

City Of Benicia Objective Planning Standards



Planning Commission Study Session
March 11, 2021

Project Background

What are the Objective Planning Standards?

- Applies to all multifamily and mixed-use residential development
- Contains objective building and site design standards
- Considers unique needs of historic districts

Project Background

Why did the City adopt Objective Planning Standards?

- Under SB 35, the City must review qualifying multifamily projects through streamlined ministerial process
- City must approve project if consistent with objective standards
- Other state laws limits City's ability to deny or modify projects consistent with objective standards

Definition of Objective Standards

*“standards that involve **no personal or subjective judgment** by a public official and are **uniformly verifiable** by reference to an external and uniform benchmark or criterion available and **knowable** by both the development applicant or proponent and the public official prior to submittal.”*

Project History

City Council adopts Objective Planning Standards and requests further outreach and amendments	July 16, 2019
Stakeholder meetings	October 4, 2019 July 14, 2020
Roadmap for planned amendments	Summer 2020
Targeted amendments adopted by City Council	January 2021

Discussion Topics

1. Building Materials
2. Arsenal Historic District View Protection
3. Arsenal Building Width/Separation Standards
4. Tree Protection in the Arsenal

Discussion Approach

1. Four Discussion Topics

- Presentation on First Topic
- Public Comment on First Topic
- Commission Discussion on First Topic
- Repeat for Other Three Topics

2. Public Comment on Other Topics

Building Materials

Question: The Arsenal and Downtown Historic Conservation Plans contain building material guidelines for the historic districts. What additional building material standards are needed?

Existing Regulations

Conservation Plan Guidelines

- Address exterior building materials, roof materials, window and doors, railings and other similar features, and colors
- Some are identical in both conservation plans; others apply in one conservation plan area and not the other.

Existing Regulations

Adopted Objective Planning Standards

- Address the same topics as the historic conservation plans
- Identify which standards apply in the historic districts and outside of the historic districts

Prior City Council Direction

- Concerns that standards could be overly burdensome for homeowners and housing developers
- Directed staff to revise standards to address cost concerns for affordable housing while maintaining quality design

Staff Recommendation

- Rely on the existing historic conservation plan standards for building materials in the historic districts
- Remove the majority of the building material standards in the adopted Objective Planning Standards
- Retain standards for window material (historic districts only), modular and tilt up buildings



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Building Materials

Requested Planning Commission Feedback: What building material standards are needed beyond existing standards in the historic conservation plans?

Staff Recommendation:

- Rely on the existing historic conservation plan standards
- Remove the majority of the OPS building material standards
- Retain OPS standards for window material, modular and tilt up buildings

Arsenal View Protection

Question: How should the City interpret and apply its view protection policies in the Arsenal?



