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ALUC-21-10 City of Benicia Objective Planning Standards

Conduct a Public Hearing to consider a Consistency Determination for the proposed City of Benicia Objective Planning Standards project with the Travis Air Force Base Airport Land Use Compatibility Plan. (Sponsor: City of Benicia)

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RECOMMENDATION:

Determine that application ALUC-21-10 (City of Benicia Objective Planning Standards project) is consistent with the Travis Air Force Base Land Use Compatibility Plan.

DISCUSSION:

Introduction

The City of Benicia is considering amendments to its Objective Planning and Design Standards which will include amendments to the zoning regulations (See Attachments A, B and C). The full purpose and applicability of these amendments are contained in Attachment B and highlighted below:

“ Purpose

The Objective Planning and Design Standards project serve as minimum architectural and site design requirements for housing development projects (referred to as “projects” or the “project”). The Objective Planning and Design Standards supplement the development standards of the Benicia Zoning Ordinance and further the goals, policies, and actions of the Benicia General Plan, which encourage high quality design and the quality of life that an enhanced built environment fosters.

Applicability

The Objective Planning and Design Standards apply to housing development projects which include:

- (1) Buildings that contain two or more dwelling units;
- (2) Groups of two or more attached townhomes (row houses), regardless of whether multiple townhomes occupy the same lot or each townhome occupies a separate lot;
- (3) Mixed-use buildings that include at least two-thirds of the square footage designated for residential use; and
- (4) Transitional housing or supportive housing.”

The Objective Planning and Design Standards project include amendments to the Benicia Zoning Regulations and to the Form Based Code and the Downtown Mixed-Use Master Plan. The City is seeking a consistency determination for this proposed ordinance and Master Plan Amendment from the Airport Land Use Commission as required by the State Aeronautics Act.

The City of Benicia Objective Planning and Design project is statutorily required to come before the ALUC for a consistency determination. These regulations apply to properties in various locations within the City of Benicia. The Travis Air Force Base Land Use Compatibility Plan (Travis

Plan) is the only Airport Land Use Compatibility Plan which applies to the City of Benicia and thus the Benicia ADU Ordinance is reviewed in light of the Travis Plan.

CONSISTENCY ISSUES

The City of Benicia Objective Planning and Design Standards project provides additional development and design standards to the zoning regulations and policies of the City. These standards permit more expeditious processing of residential projects which comply with the objective standards. These planning and design standards do not alter the approved land uses within the City of Benicia, nor do they permit the maximum height of objects to exceed 100 feet in height.

The project will be compared to Compatibility Zones D and E of the Travis Plan for this consistency determination since those are the only zones which encompass the City of Benicia.

REQUIRED TESTS FOR CONSISTENCY

ALUC Review Requirements

State law, under Section 21661.5 of the Public Utilities Code, requires that any proposed zoning regulations or revisions to the local zoning ordinance be reviewed for consistency with adopted airport land use compatibility plans.

The ALUC is concerned with those aspects of the proposed zoning changes which have the potential to be incompatible with the Travis Plan.

California Airport Land Use Planning Handbook

The State Department of Aeronautics has published the California Airport Land Use Planning Handbook as a guide for Airport Land Use Commissions in the preparation and implementation of Land Use Compatibility Plans and Procedure Documents. Section 6.4.2 sets forth procedures for the review of local zoning ordinances and directs agencies to consider the topics listed in Table 5A, as follows:

Zoning or Other Policy Documents (from Table 5A, CalTRANS Airport Land Use Planning Handbook)

The Handbook lists the following topics for consideration when reviewing zoning or other policy documents.

- *Intensity Limitations on Nonresidential Uses*
- *Identification of Prohibited Uses*
- *Open Land Requirements*
- *Infill Development*
- *Height Limitations and Other Hazards to Flight*
- *Buyer Awareness Measures*
- *Non-conforming Uses and Reconstruction*

The City of Benicia is situated in two compatibility zones – Compatibility Zone D and Compatibility Zone E. The compatibility factors for each zone are provided below.

Compatibility Zone D

The requirements for Compatibility Zone D are limited to the following compatibility factors:

- Intensity Limitations: No limit
- Identification of Prohibited Uses: No limit
- Open Land Requirements: None
- Infill Development: No Special requirements or limitations
- Height Limitations and Other Hazards to Flight:
 - ALUC review required for objects > 200 feet AGL
 - All proposed wind turbines must meet line-of-sight criteria in Policy 3.3.4
 - All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review
 - All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review
 - For areas within the Bird Strike Hazard Zone, reviewing agencies shall prepare a WHA for discretionary projects that have the potential to attract wildlife that could cause bird strikes. Based on the findings of the WHA, all reasonably feasible mitigation measures must be incorporated into the planned land use.
 - Outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.
- Buyer Awareness Measures: None required
- Non-conforming Uses and Reconstruction: No requirements or limitations

Compatibility Zone E

The requirements for Compatibility Zone E are limited to the following compatibility factors:

- Intensity Limitations: No limit
- Identification of Prohibited Uses: No limit
- Open Land Requirements: None
- Infill Development: No Special requirements or limitations
- Height Limitations and Other Hazards to Flight:
 - ALUC review required for objects > 200 feet AGL
 - All proposed wind turbines must meet line-of-sight criteria in Policy 3.3.4
 - All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review
 - All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review
 - Outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.
- Buyer Awareness Measures: None required
- Non-conforming Uses and Reconstruction: No requirements or limitations

CONSISTENCY ANALYSIS

Staff has reviewed the proposed City of Benicia Objective Planning and Design project for consistency with the applicable land use compatibility plans and our analysis is presented below.

Intensity Limitations on Nonresidential Uses

Within Compatibility Zones D and/or E, there are no limitations on intensity for non-residential land uses. Furthermore, the proposed City regulations are not changing any residential density limitations or designating any new zoning districts. As a result, the City of Benicia Objective Planning and Design project is consistent with this provision.

Identification of Prohibited Uses

There are no prohibited uses within Compatibility Zones D and E. Therefore, the City of Benicia Objective Planning and Design project is consistent with this provision.

Open Land Requirements

Compatibility Zones D and E have no open land requirements for development. As a result, the City of Benicia Objective Planning and Design project is consistent with this criterion.

Infill Development

The proposed regulations apply throughout the City of Benicia to properties which may or may not be considered infill locations. Infill development is sometimes afforded additional density or intensity when it is surrounded by existing development that does not meet the requirements of the Travis Plan. Since there are no density or intensity limitations within Compatibility Zones D and E, the infill issue is mute. No further consideration is required for this criterion and the regulations would be consistent with these criteria.

Height Limitations and Other Hazards to Flight

1, 2 & 4. Height Review for Objects Greater than 200 Feet in Height

The City of Benicia Objective Planning and Design project does not alter any maximum height requirements in the Benicia Municipal Code and so ALUC review of this item is not required.

3. Commercial Scale Solar Projects

The City of Benicia Objective Planning and Design project does not alter any Commercial Solar regulations and as such, is consistent with the Travis Plan.

5 & 6. Projects within the Bird Strike Hazard Zone or the Outer Perimeter Area

The project lies outside of the Bird Strike Hazard Zone and the Outer Perimeter Area. As a result, the City of Benicia Objective Planning and Design project is not affected by these criteria and is consistent with the requirements of the Travis Plan.

Buyer Awareness Measures

The proposed regulations do not designate any new residential uses and do not involve any properties within Compatibility Zones A, B or C. The proposed project lies within Compatibility Zones D and E and outside of any noise contours of concern. As a result, Buyer Awareness

Measures are not required by the Travis Plan, and the proposals are thereby consistent with the Travis Plan.

Non-conforming Uses and Reconstruction

The project is not authorizing any construction, nor does it modify the non-conforming use provisions of the BMC. As a result, Non-conforming uses and reconstruction issues are not involved and the noise and outdoor entertainment proposals are thereby consistent with the Travis Plan.

