



HOUSING POLICY  
DEVELOPMENT, HCD

JUN 27 2011

## Department of Housing and Community Development

# ANNUAL HOUSING ELEMENT PROGRESS REPORT

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Reporting Period by Calendar Year: from January 1, 2010 to December 31, 2010

Sent to:

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-and-

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# ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202 )

Jurisdiction: City of Benicia  
Reporting Period: 1/1/2010 - 12/31/2010

Table A

## Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

1	2	3	4				5	5a	6			7	8
			Affordability by Household Income						Total Units per Project	Est. # Infill Units*	Housing with Financial Assistance and/or Deed Restrictions		
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income		Assistance Programs for Each Development			Deed Restrictions	Deed Restricted Units	Housing without Financial Assistance or Deed Restrictions
574 McAllister Drive	SF	O				AM	1						
612 McAllister Drive	SF	O				AM	1						
623 McAllister Drive	SF	O				AM	1						
631 McAllister Drive	SF	O				AM	1						
639 McAllister Drive	SF	O				AM	1						
619 Stephen Court	SF	O				AM	1						
697 West J Street	SF	O				AM	1						
598 McAllister Drive	SF	O				AM	1						
606 McAllister Drive	SF	O				AM	1						
607 McAllister Drive	SF	O				AM	1						
613 McAllister Drive	SF	O				AM	1						
601 McAllister Drive	SF	O				AM	1						
387 Piercy Drive	SF	O				AM	1						
389 Piercy Drive	SF	O				AM	1						
393 Piercy Drive	SF	O				AM	1						
582 McAllister Drive	SF	O				AM	1						
590 McAllister Drive	SF	O				AM	1						
386 Piercy Drive	SF	O				AM	1						
391 Piercy Drive	SF	O				AM	1						
(9) Total of Moderate and Above Moderate from Table A3							19	19					

Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

Jurisdiction	City of Benicia	Reporting Period		1/1/2010 -	12/31/2010
(10) Total by income Table A/A3	▶	▶	▶	19	38
(11) Total Extremely Low-Income Units*					19

\* Note: These fields are voluntary

# ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202 )

Jurisdiction City of Benicia  
Reporting Period 1/1/2010 - 12/31/2010

**Table A2**  
**Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

\* Note: This field is voluntary

**Table A3**  
**Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate	0	0	0	0	0	0	
No. of Units Permitted for Above Moderate	19	0	0	0	0	19	19

\* Note: This field is voluntary

# ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202 )

Jurisdiction \_\_\_\_\_ Date \_\_\_\_\_  
Reporting Period \_\_\_\_\_ - Date \_\_\_\_\_

Table B

## Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Income Level	RHNA Allocation by Income Level	Permitted Units Issued by Affordability										Total Units to Date (all years)	Total Remaining RHNA by Income Level
		2007	2008	2009	2010	2011	2012	2013	2014	2015			
Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9			
Very Low	Deed Restricted	0	0	0	0								147
	Non-deed restricted	0	0	0	0								
Low	Deed Restricted	0	0	0	0								99
	Non-deed restricted	0	0	0	0								
Moderate	Deed Restricted	0	0	0	0								108
	Non-deed restricted	0	0	0	0								
Above Moderate		82	15	26	19						142	36	
Total RHNA by COG. Enter allocation number:		82	15	26	19						142	390	
Total Units												142	
Remaining Need for RHNA Period													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.



# Chapter 3

## Review of Previous Housing Element, 1999-2006

This Chapter summarizes the progress made during the previous planning period (1999-2006) towards accomplishing the goals, policies, programs, and Regional Housing Needs Allocation (RHNA) set out in the previous Housing Element.

### 3.1 Summary of Progress

The City of Benicia met and exceeded the goals of the previous Housing Element, with the exception of meeting the RHNA for very low-income units. Table 3.1 summarizes the City's RHNA for the period from January 1999 through December 2006 and the number of housing units built or approved during that planning period. Since January 1999, the City constructed or approved 812 units, which greatly exceeded the 413 unit total allocation. Moreover, 182 very low- and low-income housing were approved. This exceeded the very low- and low-income allocation by 63 units. However, in the very low-income category alone, the City was 16 units short of meeting the RHNA number of 70.

