooding.
- Partner with the Adapting to Rising Tides Program, Delta Stewardship Council, property owners, and community-based organizations to conduct a managed retreat feasibility study that identifies specific assets at risk and the cost of facilitating managed retreat.
- Continue to coordinate with the Valero Refinery, AMPORTS, Union Pacific Railroad and Benicia Industrial Park Association to ensure industrial facilities are prepared for climate change hazards to ensure continued operations and to prevent the release of hazardous materials.

The Urban Sustainability Network’s *Resilience Hub White Paper* and Resilience Hubs website (<http://resilience-hub.org/>) and the NorCal Resilience Network’s Resilience Hub Initiative⁴⁰ also provide a key resilience strategy for increasing resilience throughout the city: the integration of physical and virtual resilience hubs. These can serve as centralized locations for resources about climate change, opportunities to reduce emissions, and techniques to increase resilience, showcases for sustainability, energy-efficiency, and low carbon building, and to help residents obtain essential resources and information during and after a disaster. Examples of specific implementation actions could include:

- Identify existing facilities to serve as resilience hubs and cooling centers that open during emergencies or specific temperature triggers for residents to go to seek refuge from extreme heat days, smoke days, or emergency shelter.
- Coordinate with emergency management services to establish backup power, preferably from renewable energy sources, and water resources at emergency shelters, resilience hubs, and cooling centers in case of power outages.

Resilience in Other Planning Mechanisms

Resilience should not be limited to the General Plan. Adaptation and resilience rely on a cross-department, multi-disciplinary approach for successful implementation. The City should consider how adaptation and resilience can also be incorporated into other City plans, codes, projects, and implementation programs. Addressing climate change hazard events in the General Plan can support other essential safety documents, such as the *Benicia Hazard Mitigation Plan*. Development standards such as residential building codes for buildings in flood zones, sea-level rise areas, fire-prone areas, and development of adequate evacuation routes can be integrated into the Benicia Municipal Code. Policies that focus on emergency response to hazards can be included in an evacuation plan or an emergency operations plan. Adaptation measures that also reduce GHG emissions can be integrated into the *Benicia Climate Action Plan* and may support implementation of the updated *Benicia Parks, Trails, and Open Space Master Plan*. Policies related to drought and flooding may be integrated into the *Benicia Urban Water Management Plan* and *Water Master Plan*. Furthermore, programs such as the *Benicia Capital Improvement Plan*, can help implement the resilience policies developed in the Community Health and Safety Element and recently adopted *Hazard Mitigation Plan* through specific projects, development codes, and budgeting.

CONCLUSION

The Vulnerability Assessment identifies which hazards are expected to harm sensitive populations and assets, and which assets are most vulnerable to various hazards that are projected to intensify with climate change. A comprehensive set of results is in **Appendix B**. Understanding how climate change will affect the community and identifying the vulnerable populations and assets will enable Benicia to implement effective GHG-reduction measures and climate adaptation strategies that meet community needs and create a safer, more sustainable, and healthier community.

As the climate continues to change, climate change hazards will continue to harm populations, infrastructure and buildings, economic drivers, and key community services in Benicia. The Community Health and Safety Element Update will integrate adaptation strategies into goals, policies, and implementation measures that will help increase resiliency and reduce vulnerability throughout the city.

APPENDIX A: LIST OF POPULATIONS AND ASSETS

Items Included in the Benicia Vulnerability Assessment

PlaceWorks proposed the following populations and other assets for inclusion in the Vulnerability Assessment. Each list includes a description and source of data needed to support the Vulnerability Assessment.

Populations

PlaceWorks collected population data from the U.S. Census (American Community Survey and Decennial Census), the California Healthy Places Index, CalEnviroScreen 4.0, and the Solano County Homeless Point in Time Count, consistent with the Housing Element Update. The American Community Survey data is an estimate only, which has some margin of error. Some of the data for populations listed here is not available spatially or the population type is spread throughout the city. In those cases, the scoring for the population is averaged over the entire city and the project team will use literature or local knowledge to convey how those populations are affected by a particular hazard. According to the 2020 Decennial Census, Benicia is home to approximately 27,131 residents and 11,377 households; according to the 2019 American Community Survey, Benicia supports about 14,700 jobs. The 20 populations identified as vulnerable by City staff are:

- Children under 10: An estimated 1,400 children under 10 live in Benicia.⁴¹
- Cost-burdened households: Households paying 30 percent or more of their income towards housing expenses, which is an estimated 2,300 households in Benicia.⁴²
- Households in poverty: Households with an income below 30 percent Area Median Income, which is \$29,150 for a household of four in Solano County. Benicia has an estimated 970 households in poverty.⁴³
- Immigrant communities: Communities consisting of foreign-born populations, including immigrants, refugees, and undocumented persons. Approximately 7,600 people in Benicia were born outside of the U.S.⁴⁴
- Linguistically isolated persons: Especially persons that predominantly speak Spanish, Tagalog, and Chinese.⁴⁵ An estimated 250 people in Benicia over the age of 5 do not speak English well or at all.⁴⁶
- Low-income households: The State of California identifies \$77,600 as the low-income threshold for a household of four people in Solano County in 2021.⁴⁷ Approximately 2,700 households are considered low-income in Benicia.⁴⁸
- Low-resourced people of color: Persons identifying as a member of a racial and/or ethnic group and facing limited access to resources, such as financial, social, healthcare, or educational assistance.^{49,50}
- Outdoor workers: Workers in landscaping, construction, and outdoor recreation. An estimated 1,800 people in Benicia work in outdoor occupations.⁵¹
- Overcrowded households: Housing units that have more than 1.0 persons or more per room (excluding bathrooms and kitchens). An estimated 250 households in Benicia are considered overcrowded.⁵²

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- Persons experiencing homelessness: 2019 Point-in-Time count reported 37 unsheltered and 9 sheltered persons experiencing homelessness in Benicia.⁵³
- Persons living in mobile homes: There are approximately 240 mobile homes in Benicia.⁵⁴
- Persons living on single-access roads: Persons living in homes off Rose Drive, Hastings Drive, Panorama Drive, Carolina Drive, Buena Vista, and Alta Loma.
- Persons with chronic illness and/or disabilities: Approximately 3,100 people in Benicia identify as having a disability.⁵⁵
- Persons without a high school degree: Approximately 760 people in Benicia do not have a high school degree or equivalent.⁵⁶
- Persons without access to lifelines: Persons without reliable access to a car or communication systems. An estimated 370 people in Benicia do not have access to a vehicle.⁵⁷
- Pollution-burdened populations: Populations or neighborhoods burdened with pollution from diesel particulate matter, lead risk from housing, toxic releases from facilities, cleanup sites, hazardous waste sites, and impaired waters.⁵⁸
- Renters: There are approximately 3,200 renter-occupied housing units, or roughly 8,000 residents, in Benicia.⁵⁹
- Seniors (65+): Approximately 5,500 people in Benicia are 65 years of age or older.⁶⁰
- Seniors living alone: Approximately 1,800 people ages 65 and older live alone in Benicia.⁶¹
- Unemployed persons: Approximately 400 people over the age of 16 are unemployed in Benicia.⁶²

Infrastructure

PlaceWorks gathered details on infrastructure from state and local geographic information system (GIS) data, the 2016 *Climate Change Adaptation Plan*, and the 2022 *Solano County Multi-Jurisdictional Hazard Mitigation Plan*. These 16 asset groups are:

- Benicia Port Terminal
- Benicia Marina and Pier
- Bicycling and pedestrian trails: Benicia Crosstown Trail, San Francisco Bay Trail, Bay Area Ridge Trail, The Great California Delta Trail, Rollye Wilkerson Trail, bike networks.⁶³
- Bridges: 28 locally and state-maintained bridges along Interstate (I-) 680 and I-780, including the Benicia-Martinez Bridge.
- Communication facilities: 14 cell towers, radio sites, and internet lines.
- Electrical transmission infrastructure
 - Transmission lines: Pacific Gas and Electric Company (PG&E), Transbay Cable.
 - Substations: Bahia Substation (PG&E)
- Electric vehicle charging stations: Five public charging stations.
- Flood-control infrastructure: Embankments, shoreline protection structures, berms, 5 miles of levees along San Pablo Bay, Carquinez Strait, and Suisun Bay managed by Benicia and the Solano County Water Agency.
- Hazardous materials sites: 144 hazardous materials sites, including the Valero Oil Refinery.

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- Major roads and highways
 - State: I-780, I-680.
 - Local: First Street, East Second Street, Park Road, Industrial Way, Bayshore Road, East Fifth, Military East, Military West, East H Street, Hillcrest Avenue, West K Street, West J Street, West Seventh Street, Southampton Road, Panorama Drive, Hastings Drive, Rose Drive, Columbus Parkway, Chelsea Hills, Kearny Road, and McAllister Drive.
- Natural gas pipelines: Approximately 9 miles of PG&E natural gas pipelines.
- Parks and open space
 - State: Benicia State Recreation Area
 - City: 28 City parks and facilities
- Railway: 13 miles of railways, including Union Pacific Railway, Amtrak, and the freight rail station serving the Benicia Industrial Park.
- Solid waste facilities: CCL Organics.
- Transit facilities: Approximately 200 SolTrans bus stops.
- Water and wastewater infrastructure: Water pipeline between Fairfield and Benicia, Benicia Water Treatment Plant and Benicia Wastewater Treatment Plant managed by the City’s Public Works Department, Valero Wastewater Treatment Plant, and water and wastewater pipelines, sewer lift stations, pump stations, water tanks, gravity dam, levee, and other collection or distribution facilities.

Buildings

PlaceWorks collected buildings data from Google Maps, the Benicia Parks and Community Services Department, the California School Database, and the 2022 *Solano County Multi-Jurisdictional Hazard Mitigation Plan*. These nine assets are:

- Benicia Industrial Park
- Community centers and libraries: Benicia Community Center, Benicia Public Library, and the Benicia Senior Citizens Center.
- Commercial businesses: 1st Street, Southampton Shopping Center, and Parkway Plaza.
- Government buildings: Benicia City Hall facilities and Benicia Corporation Yard.
- Historic buildings and museums: Benicia Historical Museum at Camel Barns, Jefferson Street Mansion, Benicia Clock Tower, Benicia Fire Museum, and Benicia Capitol State Historic Park.
- Homes and residential structures: Approximately 11,400 housing units in Benicia.⁶⁴
- Medical and care facilities: Benicia Dialysis, Delta Bay Surgery Center, and local medical offices.
- Public safety buildings: Benicia Police Department, Benicia Fire Department Station #11, and Station #12.
- Schools: Mary Farmer Elementary School, Robert Semple Elementary School, Benicia Primary School, Joe Henderson Elementary, Matthew Turner Elementary, Benicia Middle School, Benicia High School, Liberty High School, and St. Dominic School.

Economic Drivers

PlaceWorks determined important economic assets based on the 2020 Comprehensive Annual Financial Report, U.S. Census ACS Table S2404, and land uses within the city. These five assets are:

- Education services: Approximately 750 people work in educational services.
- Industrial facilities: Approximately 3,000 people work in construction, warehousing, manufacturing, and wholesale trade industries.
- Major employers: Valero, Benicia Unified School District, Dunlop Manufacturing, Pro-form Laboratories, City of Benicia, Certified Safety Inc., Coca Cola Bottling Co., AWT Construction, Central Coast Wine, and Bio-Rad Laboratories, Inc.
- Outdoor recreation.
- Retail centers: Approximately 700 people work in retail trade.

Ecosystems and Natural Resources

PlaceWorks determined the ecosystems and natural resources based on the General Plan Open Space and Conservation of Resources chapter and the *2022 Draft Vegetation Management Plan*. These five resource types are:

- Coastal scrub
- Grassland
- Marshland
- Oak woodland
- Riparian areas

Key Services

These assets are based on typical services provided in cities throughout California, which are supported by the infrastructure and buildings listed previously. Key community services include the operation and functions needed to provide and maintain services. The Vulnerability Assessment evaluates the infrastructure and people needed to support them separately. These eight services include:

- Communications services: AT&T, Comcast, and other internet and cell service providers.
- Emergency medical response: Benicia Fire Department and Solano County Emergency Medical Services Agency.
- Energy delivery: PG&E and MCE.
- Government administration and community services.
- Public safety response: Benicia Fire Department and Benicia Police Department.
- Public transit access: SolTrans.
- Solid waste removal: Allied Waste Management.
- Water and wastewater treatment, delivery, and collection: Benicia Public Works Department, Valero Refinery, Solano County Water Agency, Solano County Water Project, and the State Water Project.

APPENDIX B: VULNERABILITY ASSESSMENT RESULTS MATRIX

The Vulnerability Assessment evaluates the impact and adaptive capacity of 64 populations and assets for each of the relevant 9 hazards. Vulnerability scores of V1 to V5 were assigned to reflect how susceptible the population or asset is to the harm posed by the hazard. The following list describes what each score means:

- V1: Minimal Vulnerability
- V2: Low Vulnerability
- V3: Moderate Vulnerability
- V4: High Vulnerability
- V5: Severe Vulnerability

The City assessed 452 different pairings for vulnerability, 164 of which scored as highly or severely vulnerable. The following matrix provides the scores for each population and assets to each relevant hazard. Gray cells with a dash (-) indicate that a specific hazard is not applicable to a specific population or asset, and therefore was not scored.

POPULATIONS AND ASSETS	SHORELINE FLOODING	DROUGHT	EXTREME HEAT & WARM NIGHTS	HUMAN HEALTH HAZARDS	INLAND FLOODING	LANDSLIDES	SEA-LEVEL RISE	SEVERE WEATHER	WILDFIRE
Populations									
Children under 10	V3	V1	V5	V3	V3	V3	-	V3	V4
Cost-burdened households	V3	V3	V3	V3	V3	V3	V3	V2	V3
Households in poverty	V4	V4	V5	V5	V5	V4	V4	V5	V5
Immigrant communities	V4	V3	V5	V4	V4	V4	-	V4	V4
Linguistically isolated persons	V3	V2	V3	V3	V4	V3	-	V3	V3
Low-income households	V2	V3	V4	V3	V3	V3	V3	V3	V3
Low-resourced people of color	V5	V4	V5	V5	V4	V4	V4	V4	V4
Outdoor workers	V3	V3	V5	V5	V3	V3	V4	V4	V5

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POPULATIONS AND ASSETS	SHORELINE FLOODING	DROUGHT	EXTREME HEAT & WARM NIGHTS	HUMAN HEALTH HAZARDS	INLAND FLOODING	LANDSLIDES	SEA-LEVEL RISE	SEVERE WEATHER	WILDFIRE
Overcrowded households	V2	V1	V3	V4	V2	V2	-	V1	V2
Persons experiencing homelessness	V4	V3	V5	V5	V4	-	-	V5	V5
Persons living in mobile homes	V5	V2	V4	V3	V5	-	V5	V5	V3
Persons living on single-access roads	-	-	V1	V2	V1	V4	-	V4	V4
Persons with chronic illness and/or disabilities	V4	V3	V4	V5	V3	V4	-	V4	V5
Persons without a high school degree	V2	V1	V2	V2	V2	V2	-	V2	V2
Persons without access to lifelines	V5	V2	V3	V4	V5	V4	-	V4	V4
Pollution-burdened populations	V5	V3	V4	V4	V4	V3	V4	V3	V5
Renters	V4	V1	V4	V2	V3	V3	V3	V3	V2
Seniors (65+)	V4	V1	V4	V4	V4	V4	-	V3	V4
Seniors living alone	V5	V2	V5	V5	V5	V5	-	V4	V5
Unemployed persons	V3	V2	V3	V3	V3	V3	-	V3	V3

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POPULATIONS AND ASSETS	SHORELINE FLOODING	DROUGHT	EXTREME HEAT & WARM NIGHTS	HUMAN HEALTH HAZARDS	INLAND FLOODING	LANDSLIDES	SEA-LEVEL RISE	SEVERE WEATHER	WILDFIRE
Infrastructure									
Benicia Port Terminal	V4	-	V1	-	-	-	V5	V2	-
Benicia Marina and Pier	V5	-	V2	-	V5	-	V5	V3	-
Bicycling and pedestrian trails	V3	V2	V2	-	V2	V2	V2	V2	V2
Bridges	V4	-	V3	-	V4	V4	V2	V5	V2
Communication facilities	V1	-	V3	-	-	V2	-	V4	V1
Electrical transmission infrastructure	V2	-	V5	-	V2	V4	-	V5	V3
Electric vehicle charging stations	V2	-	V3	-	-	V2	V2	V2	-
Flood-control infrastructure	V5	-	-	-	V4	-	V4	V3	-
Hazardous materials sites	V4	-	V2	-	V4	V5	V4	V4	V3
Major roads and highways	V5	-	V3	-	V3	V4	V4	V3	V3
Natural gas pipelines	-	-	-	-	V4	V4	-	-	-
Parks and open space	V3	V3	V3	-	V2	V3	V2	V3	V2
Railway	V5	-	V4	-	V5	V5	V5	V4	V2
Solid waste facilities	-	-	V2	-	V2	V3	-	V2	V3
Transit facilities	V2	-	V2	-	V1	V2	-	V3	-
Valero pipelines	V2	-	-	-	V4	V4	-	-	-

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Water and wastewater infrastructure	V5	V2	V1	-	V5	V3	V5	V2	-
Buildings									
Benicia Industrial Park	V4	-	V3	-	V4	V4	V5	V4	V4
Community centers and libraries	-	-	V1	-	-	V3	-	V2	-
Commercial businesses	V3	-	V2	-	V4	V2	V3	V3	-
Government buildings	V1	-	V1	-	V2	V1	V2	V2	-
Historic buildings and museums	V2	-	V2	-	V2	-	V3	V4	-
Homes and residential structures	V5	-	V3	-	V5	V5	V5	V5	V4
Medical and care facilities	V3	-	V1	-	V2	V2	V2	V3	-
Public safety buildings	V1	-	V1	-	-	V3	-	V1	V2
Schools	V2	-	V3	-	-	V1	-	V3	V3
Economic Drivers									
Education services	V2	V2	V3	V3	V2	V2	-	V2	V3
Industrial facilities	V4	V3	V3	V3	V4	V4	V4	V3	V2
Major employers	V4	V2	V3	V3	V4	V3	V3	V2	V3
Outdoor recreation	V4	V2	V4	V2	V3	V3	V3	V3	V4

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POPULATIONS AND ASSETS	SHORELINE FLOODING	DROUGHT	EXTREME HEAT & WARM NIGHTS	HUMAN HEALTH HAZARDS	INLAND FLOODING	LANDSLIDES	SEA-LEVEL RISE	SEVERE WEATHER	WILDFIRE
Retail centers	V3	V1	V2	V3	V2	V3	V2	V3	V2
Ecosystems and Natural Resources									
Coastal scrub	V3	V3	V3	-	V2	V2	V2	V3	V3
Grassland	V2	V3	V2	-	V1	V1	V1	V1	V3
Marshland	V5	V4	V5	-	V1	-	V5	V2	-
Oak woodland	-	V3	V3	-	V2	V2	-	V5	V3
Riparian areas	V3	V4	V3	-	V3	V3	V2	V4	V2
Key Services									
Communications services	V1	-	V2	-	V1	V2	V1	V4	V2
Emergency medical response	V3	-	V3	V4	V3	V3	V3	V3	V3
Energy delivery	V2	V2	V5	-	V3	V4	V1	V5	V5
Government administration & community services	V2	-	V1	V2	V2	V1	V2	V2	V2
Public safety response	V3	-	V2	V2	V3	V3	V3	V3	V3
Public transit access	V3	-	V4	V3	V3	V4	V2	V3	V4
Solid waste removal	V3	-	V3	V3	V2	V3	V2	V2	V3
Water and wastewater treatment, delivery, and collection	V5	V4	V3	-	V5	V4	V5	V3	V5

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BENICIA COMMUNITY HEALTH AND SAFETY ELEMENT UPDATE – DRAFT POLICIES

EMERGENCY PREPARATION AND RESPONSE

The numbering of these policies is only for ease of reference. Existing or modified goals are numbered to be consistent with the existing General Plan text. New goals have been numbered sequentially; all numbering will be adjusted in the draft Safety Element to be released at a later date.

New Goal #1: Minimize threats to public health, safety, and welfare resulting from natural and human-caused hazards.

- Policy 1.1: Incorporate the current Solano County Multi-Jurisdiction Hazard Mitigation Plan and subsequent local or multi-jurisdiction updates by reference into the Community Health and Safety Element.
 - Program 1.1.1: Work with Solano County to provide alerts about emergency situations through early warning and notification systems in multiple languages and formats. Connect residents with the communications of county and state public health agencies to ensure that the community receives alerts during emergency situations.
 - Program 1.1.2: Assess the need for local emergency communications to be provided in multiple languages and formats, including formats for people with access and functional needs, and incorporate into City operations as appropriate.
- Policy 1.2: When feasible, coordinate with public health agencies and community-based organizations to facilitate assistance to low-income residents and residents who may lack access to health insurance by providing healthcare resources.
- Policy 1.3: Maintain inter-jurisdictional cooperation and coordination, including mutual-aid agreements, with fire protection agencies.
- Policy 1.4: Locate critical facilities outside of mapped hazard zones, including floodplains, areas at risk of sea level rise, dam hazard inundation zones, high landslide hazard areas, Alquist-Priolo fault zones, liquefaction hazard zones, tsunami inundation areas, and the wildland-urban interface. If critical facilities must be in these zones, design and site them to minimize the potential for damage as a result of natural hazards and ensure their ability to remain operational during and after hazard events.
- Policy 1.5: Install emergency power supplies at City-owned and operated critical facilities. Emergency power supplies can include power generators and battery storage and should prioritize renewable energy systems where feasible.
- Policy 1.6: Ensure that communication systems used by emergency responders and key City staff have sufficient redundancy and resiliency to meet City needs during and after a hazard event.
- Policy 1.7: Work with local and regional transportation agencies to help protect primary evacuation routes from being blocked or damaged by a hazard event.
- Policy 1.8: Use the reported data and findings of applicable local, regional, or state documents or plans pertaining to climate-related hazards that could impact the City of Benicia to inform decision making and foster increased community resilience to climate-related hazards.

- Policy 1.9: Require the disclosure of any known or potential fire and/or inundation or flooding hazards at the time of sale for properties in the wildland-urban interface or projected sea level rise areas within the city, as illustrated in Figure X, Wildland-Urban Interface, and Figures X through X, which show sea level rise projections for 2050 and 2100. Provide reference information on the City website for potential purchasers to consider when reviewing disclosures.

FLOOD AND INUNDATION HAZARDS

Goal 4.12 (modified): Minimize and accommodate runoff from existing and future development.

- Policy 4.12.1 (new): Increase the use of stormwater management, including use and restoration of natural systems and green infrastructure throughout the city and create a flood mitigation plan.
- Policy 4.12.2 (new): Encourage use of green infrastructure and permeable paving materials to reduce flood risk on public and private property.

Goal 4.13 (modified): Avoid the risk of loss of life and injury and minimize the risk of damage to property resulting from flooding.

- Policy 4.13.1 (new): Pursue funding to improve and retrofit the Benicia Marina to withstand king tide events, shoreline flooding, and sea level rise. Work with marina owners and lessees to improve marina facilities to withstand king tide events, shoreline flooding, and sea level rise.
- Policy 4.13.2 (new): Pursue funding to retrofit City infrastructure in 100-year floodplains as needed and ensure they conform to existing 100-year floodplain elevation standards.
 - Program 4.13.2.1: Seek opportunities to conduct flood fighting training for appropriate City staff in coordination with the Benicia Community Emergency Response Team.
- Policy 4.13.3: Assist low-resourced residents and residents with access and functional needs to install flood-control measures on their properties where feasible, prioritizing those in residential areas of lower Downtown Benicia.

Low-resourced Residents

Residents with little or no access to key resources, such as income or financial resources, social or educational services, and healthcare

Residents with Access and Functional Needs

Residents with function-based needs (related to a restriction or limited ability to perform activities normally considered routine) that may require assistance before, during, and/or after a disaster or an emergency.

New Goal #2: Safeguard Benicia from the impacts of sea level rise and anticipated inundation events with an emphasis on protecting the Downtown Area and Industrial Park.

- Policy 2.1: Coordinate with the San Francisco Bay Conservation and Development Commission and other relevant state or federal agencies to monitor and respond to changes in sea level.
- Policy 2.2: Coordinate with external agencies and pursue funding to inform the public about risks pertaining to sea level rise and flooding through interactive maps, community outreach efforts, and other efforts.

- Policy 2.3: Prepare a sea level rise and flooding adaptation plan for the downtown area and industrial park. The plan should offer strategies for effective sea level rise adaptation and flood protection, identify potential funding opportunities, assess the threshold of sea level rise that the community should plan for, and offer recommendations for capital projects and development standards.
- Policy 2.4: Partner with the Adapting to Rising Tides Program, property owners, and community-based organizations to conduct a managed retreat feasibility study that identifies specific assets at risk and evaluates the cost of facilitating managed retreat or alternative approaches to preparing for sea level rise. The study should be used as a guide to assist the City in prioritizing riparian and marshland restoration projects and other natural infrastructure projects to protect against both inland and shoreline flooding.

Managed Retreat

A hazard management strategy that encourages the relocation of residents, buildings, and infrastructure in vulnerable areas to move to less susceptible locations. Managed retreat is usually proactive, allowing people and assets to relocate to safer areas before serious threats arise.

SEISMIC AND GEOLOGIC HAZARDS

Goal 4.11 (existing): Avoid the loss of life and injury and minimize property damage from seismic and geologic hazards.

- Policy 4.11.1 (new): Encourage the installation of seismic shut-off valves on gas fixtures on City-owned critical facilities and gas lines on City property.
- Policy 4.11.2 (new): Explore transitioning City facilities from natural gas to electric, as feasible, where the transition to natural gas would not compromise delivery of services.
- Policy 4.11.3 (new): Identify City infrastructure with seismic vulnerabilities and pursue funding to conduct appropriate seismic retrofits.
 - Program 4.11.3.1 (new): Develop and adopt a standard for new development that, if met, would reduce landslide risks to negligible levels. Following adoption, require new development in high landslide risk areas, as mapped in Figure X, to submit studies and plans that demonstrate the development will meet this standard.
- Policy 4.11.4 (new): Encourage retrofitting of existing City-owned buildings, including unreinforced masonry buildings as identified by the Building Safety Division, to improve resiliency to geologic and seismic hazards.
- Policy 4.11.5 (new): Develop a program to implement State laws aimed at identification, inventory, and retrofit of existing vulnerable unreinforced masonry structures.