In light of the above discussion, staff is recommending a consistency finding between the City of Benicia Objective Planning and Design project and the Travis Plan.

RECOMMENDATION:

Based on the analysis and discussions above, staff recommends that the Solano County Airport Land Use Commission find as follows:

Determination: Determine that application ALUC-21-10 (City of Benicia Objective Planning and Design project) is consistent with the Travis Air Force Base Land Use Compatibility Plan.

Attachments:

Attachment A: Application

Attachment B: Draft Objective Planning Standards Ordinance

Attachment C: Benicia Staff Report

Attachment D: Travis Context Map

Attachment E: Resolution (To Be Distributed at the Hearing)

Solano County Airport Land Use Commission

675 Texas Street Suite 5500
Fairfield, CA 94533
Tel 707.784.6765
Fax 707.784.4805

LAND USE COMPATIBILITY DETERMINATION: APPLICATION FORM

TO BE COMPLETED BY STAFF		
APPLICATION NUMBER:	FILING FEE:	
DATE FILED:	RECEIPT NUMBER:	
JURISDICTION:	RECEIVED BY:	
PROJECT APN(S):		
TO BE COMPLETED BY THE APPLICANT		
I. GENERAL INFORMATION		
NAME OF AGENCY: City of Benicia	DATE: 7/8/2021	
ADDRESS: 250 East L Street, Benicia CA 94510		
E-MAIL ADDRESS: sthorsen@ci.benicia.ca.us	DAYTIME PHONE: 707-746-4382	FAX: 707-747-1637
NAME OF PROPERTY OWNER: N/A		DATE:
ADDRESS: N/A		DAYTIME PHONE:
NAME OF DOCUMENT PREPARER: Suzanne Thorsen, Planning Manager		DATE: 7/8/2021
ADDRESS: 250 East L Street, Benicia, CA 94510	DAYTIME PHONE: 707-746-4382	FAX: 707-747-1637
NAME OF PROJECT: City of Benicia Zoning Text Amendment - Objective Planning and Design Standards		
PROJECT LOCATION: City of Benicia - Citywide		
STREET ADDRESS: N/A		

PLEASE CALL THE APPOINTMENT DESK AT (707) 784-6765 FOR AN APPLICATION APPOINTMENT.

TO BE COMPLETED BY THE APPLICANT	
II. DESCRIPTION OF PROJECT (CONT'D)	
POTENTIAL PROJECT EMISSIONS: (i.e. smoke, steam, glare, radio, signals): N/A	
PROJECT AIRPORT LAND USE COMPATIBILITY PLAN: Travis AFB	COMPATIBILITY ZONE: D&E
PERCENTAGE OF LAND COVERAGE: N/A	MAXIMUM PERSONS PER ACRE: N/A
THE FOLLOWING INFORMATION MUST BE SUBMITTED AS A MINIMUM REQUIREMENT:	
<input checked="" type="checkbox"/> JURISDICTION REFERRAL LETTER: <input checked="" type="checkbox"/> ENVIRONMENTAL DOCUMENTATION: Exempt - CEQA Guidelines Section 15305 and 15061 <input type="checkbox"/> LOCATION MAP: N/A <input type="checkbox"/> ASSESSOR'S PARCEL MAP, with subject property marked in red: N/A <input type="checkbox"/> SITE PLAN, drawn to scale and fully dimensioned including topographical information, and 8 1/2 x 11 inch reduction(s): N/A <input type="checkbox"/> ELEVATIONS, if located in APZ, clear zones and A,B,C compatibility zones or over 200' in height, plus 8 1/2 x 11 inch reduction(s) : N/A <input type="checkbox"/> WIND TURBINE STUDY, including cumulative impact studies. Such studies shall include an analysis of (1) the individual effects of the proposed project, and (2) as required by law, an analysis of the cumulative effects of the proposed project considered in connection with the effects of past projects, the effects of other current projects and proposed projects, and the effects of probable future projects, including (i) the probable build out for wind energy development of the remaining vacant parcels within the wind resource areas described in the Solano County General Plan and (ii) any probable replacement of existing turbines or meteorological towers with structures having different dimensions. N/A <input checked="" type="checkbox"/> SUPPLEMENTAL INFORMATION: Proposed Zoning Text Amendment and Staff Report <input checked="" type="checkbox"/> FEES: \$200 <input checked="" type="checkbox"/> ELECTRONIC COPIES OF ALL APPLICATION MATERIALS ONA CD: <div style="text-align: right; margin-left: 400px;"><i>via email: JHLeland@SolanoCounty.com</i></div>	
APPLICANT SIGNATURE: x <u><i>Suzanne Thorsen</i></u>	DATE: <u>August 2, 2021</u>
DOES THE PROJECT PROPOSE THE DEMOLITION OR ALTERATION OF ANY EXISTING STRUCTURES ON THE PROJECT SITE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, describe below:	

PLEASE CALL THE APPOINTMENT DESK AT (707) 784-6765 FOR AN APPLICATION APPOINTMENT.

PUBLIC REVIEW DRAFT

**CITY OF BENICIA
OBJECTIVE PLANNING AND DESIGN STANDARDS FOR
MIXED-USE RESIDENTIAL AND MULTI-FAMILY DEVELOPMENT**

I. Introduction

Purpose

The Objective Planning and Design Standards serve as minimum architectural and site design requirements for housing development projects (referred to as “projects” or the “project”). The Objective Planning and Design Standards supplement the development standards of the Benicia Zoning Ordinance and further the goals, policies, and actions of the Benicia General Plan, which encourage high quality design and the quality of life that an enhanced built environment fosters.

Applicability

The Objective Planning and Design Standards apply to housing development projects which include (1) buildings that contain two or more dwelling units; (2) Groups of two or more attached townhomes (row houses), regardless of whether multiple townhomes occupy the same lot or each townhome occupies a separate lot; (3) Mixed-use buildings that include at least two-thirds of the square footage designated for residential use; and (4) Transitional housing or supportive housing.

Objective Design Review

In addition to these Objective Planning and Design Standards, housing development projects are also subject to consistency with objective standards in the Municipal Code, General Plan, Downtown Mixed Use Master Plan, Downtown Historic Conservation Plan and Arsenal Historic Conservation Plan, in effect at the time the development application or preliminary application is submitted to the City. If an Objective Planning and Design Standard conflicts with a General Plan standard, the standard more permissive of housing production governs.

State law defines “objective standards” as standards that involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion.

Discretionary Design Review

Non-housing development projects, and housing development projects subject to discretionary design review, may be reviewed for conformance with the Objective Planning and Design Standards *and* any other standards that apply to the proposed project, including non-objective standards. Such projects may only be approved if the findings for design review set forth in BMC sections 17.108.040 and Section 17.54.100 of the Benicia Municipal Code are made.

Deviation from Standards

A project subject to streamlined approval under SB 35 must conform with all of the Objective Planning and Design Standards. If a project has not requested streamlined approval under SB 35, the project may deviate from the Objective Planning and Design Standards through the discretionary design review process.

II. Standards

A. Development Intensity.

1. **Floor Area Ratio, Commercial Districts.** The maximum allowed floor area ratio (FAR) in the commercial districts is 2.0.

B. Building Placement, Orientation, and Entries.

1. **Maximum Setback, Residential Districts.** In the RM and RH districts, a minimum of 50 percent of the building width must be located no greater than 25 feet from the front and corner side yard line. If a site contains two or more buildings, this standard applies to each street-facing building on the site.
2. **Building Entrances.**
 - a. For buildings with one primary entrance that provides interior access to multiple individual dwelling units, the primary building entrance must face the street. A primary building entrance facing the interior of a lot is not allowed.
 - b. On lots where units have individual exterior entrances, all ground floor units with street frontage must have an entrance that faces the street. If any wall of a ground floor unit faces the street, the unit must comply with this requirement. For units that do not front the street, entrances may face the interior of the lot.
3. **Pedestrian Walkway.** A pedestrian walkway, minimum 5-foot width, shall provide a connection between the public street and all building entrances that are required by section B.2.