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. Housing goals and policies have been restructured and revised to some extent to eliminate redundancy and to clarify the intent.

Also, several new goals and policies are introduced to reflect updated housing priorities for the City.

This following section evaluates each program in the previous Housing Element and summarizes the status of implementation.

Table 3.1 Progress During Previous Planning Period, 1999-2006

Income Level	1999-2006 RHNA	Housing Built or Approved Since January 1999	Remainder of Housing Goals
Very Low	70	54	16
Low	49	128	0
Moderate	90	165	0
Above-Moderate	204	465	0
Total	413	812	16

Source: City of Benicia

## Institutional Framework

### Program 1.01

Work cooperatively with the Housing Authority to coordinate affordable housing activities and implement the policies and programs of the Housing Element. Cooperation will include the following:

1. Consult the Housing Authority in updating the City's Housing Element,
2. Continue to share agendas between the City and the Housing Authority,
3. Collaborate with the Housing Authority on strategies so that Housing Element and Housing Authority programs are complementary,
4. Consult the Housing Authority during the annual review of the Housing Element, and
5. Consult the Housing Authority to assist with the placement of individuals in units produced by the inclusionary housing ordinance and other affordable projects.

### Status of Program Implementation

The Housing Authority has been involved with the current Housing Element update in the following ways: (1) participated on an interview panel to select a firm to prepare the update, (2) participated on an expert panel during the Housing Expo civic engagement process, (3) collaborated with the City regarding existing programs and helped make suggestions for the update, and (4) reviewed sections of the Draft Housing Element.

The City and Housing Authority have shared information on meetings, agendas, and current projects throughout the planning period. The City has been responsive to Housing Authority needs and concerns. 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. During the previous planning period the Housing Authority placed 200 families in affordable units.

Four units of very low- and low-income housing were constructed at Bay Ridge (and paid for by the Harbor Walk Project) as a result of the Inclusionary Housing Ordinance, adopted in 2000. The Bay Ridge Development is managed by the Housing Authority. Although not built as a result of the Inclusionary Housing Ordinance, 50 units of affordable housing were constructed at Bay Ridge and paid for by the Tourtelot Project.

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### Program 1.02

Maintain and expand the City's relationships with non-profit housing providers through the following actions:

1. Maintain an available sites inventory and provide this inventory to non-profit housing providers,
2. Expedite review of residential development proposals that include affordable housing units,
3. 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, and
4. Provide information within the City's possession to support affordable housing funding requests.

### Status of Program Implementation

The City maintains its inventory of available sites for affordable housing projects.

The City assists with affordable projects including expedited review and technical assistance. However, the City does not have a formal procedure for expedited review of affordable housing projects.

**Program 1.03**

Continue to implement development permit processes to reduce the cost of providing affordable housing, which includes actions to:

1. Provide a fast-track processing procedure for housing projects affordable to low- and moderate-income households;
2. Review annually and amend as appropriate the permit fee schedule as it affects small, attached single-family dwellings to achieve parity with development fees for other types of housing (last amended 2000);
3. Defer, waive, or reduce certain development fees, portions of fees, or combinations of fees for the affordable portion of any project with the minimum percentage of affordable housing units pursuant to (or in excess of) the requirements of Program and Policy 2.01);
4. Provide for the reduction or waiver of certain development fees, portions of fees, or combinations of fees for the residential affordable portion of any commercial project; and
5. Amend Benicia Municipal Code, Chapter 1.20, to include language permitting the City Council to waive or reduce fees when a project provides affordable housing units.

**Status of Program Implementation**

The City assists when feasible with affordable projects including expedited review and technical assistance. However, the City does not have a formal procedure for expedited review or waiver of fees for affordable housing projects.

Timeframes for affordable projects during the previous planning period ranged from 2.5 to 9 years from the application being filed to the certificate of occupancy. Only 1 project took 9 years, most were between 2.5 and 5 years.

City of Benicia development fees are shown in Table E.8 in Appendix E: Constraints. There is no difference between fees for small, attached single-family dwellings and other residential development for projects up to 6 units, except that there is a reduced connection fee for sewer and water for accessory units.