FIRE HAZARDS

Goal 4.15: Reduce the risk and threat from urban and wildland fire hazards.

- Policy 4.15.1 (new): Require new developments consisting of 10 dwelling units or more in the wildland-urban interface to provide fire protection plans that include a risk analysis, evacuation

plan, defensive space requirements, fire safety requirements for infrastructure, building ignition resistance, fire-protection maintenance, and assess fire response capabilities.

- Policy 4.15.2 (new): Provide or connect elderly residents and persons with access and functional needs assistance with resources for maintaining defensible space around their homes.
- Policy 4.15.3 (new): Continue to conduct vegetation management and fire risk reduction in the City's open space areas of the community.
- Policy 4.15.4 (new): Develop a wildland-urban interface ordinance requiring defensible space measures in the wildland-urban interface, as illustrated in Figure 13, Wildland-Urban Interface.
- Policy 4.15.5 (new): Work with local agencies and community-based organizations to provide resources (e.g., transportation to resilience centers and N95 masks) to help residents respond to poor air quality events.
- Policy 4.15.6 (new): Encourage residents, landlords, and business owners to install filtration units in buildings to reduce health risks during poor air quality events.

HAZARDOUS WASTE AND MATERIALS

Goal 4.7 (existing): Ensure that the community is safe from risks to public health that could result from exposure to hazardous materials.

Goal 4.20 (existing): Reduce health and safety hazards associated with hazardous materials users, hazardous waste generators, and hazardous waste disposal sites and toxic air contaminants. Discourage development of new hazardous waste storage facilities in areas at risk of flooding or sea level rise, including emergent flooding, when feasible.

- Policy 4.7.1 (new): Continue to coordinate with local industries to reduce the risk of hazardous materials releases during anticipated hazard events to ensure continued operations and to prevent the release of hazardous materials.
- Policy 4.7.2 (new): Coordinate with the Department of Toxic Substances Control on new development projects and significant grading proposals on documented contaminated sites to avoid the risk of hazardous materials releases within the city.

DROUGHT

New goal #3: Work to secure and maintain a sustainable and resilient water supply for Benicia.

- Policy 3.1: Work with regional water providers to implement water conservation measures and ensure sustainable water supplies in the face of future drought conditions.
- Policy 3.2: Explore opportunities to purchase additional water rights to help ensure sustainable water supplies in the face of future drought conditions.
- Policy 3.3: Promote water conservation measures in all public and private development.
 - Program 3.3.1: Replace irrigated landscaping with drought-resistant vegetation to the extent feasible and consider use of graywater or rainwater harvesting for irrigation in City-owned facilities.
 - Program 3.3.2: Amend the zoning ordinance, engineering design standards, and historic conservation plans to encourage the use of drought-tolerant green infrastructure and non-

irrigated and drought-resistant landscaping throughout the city as part of water conservation efforts and cooling strategies in public and private spaces.

- Program 3.3.3: Provide information about native and drought-resistant species to community members and applicants who seek to install new or replacement landscaping.
- Policy 3.4: Renovate existing City-owned assets and design future facilities to incorporate renewable energy generation systems, battery storage systems, and energy-efficient design and features, as feasible.

EXTREME HEAT

New goal #4: Protect community members and critical infrastructure from high temperatures.

- Policy 4.1: Establish a temperature threshold triggering citywide notification and coordination for opening designated cooling centers to the public.
- Policy 4.2: Coordinate with the Solano Transportation Authority to increase shading and heat-mitigating materials on pedestrian walkways and at transit stops.
- Policy 4.3: Encourage residents and business owners to install air conditioning in buildings to reduce health risks during extreme heat events.

SEVERE WEATHER

New goal #5: Reduce damage from severe weather events

- Policy 5.1: Increase the resiliency of City-owned structures to severe weather events, including strong winds and lightning.
- Policy 5.2: Replace dying or dead evergreen vegetation with wind-resistant vegetation on City-owned property and implement an annual tree trimming program.

GENERAL RESILIENCY CONCEPTS

New goal #6: Increase community-wide resilience to natural disasters and other hazardous conditions.

- Policy 6.1: Support efforts by homeowners and business owners to increase the resilience of their buildings and properties through retrofits, weatherization, and other improvements. Retrofits may include, but are not limited to, efforts that address extreme heat, poor air quality, flood protection, water and energy efficiency, geologic and seismic safety, and fire safety.
 - Program 6.1.1: Offer educational materials, rebates, and/or incentives for property owners looking to retrofit their buildings and properties to improve efficiency, resiliency, or safety.
- Program 6.2: Evaluate current City policy and procedures to determine whether any impediments to building retrofits or adaptation exist. If such impediments are identified, the City shall work

Equitably-located Resilience Hubs

Resilience hubs, sometimes called resilience centers, are facilities that provide local communities with shelter, water, and electricity during hazardous events and disasters, while also providing year-round programming and other community needs. Locating these facilities equitably means establishing them in a location that is as easily accessible for as many people as possible, especially for people that lack regular access to private vehicles, persons with access and functional needs, and frontline communities.

to make appropriate amendments to further climate adaptation goals and better prepare for future hazards. Policy: Evaluate vulnerabilities to climate change and natural hazards in the Downtown Historic District and prioritize adaptation strategies that increase resilience to known hazards such as seismic, flooding, and sea level rise.

- Policy 6.3: Establish one or more equitably-located community resilience hub(s) in Benicia. Ensure that resilience hub(s) are not in areas at risk from hazard impacts, to the extent possible. They should offer refuge from extreme heat and extreme weather events as well as poor air quality and disasters. They should be equipped with renewable energy generation and backup power supplies. Such facilities should be in easily accessible locations and available to all community members. Resilience hubs should provide shelter, water, and electricity during hazard events or disasters.
- Policy 6.4: Encourage new and existing development to incorporate sustainable and energy-efficient features into their facilities, landscapes, and structures.
- Policy 6.5: Expand participation in programs and services that provide funding resources for economically disadvantaged households and businesses to conduct energy-efficiency, weatherization, and code compliance retrofits.
- Policy 6.6: Work to underground power lines throughout the community, as feasible, especially in high-risk areas, and coordinate with the Pacific Gas and Electric Company (PG&E) to fund and implement efforts in mapped wildfire risk areas.
- Policy 6.7: Conduct a public education campaign to increase awareness of hazards in the community, such as geologic and seismic risks, flooding and sea level rise, wildfire, drought, and extreme heat. Educational campaigns could offer residents information on ways to protect their property and preserve personal health and safety from various hazards.

Examples of Sustainable and Energy-efficient Features

- Energy-efficient appliances
- Lighting and thermal controls
- Solar power systems
- Battery storage systems
- Reused building materials
- Rainwater harvesting systems
- Rain gardens or bioretention cells
- Green roofs
- Pervious pavement

Appendix 3-3

Housing Element Opportunity Sites Overlay Zone Draft Text

Proposed Amendments shown as Mark-Up

Benicia General Plan, Land Use and Growth Management (pp. 23-24)

The pattern of general plan land uses is reflected in the pocket diagram at the back of the document. The largest category is industrial (31%), followed closely by parks/open space (25%) and residential (21%). Non-industrial/commercial uses represent a relatively small portion (3%). This pattern indicates the community's priorities in terms of types of land uses within the city limits. The ~~new~~ general plan slightly shifts the existing pattern of land use in the northern area toward more open space (refer to Appendix B - Land Use Changes). This reflects the community's desire to contain development and grow at a slower rate.

It is the intent of this General Plan that land be used efficiently to reduce traffic, preserve land at urban fringes, reduce infrastructure costs, and minimize the loss of farmland, wetlands, and open space. By doing these things, it is hoped that Benicia can avoid the costs of sprawl and erosion of the quality of life.

For each category of land, the General Plan must establish standards of population density and building intensity. For residential land, the Plan will stipulate densities in housing units per gross acre. Potential population density will be obtained by multiplying the number of units per acre by the number of persons per unit (three persons/unit for low density, two persons/unit for medium and high density. In the event of a discrepancy between residential units per acre and persons per acre, the unit density—and not the population density—will govern.)

For nonresidential uses, the Plan specifies a maximum Floor Area Ratio (FAR), calculated as the ratio of gross floor area to site area.

An adequate supply of housing, and land zoned to accommodate future housing need, is an essential element of community sustainability. A land use plan that accommodates housing uses in compatible infill settings is consistent with the overarching goals and specific policies of this General Plan. Accordingly, where sites are specifically identified in the Housing Opportunity Sites Inventory of the current adopted Housing Element, residential use at the density specified within the Housing Element inventory shall be considered consistent with the following land use categories and shall be permitted at a density of up to 30 dwelling units per acre: Residential (all), Community Commercial, Business and Professional Offices, Public and Quasi Public.

The specific uses mentioned in each definition of the land use categories are intended to be general and illustrative (as opposed to specific and all-inclusive).

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Proposed Amendments shown as Mark-Up

Division III. Overlay Zoning Districts

[17.50 HD Hillside Development Overlay District](#)

[17.54 H Historic Overlay District](#)

[17.58 S Shoreline Protection Overlay District](#)

[17.62 NC Neighborhood Conservation Overlay District](#)

[17.64 HOS Housing Opportunity Sites Overlay District](#)

[17.66 IS Interim Study Overlay District](#)

[17.68 MP Master Plan Overlay District](#)

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17.08.030 Applicability of land use and development regulations

C. Establishment of Overlay Zoning Districts. Overlay zoning districts, one or more of which may be combined with a base district, are established as follows:

Overlay District Designator	Overlay District Name	Chapter
HD	Hillside Development Overlay District	17.50
H	Historic Overlay District	17.54
S	Shoreline Protection Overlay District	17.58
NC	Neighborhood Conservation Overlay District	17.62
<u>HOS</u>	<u>Housing Opportunity Sites Overlay District</u>	<u>17.64</u>
IS	Interim Study Overlay District	17.66
MP	Master Plan Overlay District	17.68

New Proposed Chapter (No Markup Shown)
Chapter 17.64
HOUSING OPPORTUNITY SITES OVERLAY DISTRICT

17.64.010 Specific Purposes

- A. Accommodate housing in infill locations and at densities that are consistent with the General Plan; and
- B. Provide appropriate standards and criteria for reviewing proposals for new construction and other development subject to the provisions of this title.

17.64.020 Applicability and zoning map designator

- A. **Applicability.** This Housing Opportunity Sites Overlay District shall be combined with any parcel that is identified on the Housing Opportunity Sites Inventory of the current adopted Housing Element of the Benicia General Plan and is located in a Single Family Residential (RS), Medium Density Residential (RM), High Density Residential (RH), Public and Semipublic (PS), Community Commercial (CC) or Office Commercial (OC) District, or in a zone of the Downtown Mixed Use Master Plan.
- B. **Limited Application.** The regulations of this Chapter shall be applicable to site development involving the residential land uses specified by section 17.64.030.

17.64.030 Land use regulations

- A. Allowed uses are those that are permitted or conditionally permitted in the base zoning district. In addition, the following residential uses are permitted:

- P – Permitted
- U – Use Permit

Residential Use	
Group Residential	P
Multifamily Residential	P
Supportive Housing	P
Transitional Housing	P

- B. Residential uses shall be permitted on the ground floor if compliant with the provisions of this Chapter.
- C. For C and PS Districts, and in the Town Core (TC) Zone of the Downtown Mixed Use Master Plan, the following apply:
 - 1. In a C or PS District, a permitted or conditionally permitted Public and Semipublic or Commercial use of at least 1,000 square feet gross floor area shall be provided as a ground floor use within the same structure (vertical mixed use) or separate structure (horizontal mixed use). An existing, occupied nonresidential structure (e.g., an office

or retail store) may be deemed to meet this requirement if the structure would not be altered or demolished to accommodate the residential site development, regardless of whether the structure is at least 1,000 square feet. Such nonresidential use may be located on-site or on a contiguous parcel under the same ownership.

2. In the TC Zone, a permitted or conditionally permitted nonresidential use must be provided along the entire ground floor frontage of First Street to a minimum depth of 50 feet as measured perpendicular from the front façade adjoining First Street.
3. The ground floor of a new nonresidential use must be accessible from and adjoin the front or corner side yard of the parcel on which it is located.
4. A new nonresidential use as required herein shall receive approval of final occupancy prior to, or concurrently with, the residential occupancy.

17.64.40 Development regulations

- A. Development regulations shall be those specified in the base district, except as modified by the following standards.

	Standard	Additional Regulation
Site Area Per Unit (sq. ft.)	1,452	(A)
Maximum Height (ft)	35	(B)
Maximum Height (stories)	3	

1. For a parcel legally existing as of January 1, 2023, four multifamily dwelling units are permitted on the parcel regardless of the parcel size, provided that the project complies with all other applicable standards.
2. The maximum permitted height in the Town Core District shall be 40 feet.

- B. In the PS District, minimum required yards shall be as specified.

Minimum Yard (ft.)	Distance from Property Line
Front	15
Side	5
Corner Side	10
Rear	15

- C. The front yard for any parcel in an R or C District may be reduced to the average setback of the blockface, where lots comprising 40 percent of the frontage on a blockface are improved with buildings¹. The average setback of the blockface is determined by calculating the front

¹ Definition per BMC Chapter 17.12: “Blockface” means the properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse, or city boundary.

yard depths for existing structures (excluding detached garages or carports) on each developed site on the blockface.

- D. Where a standard of this Overlay District is in conflict with the base zoning regulations of the Zoning Ordinance or Downtown Mixed Use Master Plan Form Based Code, the standard that is more permissive of housing production shall prevail.

17.64.050 Design Standards

- A. Objective Planning Standards. Any housing proposed in this overlay district shall comply with the City of Benicia's Objective Planning and Design Standards for Mixed-Use Residential and Multifamily Development pursuant to section 17.70.430.
- B. Projects in an R, C, or PS District shall comply with the following:
 - 1. Upper Story Massing. A third story must be stepped back from the primary street at least 10 feet for a minimum of 35 percent of the façade length. Recessed area may be used as a balcony, terrace, or other usable open space.
 - 2. Balconies. A balcony above the ground floor shall not project more than three feet from any exterior building wall faces the side yard of an adjacent residential use.

17.64.060 Development Plan Review

Except where pre-empted by State law, design review shall be required for any residential development proposed pursuant to this chapter and shall be conducted as specified in BMC Chapter 17.108 in a manner consistent with the requirements of the Housing Accountability Act (Government Code section 65589.5).

Proposed Amendments shown as Mark-Up

17.28.020 CC, CO,CG, and CW districts – Land use regulations

In the following schedules, the letter “P” designates use classifications permitted in commercial districts. The letter “L” designates use classifications subject to certain limitations prescribed by the “Additional Use Regulations” that follow. The letter “U” designates use classifications permitted on approval of a use permit, as provided in Chapter 17.104 BMC. The letters “P/U” designate use classifications permitted on the site of a permitted use, but requiring a use permit on the site of a conditional use. Letters in parentheses in the “Additional Regulations” column refer to the “Additional Use Regulations” following the schedule. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all classifications under the heading.

CC, CO, CG, and CW Districts: Land Use Regulations

- P – Permitted
- U – Use Permit
- L – Limited (See “Additional Use Regulations”)
- – Not Permitted

	CC	CO	CG	CW	Additional Regulations
Residential					(A), (B)
Group Residential	–	–	U	–	
Work/Live Quarters	P	–	P	P	
Multifamily Residential	L1	L1	–	P	
Residential Care, Limited	–	–	–	P	
Single-Family Residential	L1	L1	–	L1	
Supportive Housing	L1	L1	–	L21	
Transitional Housing	L1	L1	–	L21	

(B) Sites designated in two consecutive prior Housing Elements, as described in Chapter III Sites Inventory and shown in Appendix D, Table A of the 2023-2031 Housing Element, shall be approved by ministerial action pursuant to Government Code section 65583.2(i) where at least 20 percent of units are provided as affordable to extremely low-, very low- or low-income households.

(Ed. Note: All other additional regulations, B through P, to be renumbered sequentially)

Proposed Amendments shown as Mark-Up
 Town Core Regulations

Table 4.1: Town Core (TC) Zone Allowed Land Uses and Permit Requirements		
Land Use Type	Permit Required	Specific Use Regulations
Residential		
Home occupation		
< 300 sf, 2 or fewer employees	P ²	
> 300 sf, 3 or fewer employees	P ²	
> 300 sf, 3 or more employees	NA	
Mixed use project residential component	P ²	<u>A</u>
Dwelling: Multi-Family - Rowhouse	P ²	<u>A</u>
Dwelling: Multi-Family – Duplex	P ²	<u>A</u>
Dwelling: Multi-Family – Triplex	P ²	<u>A</u>
Dwelling: Multi-Family - Fourplex	P ²	<u>A</u>
Accessory Dwelling Unit	P ²	<u>A B</u>
Ancillary Building	P	
Residential Care, 7 or more clients	P ²	
Residential Care, 6 or fewer clients	P ²	
Supportive Housing	P	
Transitional Housing	P	
Specific Use Regulations		
<u>A - Sites designated in two consecutive prior Housing Elements, as described in Chapter III Sites Inventory and shown in Appendix D, Table A of the 2023-2031 Housing Element, shall be approved by ministerial action pursuant to Government Code section 65583.2(i) where at least 20 percent of units are provided as affordable to extremely low-, very low- or low-income households.</u>		
<u>A B – Accessory Dwelling Units shall comply with the provisions of BMC 17.70.060.</u>		

Proposed Amendments shown as Mark-Up

17.108.010 Design Review Purpose

Design review is intended to implement general plan policies. More specifically, the purposes of design review are to:

A. Ensure that the location and configuration of structures ~~are visually harmonious with their sites and with surrounding sites and structures, and~~ do not ~~unnecessarily~~ block City-designated scenic views and vistas as identified in the Benicia General Plan and any adopted conservation plan or specific plan ~~from other buildings or public parks or dominate their surroundings to an extent inappropriate to their use;~~

B. Ensure that the architectural design of structures, their materials and colors ~~are visually harmonious-~~ include commonalities with surrounding development and ~~with~~ the natural landforms and vegetation of the areas in which they are proposed to be located;

C. Ensure that plans for the landscaping of open spaces conform with the requirements of this title, ~~and that they provide visually pleasing settings for structures on the site and on adjoining and nearby sites and blend harmoniously with the natural landscape;~~

D. Prevent ~~excessive and unsightly~~ unnecessary grading of hillsides, and preserve natural landforms and existing vegetation where feasible;

E. Ensure the provision of adequate, safe and efficient parking and circulation areas, which conform to the requirements of this title; and

~~F. Provide a functional, efficient, and attractive site design which is sensitive to existing uses in the area and to the topography and conditions of the site;~~

F. Ensure that new development is consistent with specific design guidelines standards developed for use within the community, where applicable, and to any adopted conservation plan, specific plan or planned development plan.

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17.108.040 Scope of design review.

A. Required Findings. Design approval shall require a finding that the design of a project is consistent with the purposes of this ~~title~~ chapter.

B. Limits on Conditions Required. Changes in a project required as a condition of design approval shall not include use, density, FAR, private open space, parking, or loading requirements more restrictive than those prescribed by applicable district regulations or a valid use permit or variance.

Appendix 4.2-1

Air Quality and Greenhouse Gas Appendix

CalEEMod Inputs - Benicia Housing Element and Safety Element Update, Operation

Name:	Benicia Housing Element and Safety Element Update
Project Number:	STAU-02.0
Project Location:	City of Benicia
County:	Solano County
Climate Zone:	4
Land Use Setting:	Urban
Operational Year:	2031
Utility Company:	PG&E, Marine Clean Energy (MCE)
Air Basin:	San Francisco Bay Area Air Basin (SFBAAB)
Air District:	Bay Area Air Quality Management District (BAAQMD)

CalEEMod Land Use Inputs

Land Use Type	Land Use Subtype	Unit Amount	Size Metric	Land Use Square Feet	Population
Residential	Apartments Low-Rise	3,598	Dwelling Unit	Model Default	8,743

Net Trips

Land Use Type	Weekday Trips	Weekday Trip Rate ¹	Saturday Trips	Saturday Trip Rate (ITE Code 220)	Sunday Trips	Sunday Trip Rate (ITE Code 220)
Apartments Low-Rise	24,269	6.745	16,371	4.55	13,888	3.86

Notes:

¹ The Fehr & Peers VMT Analysis (2022) prepared for the proposed project discloses that ITE Code 220 was utilized to identify trip generation estimates; however, the total weekday ADT of 15,973 with the assumed 2,368 dwelling units identified in the VMT Analysis equate to an average trip generation rate of 6.745 while ITE Code 220 identifies an average weekday trip generation rate of 6.74. The weekday trip rate of 6.745 was utilized herein to remain consistent with the VMT Analysis.

Sources:

Fehr & Peers. 2022, October 10. City of Benicia Housing Element Update - VMT Analysis.

Table 2: Citywide Project Generated Total VMT (From VMT Memo)¹

	No Project	With Project	Net Change ²
Base Year (2015)	1,842,591	2,002,321	159,730
Cumulative Year (2040)	2,321,305	2,449,385	128,080

Notes:

¹ The above estimates are drawn directly from the Fehr & Peers VMT Analysis (2022) prepared for the proposed project, which assumes a buildout of 2,368 dwelling units.

² The Net Change estimate for the Base Year (2015) With Project scenario was derived by applying an average trip generation rate of approximately 6.74 ADT (ITE Code 220) to the assumed 2,368 dwelling unit buildout (15,973 ADT) with an average trip length of 10 miles.

Sources:

Fehr & Peers. 2022, October 10. City of Benicia Housing Element Update - VMT Analysis.

Project-Generated VMT (Housing Element Only; used in CalEEMod)

	No Project	With Project ¹	Net Change ²	Average Trip Length
Base Year (2015)	1,842,591	2,085,289	242,698	10.00
Cumulative Year (2040)	2,321,305	2,515,913	194,608	10.00

Notes:

¹ With Project VMT estimates are identified by adding No Project VMT with Net Change VMT estimates.

² Due to the VMT Analysis prepared for the proposed project only accounting for 2,368 new units while the proposed project would accommodate up to 3,598 new units, the Net Change VMT estimates were adjusted to reflect 3,598 dwelling units by multiplying the original Net Change VMT estimates by 3,598/2,368.

Sources:

Fehr & Peers. 2022, October 10. City of Benicia Housing Element Update - VMT Analysis.

Project-Generated VMT (Citywide; NOT used in CalEEMod)

	Daily VMT ¹	City Service Population ²	Daily per Capita VMT ³
Base Year (2015)	1,842,591	27,422	67.19
Cumulative Year (2040)⁴	2,515,913	35,399	71.07

Notes:

¹ The Base Year (2015) Daily VMT reflects the No Project VMT estimate in the preceding table while the Cumulative Year (2040) Daily VMT reflects the With Project estimate in the preceding table.

² City Population in 2015 was drawn from the California Department of Finance's Table E-5 Population and Housing Estimates. City Population for Cumulative Year (2040) was identified by taking the current citywide population (2022) and adding the 8,743 new residents accommodated by the proposed project through the buildout year of 2031, as described in Chapter 4.12, Population and Housing, of this DEIR.

³ Daily per Capita VMT estimates are identified by dividing the Daily VMT estimates by the City Population for the corresponding year. It should be noted that the Daily per capita VMT estimates above do not necessarily reflect vehicle miles traveled by each resident as the total Daily VMT estimates include nonresidential VMT.

⁴ Cumulative Year (2040) is utilized to represent the proposed project's buildout year of 2031.

Sources:

Fehr & Peers. 2022, October 10. City of Benicia Housing Element Update - VMT Analysis.

California Department of Finance. 2021, May. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark.

Land Use	Trip Type Percentages		
	Primary	Diverted	Passby
Apartments Low-Rise	86%	11%	3%
Adjusted Trip Type Percentages (For All Land Uses)	100%	0%	0%

Fireplaces

No wood-burning stoves or fireplaces anticipated in new development, consistent with BAAQMD District Regulation 6, Rule 3: Wood-Burning Devices.

Land Use	# Wood	# Gas	# Propane	Hours/Day	Days/Year	Wood Mass (lb/year)
Apartments Low-Rise	0	1,151.4	0	3.5	11.14	0

Notes:

¹ All wood fireplace quantities were reduced to zero and were added to the gas fireplace quantities to maintain the same total proportion of fireplaces as provided by CalEEMod.

Water Use and Wastewater Generation

Land Use	Acre-Feet/Unit/Year	Gallons/Unit/Year ¹	Quantity of Units	Net Increase in Gallons/Year ¹
Apartments Low-Rise				
Indoor	0.12	39,102.17	3,598	140,689,623
Outdoor	0.05	16,292.57		58,620,676

Notes:

¹ Assumes a conversion rates of 43,560 cubic feet per acre-foot and 7.48052 gallons per cubic foot.

Source: Benicia, City of. 2021, May 18. 2020 Urban Water Management Plan.

Changes to the CalEEMod Defaults - Fleet Mix 2031

Weekday Trips 20,822

Default	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH	
FleetMix (Model Default)	0.582367	0.053435	0.1641	0.115629	0.022699	0.00618	0.008006	0.015586	0.001124	0.000358	0.026352	0.000764	0.0034	100%
Trips	12,126	1,113	3,417	2,408	473	129	167	325	23	7	549	16	71	20,822
Percent	83%			12%	6%									100%
Assumed Mix	97.0%			2.00%	1.00%									100%
adjusted with Assumed	0.683922	0.062679	0.192488	0.020000	0.003906	0.001063	0.001378	0.002682	0.000193	0.000062	0.030911	0.000131	0.000585	100%
Percent Check:	97%			2%	1%									
Trips	14,241	1,305	4,008	416	81	22	29	56	4	1	644	3	12	20,822
	20,197			416	193									

Fleet mix for the project is modified to reflect a higher proportion of passenger vehicles than the regional VMT. Assumes a mix of approximately 97% passenger vehicles, 2% medium duty trucks, and 1% heavy duty trucks and buses.