C. Parking.

1. **Parking Access from Street.** Except in the Town Core Zone, the main parking lot access shall be provided from a public street (and not the alley) when the property is served by an unpaved alley shared with single-family residential homes. If the applicant paves and improves the alley consistent with City standards, parking access may be provided from the alley.
2. **Driveway Placement.** A parking lot driveway shall be located at least 6 feet from an alley and shall maintain a minimum 20-foot distance from all curb returns.
3. **Parking Lot Lighting.**

- a. All exterior lights shall use cut-off shields and be downward directed. Sag, convex and drop lenses are prohibited.
 - b. Wall-mounted lights shall be provided for security purposes. Lights shall be directed down and shielded to avoid glare impacts.
4. **Parking Lot Screening.** In all districts except for the mixed-use districts, a parking lot shall be screened on all sides by a minimum 3'6" evergreen hedge, planter box, wall or wood privacy fence (not more than 30 percent transparent) to avoid headlight impacts to adjoining properties.
5. **Covered Parking/Garages.**
- a. Covered parking or garages serving individual units that are attached to the structure shall be recessed a minimum of 18 inches from a street-facing wall plane.
 - b. Garage doors or covered parking may occupy no more than 50 percent of a building frontage facing the street.

D. Facade and Roof Design.

1. **Roof Forms.** In the Downtown and Arsenal Historic Districts, roofs may be flat or pitched. Pitched roof forms (e.g., hip, gable) shall have a minimum 4:12 pitch. Roof pitches concealed from the public right-of-way by parapet shall not be subject to this standard.
2. **Base, Middle, Cap.** In the Downtown and Arsenal Historic Districts, a building shall have a base, middle, and cap:
 - a. **Base:** The base grounds the structure at the bottom of the building with accent lines and/or materials/colors that contrast with the building middle.
 - b. **Middle:** This element establishes the vertical proportion and is constructed of the primary building material.
 - c. **Cap:** This is the roof or parapet of the building. Cornice or fascia trim shall be incorporated along the roofline.
3. **Alignment of Features.** Windows, cornices, copings and moldings shall be aligned horizontally on the building front.
4. **Articulation.** Street-facing building walls greater than 100 feet in length shall incorporate two or more of the following building articulation techniques:
 - a. A change to contrasting material and/or color every 30 feet or less.
 - b. Vertical accent lines that project at least 6 inches from the building wall every 20 feet or less.
 - c. A wall modulation or increase setback of at least 18 inches every 20 feet or less.

- d. At least one above-ground balcony every 20 feet or less.
- e. At least one bay window, box window or other projecting window that projects at least one foot from the building wall every 20 feet or less.
- f. A change in roof form every 20 feet or less.
- g. For buildings two or more stories, a change in the height of the building of at least 4 feet.

5. **Windows and Doors – Residential Use.** The street-facing building wall of a residential use, including residential uses above ground-floor non-residential uses in a mixed-use project, must provide clear glass windows or doors for a minimum of 35 percent of the building frontage. Structured parking facilities (e.g., parking garages) facing a secondary street are exempt from this standard.

6. **Facade Transparency in Mixed Use Building.** The street-facing building wall of a ground-floor non-residential use in a mixed-use building must provide transparent windows or doors with views into the building for a minimum of 65 percent of the building frontage width located between three and seven feet above the sidewalk.

7. **Storefronts in Mixed-Use Buildings.**

- a. Outside of the Downtown Historic District, Ground-floor storefronts in a mixed-use building must have a minimum 12-foot height, including any clerestory.
- b. In the Downtown Historic District, storefronts must have a bulkhead with minimum ground floor height of 30 inches.

8. **Control Joints.** Stucco control joints shall not be spaced more than 30 feet apart.

E. **Building Materials.**

1. **Historic Conservation Plan Guidelines.** Development in a historic district shall comply with all applicable building material guidelines in the adopted conservation plan (i.e., Arsenal Historic Conservation Plan or Downtown Historic Conservation Plan).

2. **Exterior Building Materials.**

a. **Prohibited Materials.**

- (i) Synthetic textured foam/EIFS and aluminum siding is prohibited in all areas.
- (ii) Formliner or painted concrete applications that simulate the appearance of brick are prohibited in all areas.
- (iii) **Historic Districts.** Any material with a faux wood grain is prohibited.

b. **Additional Permitted Materials.** In a historic district, horizontal smooth fiber cement siding (e.g., “Hardi Board”) is permitted.

3. **Modular Construction or Tilt Up Concrete Panels**

- a. **Historic Districts.** Modular or tilt up concrete construction is allowed in a historic district only when all exterior surfaces are covered by permitted exterior building materials.
- b. **Outside of Historic Districts.** Modular or tilt up concrete construction is allowed when all exterior surfaces are covered by an exterior facade or cladding.

4. **Windows and Doors.**

- a. **All Areas.** In all areas, material selection and style shall be the same on all sides of the building.
- b. **Historic Districts.**
 - (i) Windows and door frames shall be composed of painted wood or smooth fiber cement boards (i.e., hardi-board) or non-reflective metal with a factory applied finish.
 - (ii) Permitted materials for windows and doors are wood, composite, and pre-finished metal (e.g., anodized aluminum) with a non-reflective finish.
 - (iii) Where pane divisions are provided on a window, they shall be true or simulated divided lites (muntins applied to both the interior and exterior of the glass). Snap in grilles or grilles between glass panes are not permitted.
 - (iv) Flush door styles are not permitted for front entrances.

F. **Historic Resources.**

Development involving a designated historic resource shall meet the following standards:

1. Development shall not alter a façade public street-side façade. “Alter” shall include: removal of materials; relocating, closure and/or covering of existing openings.
2. Development shall not increase the height of the existing building, including an upper story addition, increased foundation height, or new rooftop projection.
3. All exterior corners of the historic structure shall be preserved. A “corner” shall include a minimum of three (3) linear feet outward from where the exterior walls meet.
4. The exterior walls of an addition shall be recessed inward 18 inches from the walls of a historic structure.

G. **Other Site Features.**

1. **Mechanical Equipment Screening.**

- a. Mechanical equipment, including vents and stacks, shall be fully screened by an architectural feature, such as a parapet wall, in addition to the requirements of BMC 17.70.210.
- b. Ground-mounted mechanical equipment shall be placed at a rear or secondary

façade and at least 10 feet from a side or rear property line.

- c. No mechanical equipment shall be permitted in the front or corner side yard.
- d. Backflow prevention devices may be located within the front half of the lot, when located between the side building plane extending to the front property line and the side yard property line. Backflow prevention devices shall not be placed directly in front of the building but may be located in a side location of the front yard. This equipment shall be either:
 - (i) Screened to its full height by a combination of fencing and perennial landscaping to 70 percent opacity; or
 - (ii) Contained within a protective enclosure (metal grate) within a planter or landscape bed.

2. **Refuse Storage Areas**

- a. Refuse management shall be provided, and site development plans shall indicate the manner and location of refuse storage. Individual refuse collection is permitted for individual units where bins will be stored within a garage or enclosure; all other development types shall provide an on-site shared refuse facility.
- b. Refuse and service areas shall be located to the rear or side of the property and shall not abut the property line of an adjacent single-family residence.
- c. Refuse containers shall be located in a building or screened by a solid masonry or wood enclosure.

3. **Utility Meter Placement.** Utility meters shall not be placed on a front building facade and must be setback a minimum of 10 feet from a street-facing side property line.

4. **Fence Materials.** Plastic, chain link, and other wire fencing materials are prohibited.