The City Council may choose to waive the Capital License Fee, Traffic Impact Fees, Park Dedication Fees, and Building Inspection Fees, although this hasn't occurred to date. The City will not waive sewer or water fees. When the Burgess Point project was approved the City loaned funds to pay the fees.

The Municipal Code has not been amended to include language permitting the City Council to waive or reduce fees for affordable housing projects. This program will be continued in the 2007 - 2014 Housing Element Update.

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**Program 1.04**

Continue to implement, or revise, Zoning Ordinance standards to facilitate the provision of affordable housing. Zoning standards affected by this program include:

1. Reduction in the minimum lot size for detached second units (from 10,000 to 6,000 square feet (accomplished and ongoing action));
2. Elimination of the requirement for covered parking for second units (accomplished and ongoing action);
3. Conforming the City's density bonus incentive to State density bonus law (Government Code Sections 65915 - 65917);
4. Establish guidelines for alternative property development standards that the decision-making body may approve for projects containing the minimum percentages of affordable housing units pursuant to (or in excess of) the requirements of Program and Policy 2.01;
5. Clarification that standards for boarding houses, which restrict the number of boarders in single-family residences, do not apply to Limited Residential Care facilities, which are allowed by right in the Single-Family zone.

**Status of Program Implementation**

The minimum lot size for second units has been reduced to 6,000 sf.

The covered parking requirement for second units has been eliminated.

Two recent legislative actions, SB 1818 and AB 2280, have recently been passed, that amended the State density bonus program. SB 1818 became effective on January 1, 2005. Under SB 1818 applicants are eligible for an innovative new land donation density bonus, which allows for land donations within 1/4 mile of a project if the applicant demonstrates to the City that building the requisite number of affordable units onsite is infeasible and there is an identified source of funding for the very low income units. SB 1818 also limits parking requirements that may be imposed by the Zoning Ordinance's parking standards. The City completed an update of their density bonus program in 2006 to comply with SB 1818.

AB 2280 became effective in September 2008. The bill institutes various changes to the density bonus law, most notably the bill amends the timing for density bonus requests, clarifies density bonus requirements for senior housing, and institutes a 10 percent across the board increase in the percentage of affordable units that must be included in a project to qualify for incentives. The City's Zoning Ordinance has not been updated to be consistent with AB 2280. Program 1.04 updates the density bonus ordinance for compliance with recent changes in state law.

The ability to establish alternative development standards is provided through the PD process and also defined in the Density Bonus section of the Municipal Code (17.70.270). The City has not established guidelines for alternative development standards for the inclusionary ordinance.

No changes were made to the Zoning Ordinance to implement this portion of Program 1.04. However, in the Benicia Zoning Ordinance boarding houses are classified under Group Residential not Residential Care facilities, thus the standards for boarding houses do not apply to Limited Residential Care uses.

The definition in the Zoning Ordinance for Group Residential is: shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes boardinghouses, dormitories, fraternities, sororities, and private residential clubs. This use is not allowed in the RS zoning district, and needs a Use Permit in the RM, and RH and CG districts.

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**Program 1.05**

Amend the Zoning Ordinance to ensure that projects are constructed at least at the minimum required density in the RM (minimum 8 units per acre) and RH (minimum 15 units per acre) districts to preserve the limited supply of multi-family zoned land for multi-family uses.

**Status of Program Implementation**

Not implemented and will not be continued in the 2007-2014 Housing Element Update. Government Code Section §65863 states disallows a city to reduce or permit the reduction of, residential density for any parcel, or allow development of any parcel at a lower density unless written findings are made and supported by substantial evidence of the following: (1) the reduction is consistent with the general plan, including the housing element, and (2) the remaining sites identified in the housing element are adequate to accommodate the jurisdiction's share of the regional housing need.

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**Program 1.06**

Amend the Zoning Ordinance to permit second units, by right, in all residential districts, subject to administrative staff review for conformance with applicable zoning standards. The City will adopt a process for existing property owners without legally conforming second units to bring their second units into compliance to the City's zoning and building standards. The objective of the process will be to encourage compliance rather than penalize property owners. To encourage compliance, property owners who agree to restrict rents and limit occupancy of their second units to low-income households may be eligible for CDBG funding under the City's Housing Rehabilitation Program. The City will promote its second units standards through postings on the City of Benicia's website ([www.ci.benicia.ca.us](http://www.ci.benicia.ca.us)), an informational brochure available at public locations in Benicia (e.g., City Hall and Benicia Library), and an article(s) in the local newspaper(s).

