

Notice of Exemption

FILED

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

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

MAR 5 2025

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

County Clerk
County of: Solano

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

Project Applicant: CITY OF BENICIA

Project Location

Citywide

Project Location - City: City of Benicia

Project Location - County: Solano County

Description of Nature, Purpose and Beneficiaries of Project:

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

Name of Public Agency Approving Project: City of Benicia

Name of Person or Agency Carrying Out Project: Planning Division

Exempt Status: (check one):

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

Reasons why project is exempt:

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

Lead Agency

Contact Person: Vivien Togonon

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

Signature: [Handwritten Signature]

Date: 3/5/25 Title: Associate Planner

- [X] Signed by Lead Agency
[] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: -
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

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