5. **Retaining Wall Materials.** Retaining walls shall be constructed of masonry material such as brick, poured-in place concrete with architectural finish, stone, or ornamental concrete blocks.

H. **Public Improvements.**

Public improvements (alley, sidewalk, curb and/or gutters), in accordance with the City of Benicia's adopted standards, shall be required for any right-of-way directly abutting the development site.

I. **Grading.**

1. Cuts and/or fills in residential districts shall not exceed 4 feet.
2. Grading thresholds identified in BMC Chapter 17.100.020 for commercial zoned property also apply to the Form-Based Zones of the Downtown Mixed Use Master

Plan.

3. The grading thresholds in this section may be exceeded for excavations (cuts) below finished grade for the purposes of basements and crawl spaces, below grade parking, retaining walls and building footings and piers.

J. Signs.

1. Monument Signs.

- a. Monument signs are not permitted in the Downtown Historic District.
- b. Outside of the Downtown Historic District, monument signs must comply with the following:
 - (i) One monument sign permitted with maximum height of 4 feet and maximum sign area of 20 square feet, unless otherwise restricted by the Sign Ordinance (BMC Title 18).
 - (ii) Signs shall be constructed of wood, metal, or stucco on a masonry base.
 - (iii) Internally illuminated vinyl signs are not permitted.
 - (iv) Sign lettering and logos shall be individual channel or pin-mounted characters.

2. Wall Signs.

- a. Wall signs are permitted for mixed-use residential building.
- b. Box/cabinet signs are not permitted nor any form of internally illuminated vinyl signage.
- c. Sign lettering and logos shall be individual channel or pin-mounted characters.

3. Other Sign Types.

- a. In the Downtown Historic District, sign types other than monument and wall signs are allowed when consistent with sign standards in the Downtown Historic Conservation Plan.
- b. In all other districts, other sign types are not allowed.

K. Trees.

1. **Historic Conservation Plan Guidelines.** Tree removal in a historic district shall comply with all applicable tree preservation policies of the Municipal Code, General Plan and/or adopted conservation plan (i.e., Arsenal Historic Conservation Plan or Downtown Historic Conservation Plan).

2. Replacement Trees.

- a. If the removal of a protected tree is allowed, replacement tree(s) must be planted onsite at a 2:1 ratio. Such replacement tree(s) shall be provided in addition to all

other required landscaping pursuant to adopted objective standards and regulations and shall be installed prior to final occupancy of the proposed development. The replacement tree(s) shall be minimum 24” box container size at time of planting, shall be listed on the City of Benicia Tree Palette list, and be of the same size or a greater size at maturity as the tree(s) being removed.

- b. Replacement trees shall be sited and planted such that the minimum planter radius for the chosen tree species (listed under “Planter Size” on the City of Benicia Tree Palette list) is maintained. No impervious cover, structures, or unpaved walkways may be located within this planter radius.

3. Tree Protection During Construction.

- a. Any protected tree that is not removed to accommodate new development shall be marked with a metal tag identifying such tree as a protected tree and shall be protected during construction in accordance with the requirements of the Benicia Municipal Code (Chapter 12.24) at the expense of the owner/applicant.
- b. Prior to issuance of a grading or building permit, whichever comes first, the applicant shall submit a performance bond guaranteeing the health of designated protected tree(s). The performance bond shall be in the amount of \$550 per tree (adjusted on the basis of consumer price index for each year following the year 2021) and shall remain in place for three years following the final occupancy of the project.

L. Community Health and Safety.

- 1. **Proximity Disclosure.** Prior to occupancy for any new residential development within one-quarter mile of an Industrial District, a disclosure shall be provided to, and acknowledged by, prospective purchasers or tenants regarding the presence of transportation infrastructure and industrial uses and the potential nuisances foreseeable with such uses, including noise, vibration, dust, indoor air quality, odors, light/glare and other impacts.

III. Benicia Arsenal Standards

The following standards clarify existing policies and standards in the Arsenal Historic Conservation Plan.

A. Arsenal View Protection

- 1. **Applicability.** View protection standards in this section apply to development on property extending into a view corridor cone of vision or sight line shown in Figure 1.
- 2. **View Types.** This section distinguishes between two types of views: view corridors and sight lines.

- a. **View Corridor.** A view corridor is defined by a cone of vision originating from a specific point along a roadway.
- b. **Slight Line.** A sight line is a narrow corridor defined by a straight line originating from a specific point and terminating at a given feature or building.

3. Views Designated.

- a. Views designated for protection as shown in Figure 1 originate from Arsenal Historic Conservation Plan (AHCP) Figure 6.
- b. Figure 1 designates for protection only those views shown in AHCP Figure 6 that may be impacted by proposed multifamily and mixed-use residential development.

4. View Protection Standards.

a. View Corridors.

- (i) As shown in Table 1, new development within a view corridor shall not obstruct the view of any portion of a designated landmark structure or protected natural feature. Features that must remain unobstructed for each view corridor are shown in Attachment A.
- (ii) If development complies with paragraph (i) above, the City shall deem the project consistent with AHCP View Corridors and Sight Lines Policy 2 (page 36) that development “should be of a scale that will not overpower or dominate views of landmarks.”

Table 1: Protected Views

View	View Type	Vantage Point		Protected Viewed Features	
		Location	Coordinates	Landmark Structures ¹	Natural Features
1	View Corridor	Jefferson Street at Park Road	38.048041, -122.137314	Shops (Buildings R, S, T)	Carquinez Straight; Martinez shoreline and hillsides
2	Sight Line	Jefferson Street at Cleveland Street	38.047466, -122.136024	Guard House (Building O)	N/A
3	Sight Line	Grant Street at Jefferson Lane	38.047770, -122.139930	Headquarters Building (Building W)	N/A
4	View Corridor	Grant Street at northeasterly bend	38.045853, -122.135103	Commandants Quarters, Clocktower Building (Buildings M and N)	Promontory

¹ Historic building identifiers correspond to Arsenal Historic Conservation Plan Appendix C

Figure 1: Arsenal View Corridors and Sight Lines



Arsenal View Corridors and Sight Lines

Landmark Structure



View Corridor



Viewpoint



Sight Line

200 ft



- b. **Sight Lines.** As shown in Table 1, new development shall not obstruct the view of any portion of a designated landmark structure within a designated sight line. Features that must remain unobstructed for sight line view are shown in Attachment A.
- c. **Existing Site Vegetation.** The following applies to both designated view corridors and sight lines:
 - (i) If existing vegetation on the proposed development site obstructs views of a designated landmark building, the vegetation shall be removed. Trees protected under BMC 12.24.030 are exempt from this requirement.
 - (ii) Proposed new development shall not obstruct views of any portion of a designated landmark that will be created when vegetation is removed.

5. Project Photosimulations Required.

- a. An applicant shall prepare a photosimulation of the proposed project if any portion of the subject property is located within a view corridor cone of vision or sight line shown in Figure 1.
- b. The Director may waive this requirement if project plans demonstrate that proposed structures are clearly located outside of designated view corridors/sight lines with no potential to conflict with view protection standards in Subsection 4 above.

6. Photosimulation Methodology. Photosimulations shall be prepared using the following methodology.

a. Baseline Photograph.

- (i) For the baseline photograph showing existing conditions, the photosimulation may use the view corridor/sight line photograph in Figure 1 or a new photograph taken for the photosimulation.
- (ii) If a new photograph is used, the photograph shall be taken from within 10 feet of the coordinates shown in Table 1.
- (iii) The camera must be positioned and oriented so that the field of view in the new photograph maximizes visibility of protected view features.
- (iv) New photographs must be taken using a minimum 10-megapixel digital single lens reflex camera equipped with a 50-millimeter equivalent focal length lens.

b. Modeling.

- (i) An applicant shall use AutoCAD or other equivalent computer software to create a 3D model of proposed structures.