**Status of Program Implementation**

Second units are permitted by right in all residential districts and in the TC, TC-O, NG, and NG-O districts.

The City Council amended the Zoning Ordinance on January 20, 2004 to comply with AB1866 enacted by the State of California to address second dwelling units. The process to bring nonconforming second units into compliance is addressed in Chapter 17.98 of the Benicia Municipal Code. See review of Program 4.01 for additional information on housing rehabilitation.

The City promotes second units through informational brochures available at the planning counter in the Community Development Department.

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**Program 1.07**

Undertake a decision-maker and public education program on affordable housing through an annual reporting to the Planning Commission and City Council on housing issues and the City's achievements with respect to the quantified objectives in the Housing Element. This report will be the annual report required by state law (California Government Code 65400) for reporting on progress in implementing the City's General Plan. As part of the annual reporting process, Benicia will present educational materials on affordable housing issues prepared by other municipal agencies and organizations, and incorporate these materials into Planning Commission and City Council meetings, as appropriate. A status report, including the effectiveness of financial assistance and development opportunity strategies, on the four identified affordable housing projects (Hearthstone, Bayridge, Eagle Glen, and Rockridge) will be a part of the annual reporting process. Notification of presentation of this report will be sent to all persons on the mailing list developed for the Housing Element update and posted on the City's website ([www.ci.benicia.ca.us](http://www.ci.benicia.ca.us)).

**Status of Program Implementation**

This program has not been implemented. The Housing Authority does provide the City with an annual status report. The City provides the annual report required by State law.

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**Program 1.08**

Amend the Zoning Ordinance to create development standards for live/work units.

**Status of Program Implementation**

This program was implemented in the Downtown Mixed Use Master Plan (DMUMP) for the Town Core Open and Neighborhood General Open zones. Live/work units are also allowed in the Community Commercial, General Commercial, and Waterfront Commercial zones by right, and in Limited Industrial with a Use Permit. Development standards refer to the High Density Residential zone for site area per unit and court requirements. This housing type has been supported by the City, especially as housing for artists, which are an important component of the local community.

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**Program 1.09**

Investigate the feasibility of joining a 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 consortiums to which California cities and counties belong 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.

**Status of Program Implementation**

This program has not been implemented and will be continued in the 2007-2014 Housing Element Update.

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**Housing Stock**

**Program 2.01**

Continue to implement the City's Inclusionary Housing Ordinance (Benicia Zoning Ordinance, Section 17.70.320). This Ordinance requires that new residential projects of 10 or more units include 5 percent of the units affordable to very low-income households and 5 percent of the units affordable to low income households. The City may allow the developer to pay in-lieu fees, donate developable land, or provide an alternative in-lieu contribution package acceptable to the City.

**Status of Program Implementation**

The Inclusionary Housing Ordinance was adopted in 2000 and has continued to be implemented. Four units were constructed as a result of the inclusionary ordinance during the previous planning period. These units were constructed in the Bay Ridge development (managed by the Housing Authority) and were funded by the Harbor Walk Project.

A similar arrangement was made for the Tourtelot project. Although the application for the Tourtelot Project was filed before adoption of the Inclusionary Housing Ordinance, an agreement was reached between the developer and the City that affordable units would be provided. The 50 units were constructed at Bay Ridge and funded by the Tourtelot Project.

No in-lieu fees were paid, nor land donations made during the previous planning period.

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**Program 2.02**

Establish a housing trust fund to be funded by in-lieu fees. 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 improvement, and provision of collateral for development loans.

**Status of Program Implementation**

All projects with more than 10 units constructed since adoption of the Inclusionary Housing Ordinance have built affordable units (see Program 2.01 above). No in-lieu fees have been collected and a housing trust fund funded by in-lieu fees has not been established. If in-lieu fees are collected as a result of future projects a fund will be established. This program will be included in the 2007-2014 Housing Element.

