



**BENICIA PLANNING COMMISSION  
AGENDA**

**Benicia City Hall, Council Chamber and Conference Room 1  
250 East L Street, Benicia, CA 94510  
3934 Highlands West, Ft. Collins, CO 80526  
May 12, 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](http://www.ci.benicia.ca.us/agendas).
- 4) Zoom Meeting (link below)

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

<https://us02web.zoom.us/j/86100071423?pwd=MmFueGR0MEJjMmExTlp3VzJsZ294dz09>

- If prompted for a password, enter 942044.
- 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:

Before the start of the item you wish to comment on, call any of the numbers below. If one is busy, try the next one.

1 669 900 9128

1 346 248 7799

1 253 215 8782

1 646 558 8656

1 301 715 8592

1 312 626 6799

- Enter the meeting ID number: 861 0007 1423

- Enter password: 942044
- 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](mailto: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 PUBLIC COMMENT**

[Public Comment - Colleen Williams](#)

[Public Comment - Jane Lauder King](#)

**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.

### **9.A APPROVAL OF MINUTES FROM MARCH 3, 2022**

[3-3-22 DRAFT MINUTES](#)

### **9.B APPROVAL OF MINUTES FROM MARCH 21, 2022**

[3-21-22 DRAFT MINUTES](#)

### **9.C APPROVAL OF MINUTES FROM APRIL 14, 2022**

[4-14-22 DRAFT MINUTES](#)

## **10. Regular Agenda Items**

### **10.A DISCUSSION ITEM: HOUSING OPPORTUNITY SITES OVERLAY DISTRICT**

Every eight years, each California city and county must update the Housing Element of their General Plan and have it certified by the California Department of Housing and Community Development (HCD). The Housing Element must plan for the housing needs of the community at all economic levels and ensure that adequate sites are zoned to meet the City's projected housing need. A draft Housing Opportunity Sites Inventory was affirmed by the City Council on April 19, 2022 following public comment and Planning Commission review. A number of Housing Opportunity Sites will require rezoning and associated General Plan amendments. In some cases, the City will pursue a change in the site zoning designation and in other instances would adopt an overlay zone that would apply in combination with the underlying (base) zoning. The purpose of this agenda item is to present a conceptual outline of the Housing Opportunity Sites Overlay District for public review and comment.

#### **RECOMMENDATION:**

Receive the staff report and presentation, accept public comment, and provide feedback on the outline approach for the Housing Opportunity Sites Overlay District. This item is presented for discussion and feedback and no formal action is requested at this time.

[Staff Report - Housing Opportunity Sites Overlay District](#)

[1. Draft Housing Opportunity Sites Inventory - Table](#)

## [2. Draft Housing Opportunity Sites Inventory - Maps](#)

### **10.B ZONING TEXT AMENDMENT AND USE PERMIT TO AUTHORIZE A DAY CARE CENTER AT NORTHGATE CHURCH (Northgate Childcare Center)**

The proposed project includes (1) approval of a zoning text amendment to Benicia Municipal Code (BMC) Chapter 17.36 (OS Open Space District) to allow Day Care Centers as a conditional use on parcels that also house religious assembly uses; and (2) approval of a use permit to allow a Day Care Center within existing facilities of Northgate Church.

Recommendation:

Conduct the public hearing and move to adopt the following resolutions:

1. Recommending that the City Council of the City of Benicia adopt an Ordinance amending Title 17 (Zoning) of the Benicia Municipal Code to enable day care center uses in the Open Space District, when located on the grounds and within the facilities of a duly permitted religious assembly use.
2. Conditionally approving a use permit, subject to conditions, for the Northgate Childcare Center located in the Open Space (OS) District, based on the findings of approval and subject to the conditions listed in the proposed resolution, after a public hearing and determination that the project is exempt from CEQA.

[PLN 22-15 - Northgate Childcare Center UP and ZTA - May 12 2022 PC Staff Report.pdf](#)

[1. Draft Resolution Recommending Approval of a Zoning Text Amendment with Exhibit A.pdf](#)

[2. Draft Resolution Conditionally Approving a Use Permit for the Northgate Childcare Center with Exhibit A and B.pdf](#)

### **10.C USE PERMIT FOR GENERAL RETAIL SALES WITH ALCHOLIC BEVERAGE SALES (SendSips)**

The applicant requests approval of a use permit to authorize general retail with alcoholic beverage sales in an existing 347 square foot commercial tenant space located at 621½ First Street. The subject property is located in the Town Core zone of the Downtown Mixed Use Master Plan area. The requested use permit would allow for the sale of wine, craft beers and spirits in gift packaging for off-site consumption.

Recommendation:

Adopt the resolution approving the Use Permit for General Retail Sales with Alcoholic Beverage Sales, based on the findings of approval and subject to the conditions listed in the proposed resolution, after a public hearing and determination that the project is exempt from CEQA.

[Staff Report PLN 22-7 - 621 and a half First Street - Use Permit.pdf](#)

[1. Resolution - PLN 22-7 - 621 and a half First Street - Use Permit - with Exhibits A and B.pdf](#)

[2. 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](http://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.

<b>Contact Your Council Members</b>
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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