Key

- LDA=Light duty auto
- LDT1=Light duty truck 1
- LDT2=Light duty truck 2
- MDV=Medium duty vehicle
- LHD1=Light heavy duty 1
- LHD2=Light heavy duty 2
- MHD=Medium heavy duty
- HHD=Heavy heavy duty
- OBUS=Other bus
- UBUS=Urban bus
- MCY=Motorcycle
- SBUS=School bus
- MH=Motorhome

Benicia Housing Element Update - Solano-San Francisco County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

**Benicia Housing Element Update
Solano-San Francisco County, Annual**

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Apartments Low Rise	3,598.00	Dwelling Unit	224.88	3,598,000.00	8743

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	56
Climate Zone	4			Operational Year	2031
Utility Company	Pacific Gas and Electric Company				
CO2 Intensity (lb/MWhr)	203.98	CH4 Intensity (lb/MWhr)	0.033	N2O Intensity (lb/MWhr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Adjusted to match project.

Construction Phase - Operation only.

Off-road Equipment -

Vehicle Trips - Updated to match VMT Analysis assumptions

Fleet Mix - Adjusted to reflect assumed 97/2/1 fleet mix split.

Woodstoves - BAAQMD Regulation 6, Rule 3

Water And Wastewater - Adjusted to match the City's UWMP.

Benicia Housing Element Update - Solano-San Francisco County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	300.00	0.00
tblConstructionPhase	PhaseEndDate	12/13/2023	10/19/2022
tblFireplaces	FireplaceWoodMass	228.80	0.00
tblFireplaces	NumberGas	539.70	1,151.40
tblFireplaces	NumberWood	611.66	0.00
tblFleetMix	HHD	0.02	2.6818e-003
tblFleetMix	LDA	0.58	0.68
tblFleetMix	LDT1	0.05	0.06
tblFleetMix	LDT2	0.16	0.19
tblFleetMix	LHD1	0.02	3.9057e-003
tblFleetMix	LHD2	6.1800e-003	1.0634e-003
tblFleetMix	MCY	0.03	0.03
tblFleetMix	MDV	0.12	0.02
tblFleetMix	MH	3.4000e-003	5.8500e-004
tblFleetMix	MHD	8.0060e-003	1.3776e-003
tblFleetMix	OBUS	1.1240e-003	1.9340e-004
tblFleetMix	SBUS	7.6400e-004	1.3150e-004
tblFleetMix	UBUS	3.5800e-004	6.1600e-005
tblLandUse	Population	10,290.00	8,743.00
tblVehicleTrips	DV_TP	11.00	0.00
tblVehicleTrips	HO_TL	5.70	10.00
tblVehicleTrips	HS_TL	4.80	10.00
tblVehicleTrips	HW_TL	10.80	10.00
tblVehicleTrips	PB_TP	3.00	0.00
tblVehicleTrips	PR_TP	86.00	100.00
tblVehicleTrips	ST_TR	8.14	4.55

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tblVehicleTrips	SU_TR	6.28	3.86
tblVehicleTrips	WD_TR	7.32	6.75
tblWater	IndoorWaterUseRate	234,424,184.19	140,689,623.00
tblWater	OutdoorWaterUseRate	147,789,159.60	58,620,676.00
tblWoodstoves	NumberCatalytic	71.96	0.00
tblWoodstoves	NumberNoncatalytic	71.96	0.00
tblWoodstoves	WoodstoveWoodMass	582.40	0.00

2.0 Emissions Summary

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	17.3963	0.4313	26.6978	2.2000e-003		0.1582	0.1582		0.1582	0.1582	0.0000	187.3794	187.3794	0.0443	2.6400e-003	189.2730
Energy	0.1914	1.6360	0.6962	0.0104		0.1323	0.1323		0.1323	0.1323	0.0000	3,246.5575	3,246.5575	0.2550	0.0613	3,271.1844
Mobile	10.5341	7.6494	106.4356	0.2003	28.9262	0.1089	29.0351	7.6849	0.1008	7.7856	0.0000	18,394.7142	18,394.7142	1.2581	0.6720	18,626.4100
Waste						0.0000	0.0000		0.0000	0.0000	335.9663	0.0000	335.9663	19.8550	0.0000	832.3423
Water						0.0000	0.0000		0.0000	0.0000	44.6343	89.4190	134.0534	4.5988	0.1100	281.8045
Total	28.1218	9.7167	133.8296	0.2129	28.9262	0.3994	29.3256	7.6849	0.3912	8.0761	380.6006	21,918.0701	22,298.6707	26.0113	0.8459	23,201.0141

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4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	10.5341	7.6494	106.4356	0.2003	28.9262	0.1089	29.0351	7.6849	0.1008	7.7856	0.0000	18,394.7142	18,394.7142	1.2581	0.6720	18,626.4100
Unmitigated	10.5341	7.6494	106.4356	0.2003	28.9262	0.1089	29.0351	7.6849	0.1008	7.7856	0.0000	18,394.7142	18,394.7142	1.2581	0.6720	18,626.4100

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	24,268.51	16,370.90	13888.28	78,832,900	78,832,900
Total	24,268.51	16,370.90	13,888.28	78,832,900	78,832,900

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	10.00	10.00	10.00	31.00	15.00	54.00	100	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.683922	0.062679	0.192488	0.020000	0.003906	0.001063	0.001378	0.002682	0.000193	0.000062	0.030911	0.000132	0.000585

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5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	1,351.9124	1,351.9124	0.2187	0.0265	1,365.2804
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	1,351.9124	1,351.9124	0.2187	0.0265	1,365.2804
NaturalGas Mitigated	0.1914	1.6360	0.6962	0.0104		0.1323	0.1323		0.1323	0.1323	0.0000	1,894.6451	1,894.6451	0.0363	0.0347	1,905.9040
NaturalGas Unmitigated	0.1914	1.6360	0.6962	0.0104		0.1323	0.1323		0.1323	0.1323	0.0000	1,894.6451	1,894.6451	0.0363	0.0347	1,905.9040

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	3.55043e+007	0.1914	1.6360	0.6962	0.0104		0.1323	0.1323		0.1323	0.1323	0.0000	1,894.6451	1,894.6451	0.0363	0.0347	1,905.9040
Total		0.1914	1.6360	0.6962	0.0104		0.1323	0.1323		0.1323	0.1323	0.0000	1,894.6451	1,894.6451	0.0363	0.0347	1,905.9040

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Mitigated

	Natural Gas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Apartments Low Rise	3.55043e+007	0.1914	1.6360	0.6962	0.0104		0.1323	0.1323		0.1323	0.1323	0.0000	1,894.6451	1,894.6451	0.0363	0.0347	1,905.9040
Total		0.1914	1.6360	0.6962	0.0104		0.1323	0.1323		0.1323	0.1323	0.0000	1,894.6451	1,894.6451	0.0363	0.0347	1,905.9040

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Low Rise	1.46115e+007	1,351.9124	0.2187	0.0265	1,365.2804
Total		1,351.9124	0.2187	0.0265	1,365.2804

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Low Rise	1.46115e+007	1,351.9124	0.2187	0.0265	1,365.2804
Total		1,351.9124	0.2187	0.0265	1,365.2804

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6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	17.3963	0.4313	26.6978	2.2000e-003		0.1582	0.1582		0.1582	0.1582	0.0000	187.3794	187.3794	0.0443	2.6400e-003	189.2730
Unmitigated	17.3963	0.4313	26.6978	2.2000e-003		0.1582	0.1582		0.1582	0.1582	0.0000	187.3794	187.3794	0.0443	2.6400e-003	189.2730

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	2.5328					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	14.0520					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0145	0.1241	0.0528	7.9000e-004		0.0100	0.0100		0.0100	0.0100	0.0000	143.7400	143.7400	2.7600e-003	2.6400e-003	144.5941
Landscaping	0.7970	0.3072	26.6450	1.4100e-003		0.1482	0.1482		0.1482	0.1482	0.0000	43.6394	43.6394	0.0416	0.0000	44.6788
Total	17.3963	0.4313	26.6978	2.2000e-003		0.1582	0.1582		0.1582	0.1582	0.0000	187.3794	187.3794	0.0443	2.6400e-003	189.2730

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Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	2.5328					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	14.0520					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.0145	0.1241	0.0528	7.9000e-004		0.0100	0.0100		0.0100	0.0100	0.0000	143.7400	143.7400	2.7600e-003	2.6400e-003	144.5941
Landscaping	0.7970	0.3072	26.6450	1.4100e-003		0.1482	0.1482		0.1482	0.1482	0.0000	43.6394	43.6394	0.0416	0.0000	44.6788
Total	17.3963	0.4313	26.6978	2.2000e-003		0.1582	0.1582		0.1582	0.1582	0.0000	187.3794	187.3794	0.0443	2.6400e-003	189.2730

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	134.0534	4.5988	0.1100	281.8045
Unmitigated	134.0534	4.5988	0.1100	281.8045

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7.2 Water by Land Use

Unmitigated

Indoor/Outdoor Use		Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	140.69 / 58.6207	134.0534	4.5988	0.1100	281.8045
Total		134.0534	4.5988	0.1100	281.8045

Mitigated

Indoor/Outdoor Use		Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Low Rise	140.69 / 58.6207	134.0534	4.5988	0.1100	281.8045
Total		134.0534	4.5988	0.1100	281.8045

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	335.9663	19.8550	0.0000	832.3423
Unmitigated	335.9663	19.8550	0.0000	832.3423

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8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Low Rise	1655.08	335.9663	19.8550	0.0000	832.3423
Total		335.9663	19.8550	0.0000	832.3423

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Low Rise	1655.08	335.9663	19.8550	0.0000	832.3423
Total		335.9663	19.8550	0.0000	832.3423

We Can Model Regional Emissions, But Are the Results Meaningful for CEQA?

Authors: AEP Climate Change Committee (Michael Hendrix, Dave Mitchell, Haseeb Qureshi, Jennifer Reed, Brian Schuster, Nicole Vermillion, and Rich Walters)

On December 24, 2018, the California Supreme Court, *Sierra Club v. County of Fresno (Friant Ranch, L.P.) (2018) 6 Cal.5th 502, Case No. S219783 (Friant Ranch)*, held that simply identifying that a project exceeds an emissions threshold is not sufficient to identify a project's significant effect on the environment relative to the health effects of project emissions. The Court found that an EIR should make a reasonable effort to substantively connect a project's criteria pollutant emissions to likely health consequences, or explain why it is not currently feasible to provide such an analysis. In 2019, there were several CEQA documents that included health effects modeling to provide additional analysis for projects with criteria air pollutant emissions that exceed a significance threshold. While it is technically possible to conduct this modeling, we argue that this additional layer of quantitative analysis may not always provide decision-makers and the public with additional meaningful information. It is the air districts that are best suited to provide frameworks for how to identify health effects of regional criteria pollutant emissions under CEQA.

Introduction

Significance thresholds for regional criteria pollutants used by California air districts and lead agencies represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable national or state ambient air quality standard (AAQS). By analyzing the project's emissions against these thresholds, the CEQA document assesses whether these emissions directly contribute to any regional or local exceedances of the applicable AAQS and exposure levels. The basis of the ruling in *Friant Ranch* was that the EIR did not provide a meaningful analysis of the adverse health effects that would be associated with the project's criteria pollutant emissions, which were identified as being far above the relevant thresholds. The discussion of the adverse health effects in the EIR was general in nature and did not connect the levels of the pollutants that would be emitted by the project to adverse health effects.

The process of correlating project-related criteria pollutant emissions to health-based consequences is called a health impact assessment (HIA). An HIA involves two steps: 1) running a regional photochemical grid model (PGM) to estimate the small increases in concentrations of ozone and particulate matter (PM) in the region as a result of a project's emissions of criteria and precursor pollutants; and 2) running the U.S. EPA Benefits Mapping and Analysis Program (BenMAP) to estimate the resulting health impacts from these increases in concentrations of ozone and PM.

Limitations of Regional-Scale Dispersion Models

It is technically feasible to conduct regional-scale criteria pollutant modeling for a development project. Particulate matter (PM) can be divided into two categories: directly emitted PM and secondary PM. Secondary PM, is formed via complex chemical reactions in the atmosphere between precursor chemicals such as sulfur oxides (SO_x) and NO_x. Ozone (O₃) is a secondary pollutant formed from the oxidation of reactive organic gases (ROGs) and nitrogen oxides (NO_x) in the presence of sunlight. Rates of ozone formation are a function of a variety of complex physical factors, including the presence of sunlight and precursor pollutants, natural topography, nearby structures that cause building downwash, atmospheric stability, and wind patterns. Secondary formation of PM and ozone can occur far from the original emissions source from regional transport due to wind and topography (e.g. low-level jet stream). As such, modeling concentrations of secondary PM and ozone require photochemical grid models (PGMs), such as CMAQ and CAMx. These models have a much larger "grid" system and much lower resolution than localized dispersion modeling (e.g., AERMOD). For example, common grid cells in PGMs are 4x4 kilometers, while AERMOD can identify concentrations at the meter-level.

Photochemical modeling also depends on all emission sources in the entire domain. Low resolution and spatial averaging produces “noise” and model uncertainty that can exceed a project’s specific emissions. Additionally, regional-scale models are highly contingent upon background concentrations. Factors such as meteorology and topography greatly affect the certainty levels of predicted concentrations at receptor points. As a result, there are statistical ranges of uncertainty through all the modeling steps. Due to these factors, it is difficult to predict ground-level secondary PM and ozone concentrations associated with relatively small emission sources with a high degree of certainty. While it is possible to use a regional-scale model to predict these regional concentrations, when a project’s emissions are less than the regional model’s resolution, the resultant ambient air quality concentrations will be within the margin of uncertainty. In CEQA terms, this would fit the definition of “speculative”. Only when the scale of emissions would result in changes in ambient air quality beyond the model margin of uncertainty would the results not be “speculative” as defined by CEQA.

Identifying Health Effects due to Ambient Air Quality Changes

BenMap is a model developed by the USEPA to understand the health effects from changes in ozone and PM concentrations. If there is an acceptable level of confidence that the results provided by the regional dispersion modeling are valid, then these concentrations can be translated into health outcomes using BenMap. The health outcomes in BenMap are based on changes in ambient air concentrations and the population exposed to these changes. Data provided by this analysis may indicate increased number of workdays lost to illness, hospital admissions (respiratory), emergency room visits (asthma), or mortality, among other health effects. These are called “health incidences.”

Translating the incremental increase in PM and ozone concentrations to specific health effects is also subject to uncertainty. For example, regional models assign the same toxicity to PM regardless of the source of PM (such as road dust as exhaust), and thus potentially overpredict adverse health effects of PM. BenMap also assumes that health effects can occur at any concentration, including small incremental concentrations, and assumes that impacts seen at large concentration differences can be linearly scaled down to small increases in concentration, with no consideration of potential thresholds below which health impacts may not occur. Additionally, BenMap is used for assessing impacts over large areas and populations and was not intended to be used for individual projects. For health incidences, the number of hospitalizations or increase in morbidity predicted by BenMap is greatly affected by the population characteristics.¹ Small increases in emissions in an area with a high population have a much greater affect than large increases in emissions over an area with a small population. As a result, the same amount of emissions generated in an urban area could result in greater health consequences than if the same emissions occurred on the urban periphery, where fewer people may be affected. This will also depend on other factors including meteorology and photochemistry, as discussed above. Emissions in areas with conditions that favor high air dispersion or unfavorable ozone formation will likely have relatively lower effects on ambient air quality and health outcomes.

While BenMap provides additional statistical information about health consequences requested by the Court in the Friant Ranch decision, this information is only meaningful when presented with the full health context of the region or locality at hand. For example, if the BenMap analysis says that the project would result in two additional hospital admissions, this result alone is not useful unless one identifies how many hospital admissions are caused by poor air quality now (without the project) and how many hospital admissions occur

¹ BenMap assigns prevalence rate for asthma and other health effects based on indicators such as gender, race, age, ethnicity, etc. The BenMap user manual specifically states that there are a wide range of variables that can be included in the health effect function. The health effect function was developed based on epidemiological studies, and specifically states that “there are a number of issues that arise when deriving and choosing between health effect functions that go well beyond this user manual. Hence, it is important to have a trained health researcher assist in developing the impact function data file.”

overall (due to air quality and other causes). Because health is not solely influenced by ambient air quality, and has many factors that are highly variable across geographies and populations, there is an added level of uncertainty in using a generalized identification of health effects due to air quality conditions overlaid onto a specific diverse set of health conditions and other factors. Regardless of the uncertainty levels, if regional health effects are identified for a project, then the CEQA analysis needs to provide a full health baseline for decision-makers and the public to be able to understand the marginal change due to project criteria pollutant emissions. Given the margin of uncertainty at each step in the process (regional scale modeling, existing ambient air quality effects on health, population health conditions vulnerability, and marginal health effects of air pollution), the identification of marginal health effects due to individual projects using regional air quality modelling and tools such as BenMap are likely to be within the level of uncertainty and thus defined as “speculative” per CEQA.

The Role of Air Districts

Regional, community, multiscale air quality modeling conducted by the air districts for each individual air basin or locality within the air basin would be the most appropriate indicator of health effects for projects. The AQMPs provide a forecast of regional emissions based on regional dispersion modeling for all sources within the air basin. Regional-scale models attempt to account for all emissions sources within an air basin.

The regional scale model requires inputs such as existing and future regional sources of pollutants and global meteorological data, which are generally not accessible by CEQA practitioners. Modeling of future years should consider future concentrations of air pollutants based on regional growth projections and existing programs, rules, and regulations adopted by Federal, State, and local air districts. In general, air pollution in California is decreasing as a result of Federal and State laws. Based on the air quality management plans (AQMPs) required for air districts in a nonattainment area, air quality in the air basins are anticipated to improve despite an increase in population and employment growth. Air districts are charged with assessing programs, rules, and regulations so that the increase in population and employment does not conflict with the mandate to achieve the AAQS. Because emissions forecasting and health outcomes based on the regional growth projections to achieve the AAQS is under the purview of the air districts, it should also fall on the air districts to identify the potential health outcomes associated with individual project’s criteria pollutant emissions.

The South Coast Air Quality Management District (South Coast AQMD) and the Sacramento Metropolitan Air Quality Management District (Sacramento Metropolitan AQMD) are exploring concepts for project-level analysis in light of Friant Ranch to assist local lead agencies.

- » South Coast AQMD is looking at the largest land use development project they have had in the air basin and doing a sensitivity analysis (using CAMx for photochemical grid modeling and BenMap for health outcomes) to see how locating a very large project in different parts of the air basin (Los Angeles, Inland Empire, v. Orange County) would affect the health incidence.
- » Sacramento Metropolitan AQMD is also looking at a screening process. Rather than looking at the upper end (i.e., largest project in the air basin), Sacramento Metropolitan AQMD is starting at the smallest project that exceeds the regional significance threshold and running CAMx and BenMap at different locations in the air basin to see how it affects regional health incidences.

Guidance from Air Districts would be the most effective way to incorporate meaningful information concerning regional health effects of project criteria pollutants in CEQA analyses, including guidance as to when modelling is and is not useful and meaningful, how modelling should be conducted, and how to best present additional information to inform decision-makers and the public about a project’s impacts.

So...until air districts do their part, what should we do?

PROJECTS WITH CRITERIA POLLUTANT EMISSIONS BELOW AIR DISTRICT THRESHOLDS

The Friant Ranch ruling was about providing disclosure of health effects of project emissions that were well over the significance thresholds. Since the air district thresholds are tied to a level the air districts find to not have a significant effect on ambient air quality, there should be no need to discuss the health effects of criteria pollutant emissions that are less than the significance thresholds.

PROJECTS WITH CRITERIA POLLUTANT EMISSIONS ABOVE AIR DISTRICT THRESHOLDS

Pursuant to Section 15125 of the CEQA Guidelines, the environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. For CEQA, the health effects associated with buildout of a project would occur at the project's horizon year. Because CEQA requires an analysis of the change from existing conditions, the change in effects would be associated with changes in ambient air quality and associated health outcomes between existing conditions and the project's horizon year. Therefore, in order to show how a project affects health outcomes in an air basin, the CEQA documents will need to qualitatively or quantitatively address: (1) existing ambient criteria pollutant concentrations, health incidences due to existing air quality, and health incidences overall; 2) future (without project) ambient criteria pollutant concentrations and health incidences, and 3) future (with project) ambient criteria pollutant concentrations and health incidences.

Projects with significant criteria pollutant emissions could use regional modelling and BenMap to identify health effects of project emissions, but it is likely that many (or most) projects that are not regionally substantial in scale will be shown to have minimal regional changes in PM and ozone concentrations and therefore minimal changes in associated health effects. In addition, many projects may have emissions that are less than the uncertainty level of regional air quality models and BenMap health effects modeling; in these cases, quantitative results will not be meaningful. Thus, absent better direction from air districts, CEQA lead agencies will have to determine on a case by case basis whether a qualitative discussion of health effects will suffice, or whether regional modeling, despite its limitations, should be conducted for the project.

Where a project has substantial criteria pollutant emissions when considered on a regional scale, and there is reason to believe that the modeling of ambient air quality and regional health effects would produce non-speculative results when considering modeling uncertainties, then CEQA lead agencies should use regional modelling.

Conclusion

The purpose of CEQA is to inform the public as to the potential for a project to result in one or more significant adverse effects on the environment (including health effects). A CEQA document must provide an understandable and clear environmental analysis and provide an adequate basis for decision making and public disclosure. Regional dispersion modeling of criteria pollutants and secondary pollutants like PM and ozone can provide additional information, but that information may be within the margin of modelling uncertainty and/or may not be meaningful for the public and decision-makers unless a full health context is presented in the CEQA document. Simply providing health outcomes based on use of a regional-scale model and BenMap may not satisfy the goal to provide decision-makers and the public with information that would assist in weighting the environmental consequences of a project. A CEQA document must provide an analysis that is understandable for decision making and public disclosure. Regional scale modeling may provide a technical method for this type of analysis, but it does not necessarily provide a meaningful way to connect the magnitude of a project's criteria pollutant emissions to health effects without speculation.

In order to accurately connect the dots, we urge California air districts to provide more guidance on how to identify and describe the health effects of exceeding regional criteria pollutant thresholds. The air districts are the primary agency responsible for ensuring that the air basins attain the AAQS and ensure the health and welfare of its residents relative to air quality. Because emissions forecasting and health outcomes are based on the regional growth projections to achieve the AAQS is under the purview of the air districts, it should fall on the air districts to identify the potential health outcomes associated with exceeding the CEQA thresholds for projects. The air districts should provide lead agencies with a consistent, reliable, and meaningful analytical approach to correlate specific health effects that may result from a project's criteria pollutant emissions.

Glossary

AAQS – Ambient Air Quality Standards

BenMap – Benefits Mapping and Analysis Program

CAMx – Comprehensive Air Quality Model with extensions

CMAQ – Community Multiscale Air Quality

NOx – Nitrogen Oxides

PM – Particulate Matter

SOx – Sulfur Oxides

State – California

USEPA – United States Environmental Protection Agency

S219783

IN THE SUPREME COURT OF CALIFORNIA

SIERRA CLUB, REVIVE THE SAN JOAQUIN, and
LEAGUE OF WOMEN VOTERS OF FRESNO,

Plaintiffs and Appellants,

v.

COUNTY OF FRESNO,

Defendant and Respondent,

and,

FRIANT RANCH, L.P.,

Real Party in Interest and Respondent.

SUPREME COURT
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Fifth Appellate District Case No. F066798

Appeal from the Superior Court of California, County of Fresno
Case No. 11CECG00726
Honorable Rosendo A. Pena, Jr.

**APPLICATION OF THE SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT FOR LEAVE TO FILE
BRIEF OF *AMICUS CURIAE* IN SUPPORT OF NEITHER PARTY
AND [*PROPOSED*] BRIEF OF *AMICUS CURIAE***

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**TO THE HONORABLE CHIEF JUSTICE AND JUSTICES OF THE
SUPREME COURT:**

APPLICATION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

Pursuant to Rule 8.520(f) of the California Rules of Court, the South Coast Air Quality Management District (SCAQMD) respectfully requests leave to file the attached *amicus curiae* brief. Because SCAQMD's position differs from that of either party, we request leave to submit this *amicus* brief in support of neither party.

HOW THIS BRIEF WILL ASSIST THE COURT

SCAQMD's proposed *amicus* brief takes a position on two of the issues in this case. In both instances, its position differs from that of either party. The issues are:

- 1) Does the California Environmental Quality Act (CEQA) require an environmental impact report (EIR) to correlate a project's air pollution emissions with specific levels of health impacts?
- 2) What is the proper standard of review for determining whether an EIR provides sufficient information on the health impacts caused by a project's emission of air pollutants?

This brief will assist the Court by discussing the practical realities of correlating identified air quality impacts with specific health outcomes. In short, CEQA requires agencies to provide detailed information about a project's air quality impacts that is sufficient for the public and decisionmakers to adequately evaluate the project and meaningfully understand its impacts. However, the level of analysis is governed by a rule of reason; CEQA only requires agencies to conduct analysis if it is reasonably feasible to do so.

With regard to health-related air quality impacts, an analysis that correlates a project's air pollution emissions with specific levels of health impacts will be feasible in some cases but not others. Whether it is feasible depends on a variety of factors, including the nature of the project and the nature of the analysis under consideration. The feasibility of analysis may also change over time as air districts and others develop new tools for measuring projects' air quality related health impacts. Because SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State, it is uniquely situated to express an opinion on the extent to which the Court should hold that CEQA requires lead agencies to correlate air quality impacts with specific health outcomes.

SCAQMD can also offer a unique perspective on the question of the appropriate standard of review. SCAQMD submits that the proper standard of review for determining whether an EIR is sufficient as an informational document is more nuanced than argued by either party. In our view, this is a mixed question of fact and law. It includes determining whether additional analysis is feasible, which is primarily a factual question that should be reviewed under the substantial evidence standard. However, it also involves determining whether the omission of a particular analysis renders an EIR insufficient to serve CEQA's purpose as a meaningful, informational document. If a lead agency has not determined that a requested analysis is infeasible, it is the court's role to determine whether the EIR nevertheless meets CEQA's purposes, and courts should not defer to the lead agency's conclusions regarding the legal sufficiency of an EIR's analysis. The ultimate question of whether an EIR's analysis is "sufficient" to serve CEQA's informational purposes is predominately a question of law that courts should review *de novo*.