<p><b>Program 2.03</b></p> <p>Continue to implement procedures applicable to inclusionary for-sale units to ensure ongoing affordability. These procedures specify the resale control mechanism, equity recapture, qualifications for subsequent buyers, and other relevant issues that are not part of the inclusionary ordinance.</p>	<p><b>Status of Program Implementation</b></p> <p>This program will continue to be implemented.</p>
<p><b>Program 2.04</b></p> <p>Continue to implement land use designations and zoning that permits opportunities to meet the target objectives under the City's regional housing allocation.</p> <p>Benicia will continue to promote second- and third-story residential development, as allowed by right, in the City's downtown commercial districts. 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. Benicia will promote these incentives to developers on the City's website (<a href="http://www.ci.benicia.ca.us">www.ci.benicia.ca.us</a>) and during the application process.</p>	<p><b>Status of Program Implementation</b></p> <p>The Town Core Zone in the Downtown Mixed Use Master Plan (DMUMP) area allows buildings up to 2.5 stories. The DMUMP was the result of a comprehensive rezoning effort in downtown Benicia. The DMUMP is a form-based zoning code for the downtown area.</p> <p>The City has not established any developer incentives for building affordable second- and third-story residential units in the downtown area.</p> <p>The City does not have a formal procedure for expedited review of affordable housing projects. However, the City assists when feasible with affordable projects including expedited review and technical assistance.</p>
<p><b>Program 2.05</b></p> <p>Continue to require that very low-income housing required under Policy 2.01 be priced affordable to households earning 50 percent or less of the area median income (as annually defined by HCD).</p>	<p><b>Status of Program Implementation</b></p> <p>This program continues to be implemented.</p>
<p><b>Program 2.06</b></p> <p>Continue to require that low-income housing required under Policy 2.01 be priced affordable to households earning 80 percent or less of the area median income (as annually defined by HCD).</p>	<p><b>Status of Program Implementation</b></p> <p>This program continues to be implemented.</p>
<p><b>Program 2.07</b></p> <p>When an eligible project application is submitted to the City, apply for appropriate state and federal funds, or support other housing providers in applying for funding to support the development of new low- and very low-income housing. The City will make a determination of appropriate funding sources and activities to pursue based on competitive funding considerations, the funding cycles of various state and federal sources, the City's Housing Element quantified objectives, and housing provider interest. The City will support funding applications by housing providers through the actions stated in Program 1.02.</p>	<p><b>Status of Program Implementation</b></p> <p>During the previous planning period the Benicia Community Action Council (CAC) proposed a transitional housing project and approached the City for support in acquiring HCD funds. The funding did not come through and the project was not constructed. The City and local housing providers continue to look for this type of opportunity and keep track of upcoming funding sources and opportunities. Currently, the City is working with the CAC to establish a transitional housing facility. This program will be continued in the 2007-2014 Housing Element.</p>

**Special Needs**

**Program 3.01**

Continue to refer persons in need of transitional housing assistance to the Benicia Community Action Council. The City will meet annually with the Community Action Council to determine the potential future need for transitional housing facilities within Benicia, and assess the available permanent housing options for Benicia residents who are in transition.

**Status of Program Implementation**

The City refers those in need of transitional assistance to the CAC. The CAC receives referrals from the City of people in need of emergency or transitional housing. It locates short-term motel room accommodations for those referred.

There are three long-term transitional housing facilities in Benicia, Imani (6 beds), Stepping Stones (6 beds) and Adobe (18 beds).

**Program 3.02**

Amend the Zoning Ordinance to specify a use definition and zoning classifications(s) in which homeless shelters will be permitted. 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 will not impede the approval and/or development of homeless shelters. The City will select zoning district(s) in which there are existing vacant or underutilized sites that could accommodate such a use. To facilitate the location of homeless shelters, the City may consider adopting criteria to address:

- hours of operation;
- external lighting and noise;
- provision of security measures for the proper operation and management of a proposed facility;
- measures to avoid queues of individuals outside proposed facility;
- proximity of public transit, supportive services, and commercial services;
- compliance with county and state health and safety requirements for food, medical, and other supportive services provided on-site; and
- management issues.