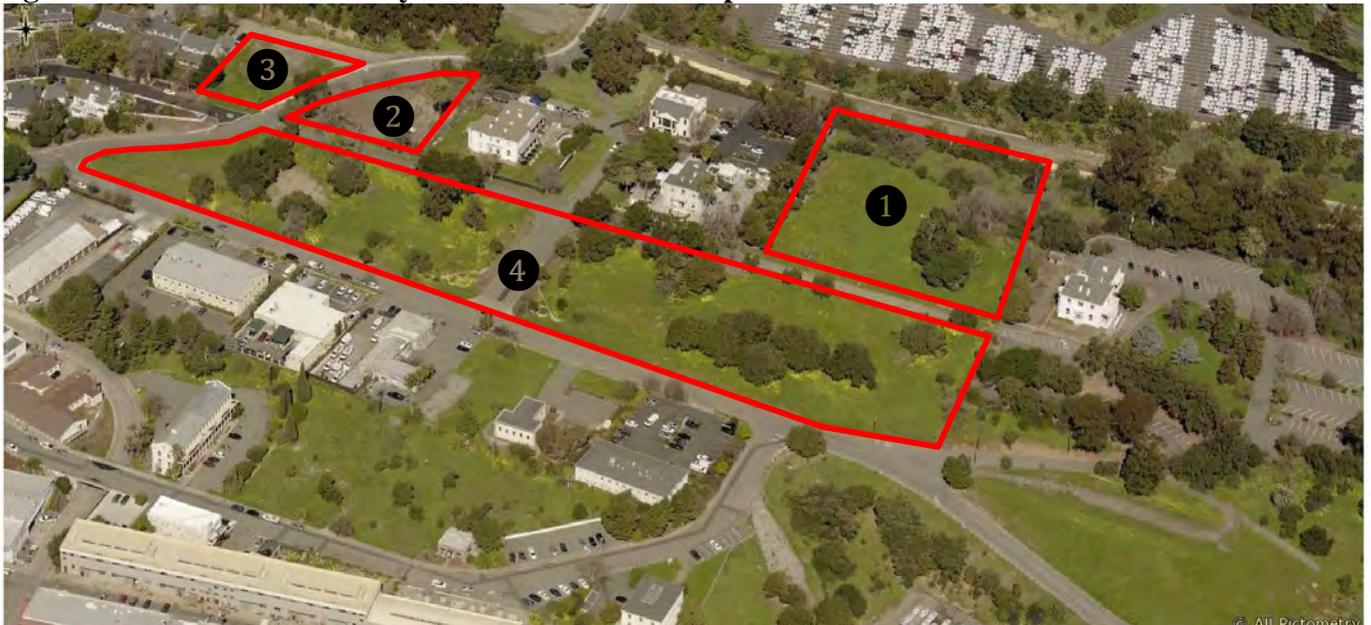
- (ii) The 3D model may show proposed structures as articulated massings; complete architectural details are permitted but not required.
- (iii) Modeled structures must be consistent proposed project plans and accurate in regards to position, elevation, and topography.

c. View Alignment and Simulation Generation

- (i) The photosimulation must be generated with the 3D model accurately aligned with the baseline photograph. Proposed structures must be placed and scaled accurately in the context of existing conditions.
- (ii) The photosimulation must show new trees and other landscaping with a height of 4 feet or more at maturity. Existing vegetation that will be removed from the sight must be removed from the photosimulation.

B. Building Placement and Rhythm - Ridge/Officers' Row Subdistrict. The following standards apply to four areas in the Ridge/Officer's Row Subdistrict as shown in Figure 2.

Figure 2: Arsenal Multi-family and Mixed-use Development Areas



1. Maximum Front Setbacks.

- a. **Area 1:** The front building wall facing Jefferson Street must be within 5 feet of the average Jefferson Street setbacks of the two adjacent Officer's Quarters buildings for a minimum of 50 percent of the building width.
- b. **Area 2:** The front building wall facing Jefferson Street must be within 5 feet of the

adjacent Officer's Quarters building for a minimum of 50 percent of the building width.

- c. **Areas 3 and 4:** No maximum front setback.

2. **Minimum Setbacks.** The following minimum setback standards apply in all four areas.

- a. **Front:** Front building walls must be setback a minimum of 20 feet from the front property line. Porches, stoops, and other covered entries may project 6 feet into the minimum front setback area. In areas 1, 2, and 3, the property line abutting Jefferson Street is the front property line. In Area 4, the minimum front setback requirement applies to both the Jefferson and Grant Street frontages.
- b. **Corner Side:** Building walls must be setback a minimum of 10 feet from a property line abutting Park Road.
- c. **Side and Rear:** None, except building must comply with minimum building separation standards in paragraph (3) below.

3. **Building Separation.**

- a. **Areas 1 and 2:** A building facing Jefferson Street must be separated a minimum of 75 feet from another building facing Jefferson Street (both on and off-site).
- b. **Areas 3 and 4:** No building separation requirement.

4. **Building Width.**

- a. **Areas 1, 2 and 4:** To reflect the existing scale and rhythm of buildings in the Ridge/Officers' Row Subdistrict, buildings shall comply with one of the following:
 - (i) The width of the building measured parallel to the primary street frontage does not exceed 65 feet.
 - (ii) The street-facing building wall is modulated so that building wall segments closest to the street do not exceed a width of 65 feet with a total width of a single building not to exceed 145 feet. The facade break area (building frontage inset area) must have a minimum depth of 15 feet and minimum width of 15 feet.
- b. **Area 3:** No maximum building width requirement.

C. **Pedestrian Ways.** Where pedestrian access is indicated on Figure 8 of the Arsenal Historic Conservation Plan, a pedestrian access easement and walkway shall be provided in the location shown.

D. **Jefferson Street Alignment.** Development shall retain and extend the existing Jefferson Street alignment and shall provide pedestrian cross-access to the city-owned property containing the Commanding Officers Quarters (APN: 0080-140-090).

III. Definitions

The following definitions apply to the Objective Planning and Design Standards. Terms not defined here shall be as defined in the Benicia Municipal Code or General Plan. Where additional terms are not defined, their meaning shall be as defined in Webster's Dictionary.

Building Front or Building Frontage. A building facade that adjoins and is parallel to a public street.

Bulkhead. The lower panels of a storefront on which the display window rest.

Contrast. The juxtaposition of dissimilar building elements such that each element appears separate and distinct.

Facade Transparency. Clear glass windows and doors.

Primary Street. The street that adjoins or is parallel to the front setback or property line. Includes public and private streets.

Secondary street. Any street adjoining or parallel to a property line that is not the primary street.

Setback. The distance of a structure from a property line or other identified feature.

Senate Bill (SB) 35. Chapter 366, Statutes of 2017 (SB 35, Wiener), and subsequent amendments as provided in California Government Code Section 65913.4.

Attachment A



View 1
View
Corridor

Features that must
remain unobstructed

 Landmark
Structure

 Natural
Features



View 2 Sight Line

Features that must
remain unobstructed



 Existing
Vegetation*

*Must be removed to expand view
of landmark if required by Section
D.3



View 3

Sight Line

Features that must remain unobstructed

 Designated Landmark



View 4

View Corridor

Features that must
remain unobstructed

 Designated
Landmark

 Existing
Vegetation*

*Must be removed to expand view of
landmark if required by Section D.3

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PUBLIC REVIEW DRAFT

**CITY OF BENICIA
ZONING AND DOWNTOWN MIXED USE MASTER PLAN
PROPOSED AMENDMENTS**

1. Amend Section 17.12.030 (Definitions) of Chapter 17.12 (Definitions) of Title 17 (Zoning) of the Benicia Municipal Code to add the following new definitions:

“Mixed-use Residential” means a land use or development project consisting of a mix of multifamily residential and non-residential uses.

“Row house”. See “townhouse or townhome”.

“Townhouse or Townhome” means a one-family dwelling unit in a row of such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common and fire-resistant walls.