This brief will explain the rationale for these arguments and may assist the Court in reaching a conclusion that accords proper respect to a lead agency's factual conclusions while maintaining judicial authority over the ultimate question of what level of analysis CEQA requires.

STATEMENT OF INTEREST OF *AMICUS CURIAE*

The SCAQMD is the regional agency primarily responsible for air pollution control in the South Coast Air Basin, which consists of all of Orange County and the non-desert portions of the Los Angeles, Riverside, and San Bernardino Counties. (Health & Saf. Code § 40410; Cal. Code Regs., tit. 17, § 60104.) The SCAQMD participates in the CEQA process in several ways. Sometimes it acts as a lead agency that prepares CEQA documents for projects. Other times it acts as a responsible agency when it has permit authority over some part of a project that is undergoing CEQA review by a different lead agency. Finally, SCAQMD also acts as a commenting agency for CEQA documents that it receives because it is a public agency with jurisdiction by law over natural resources affected by the project.

In all of these capacities, SCAQMD will be affected by the decision in this case. SCAQMD sometimes submits comments requesting that a lead agency perform an additional type of air quality or health impacts analysis. On the other hand, SCAQMD sometimes determines that a particular type of health impact analysis is not feasible or would not produce reliable and informative results. Thus, SCAQMD will be affected by the Court's resolution of the extent to which CEQA requires EIRs to correlate emissions and health impacts, and its resolution of the proper standard of review.

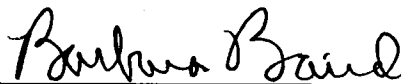
CERTIFICATION REGARDING AUTHORSHIP AND FUNDING

No party or counsel in the pending case authored the proposed amicus curiae brief in whole or in part, or made any monetary contribution intended to fund the preparation or submission of the brief. No person or entity other than the proposed *Amicus Curiae* made any monetary contribution intended to fund the preparation or submission of the brief.

Respectfully submitted,

DATED: April 3, 2015

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BRIEF OF AMICUS CURIAE

SUMMARY OF ARGUMENT

The South Coast Air Quality Management District (SCAQMD) submits that this Court should not try to establish a hard-and-fast rule concerning whether lead agencies are required to correlate emissions of air pollutants with specific health consequences in their environmental impact reports (EIR). The level of detail required in EIRs is governed by a few, core CEQA (California Environmental Quality Act) principles. As this Court has stated, “[a]n EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.” (*Laurel Heights Improvement Assn. v. Regents of the Univ of Cal.* (1988) 47 Cal.3d 376, 405 [*“Laurel Heights I”*]) Accordingly, “an agency must use its best efforts to find out and disclose all that it reasonably can.” (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 428 (quoting CEQA Guidelines § 15144)¹). However, “[a]nalysis of environmental effects need not be exhaustive, but will be judged in light of what is reasonably feasible.” (*Association of Irrigated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1390; CEQA Guidelines §§ 15151, 15204(a).)

With regard to analysis of air quality related health impacts, EIRs must generally quantify a project’s pollutant emissions, but in some cases it is not feasible to correlate these emissions to specific, quantifiable health impacts (e.g., premature mortality; hospital admissions). In such cases, a general description of the adverse health impacts resulting from the pollutants at issue may be sufficient. In other cases, due to the magnitude

¹ The CEQA Guidelines are found at Cal. Code Regs., tit. 14 §§ 15000, *et seq.*

or nature of the pollution emissions, as well as the specificity of the project involved, it may be feasible to quantify health impacts. Or there may be a less exacting, but still meaningful analysis of health impacts that can feasibly be performed. In these instances, agencies should disclose those impacts.

SCAQMD also submits that whether or not an EIR complies with CEQA's informational mandates by providing sufficient, feasible analysis is a mixed question of fact and law. Pertinent here, the question of whether an EIR's discussion of health impacts from air pollution is sufficient to allow the public to understand and consider meaningfully the issues involves two inquiries: (1) Is it feasible to provide the information or analysis that a commenter is requesting or a petitioner is arguing should be required?; and (2) Even if it is feasible, is the agency relying on other policy or legal considerations to justify not preparing the requested analysis? The first question of whether an analysis is feasible is primarily a question of fact that should be judged by the substantial evidence standard. The second inquiry involves evaluating CEQA's information disclosure purposes against the asserted reasons to not perform the requested analysis. For example, an agency might believe that its EIR meets CEQA's informational disclosure standards even without a particular analysis, and therefore choose not to conduct that analysis. SCAQMD submits that this is more of a legal question, which should be reviewed de novo as a question of law.

ARGUMENT

I. RELEVANT FACTUAL AND LEGAL FRAMEWORK.

A. Air Quality Regulatory Background

The South Coast Air Quality Management District (SCAQMD) is one of the local and regional air pollution control districts and air quality

management districts in California. The SCAQMD is the regional air pollution agency for the South Coast Air Basin, which consists of all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. (Health & Saf. Code § 40410, 17 Cal. Code Reg. § 60104.) The SCAQMD also includes the Coachella Valley in Riverside County (Palm Springs area to the Salton Sea). (SCAQMD, *Final 2012 AQMP (Feb. 2013)*, <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/final-2012-air-quality-management-plan>; then follow “chapter 7” hyperlink; pp 7-1, 7-3 (last visited Apr. 1, 2015).) The SCAQMD's jurisdiction includes over 16 million residents and has the worst or nearly the worst air pollution levels in the country for ozone and fine particulate matter. (SCAQMD, *Final 2012 AQMP (Feb. 2013)*, <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/final-2012-air-quality-management-plan>; then follow “Executive Summary” hyperlink p. ES-1 (last visited Apr. 1, 2015).)

Under California law, the local and regional districts are primarily responsible for controlling air pollution from all sources except motor vehicles. (Health & Saf. Code § 40000.) The California Air Resources Board (CARB), part of the California Environmental Protection Agency, is primarily responsible for controlling pollution from motor vehicles. (*Id.*) The air districts must adopt rules to achieve and maintain the state and federal ambient air quality standards within their jurisdictions. (Health & Saf. Code § 40001.)

The federal Clean Air Act (CAA) requires the United States Environmental Protection Agency (EPA) to identify pollutants that are widely distributed and pose a threat to human health, developing a so-called “criteria” document. (42 U.S.C. § 7408; CAA § 108.) These pollutants are frequently called “criteria pollutants.” EPA must then establish “national ambient air quality standards” at levels “requisite to protect public health”,

allowing “an adequate margin of safety.” (42 U.S.C. § 7409; CAA § 109.) EPA has set standards for six identified pollutants: ozone, nitrogen dioxide, sulfur dioxide, carbon monoxide, particulate matter (PM), and lead. (U.S. EPA, National Ambient Air Quality Standards (NAAQS), <http://www.epa.gov/air/criteria.html> (last updated Oct. 21, 2014).)²

Under the Clean Air Act, EPA sets emission standards for motor vehicles and “nonroad engines” (mobile farm and construction equipment, marine vessels, locomotives, aircraft, etc.). (42 U.S.C. §§ 7521, 7547; CAA §§ 202, 213.) California is the only state allowed to establish emission standards for motor vehicles and most nonroad sources; however, it may only do so with EPA's approval. (42 U.S.C. §§ 7543(b), 7543(e); CAA §§ 209(b), 209(c).) Sources such as manufacturing facilities, power plants and refineries that are not mobile are often referred to as “stationary sources.” The Clean Air Act charges state and local agencies with the primary responsibility to attain the national ambient air quality standards. (42 U.S.C. § 7401(a)(3); CAA § 101(a)(3).) Each state must adopt and implement a plan including enforceable measures to achieve and maintain the national ambient air quality standards. (42 U.S.C. § 7410; CAA § 110.) The SCAQMD and CARB jointly prepare portion of the plan for the South Coast Air Basin and submit it for approval by EPA. (Health & Saf. Code §§ 40460, et seq.)

The Clean Air Act also requires state and local agencies to adopt a permit program requiring, among other things, that new or modified “major” stationary sources use technology to achieve the “lowest achievable emission rate,” and to control minor stationary sources as

² Particulate matter (PM) is further divided into two categories: fine particulate or PM_{2.5} (particles with a diameter of less than or equal to 2.5 microns) and coarse particulate (PM₁₀) (particles with a diameter of 10 microns or less). (U.S. EPA, Particulate Matter (PM), <http://www.epa.gov/airquality/particulatepollution/> (last visited Apr. 1, 2015).)

needed to help attain the standards. (42 U.S.C. §§ 7502(c)(5), 7503(a)(2), 7410(a)(2)(C); CAA §§ 172(c)(5), 173(a)(2), 110(a)(2)(C).) The air districts implement these permit programs in California. (Health & Saf. Code §§ 42300, et seq.)

The Clean Air Act also sets out a regulatory structure for over 100 so-called “hazardous air pollutants” calling for EPA to establish “maximum achievable control technology” (MACT) for sources of these pollutants. (42 U.S.C. § 7412(d)(2); CAA § 112(d)(2).) California refers to these pollutants as “toxic air contaminants” (TACs) which are subject to two state-required programs. The first program requires “air toxics control measures” for specific categories of sources. (Health & Saf. Code § 39666.) The other program requires larger stationary sources and sources identified by air districts to prepare “health risk assessments” for impacts of toxic air contaminants. (Health & Saf. Code §§ 44320(b), 44322, 44360.) If the health risk exceeds levels identified by the district as “significant,” the facility must implement a “risk reduction plan” to bring its risk levels below “significant” levels. Air districts may adopt additional more stringent requirements than those required by state law, including requirements for toxic air contaminants. (Health & Saf. Code § 41508; *Western Oil & Gas Assn. v. Monterey Bay Unified APCD* (1989) 49 Cal.3d 408, 414.) For example, SCAQMD has adopted a rule requiring new or modified sources to keep their risks below specified levels and use best available control technology (BACT) for toxics. (SCAQMD, *Rule 1401-New Source Review of Toxic Air Contaminants*, <http://www.aqmd.gov/home/regulations/rules/scaqmd-rule-book/regulation-xiv>; then follow “Rule 1401” hyperlink (last visited Apr. 1, 2015).)

B. The SCAQMD's Role Under CEQA

The California Environmental Quality Act (CEQA) requires public agencies to perform an environmental review and appropriate analysis for projects that they implement or approve. (Pub. Resources Code § 21080(a).) The agency with primary approval authority for a particular project is generally the “lead agency” that prepares the appropriate CEQA document. (CEQA Guidelines §§ 15050, 15051.) Other agencies having a subsequent approval authority over all or part of a project are called “responsible” agencies that must determine whether the CEQA document is adequate for their use. (CEQA Guidelines §§ 15096(c), 15381.) Lead agencies must also consult with and circulate their environmental impact reports to “trustee agencies” and agencies “with jurisdiction by law” including “authority over resources which may be affected by the project.” (Pub. Resources Code §§ 21104(a), 21153; CEQA Guidelines §§ 15086(a)(3), 15073(c).) The SCAQMD has a role in all these aspects of CEQA.

Fulfilling its responsibilities to implement its air quality plan and adopt rules to attain the national ambient air quality standards, SCAQMD adopts a dozen or more rules each year to require pollution reductions from a wide variety of sources. The SCAQMD staff evaluates each rule for any adverse environmental impact and prepares the appropriate CEQA document. Although most rules reduce air emissions, they may have secondary environmental impacts such as use of water or energy or disposal of waste—e.g., spent catalyst from control equipment.³

³ The SCAQMD's CEQA program for its rules is a “Certified Regulatory Program” under which it prepares a “functionally equivalent” document in lieu of a negative declaration or EIR. (Pub. Resources Code § 21080.5, CEQA Guidelines § 15251(l).)

The SCAQMD also approves a large number of permits every year to construct new, modified, or replacement facilities that emit regulated air pollutants. The majority of these air pollutant sources have already been included in an earlier CEQA evaluation for a larger project, are currently being evaluated by a local government as lead agency, or qualify for an exemption. However, the SCAQMD sometimes acts as lead agency for major projects where the local government does not have a discretionary approval. In such cases, SCAQMD prepares and certifies a negative declaration or environmental impact report (EIR) as appropriate.⁴ SCAQMD evaluates perhaps a dozen such permit projects under CEQA each year. SCAQMD is often also a “responsible agency” for many projects since it must issue a permit for part of the projects (e.g., a boiler used to provide heat in a commercial building). For permit projects evaluated by another lead agency under CEQA, SCAQMD has the right to determine that the CEQA document is inadequate for its purposes as a responsible agency, but it may not do so because its permit program already requires all permitted sources to use the best available air pollution control technology. (SCAQMD, *Rule 1303(a)(1) – Requirements*, <http://www.aqmd.gov/home/regulations/rules/scaqmd-rule-book/regulation-xiii>; then follow “Rule 1303” hyperlink (last visited Apr. 1, 2015).)

Finally, SCAQMD receives as many as 60 or more CEQA documents each month (around 500 per year) in its role as commenting agency or an agency with “jurisdiction by law” over air quality—a natural resource affected by the project. (Pub. Resources Code §§ 21104(a), 21153; CEQA Guidelines § 15366(a)(3).) The SCAQMD staff provides comments on as many as 25 or 30 such documents each month.

⁴ The SCAQMD's permit projects are not included in its Certified Regulatory Program, and are evaluated under the traditional local government CEQA analysis. (Pub. Resources Code §§ 21150-21154.)

(SCAQMD Governing Board Agenda, Apr. 3, 2015, Agenda Item 16, Attachment A, <http://www.aqmd.gov/home/library/meeting-agendas-minutes/agenda?title=governing-board-meeting-agenda-april-3-2015>; then follow “16. Lead Agency Projects and Environmental Documents Received by SCAQMD” hyperlink (last visited Apr. 1, 2015).) Of course, SCAQMD focuses its commenting efforts on the more significant projects.

Typically, SCAQMD comments on the adequacy of air quality analysis, appropriateness of assumptions and methodology, and completeness of the recommended air quality mitigation measures. Staff may comment on the need to prepare a health risk assessment detailing the projected cancer and noncancer risks from toxic air contaminants resulting from the project, particularly the impacts of diesel particulate matter, which CARB has identified as a toxic air contaminant based on its carcinogenic effects. (California Air Resources Board, Resolution 98-35, Aug. 27, 1998, <http://www.arb.ca.gov/regact/diesltac/diesltac.htm>; then follow Resolution 98-35 hyperlink (last visited Apr. 1, 2015).) Because SCAQMD already requires new or modified stationary sources of toxic air contaminants to use the best available control technology for toxics and to keep their risks below specified levels, (SCAQMD Rule 1401, *supra*, note 15), the greatest opportunity to further mitigate toxic impacts through the CEQA process is by reducing emissions—particularly diesel emissions—from vehicles.

II. THIS COURT SHOULD NOT SET A HARD-AND-FAST RULE CONCERNING THE EXTENT TO WHICH AN EIR MUST CORRELATE A PROJECT’S EMISSION OF POLLUTANTS WITH RESULTING HEALTH IMPACTS.

Numerous cases hold that courts do not review the correctness of an EIR’s conclusions but rather its sufficiency as an informative document. (*Laurel Heights 1*, *supra*, 47 Cal.3d at p. 392; *Citizens of Goleta Valley v.*

Bd. of Supervisors (1990) 52 Cal.3d 553, 569; *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1197.)

As stated by the Court of Appeal in this case, where an EIR has addressed a topic, but the petitioner claims that the information provided about that topic is insufficient, courts must “draw[] a line that divides *sufficient* discussions from those that are *insufficient*.” (*Sierra Club v. County of Fresno* (2014) 226 Cal.App.4th 704 (superseded by grant of review) 172 Cal.Rptr.3d 271, 290.) The Court of Appeal readily admitted that “[t]he terms themselves – sufficient and insufficient – provide little, if any, guidance as to where the line should be drawn. They are simply labels applied once the court has completed its analysis.” (*Id.*)

The CEQA Guidelines, however, provide guidance regarding what constitutes a sufficient discussion of impacts. Section 15151 states that “the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible.” Case law reflects this: “Analysis of environmental effects need not be exhaustive, but will be judged in light of what was reasonably feasible.” (*Association of Irrigated Residents v. County of Madera, supra*, 107 Cal.App.4th at p. 1390; see also CEQA Guidelines § 15204(a).)

Applying this test, this Court cannot realistically establish a hard-and-fast rule that an analysis correlating air pollution impacts of a project to quantified resulting health impacts is always required, or indeed that it is never required. Simply put, in some cases such an analysis will be “feasible”; in some cases it will not.

For example, air pollution control districts often require a proposed new source of toxic air contaminants to prepare a “health risk assessment” before issuing a permit to construct. District rules often limit the allowable cancer risk the new source may cause to the “maximally exposed individual” (worker and residence exposures). (*See, e.g.*, SCAQMD Rule 1401(c)(8); 1401(d)(1), *supra* note 15.) In order to perform this analysis, it

is necessary to have data regarding the sources and types of air toxic contaminants, location of emission points, velocity of emissions, the meteorology and topography of the area, and the location of receptors (worker and residence). (SCAQMD, *Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics "Hot Spots" Information and Assessment Act (AB2588)*, pp. 11-16; (last visited Apr. 1, 2015) <http://www.aqmd.gov/home/library/documents-support-material>; "Guidelines" hyperlink; AB2588; then follow AB2588 Risk Assessment Guidelines hyperlink.)

Thus, it is feasible to determine the health risk posed by a new gas station locating at an intersection in a mixed use area, where receptor locations are known. On the other hand, it may not be feasible to perform a health risk assessment for airborne toxics that will be emitted by a generic industrial building that was built on "speculation" (i.e., without knowing the future tenant(s)). Even where a health risk assessment can be prepared, however, the resulting maximum health risk value is only a calculation of risk—it does not necessarily mean anyone will contract cancer as a result of the project.

In order to find the "cancer burden" or expected additional cases of cancer resulting from the project, it is also necessary to know the numbers and location of individuals living within the "zone of impact" of the project: i.e., those living in areas where the projected cancer risk from the project exceeds one in a million. (SCAQMD, Health Risk Assessment Summary form, <http://www.aqmd.gov/home/forms>; filter by "AB2588" category; then "Health Risk Assessment" hyperlink (last visited Apr. 1, 2015).) The affected population is divided into bands of those exposed to at least 1 in a million risk, those exposed to at least 10 in a million risk, etc. up to those exposed at the highest levels. (*Id.*) This data allows agencies to calculate an approximate number of additional cancer cases expected from

the project. However, it is not possible to predict which particular individuals will be affected.

For the so-called criteria pollutants⁵, such as ozone, it may be more difficult to quantify health impacts. Ozone is formed in the atmosphere from the chemical reaction of the nitrogen oxides (NO_x) and volatile organic compounds (VOC) in the presence of sunlight. (U.S. EPA, Ground Level Ozone, <http://www.epa.gov/airquality/ozonepollution/> (last updated Mar. 25, 2015).) It takes time and the influence of meteorological conditions for these reactions to occur, so ozone may be formed at a distance downwind from the sources. (U.S. EPA, *Guideline on Ozone Monitoring Site Selection* (Aug. 1998) EPA-454/R-98-002 § 5.1.2, <http://www.epa.gov/ttnamti1/archive/cpreldoc.html> (last visited Apr. 1, 2015).) NO_x and VOC are known as “precursors” of ozone.

Scientifically, health effects from ozone are correlated with increases in the ambient level of ozone in the air a person breathes. (U.S. EPA, *Health Effects of Ozone in the General Population*, Figure 9, <http://www.epa.gov/apti/ozonehealth/population.html#levels> (last visited Apr. 1, 2015).) However, it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels over an entire region. For example, the SCAQMD's 2012 AQMP showed that reducing NO_x by 432 tons per day (157,680 tons/year) and reducing VOC by 187 tons per day (68,255 tons/year) would reduce ozone levels at the SCAQMD's monitor site with the highest levels by only 9 parts per billion. (South Coast Air Quality Management District, *Final 2012 AQMP (February 2013)*, <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/final-2012-air-quality-management-plan>; then follow “Appendix V: Modeling & Attainment Demonstrations” hyperlink,

⁵ See discussion of types of pollutants, *supra*, Part I.A.

pp. v-4-2, v-7-4, v-7-24.) SCAQMD staff does not currently know of a way to accurately quantify ozone-related health impacts caused by NO_x or VOC emissions from relatively small projects.

On the other hand, this type of analysis may be feasible for projects on a regional scale with very high emissions of NO_x and VOCs, where impacts are regional. For example, in 2011 the SCAQMD performed a health impact analysis in its CEQA document for proposed Rule 1315, which authorized various newly-permitted sources to use offsets from the districts “internal bank” of emission reductions. This CEQA analysis accounted for essentially *all* the increases in emissions due to new or modified sources in the District between 2010 and 2030.⁶ The SCAQMD was able to correlate this very large emissions increase (e.g., 6,620 pounds per day NO_x (1,208 tons per year), 89,180 pounds per day VOC (16,275 tons per year)) to expected health outcomes from ozone and particulate matter (e.g., 20 premature deaths per year and 89,947 school absences in the year 2030 due to ozone).⁷ (SCAQMD Governing Board Agenda, February 4, 2011, Agenda Item 26, *Assessment for: Re-adoption of Proposed Rule 1315 – Federal New Source Review Tracking System* (see hyperlink in fn 6) at p. 4.1-35, Table 4.1-29.)

⁶ (SCAQMD Governing Board Agenda, February 4, 2011, Agenda Item 26, Attachment G, *Assessment for: Re-adoption of Proposed Rule 1315 – Federal New Source Review Tracking System, Vol. 1, p.4.0-6*, <http://www.aqmd.gov/home/library/meeting-agendas-minutes/agenda?title=governing-board-meeting-agenda-february-4-2011>; the follow “26. Adopt Proposed Rule 1315 – Federal New Source Review Tracking System” (last visited April 1, 2015).)

⁷ The SCAQMD was able to establish the location of future NO_x and VOC emissions by assuming that new projects would be built in the same locations and proportions as existing stationary sources. This CEQA document was upheld by the Los Angeles County Superior Court in *Natural Res. Def. Council v SCAQMD*, Los Angeles Superior Court No. BS110792).

However, a project emitting only 10 tons per year of NO_x or VOC is small enough that its regional impact on ambient ozone levels may not be detected in the regional air quality models that are currently used to determine ozone levels. Thus, in this case it would not be feasible to directly correlate project emissions of VOC or NO_x with specific health impacts from ozone. This is in part because ozone formation is not linearly related to emissions. Ozone impacts vary depending on the location of the emissions, the location of other precursor emissions, meteorology and seasonal impacts, and because ozone is formed some time later and downwind from the actual emission. (EPA Guideline on Ozone Monitoring Site Selection (Aug. 1998) EPA-454/R-98-002, § 5.1.2; <https://www.epa.gov/ttnamti1/archive/cpreldoc.html>; then search “Guideline on Ozone Monitoring Site Selection” click on pdf) (last viewed Apr. 1, 2015).)

SCAQMD has set its CEQA “significance” threshold for NO_x and VOC at 10 tons per year (expressed as 55 lb/day). (SCAQMD, *Air Quality Analysis Handbook*, <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>; then follow “SCAQMD Air Quality Significance Thresholds” hyperlink (last visited Apr. 1, 2015).) This is because the federal Clean Air Act defines a “major” stationary source for “extreme” ozone nonattainment areas such as SCAQMD as one emitting 10 tons/year. (42 U.S.C. §§ 7511a(e), 7511a(f); CAA §§ 182(e), 182(f).) Under the Clean Air Act, such sources are subject to enhanced control requirements (42 U.S.C. §§ 7502(c)(5), 7503; CAA §§ 172(c)(5), 173), so SCAQMD decided this was an appropriate threshold for making a CEQA “significance” finding and requiring feasible mitigation. Essentially, SCAQMD takes the position that a source that emits 10 tons/year of NO_x or VOC would contribute cumulatively to ozone formation. Therefore, lead agencies that use SCAQMD’s thresholds of significance may determine

that many projects have “significant” air quality impacts and must apply all feasible mitigation measures, yet will not be able to precisely correlate the project to quantifiable health impacts, unless the emissions are sufficiently high to use a regional modeling program.

In the case of particulate matter (PM_{2.5})⁸, another “criteria” pollutant, SCAQMD staff is aware of two possible methods of analysis. SCAQMD used regional modeling to predict expected health impacts from its proposed Rule 1315, as mentioned above. Also, the California Air Resources Board (CARB) has developed a methodology that can predict expected mortality (premature deaths) from large amounts of PM_{2.5}. (California Air Resources Board, *Health Impacts Analysis: PM Premature Death Relationship*, http://www.arb.ca.gov/research/health/pm-mort/pm-mort_arch.htm (last reviewed Jan. 19, 2012).) SCAQMD used the CARB methodology to predict impacts from three very large power plants (e.g., 731-1837 lbs/day). (Final Environmental Assessment for Rule 1315, *supra*, pp 4.0-12, 4.1-13, 4.1-37 (e.g., 125 premature deaths in the entire SCAQMD in 2030), 4.1-39 (0.05 to 1.77 annual premature deaths from power plants.) Again, this project involved large amounts of additional PM_{2.5} in the District, up to 2.82 tons/day (5,650 lbs/day of PM_{2.5}, or, or 1029 tons/year. (*Id.* at table 4.1-4, p. 4.1-10.)

However, the primary author of the CARB methodology has reported that this PM_{2.5} health impact methodology is not suited for small projects and may yield unreliable results due to various uncertainties.⁹ (SCAQMD, *Final Subsequent Mitigated Negative Declaration for: Warren*

⁸ SCAQMD has not attained the latest annual or 24-hour national ambient air quality standards for “PM_{2.5}” or particulate matter less than 2.5 microns in diameter.

⁹ Among these uncertainties are the representativeness of the population used in the methodology, and the specific source of PM and the corresponding health impacts. (*Id.* at p. 2-24.)