The standards developed for homeless shelters will act to encourage and facilitate the use through clear and unambiguous guidelines for the application review process, the basis for approval, and the terms and conditions of approval. A need for emergency shelters in Benicia has not been identified; however, if such a need should arise appropriate locations for homeless shelters are required to be considered during a public hearing process before any commitments can be made regarding suitable sites.

**Status of Program Implementation**

This program has not been implemented. This program will be continued in the 2007-2014 Housing Element to comply with Senate Bill 2 the iFair Share Zoning law requiring that emergency shelters be allowed by right in at least one zoning district in the City. In this 2007-2014 Housing Element update the City is proposing that these facilities be allowed in all R zone districts. Any zoning changes must occur within one year of Housing Element certification.

**Program 3.03**

Amend the Zoning Ordinance to specify a use definition and zoning classification(s) in which transitional housing will be permitted. 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 will not impede the approval and/or development of transitional housing. The City will select zoning district(s) in which there are existing vacant or underutilized sites that could accommodate such a use. The standards applied to transitional housing will act to encourage and facilitate the use through clear and unambiguous guidelines for the application review process, the basis for approval, and the terms and conditions of approval. A need for transitional housing in Benicia has not been identified in Benicia; however, if such a need should arise appropriate locations for transitional housing are required to be considered during a public hearing process before any commitments can be made regarding suitable sites.

**Status of Program Implementation**

This program has not been implemented. This program will be continued in the 2007-2014 Housing Element to comply with Senate Bill 2 the iFair Share Zoningi law requiring that transitional housing be subjected to the same standards as single-family residences. Any zoning changes must occur within one year of Housing Element certification. The City is currently working with the Community Action Council to acquire funds for a transitional shelter.

**Program 3.04**

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.

**Status of Program Implementation**

There are currently no managed projects of this type. There are no known constraints to developing this type of project in Benicia. This program will be continued in the 2007-2014 Housing Element Update.

**Program 3.05**

Promote the City's development standards for residential care facilities, group homes, emergency shelter, transitional housing, and other special needs housing and shelter through a brochure to be distributed to nonprofit and public agencies serving special needs groups. The City's development standards will also be posted on the City's website ([www.ci.benicia.ca.us](http://www.ci.benicia.ca.us)).

**Status of Program Implementation**

Development standards for Residential Care Facilities are available in the Zoning Ordinance available on the City's website. However, the City's Zoning Ordinance does not specifically cite emergency shelters, nor transitional housing uses.

**Program 3.06**

Encourage the Benicia Housing Authority to continue to apply for the authority to use Section 8 housing vouchers for homeownership assistance and to increase the number of vouchers that may be used for that purpose.

**Status of Program Implementation**

The Benicia Housing Authority had 372 vouchers available throughout the previous planning period. They have primarily been used for renter assistance, but they can also be used for homeownership assistance towards a monthly mortgage payment. There are approximately 500 families waitlisted for these vouchers. The wait is approximately 4 years to obtain a voucher. About 150-200 of these families are made up of persons over the age of 60. The wait for the Burgess Point and Bayridge Projects is about 2 years due to a more stringent background check and credit check qualifications to live in those developments.

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**Program 3.07**

Promote available private, state, and federal homebuyer assistance programs to the public by providing information at City Hall, other public locations, and on the City's website ([www.ci.benicia.ca.us](http://www.ci.benicia.ca.us)).

**Status of Program Implementation**

No information is currently available at the public counter and not on the City's website. This program will be continued in the 2007-2014 Housing Element Update.

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**Program 3.08**

Continue to 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. The City will assist the CAC in promoting the availability of fiscal resources by posting notifications on the City's website ([www.ci.benicia.ca.us](http://www.ci.benicia.ca.us)). (CAC is part of countywide 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. The City's 2002/2003 budget allocates approximately \$47,000 to the CAC).

**Status of Program Implementation**

The City funded the CAC annually throughout the previous planning period and has continued funding during this fiscal year of 2008/2009.

The funding amounts provided by year are as follows:

- 2002/03 \$46,000
- 2003/04 \$50,000
- 2004/05 \$50,000
- 2005/05 \$57,000
- 2006/07 \$57,000
- 2007/08 \$59,735
- 2008/09 \$59,735

The funding amount is re-evaluated for each budget cycle. The CAC has requested \$70,690 for the 2009-2010 budget cycle.