2. Amend Chapter 17.24 (Residential Districts) of Title 17 (Zoning) of the Benicia Municipal Code to add a new subsection (B) to 17.24.040 (Review of Plans) to read as follows:

17.24.040 Review of plans.

A. Certain projects shall require design review (see Chapter 17.108 BMC); all projects shall require development plan review (see Chapter 17.112 BMC).

B. Multifamily residential, transitional housing, and supportive housing development projects are subject to 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.)

3. Amend Section 17.28.030 (CC, CO, CG, and CW districts – Property development regulations) of Chapter 17.28 (C Commercial Districts) of Title 17 (Zoning) of the Benicia Municipal Code to read as follows (the *remainder of text is unchanged and is omitted*):

CC, CO, CG, and CW Districts: Property Development Regulations

Use Classifications	CC	CO	CG	CW	Additional
Residential development					(A)
Minimum Lot Area (sq. ft.)	10,000	10,000	7,500	5,000	(B) (C)
Minimum Lot Width (ft.)	70	70	60	50	
Minimum Yards:					
Front (ft.)	15	15	10	15	(D)(R)

Attachment B - Draft Objective Planning Standards Ordinance

Use Classifications	CC	CO	CG	CW	Additional
Side (ft.)	–	–	–	–	(D)(E)(F)(R)
Corner Side Rear (ft.)	–	–	–	–	(D)(E)(F)(R)
Maximum Height (ft.) of Structures	40	40	40	40	(G)(H)
Maximum Lot Coverage	50%	50%	75%	50%	
Maximum Nonresidential FAR	0.8	0.8	1.2	0.8	
Maximum FAR	1.2	1.2	1.2	1.2	(S)
Minimum Site Landscaping	20%	20%	10%	20%	(I)(J)
Outdoor Living Area					(K)(L)
Fences and Walls					(M)(N)
Off-Street Parking and Loading					(O)(P)
Signs	See Chapter 17.78 BMC				
Outdoor Facilities	See BMC 17.70.200				(Q)
Screening of Mechanical Equipment	See BMC 17.70.210				(Q)
Refuse Storage Areas	See BMC 17.70.220				
Underground Utilities	See BMC 17.70.230				
Performance Standards	See BMC 17.70.240				
Nonconforming Structures	See Chapter 17.98 BMC				

* * *

(R) In the Arsenal Historic District, multifamily, mixed-use residential, transitional housing, and supportive housing projects 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.)

(S) In the Arsenal Historic District, multifamily, mixed-use residential, transitional housing, and supportive housing projects shall have a maximum FAR of 2.0, consistent with the Lower Arsenal Mixed Use General Plan land use category.

4. Amend Chapter 17.28 (C Commercial Districts) of Title 17 (Zoning) of the Benicia Municipal Code to add a new subsection (B) to 17.28.040 (Review of Plans) to read as follows:

17.28.040 Review of plans.

A. Certain projects shall require design review (see Chapter 17.108 BMC); all projects shall require development plan review (see Chapter 17.112 BMC). (Ord. 87-4 N.S., 1987).

B. Multifamily residential, mixed-use residential, transitional housing, and supportive housing development projects must comply with 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.)

5. Amend Chapter 17.36 (OS Open Space Districts) of Title 17 (Zoning) of the Benicia Municipal Code to add a new subsection (B) to 17.36.050 (Review of Plans) to read as follows:

17.36.050 Review of plans.

A. Certain projects shall require design review (see Chapter 17.108 BMC); all projects shall require development plan review (see Chapter 17.112 BMC). (Ord. 87-4 N.S., 1987).

B. Transitional housing and supportive housing development projects are subject to 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.)

6. Amend Chapter 17.44 (PD Planned Development Districts) of Title 17 (Zoning) of the Benicia Municipal Code to add a new subsection (D) to 17.44.030 (Development regulations) to read as follows:

17.44.030 Development regulations.

A. Residential Density. The total number of dwelling units in a PD plan shall not exceed the number permitted by the general plan density for the total area of parcels designated for residential use and for open space. The density bonus provisions of BMC 17.70.270 shall apply.

B. Performance Standards. The performance standards prescribed by BMC 17.70.240 shall apply.

C. Other Development Regulations. Other development regulations shall be as prescribed by the PD plan or specific plan.

D. In addition to the requirements of this Chapter and the adopted PD plan or specific plan, multifamily residential, mixed-use residential, transitional housing, and supportive housing development projects are subject to 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.)

7. Amend Chapter 17.70 (General Regulations) of Title 17 (Zoning) of the Benicia Municipal Code to add a new section 17.70.430 (Objective planning and design standards for mixed-use residential and multifamily development projects) to read as follows:

17.70.430 Objective planning and design standards for mixed-use residential and multifamily development projects.

A. All new housing development projects that meet any of the below criteria shall comply with the Objective Planning and Design Standards for Mixed-Use Residential and Multifamily Development, which are adopted by City Council resolution and may be amended from time to time:

1. Buildings that contain two or more dwelling units.
2. Groups of two or more attached townhomes (row houses), regardless of whether multiple townhomes occupy the same lot or each townhome occupies a separate lot.
3. Mixed-use buildings that include at least two-thirds of the square footage designated for residential use.
4. Transitional housing or supportive housing.

B. Where there is a conflict between standards of the Zoning Ordinance and the Objective Planning and Design standards, the Objective Planning and Design standards shall prevail.

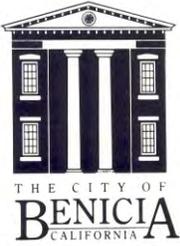
8. Amend Section 17.74.030 (Off-street parking and loading spaces required) of Chapter 17.74 (Off-street Parking and Loading Regulations) of Title 17 (Zoning) of the Benicia Municipal Code to read as follows (the *remainder of text is unchanged and is omitted*):

Use Classification	Off-Street Parking Spaces: Schedule A	Off-Street Parking Spaces: Schedule B Group Number
Residential		
Group Residential	1 per 2 beds; plus 1 per	1

Use Classification	Off-Street Parking Spaces: Schedule A	Off-Street Parking Spaces: Schedule B Group Number
	100 sq. ft. used for assembly purposes	
Work/Live Quarters	1 per unit	
Multifamily Residential		
Studio <u>and one-bedroom</u> units	1.0 2 spaces per unit	
One or Two-bedroom units	1.5 spaces per unit	
Three or more bedrooms	2.0 spaces per unit	
At least one space per unit shall be covered.		

9. Amend the “Other Requirements” table in the Additional Standards for all FBC Zones (p. 4-25) of Chapter 4: Form-Based Code, is hereby amended to provide cross reference to section 17.70.430 for projects proposing multifamily residential, mixed-use residential, transitional housing and supportive housing as follows:

Other Requirements
Placement of Story Poles
Story poles shall be placed in a manner that accurately depicts proposed structure location, mass, bulk, and height prior to action on any project application
Green Building Incentives
Projects shall receive priority for processing and review that include green building techniques in compliance with the U.S. Green Building Council LEED rating system or similar certification standards.
Reasonable Accommodation
Requests for reasonable accommodation shall be made in accordance with Benicia Municipal Code Chapter 17.132.
<u>Objective Planning Standards</u>
<u>In addition to the standards of this Code, multifamily housing, transitional and supportive housing shall be subject to Benicia Municipal Code section 17.70.430 and the City of Benicia Objective planning and design standards for mixed-use residential and multifamily development projects adopted by separate Resolution of the City Council.</u>



Historic Preservation Review Commission Staff Report

June 24, 2021

Project: Amended Objective Planning and Design Standards for Housing Development Projects and Corresponding Amendments to the Zoning Ordinance (Title 17) and Downtown Mixed Use Master Plan

Staff Recommendation

Receive the presentation, accept public comment, and provide feedback on the amended Objective Planning and Design Standards for Housing Development Projects (“Objective Planning Standards”) and corresponding amendments Title 17 (Zoning) of the Benicia Municipal Code and the Downtown Mixed Use Master Plan (see Attachment 1).