E&P, Inc. WTU Central Facility, New Equipment Project (certified July 19, 2011), <http://www.aqmd.gov/home/library/documents-support-material/lead-agency-permit-projects/permit-project-documents---year-2011>; then follow “Final Subsequent Mitigated Negative Declaration for Warren E&P Inc. WTU Central Facility, New Equipment Project” hyperlink, pp. 2-22, 2-23 (last visited Apr. 1, 2015).) Therefore, when SCAQMD prepared a CEQA document for the expansion of an existing oil production facility, with very small PM_{2.5} increases (3.8 lb/day) and a very small affected population, staff elected not to use the CARB methodology for using estimated PM_{2.5} emissions to derive a projected premature mortality number and explained why it would be inappropriate to do so. (*Id.* at pp 2-22 to 2-24.) SCAQMD staff concluded that use of this methodology for such a small source could result in unreliable findings and would not provide meaningful information. (*Id.* at pp. 2-23, 2-25.) This CEQA document was not challenged in court.

In the above case, while it may have been technically possible to plug the data into the methodology, the results would not have been reliable or meaningful. SCAQMD believes that an agency should not be required to perform analyses that do not produce reliable or meaningful results. This Court has already held that an agency may decline to use even the “normal” “existing conditions” CEQA baseline where to do so would be misleading or without informational value. (*Neighbors for Smart Rail v. Exposition Metro Line* (2013) 57 Cal.4th 439, 448, 457.) The same should be true for a decision that a particular study or analysis would not provide reliable or meaningful results.¹⁰

¹⁰ Whether a particular study would result in “informational value” is a part of deciding whether it is “feasible.” CEQA defines “feasible” as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and

Therefore, it is not possible to set a hard-and-fast rule on whether a correlation of air quality impacts with specific quantifiable health impacts is required in all cases. Instead, the result turns on whether such an analysis is reasonably feasible in the particular case.¹¹ Moreover, what is reasonably feasible may change over time as scientists and regulatory agencies continually seek to improve their ability to predict health impacts. For example, CARB staff has been directed by its Governing Board to reassess and improve the methodology for estimating premature deaths. (California Air Resources Board, *Health Impacts Analysis: PM Mortality Relationship*, <http://www.arb.ca.gov/research/health/pm-mort/pm-mort.htm> (last reviewed Dec. 29, 2010).) This factor also counsels against setting any hard-and-fast rule in this case.

III. THE QUESTION OF WHETHER AN EIR CONTAINS SUFFICIENT ANALYSIS TO MEET CEQA'S REQUIREMENTS IS A MIXED QUESTION OF FACT AND LAW GOVERNED BY TWO DIFFERENT STANDARDS OF REVIEW.

A. Standard of Review for Feasibility Determination and Sufficiency as an Informative Document

A second issue in this case is whether courts should review an EIR's informational sufficiency under the "substantial evidence" test as argued by Friant Ranch or the "independent judgment" test as argued by Sierra Club.

technological factors." (Pub. Resources Code § 21061.1.) A study cannot be "accomplished in a *successful* manner" if it produces unreliable or misleading results.

¹¹ In this case, the lead agency did not have an opportunity to determine whether the requested analysis was feasible because the comment was non-specific. Therefore, SCAQMD suggests that this Court, after resolving the legal issues in the case, direct the Court of Appeal to remand the case to the lead agency for a determination of whether the requested analysis is feasible. Because Fresno County, the lead agency, did not seek review in this Court, it seems likely that the County has concluded that at least some level of correlation of air pollution with health impacts is feasible.

As this Court has explained, “a reviewing court must adjust its scrutiny to the nature of the alleged defect, depending on whether the claim is predominantly one of improper procedure or a dispute over the facts.” (*Vineyard Area Citizens v. City of Rancho Cordova, supra*, 40 Cal.4th at 435.) For questions regarding compliance with proper procedure or other legal questions, courts review an agency’s action de novo under the “independent judgment” test. (*Id.*) On the other hand, courts review factual disputes only for substantial evidence, thereby “accord[ing] greater deference to the agency’s substantive factual conclusions.” (*Id.*)

Here, Friant Ranch and Sierra Club agree that the case involves the question of whether an EIR includes sufficient information regarding a project’s impacts. However, they disagree on the proper standard of review for answering this question: Sierra Club contends that courts use the independent judgment standard to determine whether an EIR’s analysis is sufficient to meet CEQA’s informational purposes,¹² while Friant Ranch contends that the substantial evidence standard applies to this question.

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¹² Sierra Club acknowledges that courts use the substantial evidence standard when reviewing predicate factual issues, but argues that courts ultimately decide as a matter of law what CEQA requires. (Answering Brief, pp. 14, 23.)

SCAQMD submits that the issue is more nuanced than either party contends. We submit that, whether a CEQA document includes sufficient analysis to satisfy CEQA's informational mandates is a mixed question of fact and law,¹³ containing two levels of inquiry that should be judged by different standards.¹⁴

The state CEQA Guidelines set forth standards for the adequacy of environmental analysis. Guidelines Section 15151 states:

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good-faith effort at full disclosure.

In this case, the basic question is whether the underlying analysis of air quality impacts made the EIR "sufficient" as an informative document. However, whether the EIR's analysis was sufficient is judged in light of what was reasonably feasible. This represents a mixed question of fact and law that is governed by two different standards of review.

¹³ Friant Ranch actually states that the claim that an EIR lacks sufficient relevant information is, "most properly thought of as raising mixed questions of fact and law." (Opening Brief, p. 27.) However, the remainder of its argument claims that the court should apply the substantial evidence standard of review to all aspects of the issue.

¹⁴ Mixed questions of fact and law issues may implicate predominantly factual subordinate questions that are reviewed under the substantial evidence test even though the ultimate question may be reviewed by the independent judgment test. *Crocker National Bank v. City and County of San Francisco* (1989) 49 Cal.3d 881, 888-889.

SCAQMD submits that an EIR's sufficiency as an informational document is ultimately a legal question that courts should determine using their independent judgment. This Court's language in *Laurel Heights I* supports this position. As this Court explained: "The court does not pass upon the correctness of the EIR's environmental conclusions, but only upon its *sufficiency as an informative document*." (*Laurel Heights I, supra*, 47 Cal.3d at 392-393) (emphasis added.) As described above, the Court in *Vineyard Area Citizens v. City of Rancho Cordova, supra*, 40 Cal.4th at 431, also used its independent judgment to determine what level of analysis CEQA requires for water supply impacts. The Court did not defer to the lead agency's opinion regarding the law's requirements; rather, it determined for itself what level of analysis was necessary to meet "[t]he law's informational demands." (*Id.* at p. 432.) Further, existing case law also holds that where an agency fails to comply with CEQA's information disclosure requirements, the agency has "failed to proceed in the manner required by law." (*Save Our Peninsula Comm. v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 118.)

However, whether an EIR satisfies CEQA's requirements depends in part on whether it was reasonably feasible for an agency to conduct additional or more thorough analysis. EIRs must contain "a detailed statement" of a project's impacts (Pub. Res. Code § 21061), and an agency must "use its best efforts to find out and disclose all that it reasonably can." (CEQA Guidelines § 15144.) Nevertheless, "the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible." (CEQA Guidelines § 15151.)

SCAQMD submits that the question of whether additional analysis or a particular study suggested by a commenter is "feasible" is generally a question of fact. Courts have already held that whether a particular alternative is "feasible" is reviewed by the substantial evidence test.

(*Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 598-99; *Center for Biological Diversity v. County of San Bernardino* (2010) 185 Cal.App.4th 866, 883.) Thus, if a lead agency determines that a particular study or analysis is infeasible, that decision should generally be judged by the substantial evidence standard. However, SCAQMD urges this Court to hold that lead agencies must explain the basis of any determination that a particular analysis is infeasible in the EIR itself. An EIR must discuss information, including issues related to the feasibility of particular analyses “in sufficient detail to enable meaningful participation and criticism by the public. ‘[W]hatever is required to be considered in an EIR must be in that formal report; what any official might have known from other writings or oral presentations cannot supply what is lacking in the report.’” (*Laurel Heights I, supra*, 47 Cal.3d at p. 405 (quoting *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3d 818, 831) (discussing analysis of alternatives).) The evidence on which the determination is based should also be summarized in the EIR itself, with appropriate citations to reference materials if necessary. Otherwise commenting agencies such as SCAQMD would be forced to guess where the lead agency's evidence might be located, thus thwarting effective public participation.

Moreover, if a lead agency determines that a particular study or analysis would not result in reliable or useful information and for that reason is not feasible, that determination should be judged by the substantial evidence test. (See *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority, supra*, 57 Cal.4th 439, 448, 457:

whether “existing conditions” baseline would be misleading or uninformative judged by substantial evidence standard.¹⁵)

If the lead agency’s determination that a particular analysis or study is not feasible is supported by substantial evidence, then the agency has not violated CEQA’s information disclosure provisions, since it would be infeasible to provide additional information. This Court’s decisions provide precedent for such a result. For example, this Court determined that the issue of whether the EIR should have included a more detailed discussion of future herbicide use was resolved because substantial evidence supported the agency’s finding that “the precise parameters of future herbicide use could not be predicted.” *Ebbetts Pass Forest Watch v. California Dept. of Forestry & Fire Protection* (2008) 43 Cal.4th 936, 955.

Of course, SCAQMD expects that courts will continue to hold lead agencies to their obligations to consult with, and not to ignore or misrepresent, the views of sister agencies having special expertise in the area of air quality. (*Berkeley Keep Jets Over the Bay v. Board of Port Commissioners* (2007) 91 Cal.App.4th 1344, 1364 n.11.) In some cases, information provided by such expert agencies may establish that the purported evidence relied on by the lead agency is not in fact “substantial”. (*Id.* at pp. 1369-1371.)

In sum, courts retain ultimate responsibility to determine what CEQA requires. However, the law does not require exhaustive analysis, but only what is reasonably feasible. Agencies deserve deference for their factual determinations regarding what type of analysis is reasonably feasible. On the other hand, if a commenter requests more information, and the lead agency declines to provide it but does *not* determine that the

¹⁵ The substantial evidence standard recognizes that the courts "have neither the resources nor the scientific expertise" to weigh conflicting evidence on technical issues. (*Laurel Heights I, supra*, 47 Cal.3d 376, 393.)

requested study or analysis would be infeasible, misleading or uninformative, the question becomes whether the omission of that analysis renders the EIR inadequate to satisfy CEQA’s informational purposes. (*Id.* at pp. 1370-71.) Again, this is predominantly a question of law and should be judged by the de novo or independent judgment standard of review. Of course, this Court has recognized that a “project opponent or reviewing court can always imagine some additional study or analysis that might provide helpful information. It is not for them to design the EIR. That further study...might be helpful does not make it necessary.” (*Laurel Heights I, supra*, 47 Cal.3d 376, 415 – see also CEQA Guidelines § 15204(a) [CEQA “does not require a lead agency to conduct every test. . . recommended or demanded by commenters.”].) Courts, then, must adjudicate whether an omission of particular information renders an EIR inadequate to serve CEQA’s informational purposes.¹⁶

¹⁶ We recognize that there is case law stating that the substantial evidence standard applies to “challenges to the scope of an EIR’s analysis of a topic” as well as the methodology used and the accuracy of the data relied on in the document “because these types of challenges involve factual questions.” (*Bakersfield Citizens for Local Control v. City of Bakersfield, supra*, 124 Cal.App.4th 1184, 1198, and cases relied on therein.) However, we interpret this language to refer to situations where the question of the scope of the analysis really is factual—that is, where it involves whether further analysis is feasible, as discussed above. This interpretation is supported by the fact that the *Bakersfield* court expressly rejected an argument that a claimed “omission of information from the EIR should be treated as inquiries whether there is substantial evidence supporting the decision approving the project.” *Bakersfield, supra*, 124 Cal.App.4th at p. 1208. And the *Bakersfield* court ultimately decided that the lead agency must analyze the connection between the identified air pollution impacts and resulting health impacts, even though the EIR already included some discussion of air-pollution-related respiratory illnesses. *Bakersfield, supra*, 124 Cal.App.4th at p. 1220. Therefore, the court must not have interpreted this question as one of the “scope of the analysis” to be judged by the substantial evidence standard.

B. Friant Ranch's Rationale for Rejecting the Independent Judgment Standard of Review is Unsupported by Case Law.

In its brief, Friant Ranch makes a distinction between cases where a required CEQA topic is not discussed at all (to be reviewed by independent judgment as a failure to proceed in the manner required by law) and cases where a topic is discussed, but the commenter claims the information provided is insufficient (to be judged by the substantial evidence test). (Opening Brief, pp. 13-17.) The Court of Appeal recognized these two types of cases, but concluded that both raised questions of law. (*Sierra Club v. County of Fresno* (2014) 226 Cal.App.4th 704 (superseded by grant of review) 172 Cal.Rptr.3d 271, 290.) We believe the distinction drawn by Friant Ranch is unduly narrow, and inconsistent with cases which have concluded that CEQA documents are insufficient. In many instances, CEQA's requirements are stated broadly, and the courts must interpret the law to determine what level of analysis satisfies CEQA's mandate for providing meaningful information, even though the EIR discusses the issue to some extent.

For example, the CEQA Guidelines require discussion of the existing environmental baseline. In *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 954-955, the lead agency had discussed the environmental baseline by describing historic month-end water levels in the affected lakes. However, the court held that this was not an adequate baseline discussion because it failed to discuss the timing and amounts of past actual water releases, to allow comparison with the proposed project. The court evidently applied the independent judgment test to its decision, even though the agency discussed the issue to some extent.

Likewise, in *Vineyard Area Citizens* (2007) 40 Cal.4th 412, this Court addressed the question of whether an EIR's analysis of water supply impacts complied with CEQA. The parties agreed that the EIR was required to analyze the effects of providing water to the development project, "and that in order to do so the EIR had, in some manner, to identify the planned sources of that water." (*Vineyard Area Citizens, supra*, at p. 428.) However, the parties disagreed as to the level of detail required for this analysis and "what level of uncertainty regarding the availability of water supplies can be tolerated in an EIR" (*Id.*) In other words, the EIR had analyzed water supply impacts for the project, but the petitioner claimed that the analysis was insufficient.

This Court noted that neither CEQA's statutory language or the CEQA Guidelines specifically addressed the question of how precisely an EIR must discuss water supply impacts. (*Id.*) However, it explained that CEQA "states that '[w]hile foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.'" (*Id.*, [Guidelines § 15144].) The Court used this general principle, along with prior precedent, to elucidate four "principles for analytical adequacy" that are necessary in order to satisfy "CEQA's informational purposes." (*Vineyard Area Citizens, supra*, at p. 430.) The Court did not defer to the agency's determination that the EIR's analysis of water supply impacts was sufficient. Rather, this Court used its independent judgment to determine for itself the level of analysis required to satisfy CEQA's fundamental purposes. (*Vineyard Area Citizens, supra*, at p. 441: an EIR does not serve its purposes where it neglects to explain likely sources of water and "... leaves long term water supply considerations to later stages of the project.")

Similarly, the CEQA Guidelines require an analysis of noise impacts of the project. (Appendix G, “Environmental Checklist Form.”¹⁷) In *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1123, the court held that the lead agency’s noise impact analysis was inadequate even though it had addressed the issue and concluded that the increase would not be noticeable. If the court had been using the substantial evidence standard, it likely would have upheld this discussion.

Therefore, we do not agree that the issue can be resolved on the basis suggested by Friant Ranch, which would apply the substantial evidence standard to *every* challenge to an analysis that addresses a required CEQA topic. This interpretation would subvert the courts’ proper role in interpreting CEQA and determining what the law requires.

Nor do we agree that the Court of Appeal in this case violated CEQA’s prohibition on courts interpreting its provisions “in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division or in the state guidelines.” (Pub. Resources Code § 21083.1.) CEQA requires an EIR to describe *all* significant impacts of the project on the environment. (Pub. Resources Code § 21100(b)(2); *Vineyard Area Citizens, supra*, at p. 428.) Human beings are part of the environment, so CEQA requires EIRs to discuss a project’s significant impacts on human health. However, except in certain particular circumstances,¹⁸ neither the CEQA statute nor Guidelines specify the precise level of analysis that agencies must undertake to satisfy the law’s requirements. (see, e.g., CEQA Guidelines § 15126.2(a) [EIRs must describe “health and safety problems caused by {a project’s} physical changes”].) Accordingly, courts must interpret CEQA as a whole to

¹⁷ Association of Environmental Professionals, 2015 CEQA Statute and Guidelines (2015) p.287.

¹⁸ E.g., Pub. Resources Code § 21151.8(C)(3)(B)(iii) (requiring specific type of health risk analysis for siting schools).

determine whether a particular EIR is sufficient as an informational document. A court determining whether an EIR's discussion of human health impacts is legally sufficient does not constitute imposing a new substantive requirement.¹⁹ Under Friant Ranch's theory, the above-referenced cases holding a CEQA analysis inadequate would have violated the law. This is not a reasonable interpretation.

IV. COURTS MUST SCRUPULOUSLY ENFORCE THE REQUIREMENTS THAT LEAD AGENCIES CONSULT WITH AND OBTAIN COMMENTS FROM AIR DISTRICTS

Courts must "scrupulously enforce" CEQA's legislatively mandated requirements. (*Vineyard Area Citizens, supra*, 40 Cal.4th 412, 435.) Case law has firmly established that lead agencies must consult with the relevant air pollution control district before conducting an initial study, and must provide the districts with notice of the intention to adopt a negative declaration (or EIR). (*Schenck v. County of Sonoma* (2011) 198 Cal.App.4th 949, 958.) As *Schenck* held, neither publishing the notice nor providing it to the State Clearinghouse was a sufficient substitute for sending notice directly to the air district. (*Id.*) Rather, courts "must be satisfied that [administrative] agencies have fully complied with the procedural requirements of CEQA, since only in this way can the important public purposes of CEQA be protected from subversion." *Schenck*, 198 Cal.App.4th at p. 959 (citations omitted).²⁰

¹⁹ We submit that Public Resources Code Section 21083.1 was intended to prevent courts from, for example, holding that an agency must analyze economic impacts of a project where there are no resulting environmental impacts (see CEQA Guidelines § 15131), or imposing new procedural requirements, such as imposing additional public notice requirements not set forth in CEQA or the Guidelines.

²⁰ Lead agencies must consult air districts, as public agencies with jurisdiction by law over resources affected by the project, *before* releasing an EIR. (Pub. Resources Code §§ 21104(a); 21153.) Moreover, air

Lead agencies should be aware, therefore, that failure to properly seek and consider input from the relevant air district constitutes legal error which may jeopardize their project approvals. For example, the court in *Fall River Wild Trout Foundation v. County of Shasta*, (1999) 70 Cal.App.4th 482, 492 held that the failure to give notice to a trustee agency (Department of Fish and Game) was prejudicial error requiring reversal. The court explained that the lack of notice prevented the Department from providing any response to the CEQA document. (*Id.* at p. 492.) It therefore prevented relevant information from being presented to the lead agency, which was prejudicial error because it precluded informed decision-making. (*Id.*)²¹

districts should be considered “state agencies” for purposes of the requirement to consult with “trustee agencies” as set forth in Public Resources Code § 20180.3(a). This Court has long ago held that the districts are not mere “local agencies” whose regulations are superseded by those of a state agency regarding matters of statewide concern, but rather have concurrent jurisdiction over such issues. (*Orange County Air Pollution Control District v. Public Util. Com.* (1971) 4 Cal.3d 945, 951, 954.) Since air pollution is a matter of statewide concern, *Id.* at 952, air districts should be entitled to trustee agency status in order to ensure that this vital concern is adequately protected during the CEQA process.

²¹ In *Schenck*, the court concluded that failure to give notice to the air district was not prejudicial, but this was partly because the trial court had already corrected the error before the case arrived at the Court of Appeal. The trial court issued a writ of mandate requiring the lead agency to give notice to the air district. The air district responded by concurring with the lead agency that air impacts were not significant. (*Schenck*, 198 Cal.App.4th 949, 960.) We disagree with the *Schenck* court that the failure to give notice to the air district would not have been prejudicial (even in the absence of the trial court writ) merely because the lead agency purported to follow the air district’s published CEQA guidelines for significance. (*Id.*, 198 Cal.App.4th at p. 960.) In the first place, absent notice to the air district, it is uncertain whether the lead agency properly followed those guidelines. Moreover, it is not realistic to expect that an air district’s published guidelines would necessarily fully address all possible air-quality related issues that can arise with a CEQA project, or that those

Similarly, lead agencies must obtain additional information requested by expert agencies, including those with jurisdiction by law, if that information is necessary to determine a project's impacts. (*Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236-37.) Approving a project without obtaining that information constitutes a failure to proceed in the manner prescribed by CEQA. (*Id.* at p. 1236.)

Moreover, a lead agency can save significant time and money by consulting with the air district early in the process. For example, the lead agency can learn what the air district recommends as an appropriate analysis on the facts of its case, including what kinds of health impacts analysis may be available, and what models are appropriate for use. This saves the lead agency from the need to do its analysis all over again and possibly needing to recirculate the document after errors are corrected, if new significant impacts are identified. (CEQA Guidelines § 15088.5(a).) At the same time, the air district's expert input can help the lead agency properly determine whether another commenter's request for additional analysis or studies is reasonable or feasible. Finally, the air district can provide input on what mitigation measures would be feasible and effective.

Therefore, we suggest that this Court provide guidance to lead agencies reminding them of the importance of consulting with the relevant air districts regarding these issues. Otherwise, their feasibility decisions may be vulnerable to air district evidence that establishes that there is no substantial evidence to support the lead agency decision not to provide specific analysis. (*See Berkeley Keep Jets Over the Bay, supra*, 91 Cal.App.4th 1344, 1369-1371.)

guidelines would necessarily be continually modified to reflect new developments. Therefore we believe that, had the trial court not already ordered the lead agency to obtain the air district's views, the failure to give notice would have been prejudicial, as in *Fall River, supra*, 70 Cal.App.4th 482, 492.

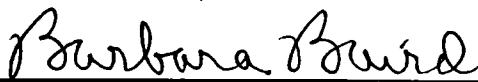
CONCLUSION

The SCAQMD respectfully requests this Court *not* to establish a hard-and-fast rule concerning whether CEQA requires a lead agency to correlate identified air quality impacts of a project with resulting health outcomes. Moreover, the question of whether an EIR is “sufficient as an informational document” is a mixed question of fact and law containing two levels of inquiry. Whether a particular proposed analysis is feasible is predominantly a question of fact to be judged by the substantial evidence standard of review. Where the requested analysis is feasible, but the lead agency relies on legal or policy reasons not to provide it, the question of whether the EIR is nevertheless sufficient as an informational document is predominantly a question of law to be judged by the independent judgment standard of review.

Respectfully submitted,

DATED: April 3, 2015

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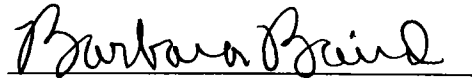
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CERTIFICATE OF WORD COUNT

Pursuant to Rule 8.520(c)(1) of the California Rules of Court, I hereby certify that this brief contains 8,476 words, including footnotes, but excluding the Application, Table of Contents, Table of Authorities, Certificate of Service, this Certificate of Word Count, and signature blocks. I have relied on the word count of the Microsoft Word Vista program used to prepare this Certificate.

DATED: April 3, 2015

Respectfully submitted,


Barbara Baird

PROOF OF SERVICE

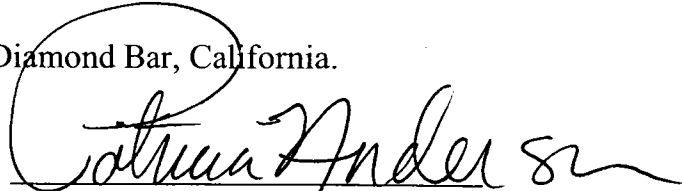
I am employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the within action. My business address is 21865 Copley Drive, Diamond Bar, California 91765.

On April 3, 2015 I served true copies of the following document(s) described as **APPLICATION OF THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT FOR LEAVE TO FILE BRIEF OF *AMICUS CURIAE* IN SUPPORT OF NEITHER PARTY AND [PROPOSED] BRIEF OF *AMICUS CURIAE*** by placing a true copy of the foregoing document(s) in a sealed envelope addressed as set forth on the attached service list as follows:

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this District's practice for collection and processing of correspondence for mailing. Under that practice, the correspondence would be deposited with the United States Postal Service, with postage thereon fully prepaid at Diamond Bar, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on April 3, 2015 at Diamond Bar, California.


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SUPREME COURT COPY

CASE NO. S219783

IN THE SUPREME COURT OF CALIFORNIA

SIERRA CLUB, REVIVE THE SAN JOAQUIN, and
LEAGUE OF WOMEN VOTERS OF FRESNO,
Plaintiffs and Appellants

v.

COUNTY OF FRESNO,
Defendant and Respondent

FRIANT RANCH, L.P.,
Real Party in Interest and Respondent

SUPREME COURT
FILED

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Deputy

After a Decision by the Court of Appeal, filed May 27, 2014
Fifth Appellate District Case No. F066798

Appeal from the Superior Court of California, County of Fresno
Case No. 11CECG00726

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SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT IN
SUPPORT OF DEFENDANT AND RESPONDENT, COUNTY OF FRESNO AND
REAL PARTY IN INTEREST AND RESPONDENT, FRIANT RANCH, L.P.**

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APPLICATION

Pursuant to California Rules of Court 8.520(f)(1), proposed Amicus Curiae San Joaquin Valley Unified Air Pollution Control District hereby requests permission from the Chief Justice to file an amicus brief in support of Defendant and Respondent, County of Fresno, and Defendant and Real Parties in Interest Friant Ranch, L.P. Pursuant to Rule 8.520(f)(5) of the California Rules of Court, the proposed amicus curiae brief is combined with this Application. The brief addresses the following issue certified by this Court for review:

Is an EIR adequate when it identifies the health impacts of air pollution and quantifies a project's expected emissions, or does CEQA further require the EIR to *correlate* a project's air quality emissions to specific health impacts?

As of the date of this filing, the deadline for the final reply brief on the merits was March 5, 2015. Accordingly, under Rule 8.520(f)(2), this application and brief are timely.

