



State of California - Department of Fish and Wildlife  
**2025 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/25) Previously DFG 753.5a

**Print**    **StartOver**    **Save**

RECEIPT NUMBER:  
 48 — 03/05/2025 — 030  
 STATE CLEARINGHOUSE NUMBER (If applicable)  
 N/A

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY <b>CITY OF BENICIA</b>	LEAD AGENCY EMAIL	DATE <b>03/05/2025</b>
COUNTY/STATE AGENCY OF FILING Solano	DOCUMENT NUMBER <b>030525-030</b>	

PROJECT TITLE  
 ADOPTION OF AN ORDINANCE AMENDING SECTIONS 17.12.030 AND SECTION 17.70.060 AND ADDING NEW SECTION 17.70.470

PROJECT APPLICANT NAME <b>CITY OF BENICIA</b>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(707) 746-4278</b>
PROJECT APPLICANT ADDRESS <b>150 EAST L STREET</b>	CITY <b>BENICIA</b>	STATE <b>CA</b>
		ZIP CODE <b>94510</b>

250  
e.s.

PROJECT APPLICANT (Check appropriate box)

Local Public Agency     School District     Other Special District     State Agency     Private Agency

CHECK APPLICABLE FEES:

- |   |            |          |       |
|---|------------|----------|-------|
| <input type="checkbox"/> Environmental Impact Report (EIR)  | \$4,123.50 | \$ _____ | 0.00  |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)   | \$2,968.75 | \$ _____ | 0.00  |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW         | \$1,401.75 | \$ _____ | 0.00  |
| <br>  |            |          |       |
| <input checked="" type="checkbox"/> Exempt from fee   |            |          |       |
| <input checked="" type="checkbox"/> Notice of Exemption (attach)  |            |          |       |
| <input type="checkbox"/> CDFW No Effect Determination (attach)  |            |          |       |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)                   |            |          |       |
| <hr/>   |            |          |       |
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00   | \$ _____ | 0.00  |
| <input checked="" type="checkbox"/> County documentary handling fee   |            | \$ _____ | 50.00 |
| <input type="checkbox"/> Other  |            | \$ _____ |       |

PAYMENT METHOD:

- Cash     Credit     Check     Other
- TOTAL RECEIVED**    \$ \_\_\_\_\_    **50.00**

SIGNATURE <b>X Emily Shephard, Deputy</b>	AGENCY OF FILING PRINTED NAME AND TITLE <b>EMILY SHEPHARD, DEPUTY</b>
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CHECK NUMBER: 139902  
 RECEIPT NUMBER: 1080901

**FILED**

**Notice of Exemption**

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

From: City of Benicia  
250 East L Street  
Benicia, CA 94510

MAR 5 2025

Bill Emlen, Clerk of the  
Board of Supervisors of  
the County of Solano,  
State of California  
Deputy *Emily Shephard*

County Clerk  
County of: Solano

**Project Title:** Adoption of an Ordinance Amending Sections 17.12.030 (Definitions) and Section 17.70.060 (Accessory Dwelling Units); and Adding a New Section 17.70.470 (Housing for Religious & Community Institutional Uses) to Title 17 (Zoning) of the Benicia Municipal Code

**Project Applicant:** CITY OF BENICIA

**Project Location**

Citywide

**Project Location - City:** City of Benicia

**Project Location - County:** Solano County

**Description of Nature, Purpose and Beneficiaries of Project:**

The proposed amendments to Title 17 (Zoning) of the Benicia Municipal Code (BMC) would implement the Housing Element (Program 2.05) by expanding housing opportunities on sites owned by religious and community institutional uses, inclusive of up to four multifamily units and up to four accessory dwelling units (total of eight units).

**Name of Public Agency Approving Project:** City of Benicia

**Name of Person or Agency Carrying Out Project:** Planning Division

**Exempt Status: (check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. **State type and section number:** #15303(a) & 15303(b)
- Statutory Exemptions. **State code number:** #

**Reasons why project is exempt:**

This project is covered by the Housing Element EIR (certified January 24, 2023; State Clearinghouse Number 2022060021). The proposed amendment would allow for the construction of accessory dwelling and multifamily units on religious institution-owned and certain community institution-owned properties, and these revisions additionally clarify and align existing Code. The proposed amendments would not alter the physical environment in any manner that would result in a significant effect on the environment. Additionally, this project is categorically exempt pursuant to Section 15303(a), New Construction or Conversion of Small Structures Class 3, of the California Environmental Quality Act (CEQA) Guidelines, which allows for a second dwelling unit in a residential zone; in urbanized areas, up to three single-family residences may be constructed or converted under this exemption. This project is also categorically exempt pursuant to Section 15303(b), New Construction or Conversion of Small Structures Class 3, for multi-family structures, this exemption allows for a duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units.

**Lead Agency**

**Contact Person:** Vivien Togonon

**Area Code/Telephone/Extension:** (707) 746-4278

**Signature:** 

**Date:** 3/5/25 **Title:** Associate Planner

**Signed by Lead Agency**

**Signed by Applicant**

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: - \_\_\_\_\_

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Document Posted From  
3/5/25 to \_\_\_\_\_ +

Deputy Clerk of the Board