



**BENICIA SPECIAL PLANNING COMMISSION
AGENDA**

**Benicia City Hall, 250 East L Street
Council Chamber and Conference Room 1
Benicia, CA 94510
Remote Attendance from 215 10th Street
Marina, CA
June 30, 2022
7:00 PM**

Accessing The Meeting

How to Participate in the Meeting:

- 1) Attend in person at Council Chambers or Conference Room 1 at City Hall located at 250 East L Street.
- 2) Cable T.V. Broadcast - Check with your cable provider for your local government broadcast channel.
- 3) Livestream online at www.ci.benicia.ca.us/agendas.
- 4) Zoom Meeting (link below)

The public may view and participate (via computer or phone) link:

<https://www.zoom.us/join>

- Meeting ID: 845 2893 2691; password 497383.
- Use participant option to “raise hand” during the public comment period for the item you wish to speak on. Please note, your electronic device must have microphone capability. Once unmuted, you will have up to 5 minutes to speak.

Dial in with phone: (669) 900-9128

- Enter the meeting ID number: 845 2893 2691
- Enter password: 497383
- When prompted for a Participant ID, press #.
- Press *9 on your phone to “raise your hand” when the Mayor calls for public comment during the item you wish to speak on. Once unmuted, you will have up to 5 minutes to speak.

Any member of the public who needs accommodations should email the Community Development Department at comdev@ci.benicia.ca.us, who will their best efforts to provide as much accessibility as possible while also maintaining public safety.

1. Call To Order

2. Roll Call Of Commissioners

3. Pledge Of Allegiance

4. Reference To Fundamental Rights Of Public

The fundamental rights of each member of the public can be found in the municipal code posted on the City's website per section 4.04.030 of the City of Benicia's Open Government Ordinance.

5. Adoption Of Agenda

6. Opportunities For Public Comments

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the agenda that is within the subject jurisdiction of the Planning Commission. State law prohibits the Commission from responding to or acting upon matters not listed on the agenda.

Each Speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If applicable, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

7. Written Comment

7.A WRITTEN COMMENT

[Public Comment from Bardet.pdf](#)

8. Public Comment

9. Consent Calendar

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker slip for that item.

Any Item identified as Public Hearing has been placed on the Consent Calendar because it as not generated any public interest or dissent. However, if any member of the public wishes to comment on a

Public Hearing item, or would like the item placed on the regular agenda, please notify the Community Development Staff either prior to or at the Planning Commission meeting, prior to the reading of the Consent Calendar.

10. Regular Agenda Items

10.A AMENDMENTS TO TITLE 17 (ZONING) OF THE BENICIA MUNICIPAL CODE PERTAINING TO REGULATIONS FOR SHORT-TERM RENTALS (STRS)

The proposed project would amend Title 17 (Zoning) of the Benicia Municipal Code (BMC) to establish regulations for Short-Term Rentals (STRs). Two potential ordinances are proposed for consideration: one ordinance which allows short-term rentals subject to licensing requirements and one which prohibits short-term rental businesses.

RECOMMENDATION:

Move to adopt a resolution, after a public hearing and determination that the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), recommending that the City Council of the City of Benicia either:

- a) Adopt an ordinance that amends Title 17 (Zoning) of Benicia's Municipal Code to establish regulations for the operation of short-term rentals (Attachment 1). This ordinance would include amendments to General Regulations (BMC Chapter 17.70), Definitions (BMC section 17.12.030), Use Classifications (BMC section 17.16.050) and Residential Districts (BMC section 17.24.020).
- b) Adopt an ordinance that amends Title 17 (Zoning) of Benicia's Municipal Code to prohibit short-term rentals in Benicia (Attachment 2). This ordinance would include amendments to General Regulations (BMC Chapter 17.70) and Residential Districts (BMC section 17.24.020).