1. Background and Interest of San Joaquin Valley Unified Air Pollution Control District

The San Joaquin Valley Unified Air Pollution Control District ("Air District") regulates air quality in the eight counties comprising the San Joaquin Valley ("Central Valley"): Kern, Tulare, Madera, Fresno, Merced, San Joaquin, Stanislaus, and Kings, and is primarily responsible for attaining air quality standards within its jurisdiction. After billions of dollars of investment by Central Valley businesses, pioneering air quality regulations, and consistent efforts by residents, the Central Valley air basin has made historic improvements in air quality.

The Central Valley's geographical, topographical and meteorological features create exceptionally challenging air quality

conditions. For example, it receives air pollution transported from the San Francisco Bay Area and northern Central Valley communities, and the southern portion of the Central Valley includes three mountain ranges (Sierra, Tehachapi, and Coastal) that, under some meteorological conditions, effectively trap air pollution. Central Valley air pollution is only a fraction of what the Bay Area and Los Angeles produce, but these natural conditions result in air quality conditions that are only marginally better than Los Angeles, even though about ten times more pollution is emitted in the Los Angeles region. Bay Area air quality is much better than the Central Valley's, even though the Bay Area produces about six times more pollution. The Central Valley also receives air pollution transported from the Bay Area and northern counties in the Central Valley, including Sacramento, and transboundary anthropogenic ozone from as far away as China.

Notwithstanding these challenges, the Central Valley has reduced emissions at the same or better rate than other areas in California and has achieved unparalleled milestones in protecting public health and the environment:

- In the last decade, the Central Valley became the first air basin classified by the federal government under the Clean Air Act as a “serious nonattainment” area to come into attainment of health-based National Ambient Air Quality Standard (“NAAQS”) for coarse particulate matter (PM10), an achievement made even more notable given the Valley’s extensive agricultural sector. Unhealthy levels of particulate matter can cause and exacerbate a range of chronic and acute illnesses.
- In 2013, the Central Valley became the first air basin in the country to improve from a federal designation of “extreme” nonattainment to

actually attain (and quality for an attainment designation) of the 1-hour ozone NAAQS; ozone creates “smog” and, like PM10, causes adverse health impacts.

- The Central Valley also is in full attainment of federal standards for lead, nitrogen dioxide, sulfur dioxide, and carbon monoxide.
- The Central Valley continues to make progress toward compliance with its last two attainment standards, with the number of exceedences for the 8-hour ozone NAAQS reduced by 74% (for the 1997 standard) and 38% (for the 2008 standard) since 1991, and for the small particulate matter (PM2.5) NAAQS reduced by 85% (for the 1997 standard) and 61% (for the 2006 standard).

Sustained improvement in Central Valley air quality requires a rigorous and comprehensive regulatory framework that includes prohibitions (e.g., on wood-burning fireplaces in new residences), mandates (e.g., requiring the installation of best available pollution reduction technologies on new and modified equipment and industrial operations), innovations (e.g., fees assessed against residential development to fund pollution reduction actions to “offset” vehicular emissions associated with new residences), incentive programs (e.g., funding replacements of older, more polluting heavy duty trucks and school buses)¹, ongoing planning for continued air quality improvements, and enforcement of Air District permits and regulations.

The Air District is also an expert air quality agency for the eight counties and cities in the San Joaquin Valley. In that capacity, the Air District has developed air quality emission guidelines for use by the Central

¹ San Joaquin’s incentive program has been so successful that through 2012, it has awarded over \$ 432 million in incentive funds and has achieved 93,349 tons of lifetime emissions reductions. See SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT, 2012 PM2.5 PLAN, 6-6 (2012) available at <http://www.valleyair.org/Workshops/postings/2012/12-20-12PM25/FinalVersion/06%20Chapter%206%20Incentives.pdf>.

Valley counties and cities that implement the California Environment Quality Act (CEQA).² In its guidance, the Air District has distinguished between toxic air contaminants and criteria air pollutants.³ Recognizing this distinction, the Air District's CEQA Guidance has adopted distinct thresholds of significance for *criteria* pollutants (i.e., ozone, PM2.5 and their respective precursor pollutants) based upon scientific and factual data which demonstrates the level that can be accommodated on a cumulative basis in the San Joaquin Valley without affecting the attainment of the applicable NAAQS.⁴ For *toxic air* pollutants, the District has adopted different thresholds of significance which scientific and factual data demonstrates has the potential to expose sensitive receptors (i.e., children, the elderly) to levels which may result in localized health impacts.⁵

The Air District's CEQA Guidance was followed by the County of Fresno in its environment review of the Friant Ranch project, for which the Air District also served as a commenting agency. The Court of Appeal's holding, however, requiring correlation between the project's criteria

² See, e.g., SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT, PLANNING DIVISION, GUIDE FOR ASSESSING AND MITIGATING AIR QUALITY IMPACTS (2015), available at http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf ("CEQA Guidance").

³ Toxic air contaminants, also known as hazardous air pollutants, are those pollutants that are known or suspected to cause cancer or other serious health effects, such as birth defects. There are currently 189 toxic air contaminants regulated by the United States Environmental Protection Agency ("EPA") and the states pursuant to the Clean Air Act. 42 U.S.C. § 7412. Common TACs include benzene, perchloroethylene and asbestos. *Id.* at 7412(b).

In contrast, there are only six (6) criteria air pollutants: ozone, particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide and lead. Although criteria air pollutants can also be harmful to human health, they are distinguishable from toxic air contaminants and are regulated separately. For instance, while criteria pollutants are regulated by numerous sections throughout Title I of the Clean Air Act, the regulation of toxic air contaminants occurs solely under section 112 of the Act. Compare 42 U.S.C. §§ 7407 – 7411 & 7501 – 7515 with 42 U.S.C. § 7411.

⁴ See, e.g., CEQA Guidance at http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf, pp. 64-66, 80.

⁵ See, e.g., CEQA Guidance at http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf, pp. 66, 99-101.

pollutants and local health impacts, departs from the Air District's Guidance and approved methodology for assessing criteria pollutants. A close reading of the administrative record that gave rise to this issue demonstrates that the Court's holding is based on a misunderstanding of the distinction between toxic air contaminants (for which a local health risk assessment is feasible and routinely performed) and criteria air pollutants (for which a local health risk assessment is not feasible and would result in speculative results).⁶ The Air District has a direct interest in ensuring the lawfulness and consistent application of its CEQA Guidance, and will explain how the Court of Appeal departed from the Air District's long-standing CEQA Guidance in addressing criteria pollutants and toxic air contaminants in this amicus brief.

2. How the Proposed Amicus Curiae Brief Will Assist the Court

As counsel for the proposed amicus curiae, we have reviewed the briefs filed in this action. In addition to serving as a "commentary agency" for CEQA purposes over the Friant Ranch project, the Air District has a strong interest in assuring that CEQA is used for its intended purpose, and believes that this Court would benefit from additional briefing explaining the distinction between criteria pollutants and toxic air contaminants and the different methodologies employed by local air pollution control agencies such as the Air District to analyze these two categories of air pollutants under CEQA. The Air District will also explain how the Court of Appeal's opinion is based upon a fundamental misunderstanding of these two different approaches by requiring the County of Fresno to correlate the project's *criteria* pollution emissions with *local* health impacts. In doing

⁶ CEQA does not require speculation. *See, e.g., Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.*, 6 Cal. 4th 1112, 1137 (1993) (upholding EIR that failed to evaluate cumulative toxic air emission increases given absence of any acceptable means for doing so).

so, the Air District will provide helpful analysis to support its position that at least insofar as criteria pollutants are concerned, CEQA does not require an EIR to correlate a project's air quality emissions to specific health impacts, because such an analysis is not reasonably feasible.

Rule 8.520 Disclosure

Pursuant to Cal. R. 8.520(f)(4), neither the Plaintiffs nor the Defendant or Real Party In Interest or their respective counsel authored this brief in whole or in part. Neither the Plaintiffs nor the Defendant or Real Party in Interest or their respective counsel made any monetary contribution towards or in support of the preparation of this brief.

CONCLUSION

On behalf of the San Joaquin Valley Unified Air Pollution Control District, we respectfully request that this Court accept the filing of the attached brief.

Dated: April 2, 2015



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SAN JOAQUIN VALLEY UNIFIED
AIR POLLUTION CONTROL
DISTRICT

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I. INTRODUCTION.

The San Joaquin Valley Unified Air Pollution Control District (“Air District”) respectfully submits that the Court of Appeal erred when it held that the air quality analysis contained in the Environmental Impact Report (“EIR”) for the Friant Ranch development project was inadequate under the California Environmental Quality Act (“CEQA”) because it did not include an analysis of the correlation between the project’s criteria air pollutants and the potential adverse human health impacts. A close reading of the portion of the administrative record that gave rise to this issue demonstrates that the Court’s holding is based on a misunderstanding of the distinction between toxic air contaminants and criteria air pollutants.

Toxic air contaminants, also known as hazardous air pollutants, are those pollutants that are known or suspected to cause cancer or other serious health effects, such as birth defects. There are currently 189 toxic air contaminants (hereinafter referred to as “TACs”) regulated by the United States Environmental Protection Agency (“EPA”) and the states pursuant to the Clean Air Act. 42 U.S.C. § 7412. Common TACs include benzene, perchloroethylene and asbestos. *Id.* at 7412(b).

In contrast, there are only six (6) criteria air pollutants: ozone, particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide and lead. Although criteria air pollutants can also be harmful to human health,

they are distinguishable from TACs and are regulated separately. For instance, while criteria pollutants are regulated by numerous sections throughout Title I of the Clean Air Act, the regulation of TACs occurs solely under section 112 of the Act. *Compare* 42 U.S.C. §§ 7407 – 7411 & 7501 – 7515 *with* 42 U.S.C. § 7411.

The most relevant difference between criteria pollutants and TACs for purposes of this case is the manner in which human health impacts are accounted for. While it is common practice to analyze the correlation between an individual facility's TAC emissions and the expected localized human health impacts, such is not the case for criteria pollutants. Instead, the human health impacts associated with criteria air pollutants are analyzed and taken into consideration when EPA sets the national ambient air quality standard ("NAAQS") for each criteria pollutant. 42 U.S.C. § 7409(b)(1). The health impact of a particular criteria pollutant is analyzed on a regional and not a facility level based on how close the area is to complying with (attaining) the NAAQS. Accordingly, while the type of individual facility / health impact analysis that the Court of Appeal has required is a customary practice for TACs, it is not feasible to conduct a similar analysis for criteria air pollutants because currently available computer modeling tools are not equipped for this task.

It is clear from a reading of both the administrative record and the Court of Appeal's decision that the Court did not have the expertise to fully

appreciate the difference between TACs and criteria air pollutants. As a result, the Court has ordered the County of Fresno to conduct an analysis that is not practicable and not likely yield valid information. The Air District respectfully requests that this portion of the Court of Appeal's decision be reversed.

II. THE COURT OF APPEAL ERRED IN FINDING THE FRIANT RANCH EIR INADEQUATE FOR FAILING TO ANALYZE THE SPECIFIC HUMAN HEALTH IMPACTS ASSOCIATED CRITERIA AIR POLLUTANTS.

Although the Air District does not take lightly the amount of air emissions at issue in this case, it submits that the Court of Appeal got it wrong when it required Fresno County to revise the Friant Ranch EIR to include an analysis correlating the criteria air pollutant emissions associated with the project with specific, localized health-impacts. The type of analysis the Court of Appeal has required will not yield reliable information because currently available modeling tools are not well suited for this task. Further, in reviewing this issue de novo, the Court of Appeal failed to appreciate that it lacked the scientific expertise to appreciate the significant differences between a health risk assessment commonly performed for toxic air contaminants and a similar type of analysis it felt should have been conducted for criteria air pollutants.

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A. Currently Available Modeling Tools are not Equipped to Provide a Meaningful Analysis of the Correlation between an Individual Development Project's Air Emissions and Specific Human Health Impacts.

In order to appreciate the problematic nature of the Court of Appeals' decision requiring a health risk type analysis for criteria air pollutants, it is important to understand how the relevant criteria pollutants (ozone and particulate matter) are formed, dispersed and regulated.

Ground level ozone (smog) is not directly emitted into the air, but is formed when precursor pollutants such as oxides of nitrogen (NO_x) and volatile organic compounds (VOCs) are emitted into the atmosphere and undergo complex chemical reactions in the process of sunlight.¹ Once formed, ozone can be transported long distances by wind.² Because of the complexity of ozone formation, a specific tonnage amount of NO_x or VOCs emitted in a particular area does not equate to a particular concentration of ozone in that area. In fact, even rural areas that have relatively low tonnages of emissions of NO_x or VOCs can have high levels of ozone concentration simply due to wind transport.³ Conversely, the San Francisco Bay Area has six times more NO_x and VOC emissions per square mile than the San Joaquin Valley, but experiences lower

¹ See United States Environmental Protection Agency, *Ground-level Ozone: Basic Information*, available at: <http://www.epa.gov/airquality/ozonepollution/basic.html> (visited March 10, 2015).

² *Id.*

³ *Id.*

concentrations of ozone (and better air quality) simply because sea breezes disperse the emissions.⁴

Particulate matter (“PM”) can be divided into two categories: directly emitted PM and secondary PM.⁵ While directly emitted PM can have a localized impact, the tonnage emitted does not always equate to the local PM concentration because it can be transported long distances by wind.⁶ Secondary PM, like ozone, is formed via complex chemical reactions in the atmosphere between precursor chemicals such as sulfur dioxides (SO_x) and NO_x.⁷ Because of the complexity of secondary PM formation, the tonnage of PM-forming precursor emissions in an area does not necessarily result in an equivalent concentration of secondary PM in that area.

The disconnect between the *tonnage* of precursor pollutants (NO_x, SO_x and VOCs) and the *concentration* of ozone or PM formed is important because it is not necessarily the tonnage of precursor pollutants that causes human health effects, but the concentration of resulting ozone or PM. Indeed, the national ambient air quality standards (“NAAQS”), which are statutorily required to be set by the United States Environmental Protection

⁴ *San Joaquin Valley Air Pollution Control District 2007 Ozone Plan*, Executive Summary p. ES-6, available at: http://www.valleyair.org/Air_Quality_Plans/docs/AQ_Ozone_2007_Adopted/03%20Executive%20Summary.pdf (visited March 10, 2015).

⁵ United States Environmental Protection Agency, *Particulate Matter: Basic Information*, available at: <http://www.epa.gov/airquality/particlepollution/basic.html> (visited March 10, 2015).

⁶ *Id.*

⁷ *Id.*

Agency (“EPA”) at levels that are “requisite to protect the public health,” 42 U.S.C. § 7409(b)(1), are established as concentrations of ozone or particulate matter and not as tonnages of their precursor pollutants.⁸

Attainment of a particular NAAQS occurs when the concentration of the relevant pollutant remains below a set threshold on a consistent basis throughout a particular region. For example, the San Joaquin Valley attained the 1-hour ozone NAAQS when ozone concentrations remained at or below 0.124 parts per million Valley-wide on 3 or fewer days over a 3-year period.⁹ Because the NAAQS are focused on achieving a particular concentration of pollution region-wide, the Air District’s tools and plans for attaining the NAAQS are regional in nature.

For instance, the computer models used to simulate and predict an attainment date for the ozone or particulate matter NAAQS in the San Joaquin Valley are based on regional inputs, such as regional inventories of precursor pollutants (NO_x, SO_x and VOCs) and the atmospheric chemistry and meteorology of the Valley.¹⁰ At a very basic level, the models simulate future ozone or PM levels based on predicted changes in precursor

⁸ See, e.g., United States Environmental Protection Agency, *Table of National Ambient Air Quality Standards*, available at: <http://www.epa.gov/air/criteria.html#3> (visited March 10, 2015).

⁹ *San Joaquin Valley Unified Air Pollution Control District 2013 Plan for the Revoked 1-Hour Ozone Standard*, Ch. 2 p. 2-16, available at: http://www.valleyair.org/Air_Quality_Plans/OzoneOneHourPlan2013/02Chapter2ScienceTrendsModeling.pdf (visited March 10, 2015).

¹⁰ *Id.* at Ch. 2 p. 2-19 (visited March 12, 2015); *San Joaquin Valley Unified Air Pollution Control District 2008 PM_{2.5} Plan*, Appendix F, pp. F-2 – F-5, available at: http://www.valleyair.org/Air_Quality_Plans/docs/AQ_Final_Adopted_PM2.5/20%20Appendix%20F.pdf (visited March 19, 2015).

emissions Valley wide.¹¹ Because the NAAQS are set levels necessary to protect human health, the closer a region is to attaining a particular NAAQS, the lower the human health impact is from that pollutant.

The goal of these modeling exercises is not to determine whether the emissions generated by a particular factory or development project will affect the date that the Valley attains the NAAQS. Rather, the Air District's modeling and planning strategy is regional in nature and based on the extent to which *all* of the emission-generating sources in the Valley (current and future) must be controlled in order to reach attainment.¹²

Accordingly, the Air District has based its thresholds of significance for CEQA purposes on the levels that scientific and factual data demonstrate that the Valley can accommodate without affecting the attainment date for the NAAQS.¹³ The Air District has tied its CEQA significance thresholds to the level at which stationary pollution sources permitted by the Air District must "offset" their emissions.¹⁴ This "offset"

¹¹ *Id.*

¹² Although the Air District does have a dispersion modeling tool used during its air permitting process that is used to predict whether a particular project's directly emitted PM will either cause an exceedance of the PM NAAQS or contribute to an existing exceedance, this model bases the prediction on a worst case scenario of emissions and meteorology and has no provision for predicting any associated human health impacts. Further, this analysis is only performed for stationary sources (factories, oil refineries, etc.) that are required to obtain a New Source Review permit from the Air District and not for development projects such as Friant Ranch over which the Air District has no preconstruction permitting authority. See San Joaquin Valley Unified Air Pollution Control District Rule 2201 §§ 2.0; 3.3.9; 4.14.1, available at: <http://www.valleyair.org/rules/currntrules/Rule22010411.pdf> (visited March 19, 2015).

¹³ *San Joaquin Valley Unified Air Pollution Control District Guide to Assessing and Mitigating Air Quality Impacts*, (March 19, 2015) p. 22, available at: <http://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI%20Jan%202002%20Rev.pdf> (visited March 30, 2015).

¹⁴ *Id.* at pp. 22, 25.

level allows for growth while keeping the cumulative effects of all new sources at a level that will not impede attainment of the NAAQS.¹⁵ In the Valley, these thresholds are 15 tons per year of PM, and 10 tons of NOx or VOC per year. *Sierra Club, supra*, 172 Cal.Rptr.3d at 303; AR 4554. Thus, the CEQA air quality analysis for criteria pollutants is not really a localized, project-level impact analysis but one of regional, “cumulative impacts.”

Accordingly, the significance thresholds applied in the Friant Ranch EIR (15 tons per year of PM and 10 tons of NOx or VOCs) are not intended to be indicative of any localized human health impact that the project may have. While the health effects of air pollution are of primary concern to the Air District (indeed, the NAAQS are established to protect human health), the Air District is simply not equipped to analyze whether and to what extent the criteria pollutant emissions of an individual CEQA project directly impact human health in a particular area. This is true even for projects with relatively high levels of emissions of criteria pollutant precursor emissions.

For instance, according to the EIR, the Friant Ranch project is estimated to emit 109.52 tons per year of ROG (VOC), 102.19 tons per year of NOx, and 117.38 tons per year of PM. Although these levels well

¹⁵ *San Joaquin Valley Unified Air Pollution Control District Environmental Review Guidelines* (Aug. 2000) p. 4-11, available at: http://www.valleyair.org/transportation/CEQA%20Rules/ERG%20Adopted%20August%202000_.pdf (visited March 12, 2015).

exceed the Air District's CEQA significance thresholds, this does not mean that one can easily determine the concentration of ozone or PM that will be created at or near the Friant Ranch site on a particular day or month of the year, or what specific health impacts will occur. Meteorology, the presence of sunlight, and other complex chemical factors all combine to determine the ultimate concentration and location of ozone or PM. This is especially true for a project like Friant Ranch where most of the criteria pollutant emissions derive not from a single "point source," but from area wide sources (consumer products, paint, etc.) or mobile sources (cars and trucks) driving to, from and around the site.

In addition, it would be extremely difficult to model the impact on NAAQS attainment that the emissions from the Friant Ranch project may have. As discussed above, the currently available modeling tools are equipped to model the impact of *all* emission sources in the Valley on attainment. According to the most recent EPA-approved emission inventory, the NO_x inventory for the Valley is for the year 2014 is 458.2 tons per day, or 167,243 tons per year and the VOC (or ROG) inventory is 361.7 tons per day, or 132,020.5 tons per year.¹⁶ Running the photochemical grid model used for predicting ozone attainment with the

¹⁶ *San Joaquin Valley Unified Air Pollution Control District 2007 Ozone Plan*, Appendix B pp. B-6, B-9, available at: http://www.valleyair.org/Air_Quality_Plans/docs/AO_Ozone_2007_Adopted/19%20Appendix%20B%20April%202007.pdf (visited March 12, 2015).

emissions solely from the Friant Ranch project (which equate to less than one-tenth of one percent of the total NOx and VOC in the Valley) is not likely to yield valid information given the relative scale involved.

Finally, even once a model is developed to accurately ascertain local increases in concentrations of photochemical pollutants like ozone and some particulates, it remains impossible, using today's models, to correlate that increase in concentration to a specific health impact. The reason is the same: such models are designed to determine regional, population-wide health impacts, and simply are not accurate when applied at the local level.

For these reasons, it is not the norm for CEQA practitioners, including the Air District, to conduct an analysis of the localized health impacts associated with a project's criteria air pollutant emissions as part of the EIR process. When the accepted scientific method precludes a certain type of analysis, "the court cannot impose a legal standard to the contrary." *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 717 n. 8. However, that is exactly what the Court of Appeal has done in this case. Its decision upends the way CEQA air quality analysis of criteria pollutants occurs and should be reversed.

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B. The Court of Appeal Improperly Extrapolated a Request for a Health Risk Assessment for Toxic Air Contaminants into a Requirement that the EIR contain an Analysis of Localized Health Impacts Associated with Criteria Air Pollutants.

The Court of Appeal's error in requiring the new health impact analysis for criteria air pollutants clearly stems from a misunderstanding of terms of art commonly used in the air pollution field. More specifically, the Court of Appeal (and Appellants Sierra Club et al.) appear to have confused the health risk analysis ("HRA") performed to determine the health impacts associated with a project's toxic air contaminants ("TACs"), with an analysis correlating a project's criteria air pollutants (ozone, PM and the like) with specific localized health impacts.

The first type of analysis, the HRA, is commonly performed during the Air District's stationary source permitting process for projects that emit TACs and is, thus, incorporated into the CEQA review process. An HRA is a comprehensive analysis to evaluate and predict the dispersion of TACs emitted by a project and the potential for exposure of human populations. It also assesses and quantifies both the individual and population-wide health risks associated with those levels of exposure. There is no similar analysis conducted for criteria air pollutants. Thus, the second type of analysis (required by the Court of Appeal), is not currently part of the Air District's process because, as outlined above, the health risks associated

with exposure to criteria pollutants are evaluated on a regional level based on the region's attainment of the NAAQS.

The root of this confusion between the types of analyses conducted for TACs versus criteria air pollutants appears to stem from a comment that was presented to Fresno County by the City of Fresno during the administrative process.

In its comments on the draft EIR, the City of Fresno (the only party to raise this issue) stated:

[t]he EIR must disclose the human health related effects of the Project's air pollution impacts. (CEQA Guidelines section 15126.2(a).) The EIR fails completely in this area. The EIR should be revised to disclose and determine the significance of TAC impacts, and of human health risks due to exposure to Project-related air emissions.

(AR 4602.)

In determining that the issue regarding the correlation between the Friant Ranch project's criteria air pollutants and adverse health impacts was adequately exhausted at the administrative level, the Court of Appeal improperly read the first two sentences of the City of Fresno's comment in isolation rather than in the context of the entire comment. *See Sierra Club v. County of Fresno* (2014) 172 Cal.Rptr.3d 271, 306. Although the comment first speaks generally in terms of "human health related effects" and "air pollution," it requests only that the EIR be revised to disclose "the significance of TACs" and the "human health risks due to exposure."

The language of this request in the third sentence of the comment is significant because, to an air pollution practitioner, the language would only have indicated only that a HRA for TACs was requested, and not a separate analysis of the health impacts associated with the project's criteria air pollutants. Fresno County clearly read the comment as a request to perform an HRA for TACs and limited its response accordingly. (AR 4602.)¹⁷ The Air District submits that it would have read the City's comment in the same manner as the County because the City's use of the terms "human health risks" and "TACs" signal that an HRA for TACs is being requested. Indeed, the Air District was also concerned that an HRA be conducted, but understood that it was not possible to conduct such an analysis until the project entered the phase where detailed site specific information, such as the types of emission sources and the proximity of the sources to sensitive receptors became available. (AR 4553.)¹⁸ The City of Fresno was apparently satisfied with the County's discussion of human health risks, as it did not raise the issue again when it commented on the final EIR. (AR 8944 – 8960.)

¹⁷ Appellants do not challenge the manner in which the County addressed TACs in the EIR. (Appellants' Answer Brief p. 28 fn. 7.)

¹⁸ Appellants rely on the testimony of Air District employee, Dan Barber, as support for their position that the County should have conducted an analysis correlating the project's criteria air pollutant emissions with localized health impacts. (Appellants Answer Brief pp. 10-11; 28.) However, Mr. Barber's testimony simply reinforces the Air District's concern that a risk assessment (HRA) be conducted once the actual details of the project become available. (AR 8863.) As to criteria air pollutants, Mr. Barber's comments are aimed at the Air District's concern about the amount of emissions and the fact that the emissions will make it "more difficult for Fresno County and the Valley to reach attainment which means that the health of Valley residents maybe [sic] adversely impacted." Mr. Barber says nothing about conducting a separate analysis of the localized health impacts the project's emissions may have.

The Court of Appeal's holding, which incorrectly extrapolates a request for an HRA for TACs into a new analysis of the localized health impacts of the project's criteria air pollutants, highlights two additional errors in the Court's decision.