As discussed under the review of program 2.07, the CAC asked for City support on one project that did not come to fruition during the last planning period. When feasible, the City will continue to work with the CAC on a project-specific basis to obtain funding to construct affordable or transitional housing.

## Housing Rehabilitation

### Program 4.01

Apply, as appropriate, for funding to rehabilitate very low-, low-, and/or moderate-income housing. The City will annually review the pool of existing available resources to determine the need for additional rehabilitation funding. If a need is identified, the City would apply for additional state rehabilitation monies. The City of Benicia would be the applicant for such funds and would apply directly to the funding source. The City will then promote the availability of such funds through posting notices on the City's website ([www.ci.benicia.ca.us](http://www.ci.benicia.ca.us)) and providing fliers at the Community Action Council (CAC), Benicia Library, and the City's Community Development Department.

### Status of Program Implementation

An agreement was made in 2007 between Vallejo Neighborhood Housing Services (VNHS) and the City of Benicia for VNHS to oversee and manage housing rehabilitation in Benicia. To date seven loans have been made totaling \$319,000.

### Program 4.02

Prepare standard specifications for seismic retrofitting of existing residential structures to assist property owners in meeting current seismic safety standards. Seismic retrofitting will continue to be an eligible activity under the City's housing rehabilitation program. The City will promote its seismic retrofitting program through a distribution brochure at City Hall, other public locations, and on the City of Benicia's website ([www.ci.benicia.ca.us](http://www.ci.benicia.ca.us)).

### Status of Program Implementation

The City will use ABAG's iResidential Seismic Strengthening Standard Plan Set for Woodframe Houses. The Community Development Department's Building Division will present this to City Council to adopt a Resolution endorsing the Standard Plan Set, and encourage residents to use it.

### Program 4.03

Amend the Zoning Ordinance to restrict the conversion of residential structures to non-residential use when such conversions have the potential to displace very low-, low-, or moderate-income residents or result in the loss of rental housing.

### Status of Program Implementation

The Zoning Ordinance has not been amended. The program will be carried forward in the update, but as City policy.

### Program 4.04

Contact the owners of the three mobile home parks located in Benicia to determine future plans for their properties and the feasibility of continuing mobile home park use. For those mobile home parks that Benicia determines are economically viable, the City will assist the owner in accessing state or federal funds for improvements, or park residents in converting the park to resident ownership. The objective is to preserve the parks for mobile home use. The City will also continue to implement its mobile home park conversion ordinance to ensure that any conversion of a mobile home park to other uses is preceded with adequate notice, and that relocation and other assistance for park residents follows the conversion. A relocation plan for tenants of the mobile home park must be submitted to the Planning Commission for approval as part of the application for conversion.

### Status of Program Implementation

This program is currently underway. The City's Building, Planning, and Code Enforcement Divisions have coordinated meetings with the owners. This program will be continued in the 2007-2014 Housing Element Update.

## Equal Access

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**Program 5.01**

Continue to maintain a 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, 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's 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 will also refer persons to the Benicia Housing Authority and Community Action Council (CAC) for informational brochures and advisory counseling on equal housing opportunity resources. The City Attorney's office will be notified, and a log maintained, of all complaints received. Additionally, all information regarding the housing discrimination complaint referral process is available at the Benicia Housing Authority, CAC, and on the City's website ([www.ci.benicia.ca.us](http://www.ci.benicia.ca.us)).

**Status of Program Implementation**

This program continues to be implemented. The Benicia Housing Authority and Community Action Council both have procedures in place to refer anyone filing a housing discrimination complaint to Legal service of Northern California and the Office of Fair Housing. No complaints were filed during the previous planning period.

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**Program 5.02**

Conduct a conformity review of the City's Zoning Ordinance in association with compliance of state laws regarding housing. If section(s) of the City's Zoning Ordinance are not consistent with state housing law, applicable revision(s) and amendment(s) will be made to the Zoning Ordinance.

**Status of Program Implementation**

A review of the Zoning Ordinance for conformity with State housing law has been conducted. The 2007-2014 Housing Element Update proposes programs to amend the Zoning Ordinance to address any outstanding nonconformities in the ordinance. The following amendments to the Zoning Ordinance were made during the previous planning period.