Project Description

The Benicia City Council adopted the Objective Planning and Design Standards for Housing Development Projects (“Objective Planning Standards”) by Resolution in 2019 and subsequently amended them in 2021. The proposed project would include adopting further amendments to the Objective Planning and Design Standards.

The proposed project would also amend the Benicia Municipal Code (BMC) to incorporate and align with Objective Planning Standards and corresponding amendments to the Form Based Code of the Downtown Mixed Use Master Plan.

Background

The Objective Planning and Design Standards for Housing Development Projects (“Objective Planning Standards”) are applicable to residential development projects including residential units only, mixed use developments where at least two-thirds of the square footage is designated for residential use, and transitional or supportive housing.

The State defines an “objective standard” as one that involves no personal or subjective judgement and can be uniformly verified by reference to external and uniform benchmark criteria. Therefore, the Objective Planning Standards must be measurable and have clear criteria that are determined in advance so that staff and an applicant can communicate about a project’s compliance with the standards within specified timelines under the law.

The City of Benicia’s current Objective Planning Standards are available online at www.ci.benicia.ca.us/housing and provided as Attachment 2. In addition to the Objective Planning Standards, applications shall also comply with the objective standards of the General Plan, Municipal Code, Downtown Mixed Use Master Plan,

Downtown Historic Conservation Plan, and Arsenal Historic Conservation Plan.

Prior Council Direction and Community Engagement

On July 16, 2019, the Benicia City Council adopted the Objective Planning Standards and directed staff to conduct additional community outreach leading to further amendments that address community priorities including standards for building materials, historic preservation, and infill development within the Arsenal, with a focus on aesthetic and historic integrity in balance with the need for additional housing production in Benicia.

On October 4, 2019, the City conducted outreach with representatives of community organizations and interests. Following the meetings, feedback was consolidated and a list of potential revisions was developed.

A subsequent meeting with community stakeholders was conducted on July 14, 2020 to review the potential revisions. The outcome of the stakeholder discussions revealed several focus areas for the Objective Planning Standards, including:

- Additional and revised standards in the Arsenal Historic District to better protect the integrity of the district;
- Revisions to building materials standards to address cost concerns for affordable housing while maintaining quality design;
- Nuisance avoidance and public health and safety standards to minimize exposure to hazards and nuisances, and ensure long-term viability of established non-residential uses (especially industrial and port uses) in proximity to new residential development; and
- Standards to promote sustainable development.

Amendment to Objective Planning Standards

The City Council considered targeted amendments to the Objective Planning Standards on January 19, 2021. During the meeting, the City Council accepted public comment and reviewed proposed standards for community health and safety, trees, and the Benicia Arsenal. At the conclusion of their discussion, the City Council approved additional standards:

- Proximity disclosure for occupants of new residential development within ¼ mile of an Industrial District.
- Tree replacement standard applicable to replacement of Protected Trees.
- Tree protection during construction.
- Clarification of protected views identified in the Arsenal Historic Conservation Plan (AHCP).
- Project photosimulation requirement for the Benicia Arsenal.
- Requirement to implement pedestrian access ways and Jefferson Street alignment shown in the AHCP.

In adopting the subsequent amendments, the City Council directed staff to provide better clarity about the meaning of a “view obstruction” in the Arsenal Historic District

and the historic significant or status of trees identified in the AHCP.

Planning Commission Study Session

The Planning Commission conducted a study session on March 11, 2021 to consider focused topic areas pertaining to building materials, Arsenal District view protection, Arsenal District building width and spacing, and Arsenal District tree protection. The commission received public comment in support of standards that ensure rigorous protection of the Benicia Arsenal's historic integrity and the significance of the Arsenal's historic function and setting. The Planning Commission provided specific feedback and spoke in support of conserving the historic character of the Benicia Arsenal. A copy of the Planning Commission minutes is provided as Attachment 3.

Amendments to the Objective Planning Standards

The proposed amendments to the Objective Planning Standards include an overall format change to move away from the use of tables, clarify wording and eliminate redundancy or conflicts with existing standards.

In addition, the following key changes are proposed:

Table 1: Site Standards

1. Delete Site Development Standard A (Attachment 2, p.3) , which states that residential housing development shall be provided at the density identified within the adopted Housing Element.
 - This standard may be in conflict with other objective standards that limit the form and intensity of development.
2. Delete minimum dimensions (10' x 6') for private outdoor living area contained in Site Development Standard E.1 (Attachment 2, p.4).
 - This standard relates to a voluntary form of outdoor living area; the Municipal Code already requires a minimum percentage of outdoor living area for multifamily residential uses.
3. Delete Landscaping and Grading Standard C. (Attachment 2, p.5), which addresses unearthed archaeological and paleontological resources.
 - This is not a development standard because it pertains to construction instead of planning and design. Further, the State has recently adopted tribal consultation requirements which more specifically address cultural resource concerns.
4. Delete Parking Standard A. (Attachment 2, p.5) which establishes a minimum parking standard of 1 space per dwelling unit.
 - This standard is in conflict with the Benicia Municipal Code. A corresponding amendment to Section 17.74 is recommended in the proposed zoning amendments.
5. Modify Parking Standard B. (Attachment 2, p.6) which defines the means of parking lot access.
 - Upon further review of urban design and site considerations, the standard was modified to allow access from a paved alley and to eliminate site access from a secondary roadway on a corner lot.

6. Delete Utility and Service Area Standard C. (Attachment 2, p.7) which specifies the location of mailboxes and requires landscaping.
 - This standard is highly directive and may adversely impact site function and design flexibility.

Table 2: Building Form and Architectural Standards.

1. Delete Building Form Standard B. (Attachment 2, p.8) which specifies a minimum dimension for balconies.
 - This is a corresponding revision to the outdoor living area standard.
2. Modify Façade Composition and Elements Standard B. (Attachment 2, p.9) which requires a building entrance and pedestrian walkway on the primary frontage.
 - The revised standard addresses different forms of multifamily development, clarifies the applicability to primary entrances, and eliminates the requirement for low voltage pedestrian walkway lights.
3. Modify Building Materials and Colors Standards A. through F. (Attachment 2, p.10-12).
 - Default to building materials standards of the adopted conservation plan.
 - Expand the range of permitted building materials outside of a historic district.
4. Delete Building Materials and Colors Standard G.(Attachment 2, p.12)
 - This standard may be undesirable on a building with multiple “modules” or types of articulation.

January 2021 Amendment:

1. Modify B. Trees (Attachment 2, p.14) – modified to add a statement that tree removal shall comply with all applicable policies of the Municipal Code, General Plan and/or adopted conservation plan.
 - The General Plan, Arsenal Historic Conservation Plan (AHCP) and Downtown Historic Conservation Plan (DHCP) establish objective policies requiring preservation of trees. See General Plan Policy 3.1.3, AHCP Sub-District 2, Future Development Policy 2 and AHCP and DHCP Residential Building Types Site Improvement Policy 1.2.
2. Modify C-1 Arsenal View Protection (Attachment 2, p.14-15) to clarify language about the meaning of a view obstruction.
 - Added View Corridors and Sight Lines language, consistent with the AHCP, specifying that new development shall not obstruct the view of any portion of a designated landmark structure or protected natural feature.

New Standards the Ridge/Officer’s Row Subdistrict.

The AHCP establishes design guidelines and policies on a district-wide and sub-district basis. The Ridge/Officer’ Row area includes existing residential development and contains the largest tract of undeveloped land, which is zoned CO and could be developed by residential uses with ground floor non-residential use.