First, the Court of Appeal's holding illustrates why the Court should have applied the deferential substantial evidence standard of review to the issue of whether the EIR's air quality analysis was sufficient. The regulation of air pollution is a technical and complex field and the Court of Appeal lacked the expertise to fully appreciate the difference between TACs and criteria air pollutants and tools available for analyzing each type of pollutant.

Second, it illustrates that the Court likely got it wrong when it held that the issue regarding the criteria pollutant / localized health impact analysis was properly exhausted during the administrative process. In order to preserve an issue for the court, '[t]he "exact issue" must have been presented to the administrative agency....' [Citation.] *Citizens for Responsible Equitable Environmental Development v. City of San Diego*, (2011) 196 Cal.App.4th 515, 527 129 Cal.Rptr.3d 512, 521; *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 535, 78 Cal.Rptr.3d 1, 13. "[T]he objections must be sufficiently specific so that the agency has the

opportunity to evaluate and respond to them.’ [Citation.]” *Sierra Club v. City of Orange*, 163 Cal.App.4th at 536.¹⁹

As discussed above, the City’s comment, while specific enough to request a commonly performed HRA for TACs, provided the County with no notice that it should perform a new type of analysis correlating criteria pollutant tonnages to specific human health effects. Although the parties have not directly addressed the issue of failure to exhaust administrative remedies in their briefs, the Air District submits that the Court should consider how it affects the issues briefed by the parties since “[e]xhaustion of administrative remedies is a jurisdictional prerequisite to maintenance of a CEQA action.” *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1199, 22 Cal.Rptr.3d 203.

III. CONCLUSION

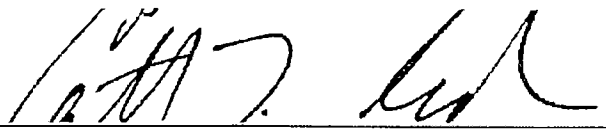
For all of the foregoing reasons, the Air District respectfully requests that the portion of the Court of Appeal’s decision requiring an analysis correlating the localized human health impacts associated with an individual project’s criteria air pollutant emissions be reversed.

¹⁹ *Sierra Club v. City of Orange*, is illustrative here. In that case, the plaintiffs challenged an EIR approved for a large planned community on the basis that the EIR improperly broke up the various environmental impacts by separate project components or “piecemealed” the analysis in violation of CEQA. In evaluating the defense that the plaintiffs had failed to adequately raise the issue at the administrative level, the Court held that comments such as “*the use of a single document for both a project-level and a program-level EIR [is] ‘confusing’*,” and “[t]he lead agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project,” were too vague to fairly raise the argument of piecemealing before the agency. *Sierra Club v. City of Orange*, 163 Cal.App.4th at 537.

correlating the localized human health impacts associated with an individual project's criteria air pollutant emissions be reversed.

Respectfully submitted,

Dated: April 2, 2015



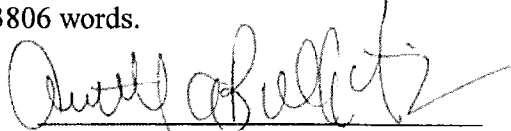
Catherine T. Redmond
Attorney for Proposed Amicus
Curiae

SAN JOAQUIN VALLEY
UNIFIED
AIR POLLUTION CONTROL
DISTRICT

CERTIFICATE OF WORD COUNT

Pursuant to Rule 8.204 of the California Rules of Court, I hereby certify that this document, based on the Word County feature of the Microsoft Word software program used to compose and print this document, contains, exclusive of caption, tables, certificate of word count, signature block and certificate of service, 3806 words.

Dated: April 2, 2015



Annette A. Ballatore-Williamson
District Counsel (SBN 192176)

Sierra Club et al, v. County of Fresno, et al
Supreme Court of California Case No.: S219783
Fifth District Court of Appeal Case No.: F066798
Fresno County Superior Court Case No.: 11CECG00726

PROOF OF SERVICE

I am over the age of 18 years and not a party to the above-captioned action; that my business address is San Joaquin Valley Unified Air Pollution Control District located at 1990 E. Gettysburg Avenue, Fresno, California 93726.

On April 2, 2015, I served the document described below:

**APPLICATION FOR LEAVE TO FILE AMICUS CURIAE BRIEF OF
SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT IN
SUPPORT OF DEFENDANT AND RESPONDENT, COUNTY OF FRESNO**

On all parties to this action at the following addresses and in the following manner:

PLEASE SEE ATTACHED SERVICE LIST

- (XX) **(BY MAIL)** I caused a true copy of each document(s) to be laced in a sealed envelope with first-class postage affixed and placed the envelope for collection. Mail is collected daily at my office and placed in a United State Postal Service collection box for pick-up and delivery that same day.
- () **(BY ELECTRONIC MAIL)** I caused a true and correct scanned image (.PDF file) copy to be transmitted via electronic mail transfer system in place at the San Joaquin Valley Unified Air Pollution Control District ("District"), originating from the undersigned at 1990 E. Gettysburg Avenue, Fresno, CA, to the address(es) indicated below.
- () **(BY OVERNIGHT MAIL)** I caused a true and correct copy to be delivered via Federal Express to the following person(s) or their representative at the address(es) listed below.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I executed this document on April 2, 2015, at Fresno, California.



Esthela Soto

SERVICE LIST

Sierra Club et al, v. County of Fresno, et al

Supreme Court of California Case No.: S219783

Fifth District Court of Appeal Case No.: F066798

Fresno County Superior Court Case No.: 11CECG00726

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<p>Jennifer L. Hernandez, Esq. HOLLAND & KNIGHT LLP 50 California Street, Suite 2800 San Francisco, California 94111</p>	<p>On behalf of Amicus Curiae, CEQA Research Council</p>

Telephone: (415) 743-6927 Facsimile: (415) 743-6910 Email: Jennifer.hernandez@hklaw.com	
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Operation-Related Vehicle Fuel/Energy Usage

PROJECT LAND USE COMMUTE

Vehicle Type	Gas		Diesel		CNG		Electricity	
	VMT	Gallons	VMT	Gallons	VMT	Gallons	VMT	kWh
All Vehicles	71,968,132	2,288,428	611,356	56,946	10,346	1,813	6,243,843	2,323,443
Total	71,968,132	2,288,428	611,356	56,946	10,346	1,813	6,243,843	2,323,443

Operation - Vehicle Fuel Usage

Vehicle type	Land Use	
	Fleet percent	VMT
	Apartments Low Rise	Apartments Low Rise
LDA	68.39%	53,915,555
LDT1	6.27%	4,941,167
LDT2	19.25%	15,174,387
MDV	2.00%	1,576,658
LHD1	0.39%	307,921
LHD2	0.11%	83,799
MHD	0.14%	108,632
HHH	0.27%	211,430
OBUS	0.02%	15,215
UBUS	0.01%	4,888
MCY	3.09%	2,436,804
SBUS	0.01%	10,406
MH	0.06%	46,117
	100.00%	78,832,900

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHH	OBUS	UBUS	MCY	SBUS	MH
Apartments Low Rise	0.683922	0.062679	0.192488	0.020000	0.003906	0.001063	0.001378	0.002682	0.000193	0.000062	0.030911	0.000132	0.000585

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated Annual VMT	Mitigated Annual VMT
	Weekday	Saturday	Sunday		
Apartments Low Rise	24,268.51	16,370.90	13,888.28	78,832,900	78,832,900
Total	24,268.51	16,370.90	13,888.28	78,832,900	78,832,900

PROPOSED CONDITIONS

Vehicle type	Gas percent	Diesel percent	CNG percent	Electricity percent
LDA	89.39%	0.11%	0.00%	10.50%
LDT1	98.39%	0.00%	0.00%	1.61%
LDT2	97.11%	0.35%	0.00%	2.54%
MDV	95.26%	1.24%	0.00%	3.50%
LHD1	53.74%	36.85%	0.00%	9.41%
LHD2	26.10%	65.11%	0.00%	8.79%
MHD	10.77%	75.91%	1.12%	12.20%
HHH	0.01%	91.22%	3.54%	5.52%
OBUS	22.56%	75.13%	0.33%	2.55%
UBUS	11.60%	47.97%	26.36%	14.07%
MCY	100.00%	0.00%	0.00%	0.00%
SBUS	14.90%	73.91%	2.95%	8.25%
MH	66.37%	33.63%	0.00%	0.00%

<< Equal to T6 (<https://www.arb.ca.gov/msei/downloads/emfac2014/emfac2014-vol3-technical-documentation-052015.pdf>)
 << Equal to T7 (<https://www.arb.ca.gov/msei/downloads/emfac2014/emfac2014-vol3-technical-documentation-052015.pdf>)
 << Motor coach, all other buses, and OBUS (<https://www.arb.ca.gov/msei/downloads/emfac2014/emfac2014-vol3-technical-documentation-052015.pdf>)

PROPOSED CONDITIONS

Vehicle type	VMT	Gasoline		Diesel		CNG		Electricity		
		mpg	Gallons	mpg	Gallons	mpg	Gallons	m/kWh	kWh	
LDA	48,197,560	33.70	1,430,406	57,721	46.18	1,250	0	5,660,274	2.71	2,091,582
LDT1	4,861,427	27.89	174,333	31	28.98	1	0	79,710	2.78	28,672
LDT2	14,735,176	27.74	531,185	53,735	36.45	1,474	0	385,477	2.83	136,071
MDV	1,501,929	22.74	66,047	19,533	26.87	727	0	55,197	2.77	19,908
LHD1	165,487	10.37	15,953	113,468	16.13	7,034	0	28,966	1.53	18,976
LHD2	21,872	9.17	2,384	54,559	13.50	4,043	0	7,368	1.55	4,753
MHD	11,700	5.06	2,314	82,466	8.76	9,416	1,215	13,250	0.00	0
HHH	18	4.54	4	192,868	6.70	28,790	7,486	11,668	0.55	21,377
OBUS	3,433	5.01	685	11,432	7.01	1,631	50	389	0.00	0
UBUS	567	7.16	79	2,345	8.65	0	1,288	688	0.57	1,199
MCY	2,436,804	42.04	57,966	0	0.00	0	0	0	0.00	0
SBUS	1,550	10.49	148	7,691	8.29	927	306	859	0.95	905
MH	30,609	4.42	6,922	15,508	9.38	1,653	0	0	0.00	0
	71,968,132		2,288,428	611,356		56,946	10,346	6,243,843		2,323,443

Solano (SF)	2031 T6 Public Class 5	Aggregate	Aggregate	Diesel	44.50371991	1584.846037	1584.846037	0	228.3040831	0.196968063	0
Solano (SF)	2031 T6 Public Class 5	Aggregate	Aggregate	Electricity	4.70696235	201.7490624	0	201.7490624	24.14671686	0	238.2455802
Solano (SF)	2031 T6 Public Class 5	Aggregate	Aggregate	Natural Gas	2.605247723	99.28007027	99.28007027	0	13.36492082	0.014760865	0
Solano (SF)	2031 T6 Public Class 6	Aggregate	Aggregate	Diesel	28.82724214	1051.429209	1051.429209	0	147.8837522	0.130156825	0
Solano (SF)	2031 T6 Public Class 6	Aggregate	Aggregate	Electricity	3.072844263	129.7468464	0	129.7468464	15.76369107	0	153.2181232
Solano (SF)	2031 T6 Public Class 6	Aggregate	Aggregate	Natural Gas	2.033617728	77.03876606	77.03876606	0	10.43245895	0.01147867	0
Solano (SF)	2031 T6 Public Class 7	Aggregate	Aggregate	Diesel	93.14116946	4041.275871	4041.275871	0	477.8141993	0.489340545	0
Solano (SF)	2031 T6 Public Class 7	Aggregate	Aggregate	Electricity	9.084260984	550.4004647	0	550.4004647	46.60225885	0	649.9682155
Solano (SF)	2031 T6 Public Class 7	Aggregate	Aggregate	Natural Gas	4.066695777	196.7909654	196.7909654	0	20.86214934	0.028237956	0
Solano (SF)	2031 T6 Utility Class 5	Aggregate	Aggregate	Diesel	26.75950059	1067.177442	1067.177442	0	342.5216076	0.116293316	0
Solano (SF)	2031 T6 Utility Class 5	Aggregate	Aggregate	Electricity	5.8360534	251.3623564	0	251.3623564	74.70148351	0	281.5417725
Solano (SF)	2031 T6 Utility Class 5	Aggregate	Aggregate	Natural Gas	0.255101706	9.742064498	9.742064498	0	3.265301834	0.001275687	0
Solano (SF)	2031 T6 Utility Class 6	Aggregate	Aggregate	Diesel	5.054782437	201.4760794	201.4760794	0	64.7012152	0.021906361	0
Solano (SF)	2031 T6 Utility Class 6	Aggregate	Aggregate	Electricity	1.106053062	47.63624577	0	47.63624577	14.1574792	0	53.35561482
Solano (SF)	2031 T6 Utility Class 6	Aggregate	Aggregate	Natural Gas	0.04998617	1.906058925	1.906058925	0	0.639822972	0.000249416	0
Solano (SF)	2031 T6 Utility Class 7	Aggregate	Aggregate	Diesel	5.585809908	273.4686589	273.4686589	0	71.49836682	0.029510244	0
Solano (SF)	2031 T6 Utility Class 7	Aggregate	Aggregate	Electricity	1.222666086	72.8748434	0	72.8748434	15.6501259	0	81.62444399
Solano (SF)	2031 T6 Utility Class 7	Aggregate	Aggregate	Natural Gas	0.063977828	2.906452376	2.906452376	0	0.818916196	0.000377686	0
Solano (SF)	2031 T6TS	Aggregate	Aggregate	Gasoline	202.0698284	12253.44227	12253.44227	0	4043.013126	2.423829489	0
Solano (SF)	2031 T6TS	Aggregate	Aggregate	Electricity	19.74073332	1963.982135	0	1963.982135	394.9725922	0	2290.867352
Solano (SF)	2031 T7 CAIRP Class 8	Aggregate	Aggregate	Diesel	313.5715452	62280.2612	62280.2612	0	7205.874108	9.112930603	0
Solano (SF)	2031 T7 CAIRP Class 8	Aggregate	Aggregate	Electricity	33.70128715	7097.240601	0	7097.240601	774.4555788	0	12959.03668
Solano (SF)	2031 T7 CAIRP Class 8	Aggregate	Aggregate	Natural Gas	0.614340439	120.7959231	120.7959231	0	14.1175433	0.020124421	0
Solano (SF)	2031 T7 NNOOS Class 8	Aggregate	Aggregate	Diesel	302.550367	82515.98121	82515.98121	0	6952.607433	11.35772648	0
Solano (SF)	2031 T7 NNOOS Class 8	Aggregate	Aggregate	Diesel	131.0393527	29983.58576	29983.58576	0	3011.284325	4.253817527	0
Solano (SF)	2031 T7 Other Port Class 8	Aggregate	Aggregate	Diesel	28.68545081	7005.713533	7005.713533	0	469.2939752	1.054181625	0
Solano (SF)	2031 T7 Other Port Class 8	Aggregate	Aggregate	Electricity	2.010814116	645.9611085	0	645.9611085	32.89691894	0	1175.628054
Solano (SF)	2031 T7 POAK Class 8	Aggregate	Aggregate	Diesel	195.0688357	21560.74312	21560.74312	0	3191.326152	3.371302068	0
Solano (SF)	2031 T7 POAK Class 8	Aggregate	Aggregate	Electricity	12.66733645	1332.926437	0	1332.926437	207.2376243	0	2425.882445
Solano (SF)	2031 T7 POAK Class 8	Aggregate	Aggregate	Natural Gas	0.351853093	38.8276272	38.8276272	0	5.756316594	0.006566866	0
Solano (SF)	2031 T7 Public Class 8	Aggregate	Aggregate	Diesel	173.833459	7233.070649	7233.070649	0	891.7656449	1.314809859	0
Solano (SF)	2031 T7 Public Class 8	Aggregate	Aggregate	Electricity	13.59954357	832.6935127	0	832.6935127	69.76565852	0	1634.229768
Solano (SF)	2031 T7 Public Class 8	Aggregate	Aggregate	Natural Gas	1.314098376	55.42851761	55.42851761	0	6.741324667	0.011980021	0
Solano (SF)	2031 T7 Single Concrete/Transit Mix Cl	Aggregate	Aggregate	Diesel	13.02781234	808.6347831	808.6347831	0	122.7219923	0.127500957	0
Solano (SF)	2031 T7 Single Concrete/Transit Mix Cl	Aggregate	Aggregate	Electricity	2.749175747	210.4311093	0	210.4311093	25.89723553	0	383.6483552
Solano (SF)	2031 T7 Single Concrete/Transit Mix Cl	Aggregate	Aggregate	Natural Gas	0.765060108	48.43754931	48.43754931	0	7.20686622	0.008000161	0
Solano (SF)	2031 T7 Single Dump Class 8	Aggregate	Aggregate	Diesel	108.2166434	5447.275241	5447.275241	0	1019.40078	0.909021361	0
Solano (SF)	2031 T7 Single Dump Class 8	Aggregate	Aggregate	Electricity	9.300698356	758.3463837	0	758.3463837	87.61257852	0	1382.582375
Solano (SF)	2031 T7 Single Dump Class 8	Aggregate	Aggregate	Natural Gas	5.88959092	310.3065448	310.3065448	0	55.47994646	0.055057675	0
Solano (SF)	2031 T7 Single Other Class 8	Aggregate	Aggregate	Diesel	252.9717925	12558.90387	12558.90387	0	2382.994285	2.072028503	0
Solano (SF)	2031 T7 Single Other Class 8	Aggregate	Aggregate	Electricity	20.17329856	1555.807005	0	1555.807005	190.0324724	0	2836.476035
Solano (SF)	2031 T7 Single Other Class 8	Aggregate	Aggregate	Natural Gas	15.12828642	777.3179982	777.3179982	0	142.5084581	0.136001268	0
Solano (SF)	2031 T7 SWCV Class 8	Aggregate	Aggregate	Diesel	25.49518304	1653.553709	1653.553709	0	117.277842	0.659257428	0
Solano (SF)	2031 T7 SWCV Class 8	Aggregate	Aggregate	Electricity	7.608006084	490.5304851	0	490.5304851	34.99682799	0	912.65684
Solano (SF)	2031 T7 SWCV Class 8	Aggregate	Aggregate	Natural Gas	58.71152388	3805.393909	3805.393909	0	270.0730098	0.740808644	0
Solano (SF)	2031 T7 Tractor Class 8	Aggregate	Aggregate	Diesel	866.8524686	55309.02891	55309.02891	0	12595.36637	8.496752964	0
Solano (SF)	2031 T7 Tractor Class 8	Aggregate	Aggregate	Electricity	44.39473929	3429.376563	0	3429.376563	645.0555619	0	6243.899516
Solano (SF)	2031 T7 Tractor Class 8	Aggregate	Aggregate	Natural Gas	97.79618824	5994.443826	5994.443826	0	1420.978615	1.073689005	0
Solano (SF)	2031 T7 Utility Class 8	Aggregate	Aggregate	Diesel	22.31120148	936.2509849	936.2509849	0	285.583379	0.155509018	0
Solano (SF)	2031 T7 Utility Class 8	Aggregate	Aggregate	Electricity	1.874970222	112.576801	0	112.576801	23.99961884	0	211.9594076
Solano (SF)	2031 T7IS	Aggregate	Aggregate	Gasoline	0.128496773	27.42110219	27.42110219	0	2.570963435	0.00603655	0
Solano (SF)	2031 T7IS	Aggregate	Aggregate	Electricity	0.018627433	5.517123854	0	5.517123854	0.372697678	0	11.08574387
Solano (SF)	2031 UBUS	Aggregate	Aggregate	Gasoline	30.97200563	1504.566179	1504.566179	0	123.8880225	0.210205024	0
Solano (SF)	2031 UBUS	Aggregate	Aggregate	Diesel	57.91133288	6220.937879	6220.937879	0	231.6453315	0.718782652	0
Solano (SF)	2031 UBUS	Aggregate	Aggregate	Electricity	11.65525193	1824.664943	0	1824.664943	46.6210077	0	3180.836432
Solano (SF)	2031 UBUS	Aggregate	Aggregate	Natural Gas	29.8225735	3418.335249	3418.335249	0	119.290294	0.559913033	0

Appendix 4.14-1

City of Benicia Housing Element Update – VMT Analysis

Memorandum

Date: October 10, 2022
To: Mark Teague, PlaceWorks
From: Ellen Poling, Mackenzie Watten, and Grace Chen, Fehr & Peers
Subject: **City of Benicia Housing Element Update – VMT Analysis**

WC21-3850

Introduction

Fehr & Peers has completed a VMT analysis of the City of Benicia Housing Element Update project (the Project), which identifies sites suitable for development of multifamily housing. The analysis includes trip generation and VMT by speed bin data required for the CEQA Greenhouse Gas, Air Quality and Noise evaluations, as well as the VMT per capita metrics required for the CEQA Transportation impact assessment. The CEQA Transportation VMT per capita metrics are evaluated using the methodology and significance criteria set forth in the *City of Benicia Local Guidelines for CEQA Review*, which were updated in 2022 to incorporate VMT analysis methodology and significance criteria.

This transportation impact analysis is a program-level analysis, as individual projects which may be built under the updated Housing Element are not being reviewed on a project-by-project basis. Therefore, this analysis assesses the Housing Element Update as a whole and does not apply screening criteria to any individual site proposed for Housing Element units.

Background: Vehicle-Miles Traveled Analysis in CEQA

Senate Bill 743 (Steinberg, 2013) instructed the State Office of Planning and Research (OPR) to update the CEQA Guidelines to remove congestion-based analysis (such as Level of Service analysis) from CEQA Transportation analysis, and to install a new metric (vehicle-miles traveled, or VMT). The legislative intent of SB 743 was to encourage infill development, promote healthier communities through active transportation (e.g., walking and bicycling), and align CEQA Transportation analysis to aid California in meeting greenhouse gas reduction targets set by other pieces of legislation (i.e., AB 32). Ultimately, SB 743 has shifted CEQA transportation analysis from measuring the effects on a project on drivers, to measuring the environmental effects of driving



generated by a project. Adopted in December 2018, Section 15064.3 of the CEQA Guidelines notes that vehicle-miles traveled (VMT) is the most appropriate metric for the analysis of impacts in the Transportation section of CEQA analysis.

VMT measures the amount of driving that a project generates or causes. For example, a project generating 100 total (inbound and outbound) vehicle trips per day that travel an average of 5.0 miles per trip results in 500 project-generated VMT per day. VMT has historically been used in CEQA as an input for the Air Quality and Greenhouse Gas sections, but VMT can also show how environmentally efficient the connection is between the transportation system and existing or proposed land uses. For the purposes of analyzing the CEQA Transportation impacts of residential projects, the VMT generated by the project is converted to an efficiency metric by dividing the amount of VMT generated by the number of residents; efficiency metrics are used in CEQA transportation VMT analysis because the goal of the analysis is to show whether or not a particular development will generate low enough VMT to aid the State in meeting its climate targets relative to projected growth in population, employment, etc.

Analysis Methodology

Project Description

The Project would add 2,368 multifamily housing units in total, of which 2,288 are located in identified Solano-Napa Activity Based Model (SNABM) traffic analysis zones (TAZs), with the remainder having unspecified locations. The Project proposes new units in most City of Benicia TAZs, with the exception of TAZs in the northernmost reaches of the City, the Benicia Industrial Park, and the area between I-780 and Southampton Road.

Travel Demand Model and VMT Metrics

A full set of SNABM inputs and outputs were provided to Fehr & Peers by the Solano Transportation Authority (STA) in May 2021; this data reflects the latest model updates (prepared in August 2020) to incorporate land use and transportation network assumptions consistent with MTC's Plan Bay Area 2040, the regional transportation plan (2017 RTP) at the time of model development.

The model has a Base Year of 2015 and Horizon Year of 2040. VMT was calculated from the SNABM output for Base Year (2015), Base Year With Project, Cumulative (2040) No Project, and Cumulative (2040) With Project conditions. The Base Year (2015) model was used to assess CEQA baseline conditions due to the effects the COVID-19 pandemic. The Cumulative Year (2040) model was used for the Cumulative No Project scenario. Note that the Year 2040 model contains residential and non-residential growth throughout the city. For the Cumulative With Project scenario, the net change between the Project's proposed units and the number of units which could be built on the Housing Element sites without the Housing Element update, as defined by



PlaceWorks, was added to each TAZ. The net change citywide is 1,900 more units with the Housing Element (2,368 units – 468 units).

The following VMT metrics were developed.

For the CEQA Greenhouse Gas and Air Quality Impact Analyses:

- **Citywide Project-Generated VMT:** The sum of the VMT associated with travel generated by all uses in the City, including all trip purposes and trip types, and the entire trip length, evaluated for the No Project and With Project conditions. Trips not generated by City land uses, that simply pass through the City, are not included.
- **Project's Effect on Total Citywide VMT (Boundary VMT) by Speed Bin:** An evaluation of the change in total vehicle travel within City of Benicia, compared between the No Project and With Project conditions. Boundary VMT is further stratified by speed bin (i.e., speed range), which is needed to evaluate emissions for CEQA Air Quality and CEQA Greenhouse Gas analyses. The VMT is allocated to five mile per hour speed bins from 0 to 80 mph.

For the CEQA Transportation Impact Analysis:

- **Residential VMT per Resident:** Total VMT associated with residential units divided by the number of residents, evaluated for the No Project and With Project conditions.
- **Project's Effect on Total Countywide VMT (Boundary VMT) per Service Population:** An evaluation of the change in total vehicle travel within Solano County divided by the service population (all residents and employees), compared between the No Project and With Project conditions.

In addition, the daily trip vehicle trip generation for the Housing Element residential units was calculated and provided for the Noise analysis, as well as to support the Project VMT analysis.

Project-generated VMT is the metric used to evaluate how the project VMT changes (increases or decreases) between the No Project and With Project scenarios, which captures both VMT increases due to the project land use growth and other VMT changes resulting from changes in travel behavior due to the land use change; however, it does not evaluate a project's effect on VMT across an entire roadway system. The Project's effect on VMT (boundary VMT) compares the total VMT on all roadways within a boundary (i.e., the City of Benicia or Solano County) for the No Project and With Project scenarios.