[Staff Report - Short-Term Rentals](#)

[1. Draft Resolution Recommending Regulation with Exhibit A](#)

[2. Draft Resolution Recommending Prohibition with Exhibit A](#)

[3. City Council meeting minutes of September 15, 2020](#)

[4. Planning Commission meeting minutes of May 13, 2021](#)

[5. August 2021 Outreach Meetings Summary](#)

[6. February 2022 Outreach Meeting Summary](#)

[7. Written Comment Received Before Draft Publication](#)

[8. Written Comment Received After Draft Publication](#)

10.B JEFFERSON RIDGE COMMUNITY OVERSIGHT MEETING (HD-1)

The project proposes 121 condominium units within three-story buildings with off-street parking and a 2,000 square foot commercial building. The project was submitted under Senate Bill 35, a state law that requires streamlined, ministerial review and approval of qualifying housing projects. The project includes a mix of unit sizes. Of the total units, 10% (twelve units) would be deed restricted affordable to very-low and low income households (households at or below 80% of the Area Median Income (AMI)).

RECOMMENDATION:

Public comment and input from the Commission will be accepted on the proposed project as to its compliance with eligibility criteria and objective standards, but no action will be taken by the Planning Commission.

[PC Staff Report - Jefferson Ridge.pdf](#)

- [1. SB 35 Development Plans Submitted May 31 2022](#)
- [2. SB 35 Revised Architectural Plan Sheets Submitted June 22 2022](#)
- [3. Draft Evaluation of Consistency with Applicable Adopted Objective Standards](#)
- [4. Standard Conditions of Approval for Residential Development of Two or More Units](#)
- [5. DTSC Letter February 5 2021](#)
- [6. DTSC Letter March 11 2022](#)
- [7. Public Comment](#)

10.C 1451 PARK ROAD APARTMENTS COMMUNITY OVERSIGHT MEETING (PLN-21-52)

The project is a three-story, 17 unit apartment complex. The project was submitted under Senate Bill 35, a state law that requires streamlined, ministerial review and approval of qualifying housing projects. The project includes a mix of one, two, and three bedroom units. Of the total units, two would be deed restricted affordable to very-low and low income households.

RECOMMENDATION:

Public comment and input from the Commission will be accepted on the proposed project as to its compliance with eligibility criteria and objective standards, but no action will be taken by the Planning Commission.

[Staff Report - 1451 Park Road](#)

- [1. May 31, 2022 SB 35 Development Application and Attachments](#)
- [2. Draft Evaluation of Consistency with Applicable Adopted Objective Standards](#)

[3. Standard Conditions of Approval for Residential Development of Two or More Units](#)

[4. Correspondence from the Department of Toxic Substances Control, January 25, 2021](#)

[5. Public Comment](#)

11. Communication From Staff

12. Communication From Commissioners

13. Adjournment

Public Participation

The Benicia City Council and its Boards and Commissions welcome public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The City Council allows speakers to speak on non-agendized matters under public comment, and on agendized items at the time the agenda item is addressed at the meeting. Comments are limited to no more than five minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the City Council.

Should you have material you wish to enter into the record, please submit it to the City Manager.

Disabled Access or Special Needs

In compliance with the Americans with Disabilities Act (ADA) and to accommodate any special needs, if you need special assistance to participate in this meeting, please contact Kim Imboden, the ADA Coordinator, at (707) 746-4200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

Meeting Procedures

All items listed on this agenda are for Council discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action may be taken by the City Council.

Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. You may also be limited by the ninety (90) day statute of limitations in which to challenge in court certain administrative decisions and orders (Code of Civil Procedure 1094.6) to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedures Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure Section 1094.6.

Public Records

The agenda packet for this meeting is available at the City Manager's Office and the Benicia Public Library during regular working hours. To the extent feasible, the packet is also available on the City's web page at www.ci.benicia.ca.us under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the

City Manager's Office located at 250 East L Street, Benicia, or at the meeting held in the Council Chambers. If you wish to submit written information on an agenda item, please submit to the City Clerk as soon as possible so that it may be distributed to the City Council. A complete proceeding of each meeting is also recorded and available through the City Clerk's Office.

Contact Your Council Members

If you would like to contact the Mayor or a Council Member, please call the number listed below to leave a voicemail message.

Mayor Young: 746-4213

Vice Mayor Campbell: 746-4213

Council Member Strawbridge: 746-4213

Council Member Largaespada: 746-4213

Council Member Macenski: 746-4213