Guideline 2.2, which applies to the Ridge/Officers' Row subdistrict, states that "Larger, multi-family buildings should use smaller building modules to reflect predominant scale and façade rhythms of nearby historic residences." The image below shows existing historic residences in the Officer's Row "Jefferson Ridge" area (northeast of the intersection at Jefferson and Park).

Figure 1: Historic Buildings on Officer's Row



The width of the three historic officers' quarters on Jefferson Street (depicted by a star overlaid on the buildings in Figure 1) are 52 feet, 68 feet, and 82 feet at their widest dimension. The distance between the two historic buildings on the left-hand side of the image is approximately 185 feet.

The existing zoning for the area establishes development standards including setbacks, height, lot coverage, floor area and minimum site landscaping. Setbacks are measured from the property line. The CO District requires a minimum 15-foot front setback; no side or rear setbacks are required unless adjacent to a residential district. There are no building width or separation standards, though projects are subject to building code building separation requirements. The outdoor living area requirements of BMC section 17.28.030.L contain a courtyard requirement for areas opposite windows in dwelling units which applies to all residential units except live-work units and residential units in mixed-use projects.

Based upon direction provided by the City Council in July 2019 and subsequent feedback from the Planning Commission and community, the proposed amendment to the Objective Planning Standards establishes requirements for maximum front setbacks, minimum setbacks, building separation and building width. These standards were developed with reference to development pattern of historic buildings and the policies and guidelines of the Arsenal Historic Conservation Plan (see AHCP excerpt,

Attachment 4). In combination with other standards of the Objective Planning Standards and AHCP, these new standards would ensure compatibility in the essential site design (building placement long the street in relation to existing structures), building spacing (distance between new structures consistent with existing historic development pattern), building width and volume (maximum building width and form that is similar to the existing development pattern).

Applicable policies and guidelines of the AHCP include:

- Require landscaped setbacks from the street for buildings, parking and loading areas consistent with the pattern of historic buildings on Jefferson Street (Future Development, Policy 5).
- Enhance the unified identity of the subdistrict and its image as a formal residential officers' enclave (Future Development, Policy 8).
- New buildings should generally be set back at least 20 feet from the front property line. Exceptions may be made if a lesser setback (i.e., the average along a block face or the average of two adjoining properties) would be more compatible with adjacent historic structures (Residential Building Design, Guideline 1.1).
- Ensure that the basic structure and form of the building is balanced and well composed with respect to the placement of room or floor additions, bays, projections, and window and door openings (Residential Building Design, Guideline 2.1).
- Larger, multi-family buildings should use smaller building modules to reflect predominant scale and façade rhythms of nearby historic residences (Residential Building Design, Guideline 2.2).
- Use projecting bays, porches, individual balconies, upper floor setbacks, bay windows and/or variations within the floor plan to provide variation in the building's volume and form (Residential Building Design, Guideline 2.3).

The Arsenal Ridge/Officers Row sites have been evaluated with respect to all proposed objective standards. The standards that are proposed merely clarify existing policies and standards and would not preclude feasible development of the site(s) at the density of the General Plan.

Amendments to the Zoning Ordinance and Downtown Mixed Use Master Plan

The Objective Planning Standards are adopted by City Council resolution. To ensure consistency with the Zoning Ordinance and to provide further clarity around the applicability of the standards, staff also proposes amendments to the Benicia Municipal Code (Title 17: Zoning) and Downtown Mixed Use Master Plan. Most of the amendments provide clarity around the applicability of the standards. In addition, some minor clarifying amendments are proposed that eliminate prior conflicts and improve consistency between documents. The proposed amendments include:

- Addition of definitions for “Mixed-use Residential” and “Townhouse or townhome” to BMC Chapter 17.12.
- Addition of a new section establishing a requirement for mixed-use residential and multifamily development projects to comply with the Objective Planning Standards (BMC Chapter 17.70) and corresponding cross references in BMC 17.24, 17.28, 17.36 and 17.44 and the Downtown Mixed Use Master Plan.
- Addition of footnotes for Commercial Districts stating that in the Arsenal Historic District, multifamily residential, mixed-use residential, transitional housing and supportive housing projects must comply with the yard requirements of the Objective Planning Standards and specifying that a maximum floor area ratio (FAR) of 2.0 is permitted consistent with the Benicia General Plan.
- Modification of minimum off-street parking ratio in Chapter 17.74 for studio units from 1.2 spaces per dwelling unit to 1.0 spaces per dwelling unit, and for one-bedroom dwelling units from 1.5 spaces per dwelling unit to 1.0 spaces per dwelling unit. Off-street parking requirements for dwelling units of two or more bedrooms would be unchanged. This proposed amendment is consistent with the existing Objective Planning Standard (Attachment 2, p. 5) that requires one space per dwelling unit. The proposed amendment would eliminate the requirement that one space per unit must be covered.

Consistency with the General Plan

The proposed amendments to the Benicia Municipal Code are consistent with the following Goals and Policies of the Benicia General Plan:

- Goal 2.1 Preserve Benicia as a small-sized city.
 - Policy 2.1.1: Ensure that new development is compatible with adjacent existing development and does not detract from Benicia’s small town qualities and historic heritage.
 - Program 2.1.A: Adopt development guidelines that retain the scale and character of the city, preserve public view corridors, and reflect the subdivision and development patterns within existing neighborhoods.
 - Policy 2.1.4: Strive to preserve significant areas of vegetation and open space when approving development projects.
 - “Significant” can mean, for example, a single specimen tree, vegetation serving as habitat, or a grove of several native trees which enhance the canopy and scenic beauty of a neighborhood.
- Goal 3.1: Maintain and enhance Benicia’s historic character.
 - Policy 3.1.3: Preserve historic trees and landscapes (Refer to the AHCP, November 1993, for guidance on historic trees and landscaping).
 - Policy 3.1.5: Permit new development, remodeling and building renovation in historic districts when consistent with the policies of the applicable Historic Conservation Plan.

- Goal 3.7: Maintain and reinforce Benicia’s small-town visual characteristics.
 - Policy 3.7.1: Ensure that new development is compatible with the surrounding architectural and neighborhood character.

- Housing Element Goal 1: Benicia shall be an active leader in attaining the goals of the City’s Housing Element.
 - Policy 1.04: The City will review and revise regulatory standards necessary to comply with State Housing law.

Next Steps

Adoption of an amendment to the Zoning Ordinance requires a noticed public hearing and recommendation of the Planning Commission pursuant to Government Code Sections 65854 and 65855. Subsequent to the Planning Commission’s recommendation, the City Council must conduct two readings on the proposed zoning text amendment. If adopted at the second reading, the amendments would become effective 30 days later.

The amendments to the Downtown Mixed Use Master Plan and the Objective Planning and Design Standards for Housing Development Projects would become effective upon adoption of the City Council resolution.

At this time, a hearing before the Planning Commission is tentatively scheduled for August 2021, with subsequent City Council consideration anticipated in September 2021.

Solano Airport Land Use Commission

Pursuant to the Public Utilities Code (PUC) Section 21676, any local agency whose general plan includes areas covered by an airport land use compatibility plan shall refer a proposed zoning ordinance or building regulation to the airport land use commission for review. The airport land use commission shall determine whether the proposal is consistent with the adopted airport land use compatibility plan. Benicia falls within the jurisdiction of the Travis Air Force Base Airport Land Use Compatibility Plan; therefore, proposed zoning amendments must be reviewed by the Solano County Airport Land Use Commission (ALUC).

A hearing date before the ALUC has not yet been set. The purpose of the hearing would be to evaluate the consistency of the proposed zoning amendments with the Travis Air Force Base Airport Land Use Plan.

Attachments:

1. Public Review Draft – Proposed Objective Planning Standards and Amendments

2. Objective Planning and Design Standards for Housing Development Projects (January 2021)
3. Minutes of the Planning Commission, March 11, 2021
4. Arsenal Historic Conservation Plan (excerpt)

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Attachment D: Travis AFB LUCP Context Map