Residential VMT per resident was estimated based on the locations of the Housing Element units in the city as represented in SNABM. Specifically, for each traffic analysis zone (TAZ) in the model that contains Housing Element sites, its value for residential VMT per resident was used to represent the VMT rate of the new housing developments at these sites, as it is expected that the



VMT characteristics of new residents at the development sites will be similar to those of the existing residents near the sites. The aggregate effect of adding the Housing Element units to these TAZs is then summed to produce residential VMT per resident for the city as a whole, and for the subset of TAZs within the city that contain Housing Element sites.

Significance Thresholds for Transportation Impact Evaluation

According to the *City of Benicia Local Guidelines for CEQA Review*, for residential projects, the project generated residential VMT per resident constitutes a significant impact if it is higher than the baseline citywide average residential VMT per resident. For the cumulative year, the project's performance under future cumulative conditions is compared to the baseline year citywide average residential VMT per resident; this captures whether future project performance may improve over baseline performance, due to changes in the land use and transportation context which would in turn affect project trip characteristics. The second metric for cumulative impact analysis is whether the total countywide VMT per service population increases due to the project. This measures the project's effect on regional VMT. If the project does not increase countywide VMT per service population, the impact would be less than significant.

Analysis Results

Project Vehicle Trip Generation

The Project is expected to add 2,368 multifamily housing units in total, of which 2,288 are in identified TAZs, with the remainder having unspecified locations. The daily Project trip generation estimates were calculated using trip generation rates published in the Institute of Transportation Engineers *Trip Generation, 11th Edition*. **Table 1** presents the Project trip generation estimates.

Table 1: Vehicle Trip Generation for the Housing Element Units

Geographic Area	Dwelling Units	Daily Trips
Location not specified ¹	80	540
TAZ 456	145	978
TAZ 457	59	398
TAZ 458	191	1,288
TAZ 459	67	452
TAZ 460	0	0
TAZ 461	17	115
TAZ 462	15	102
TAZ 463	16	108
TAZ 464	19	129



Table 1: Vehicle Trip Generation for the Housing Element Units

Geographic Area	Dwelling Units	Daily Trips
TAZ 465	300	2,022
TAZ 466	26	176
TAZ 467	82	553
TAZ 468	203	1,369
TAZ 469	27	182
TAZ 470	0	0
TAZ 471	34	230
TAZ 472	89	600
TAZ 473	12	81
TAZ 474	0	0
TAZ 482	11	75
TAZ 483	47	317
TAZ 484	55	371
TAZ 485	18	122
TAZ 486	184	1,241
TAZ 487	599	4,038
TAZ 489	72	486
Total	2,368	15,973

1. Units that did not have a location specified were assumed to have characteristics similar to the citywide average. Source: Institute of Transportation Engineers (ITE), *Trip Generation, 11th Edition* (2021), Land Use Code 220; Fehr & Peers, September 2022.

VMT Results for Use in the CEQA Greenhouse Gas and Air Quality Analyses

Citywide Project Generated Total VMT

VMT associated with all uses in the city and all trip types, including trucks, are summed to obtain citywide project generated total VMT for both the base and cumulative years No Project scenarios. The With Project VMT is calculated using the trip generation presented above and a 10-mile average trip length, derived from the California Household Travel Survey (2010-2012) data for the City of Benicia, and adding the increase in VMT to the No Project VMT. The resulting VMT for each scenario are presented in **Table 2**.



Table 2: Citywide Project Generated Total VMT

	No Project	With Project	Net Change
Base Year (2015)	1,842,591	2,002,321	+159,730
Cumulative Year (2040)	2,321,305	2,449,385	+128,080

Source: SNABM; Fehr & Peers, September 2022.

City of Benicia Boundary VMT by Speed Bin

As described above, boundary VMT evaluates the change in total vehicle travel within the city. Boundary VMT is further stratified by speed bin for air quality and greenhouse gas analyses. VMT by speed bin as well as total boundary VMT within City of Benicia was calculated for both the base year and cumulative year No Project scenarios. Using the Project trip generation presented above, and a 10-mile average trip length, the Project VMT is pro-rated between the 0 to 45 mph speed bins to estimate the base and cumulative year With Project boundary VMT by speed bin. The resulting VMT for each scenario is presented in **Table 3**.

Table 3: City of Benicia Boundary VMT by Speed Bin

Speed Bin	Base Year (2015)				Cumulative Year (2040)			
	No Project		With Project		No Project		With Project	
	VMT	%	VMT	%	VMT	%	VMT	%
0 - 4.99	0	0.0%	0	0.0%	3,009	0.3%	4,535	0.4%
5 - 9.99	2,524	0.4%	5,125	0.6%	2,296	0.2%	3,461	0.3%
10 - 14.99	996	0.2%	2,023	0.3%	1,282	0.1%	1,933	0.2%
15 - 19.99	0	0.0%	0	0.0%	4,725	0.5%	7,122	0.7%
20 - 24.99	42,245	6.7%	85,783	10.8%	59,856	6.3%	90,229	8.4%
25 - 29.99	79,016	12.5%	160,449	20.2%	117,776	12.5%	177,540	16.5%
30 - 34.99	12,716	2.0%	25,820	3.3%	15,992	1.7%	24,108	2.2%
35 - 39.99	3,033	0.5%	6,158	0.8%	8,503	0.9%	12,818	1.2%
40 - 44.99	14,459	2.3%	29,360	3.7%	38,969	4.1%	58,743	5.5%
45 - 49.99	7,845	1.2%	7,845	1.0%	23,602	2.5%	23,602	2.2%
50 - 54.99	23,222	3.7%	23,222	2.9%	32,999	3.5%	32,999	3.1%
55 - 59.99	36,896	5.8%	36,896	4.6%	127,913	13.5%	127,913	11.9%
60 - 64.99	398,364	62.8%	398,364	50.2%	506,483	53.6%	506,483	47.2%
65 - 69.99	12,874	2.0%	12,874	1.6%	2,082	0.2%	2,082	0.2%
70 - 74.99	0	0.0%	0	0.0%	0	0.0%	0	0.0%
75 - 79.99	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Total Boundary VMT	634,189	100%	793,919	100%	945,488	100%	1,073,568	100%

Source: SNABM; Fehr & Peers, September 2022.



Transportation Impact Analysis

Residential VMT Per Resident

Table 4 presents the development of the significance threshold for the residential VMT per resident. **Table 5** presents the residential VMT per resident for the subset of TAZs in which Housing Element units are proposed (the “Housing Element Planning Area”), for both Base Year and Cumulative Year. Under both the Base Year With Project and Cumulative With Project conditions, the residential VMT per resident falls below the citywide average. Based on the significance criteria noted above, both the Project impact and the Cumulative impact related to residential VMT per resident may be considered less than significant for the Housing Element program as a whole.

Table 4: Residential VMT per Resident: Significance Threshold

Variable	Amount
Benicia Base Year Residential Vehicle Miles Traveled (A)*	830,275
Benicia Base Year Total Number of Residents (B)	26,405
Benicia Base Year Citywide Residential VMT per Resident (Threshold) (A/B = C)	31.4

Note: *Total VMT generated by the residents in the City of Benicia. Commercial trips are not included.
 Source: SNABM; Fehr & Peers, September 2022.

Table 5: Project Residential VMT per Resident

Variable	Base Year	Cumulative Year
<i>Housing Element Planning Area</i>		
Residential Vehicle Miles Traveled (A)	645,850	718,614
Total Number of Residents (B)	22,361	24,026
Residential VMT per Resident (A/B = C)	28.9	29.9
<i>Initial Impact Assessment</i>		
Residential VMT per Resident Threshold	31.4	31.4
Impact Conclusion	Potentially Less than Significant	Potentially Less than Significant

Note: *Total VMT generated by the residents in the Housing Element Planning Area. Commercial trips are not included.
 Source: SNABM; Fehr & Peers, September 2022.

Cumulative Year (2040) Countywide Boundary VMT per Service Population

Table 6 presents the cumulative year (2040) Solano countywide boundary VMT per service population. It shows that the Project does not increase the countywide VMT per service population. Based on the significance criteria noted above, this impact may be considered less than significant for the Housing Element as a whole.



Table 6: Cumulative Year (2040) Solano Countywide Boundary VMT per Service Population

Metric	No Project	With Project
Service Population	649,825	654,696
Total Countywide VMT	17,370,232	17,498,312
Countywide VMT per Service Population	26.7	26.7
Does VMT/Service Population Increase with Project?	---	No

Source: SNABM; Fehr & Peers, September 2022.

Findings

The transportation impact analysis indicates that the VMT impacts of the Project (the Housing Element as a whole) could be considered less than significant. However, because this is a program-level analysis, the impacts of individual projects developed under the Housing Element cannot be evaluated. While many of the potential development sites are located in low-VMT areas as defined in the *City of Benicia Local Guidelines for CEQA Review*, and may therefore be eligible for screening from a VMT impact analysis (i.e., be presumed to have a less than significant impact with respect to VMT), not all development sites are located in such areas. In addition, individual project characteristics at any development site may warrant a VMT impact assessment which may indicate a significant impact. Because these determinations cannot be made as part of this analysis, Fehr & Peers recommends that the impacts with respect to VMT be identified as **potentially significant**, requiring mitigation.

Proposed Mitigation

Individual projects that do not screen out from VMT analysis shall provide a quantitative VMT analysis consistent with the methodology in the *City of Benicia Local Guidelines for CEQA Review (Guidelines)*. Projects which result in a significant impact shall provide VMT mitigation as described in the *Guidelines*, consisting of the following options:

- Modify the project’s characteristics to reduce VMT generated by the project. This might involve changing the density or mixture of land uses on the project site, or changing the project’s location to one that is more accessible by transit or other travel modes.
- Implement transportation demand management (TDM) or physical design measures to reduce VMT generated by the project. The full range of travel demand management measures are listed in the *Guidelines*.
- Participate in a VMT impact fee program and/or VMT mitigation exchange or banking program. Currently there are no fee programs, banks, or exchanges that Benicia development could participate in, but if future programs are developed this would be a new mitigation option.



Travel demand management measures and physical measures to reduce VMT are outlined in the *Guidelines*, and have been identified as potentially VMT reducing in the California Air Pollution Control Officers Association (CAPCOA) *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity* (December 2021). The CAPCOA Handbook provides detailed requirements, calculation steps, and limitations for assessing the VMT reduction effectiveness of each measure, including reductions from combinations of measures.

Trip reduction strategies may include, but are not limited to, the following:

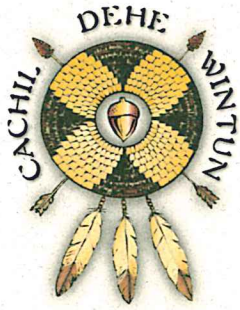
1. Provision of bus stop improvements or on-site mobility hubs
2. Pedestrian improvements, on-site or off-site, to connect to nearby transit stops, services, schools, shops, etc.
3. Bicycle programs including bike purchase incentives, storage, maintenance programs, and on-site education program
4. Enhancements to the citywide bicycle network
5. Parking reductions and/or fees set at levels sufficient to incentivize transit, active transportation, or shared modes
6. Cash allowances, passes, or other public transit subsidies and purchase incentives
7. Providing enhanced, frequent bus service
8. Implementation of shuttle service
9. Compliance with a future City or County VMT/TDM ordinance
10. Participation in a future City or County VMT fee program
11. Participate in a future City or County VMT exchange or mitigation bank programs

Because the effectiveness of the above measures in reducing an individual project's VMT impact to a less than significant level cannot be determined in this analysis, the impact for projects which do not screen out from VMT impact analysis would conservatively remain **significant and unavoidable** with mitigation.

Please contact Ellen Poling at (925) 930-7100 if you have any questions about the analysis and findings presented above.

Appendix 4.15-1

Tribal Response Letters



**COLUSA INDIAN COMMUNITY COUNCIL
CACHIL DEHE BAND OF WINTUN INDIANS**

May 31, 2022

The City Of Benicia
Attn: Victor Randall, Senior Planner
250 East L Street
Benicia, CA 94510

RE: (AB 52 Consultation and SB 18 Information Request) for the City Of Benicia -2023-2031 Benicia Housing Element and Community Health and Safety Element.

Dear Mr. Randall:

Thank you for your project notification letter dated, May 19, 2022, regarding information on the (AB 52 Consultation and SB 18 Information Request) for the City of Benicia -2023-2031 Benicia Housing Element and Community Health and Safety Element. We appreciate your effort to contact us and wish to respond.

The Executive Committee of the Cachil Dehe Band of Wintun Indians of the Colusa Indian Community (CICC) has reviewed the project. At this time, we do not have the capacity to consult on this project but respectfully ask that you defer all correspondence on this project to:

**Yocha Dehe Wintun Nation
Attn: Laverne Bill
PO Box 18
Brooks, CA 95606**

Please refer to identification number CICC-3031-01 in any future correspondence to CICC concerning this project.

Thank you for providing us the opportunity to comment.

Sincerely,

Daniel Gomez
Chairman



YOCHA DEHE
CULTURAL RESOURCES

June 23, 2022

The City of Benicia
Attn: Victor Randall, Senior Planner
250 East L Street
Benicia, CA 94510

RE: Benicia Housing Element Update 2023-2031 YD-05242022-02

Dear Mr. Randall:

Thank you for your project notification letter dated, May 19, 2022, regarding cultural information on or near the proposed Benicia Housing Element Update 2023-2031. We appreciate your effort to contact us.

The Cultural Resources Department has reviewed the project and concluded that the project is within the aboriginal territories of the Yocha Dehe Wintun Nation. We request that you incorporate Yocha Dehe Wintun Nation's Treatment Protocol into the mitigation measures for this project. Also, we would like to continue to receive updates on the project

Should you have any questions, please feel free to contact:

CRD Administrative Staff
Yocha Dehe Wintun Nation
Office: (530) 796-3400
Email: THPO@yochadehe-nsn.gov

Please refer to identification number YD - 05242022-02 in any correspondence concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

DocuSigned by:

A handwritten signature in black ink, appearing to be 'M. P.', enclosed within a blue DocuSign signature box.

Tribal Historic Preservation Officer



YOCHA DEHE
CULTURAL RESOURCES

Treatment Protocol for Handling Human Remains and Cultural Items Affiliated with the Yocha Dehe Wintun Nation

The purpose of this Protocol is to formalize procedures for the treatment of Native American human remains, grave goods, ceremonial items, and items of cultural patrimony, in the event that any are found in conjunction with development, including archaeological studies, excavation, geotechnical investigations, grading, and any ground disturbing activity. This Protocol also formalizes procedures for Tribal monitoring during archaeological studies, grading, and ground-disturbing activities.

I. Cultural Affiliation

The Yocha Dehe Wintun Nation (“Tribe”) traditionally occupied lands in Yolo, Solano, Lake, Colusa and Napa Counties. The Tribe has designated its Cultural Resources Committee (“Committee”) to act on the Tribe's behalf with respect to the provisions of this Protocol. Any human remains which are found in conjunction with Projects on lands culturally-affiliated with the Tribe shall be treated in accordance with Section III of this Protocol. Any other cultural resources shall be treated in accordance with Section IV of this Protocol.

II. Inadvertent Discovery of Native American Human Remains

Whenever Native American human remains are found during the course of a Project, the determination of Most Likely Descendant (“MLD”) under California Public Resources Code Section 5097.98 will be made by the Native American Heritage Commission (“NAHC”) upon notification to the NAHC of the discovery of said remains at a Project site. If the location of the site and the history and prehistory of the area is culturally-affiliated with the Tribe, the NAHC contacts the Tribe; a Tribal member will be designated by the Tribe to consult with the landowner and/or project proponents.

Should the NAHC determine that a member of an Indian tribe other than Yocha Dehe Wintun Nation is the MLD, and the Tribe is in agreement with this determination, the terms of this Protocol relating to the treatment of such Native American human remains shall not be applicable; however, that situation is very unlikely.

III. Treatment of Native American Remains

In the event that Native American human remains are found during development of a Project and the Tribe or a member of the Tribe is determined to be MLD pursuant to Section II of this Protocol, the following provisions shall apply. The Medical Examiner shall immediately be notified, ground disturbing activities in that location shall cease and the Tribe shall be allowed, pursuant to California Public Resources Code Section 5097.98(a), to (1) inspect the site



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of the discovery and (2) make determinations as to how the human remains and grave goods should be treated and disposed of with appropriate dignity.

The Tribe shall complete its inspection and make its MLD recommendation within forty-eight (48) hours of getting access to the site. The Tribe shall have the final determination as to the disposition and treatment of human remains and grave goods. Said determination may include avoidance of the human remains, reburial on-site, or reburial on tribal or other lands that will not be disturbed in the future.

The Tribe may wish to rebury said human remains and grave goods or ceremonial and cultural items on or near the site of their discovery, in an area which will not be subject to future disturbances over a prolonged period of time. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code Sections 5097.98(a) and (b).

The term "human remains" encompasses more than human bones because the Tribe's traditions call for the burial of associated cultural items with the deceased (funerary objects), and/or the ceremonial burning of Native American human remains, funerary objects, grave goods and animals. Ashes, soils and other remnants of these burning ceremonies, as well as associated funerary objects and unassociated funerary objects buried with or found near the Native American remains are to be treated in the same manner as bones or bone fragments that remain intact.

IV. Non-Disclosure of Location of Reburials

Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act, Cal. Govt. Code § 6250 et seq. The Medical Examiner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). The Tribe will require that the location for reburial is recorded with the California Historic Resources Inventory System ("CHRIS") on a form that is acceptable to the CHRIS center. The Tribe may also suggest that the landowner enter into an agreement regarding the confidentiality of site information that will run with title on the property.

V. Treatment of Cultural Resources

Treatment of all cultural items, including ceremonial items and archeological items will reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and archeological items, which may be found at a Project site should be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court or agency of competent jurisdiction. The Project Proponent should waive any and all claims to ownership of



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Tribal ceremonial and cultural items, including archeological items, which may be found on a Project site in favor of the Tribe. If any intermediary, (for example, an archaeologist retained by the Project Proponent) is necessary, said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.

VI. Inadvertent Discoveries

If additional significant sites or sites not identified as significant in a Project environmental review process, but later determined to be significant, are located within a Project impact area, such sites will be subjected to further archeological and cultural significance evaluation by the Project Proponent, the Lead Agency, and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner consistent with CEQA requirements for mitigation of impacts to cultural resources. If there are human remains present that have been identified as Native American, all work will cease for a period of up to 30 days in accordance with Federal Law.

VIII. Work Statement for Tribal Monitors

The description of work for Tribal monitors of the grading and ground disturbing operations at the development site is attached hereto as Addendum I and incorporated herein by reference.



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ADDENDUM I

**Yocha Dehe Wintun Nation
Tribal Monitors
Description of Work and Treatment Protocol**

I. Preferred Treatment

The preferred protocol upon the discovery of Native American human remains is to (1) secure the area, (2) cover any exposed human remains or other cultural items, and (3) avoid further disturbances in the area.

II. Comportment

All parties to the action are strongly advised to treat the remains with appropriate dignity, as provided in Public Resource Code Section 5097.98. We further recommend that all parties to the action treat tribal representatives and the event itself with appropriate respect. For example, jokes and antics pertaining to the remains or other inappropriate behavior are ill advised.

III. Excavation Methods

If, after the Yocha Dehe Tribal representative has been granted access to the site and it is determined that avoidance is not feasible, an examination of the human remains will be conducted to confirm they are human and to determine the position, posture, and orientation of the remains. At this point, we recommend the following procedures:

(A) Tools. All excavation in the vicinity of the human remains will be conducted using fine hand tools and fine brushes to sweep loose dirt free from the exposure.

(B) Extent of Exposure. In order to determine the nature and extent of the grave and its contents, controlled excavation should extend to a full buffer zone around the perimeter of the remains.

(C) Perimeter Balk. To initiate the exposure, a perimeter balk (especially, a shallow trench) should be excavated, representing a reasonable buffer a minimum of 10 cm around the maximum extent of the known skeletal remains, with attention to counter-intuitive discoveries or unanticipated finds relating to this or other remains. The dirt from the perimeter balk should be bucketed, distinctly labeled, and screened for cultural materials.

(D) Exposure Methods. Excavation should then proceed inward from the walls of the balk as well as downward from the surface of the exposure. Loose dirt should be scooped out and brushed off into a dustpan or other collective device. Considerable care should be given to ensure that human remains are not further impacted by the process of excavation.



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(E) Provenience. Buckets, collection bags, notes, and tags should be fully labeled per provenience, and a distinction should be made between samples collected from: (1) **Perimeter Balk** (described above), (2) **Exposure** (dirt removed in exposing the exterior/burial plan and associations, and (3) **Matrix** (dirt from the interstices between bones or associations). Thus, each burial may have three bags, “Burial 1 Perimeter Balk,” “Burial 1 Exposure Balk,” “Burial 1 Matrix.”

Please note the provisions below with respect to handling and conveyance of records and samples.

(F) Records. The following records should be compiled in the field: (1) a detailed scale drawing of the burial, including the provenience of and full for all human remains, associated artifacts, and the configuration of all associated phenomena such as burial pits, evidence for preinterment grave pit burning, soil variability, and intrusive disturbance, (2) complete a formal burial record using the consultants proprietary form or other standard form providing information on site #, unit or other proveniences, level depth, depth and location of the burial from a fixed datum, workers, date(s), artifact list, skeletal inventory, and other pertinent observations, (3) crew chief and worker field notes that may supplement or supercede information contained in the burial recording form, and (4) photographs, including either or standard photography or high-quality (400-500 DPI or 10 MP recommended) digital imaging.

(G) Stipulations for Acquisition and Use of Imagery. Photographs and images may be used only for showing location or configuration of questionable formation or for the position of the skeleton. They are not to be duplicated for publication unless a written release is obtained from the Tribe.

(H) Association. Association between the remains and other cultural materials should be determined in the field in consultation with an authorized Tribal representative, and may be amended per laboratory findings. Records of provenience and sample labels should be adequate to determine association or degree of likelihood of association of human remains and other cultural materials.

(I) Samples. For each burial, all **Perimeter Balk** soil is to be 1/8”-screened. All **Exposure** soil is to be 1/8”-screened, and a minimum of one 5-gallon bucket of excavated but unscreened Exposure soil is to be collected, placed in a plastic garbage bag in the bucket. All **Matrix** soil is to be carefully excavated, screened as appropriate, and then collected in plastic bags placed in 5-gallon buckets.

(J) Human remains are not to be cleaned in the field.



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(K) Blessings. Prior to any physical action related to human remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for insuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.

IV. Lab Procedures

No laboratory studies are permitted without consultation with the tribe. Lab methods are determined on a project-specific basis in consultation with Yocha Dehe Wintun Nation representatives. The following procedures are recommended:

(A) Responsibility. The primary archaeological consultant will be responsible for insuring that all lab procedures follow stipulations made by the Tribe.

(B) Blessings. Prior to any laboratory activities related to the remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for insuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.

(C) Physical Proximity of Associations. To the extent possible, all remains, associations, samples, and original records are to be kept together throughout the laboratory process. In particular, **Matrix** dirt is to be kept in buckets and will accompany the remains to the lab. The primary archaeological consultant will be responsible for copying all field records and images, and insuring that the original notes and records accompany the remains throughout the process.

(E) Additional Lab Finds. Laboratory study should be done making every effort to identify unanticipated finds or materials missed in the field, such as objects encased in dirt or human remains misidentified as faunal remains in the field. In the event of discovery of additional remains, materials, and other associations the tribal representatives are to be contacted immediately.

V. Re-internment without Further Disturbance

No laboratory studies are permitted on human remains and funerary objects. The preferred treatment preference for exhumed Native American human remains is reburial in an area not subject to further disturbance. Any objects associated with remains will be reinterred with the remains.



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VI. Curation of Recovered Materials

Should all, or a sample, of any archaeological materials collected during the data recovery activities – with the exception of Human Remains – need to be curated, an inventory and location information of the curation facility shall be given to tribe for our records.

From: [Corrina Gould](#)
To: [Colette Schow](#)
Cc: [Victor Randall](#)
Subject: Re: AB 52 Consultation and SB 18 Information Request
Date: Thursday, June 9, 2022 3:03:22 PM

Thank you for your letter and email. The Tribe would like to consult on the Benicia Housing Element and Community Health and Safety Element.

'Uni (Respectfully),

Corrina Gould, Tribal Chair
Confederated Villages of Lisjan Nation

On Fri, May 20, 2022 at 1:55 PM Colette Schow <CSchow@ci.benicia.ca.us> wrote:

Subject: AB 52 Consultation and SB 18 Information Request for the City of Benicia – 2023-2031 Benicia Housing Element and Community Health and Safety Element.

Sent via Email and U.S. Mail

The City of Benicia is preparing an update to its 2023– 2031 Housing Element and Community Health and Safety Element. In accordance with provisions of AB 52, this letter serves as official notification to your Tribe for early consultation in accordance with State Law. Additionally, in accordance with SB 18, the City is requesting whether your Tribe is interested in consultation regarding this project.

Project Description/Request: The project will include updating the Housing and Community Health and Safety Elements to meet state law requirements, as well as the preparation of an Environmental Impact Report in support of both projects. Please find enclosed a map of the project area, the April 2022 Draft Benicia Housing Opportunity Sites List, and the April 2022 Draft Benicia Housing Opportunity Sites Map.

The City of Benicia values your feedback as part of our review process. Thus, in accordance with Public Resources Code 21080.3, we would request that you notify the City within 30 days of receipt of this letter if you would like to meet and discuss the project.

Apart from a cultural resource consultation, if you would like additional background material on the Housing Element Update or Community Health and Safety Element Update or to be notified of public hearings for the project, please let me know. The City looks forward to working with you and your team during this process. You may contact Vic Randall, Senior Planner, by phone at [\(707\) 746-4278](tel:7077464278) or by email vrandall@ci.benicia.ca.us to arrange a date and time to meet.

Attachments:

Project Area Map

Draft Benicia Housing Opportunity Sites List (April 2022)

Draft Benicia Housing Opportunity Sites Map (April 2022)