2000 - Inclusionary Housing Ordinance (Resolution 00-9)

2004 - Added new section 17.16.080 accessory dwelling units, amended section 17.70.270 affordable housing density bonus (Resolution 04-2)

2006 - Amendment to BMC Section 17.70.270 affordable housing density bonus (Resolution 06-15)

2007 - Amendments to accessory dwelling units inclusionary housing, BMC sections 17.70.060 and 17.70.320 (Resolution 07-60)

2007 - Amendment dealing with condominium conversions, BMC Section 17.90.110 (appeals only) (Resolution 07-63)

2007 - Amendment to mobile home park conversions, BMC Section 17.94.060 (appeals) (Resolution 07-64)

## Energy Conservation

### Program 6.01

Continue to distribute information on currently available weatherization and energy conservation programs.

### Status of Program Implementation

Brochures are available at the Community Development Department counter at City Hall.

Beginning in 2008, the Community Development Department initiated new efforts to educate and bring awareness to the public about the long-term benefits of employing green building techniques, energy efficient construction methods, and use of sustainable materials.

This was brought to fruition through new display boards showcased at the Planning and Building Divisions. Information shown includes sustainable building materials, interior finishes, energy conservation, and low-water landscaping applications.

Other energy conservation efforts underway include completion of a Climate Action Plan (expected Summer 2009), which will be implemented and overseen by a new Sustainability Commission.

More recently, the Community Development Department organized the first City-sponsored Earth Day celebration, held on April 22, 2009. The event included a comprehensive exhibit of green building practices, water conservation methods, energy efficient lighting, low-water toilets, composting, rainwater harvesting, educational reading materials, electronic waste recycling, computer models to determine individual carbon footprints, and activities for kids. More than 200 residents attended. With this accomplishment, the City has decided make a commitment to host Earth Day events on an annual basis and set forth a holistic approach towards resource conservation.

### Program 6.02

Implement 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. To facilitate implementation, the City will make available, in the Community Development and Building departments, brochures procured from PG&E which detail energy conservation measures for existing buildings, as well as new construction.

### Status of Program Implementation

Brochures are available at the Community Development Department counter at City Hall.

The State Energy Code will be updated in August 2009 and will be enforced by the Building Division for all new and remodel residential projects.

The City is currently working to update the Building Code to comply with the 2008 California Green Building Standards, Title 23, Part II, which became effective on August 1, 2009. The City will pursue additional green building standards beyond the State's minimum requirements.

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
(CCR Title 25 §6202 )

Jurisdiction City of Benicia  
Reporting Period 1/1/2010 - 12/31/2010

General Comments:



HOUSING POLICY  
DEVELOPMENT, HCD

APR 1 2008

THE CITY OF  
**BENICIA**  
CALIFORNIA

April 1, 2008

Cathy Creswell, Deputy Director  
California Department of Housing and Community Development  
1800 Third Street  
Sacramento, CA 95811-6942

Dear Ms. Creswell,

The letter provides an update regarding the production of housing in the City of Benicia since January 1, 1999 for the 1999-2006 planning period. The following table identifies housing production by income category and year.

Regional Housing Needs Allocation (1999-2006)	Above Moderate	Moderate	Low	Very Low	TOTAL
	204	90	49	70	413
Year					
1999	129	8			137
2000	19	3			22
2001	25	5		3	33
2002	10	1		2	13
2003	5	1			6
2004	47	1	69	49	166
2005	150	70*	2		222
2006	0	76	57	0	133
2007	80	0	0	0	80
<b>Total</b>	<b>465</b>	<b>165**</b>	<b>128</b>	<b>54</b>	<b>812</b>

\*Includes 58 units at Cambridge Apartments, a 188-unit rental complex converted to ownership and not previously counted towards City housing production share.

\*\*Includes eleven rental accessory dwelling units.

If you have any questions, please call (707) 746-4280.

Lisa Porras, AICP, Senior Planner  
Community Development Department

cc: Paul Fassinger, Director of Research and Analysis, ABAG  
Jim Erickson, City Manager  
Heather McLaughlin, City Attorney