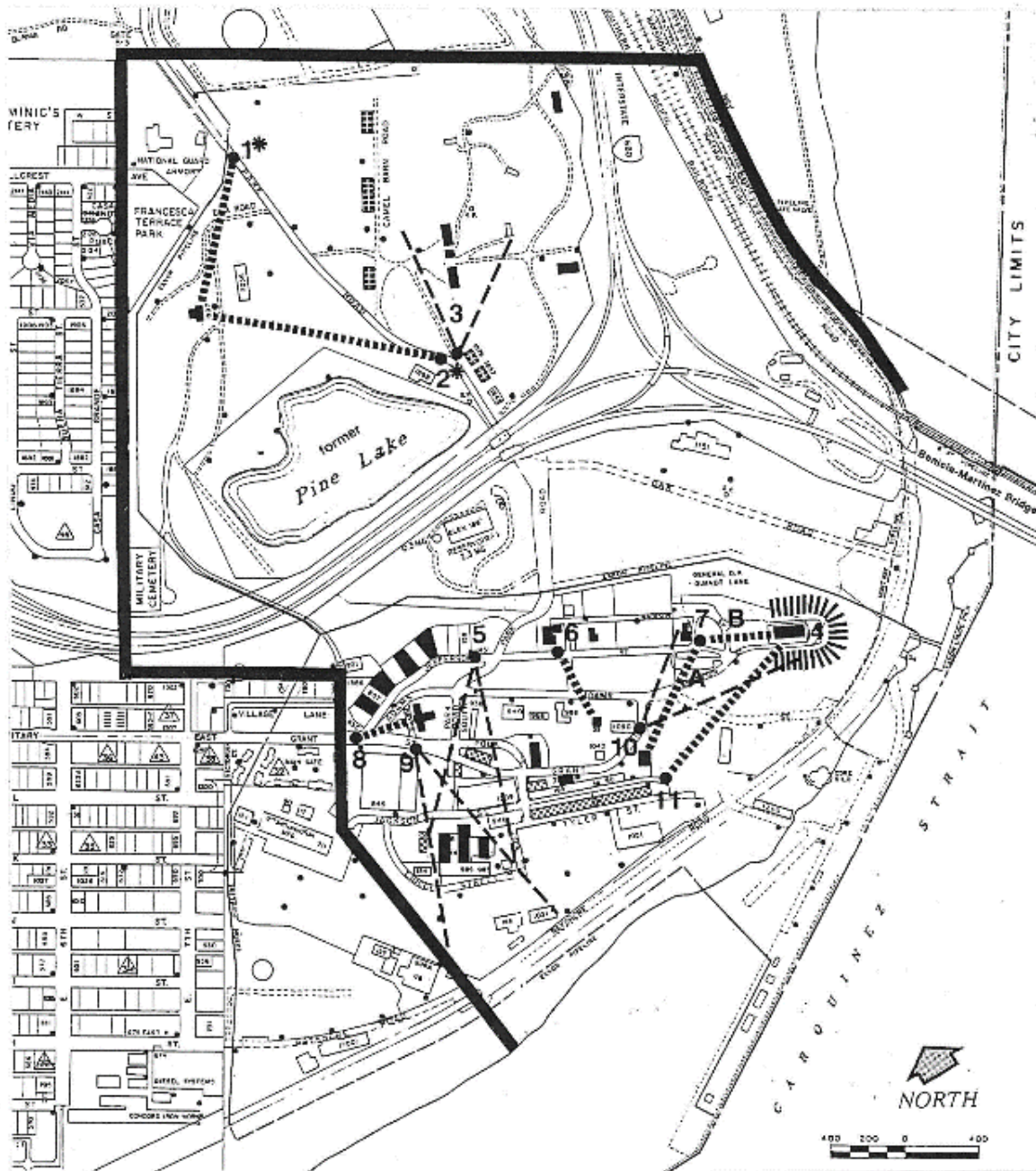




Figure 6


View Corridors and Sight Lines

LEGEND

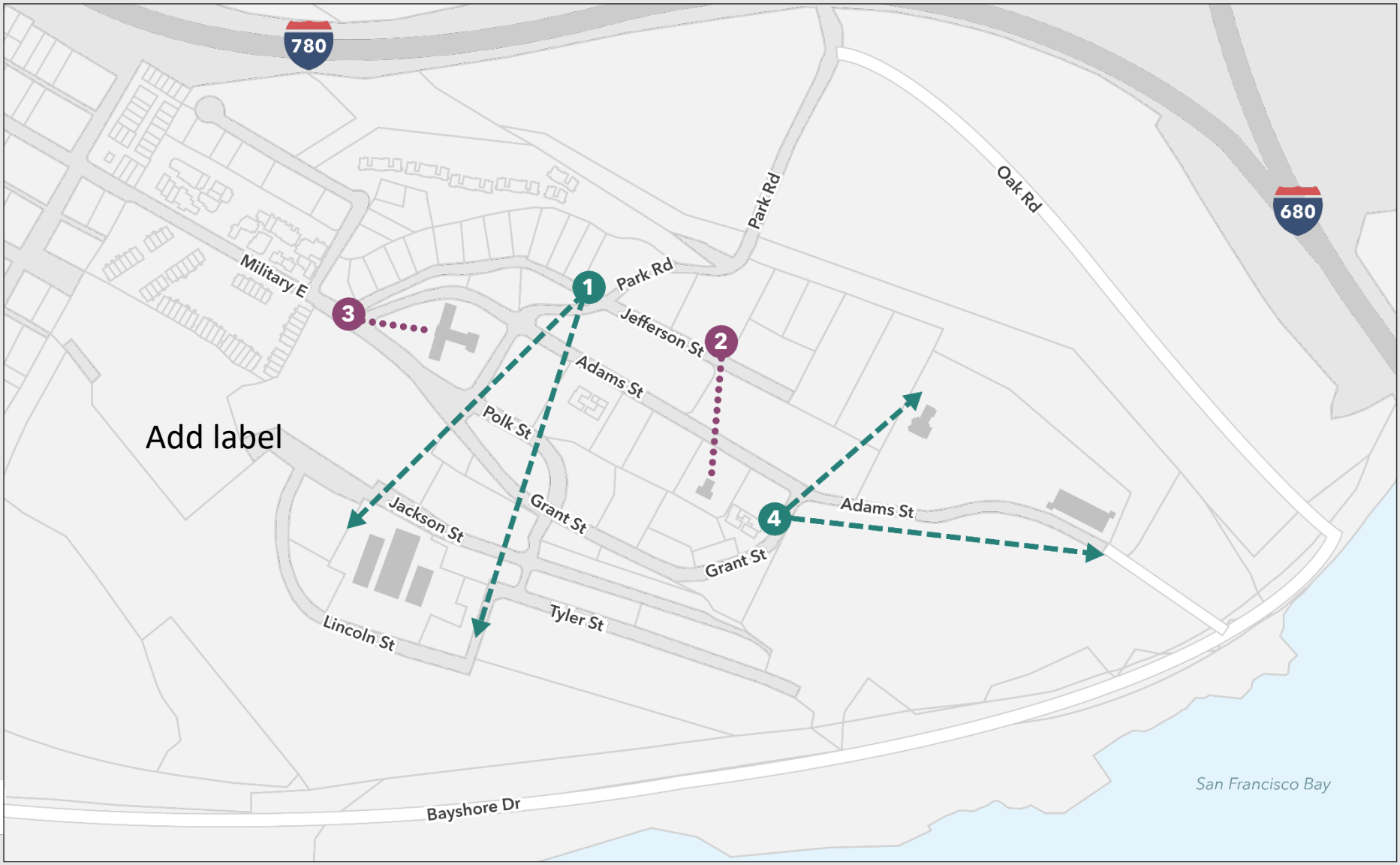
 View Corridor to be Maintained

 Sight Line to be Maintained

2 Vantage Point Key Number (See Table 4)

 Panoramic View to be Maintained

***** Denotes Existing Sight Line — Location may shift upon approval of future development

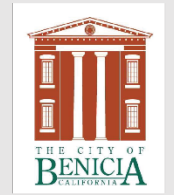


Add label

Arsenal View Corridors and Sight Lines

- Landmark Structure
- 1 Viewpoint
- 2 Viewpoint
- 3 Viewpoint
- 4 Viewpoint
- View Corridor
- Sight Line

200 ft



AHCP View Protection Policies

- **Sight Lines:** “Maintain designated sight lines to landmark buildings.”
- **View Corridors:** “Where view corridors are indicated, it is important to maintain a direct sight line to all landmark structures and important natural features which fall within the view angle mapped in Figure 6. New development within a designated view corridor is permitted but should be of a scale that will not overpower or dominate views of landmarks.”

View 1: Park Road and Jefferson Street (View Corridor)



Landmark Structures

View 2: Jefferson Street (Sight Line)



Landmark Structure

View 3: Grant Street (View Corridor)



Landmark Structure

View 4: Military East (Sight Line)



Prior City Council Direction

- January 19, 2021: Draft standards and supporting materials
- Questions and Concerns:
 - Meaning of “obstructing a view”?
 - Should a partial view obstruction should be allowed?
 - Should City prohibit development on a portion of a property to protect views?
- Direction to staff: return with clarifications on the meaning of a view obstruction

Options to Consider

1. Enhance Graphics to Clarify Requirement
2. Allow Partial Obstruction for View Corridors
3. Allow Alternative Vantage Points

Option 1: Enhance Graphics to Clarify Requirement

- Enhance photographs of protected views
- Clarify view protection rules
 - **View corridors:** views of landmark structures and natural features as shown in the photograph must remain completely unobstructed
 - **Sight lines:** views of landmark structures as shown in the photographs must remain completely unobstructed

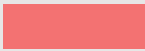

View of landmark structures and natural features must remain completely unobstructed

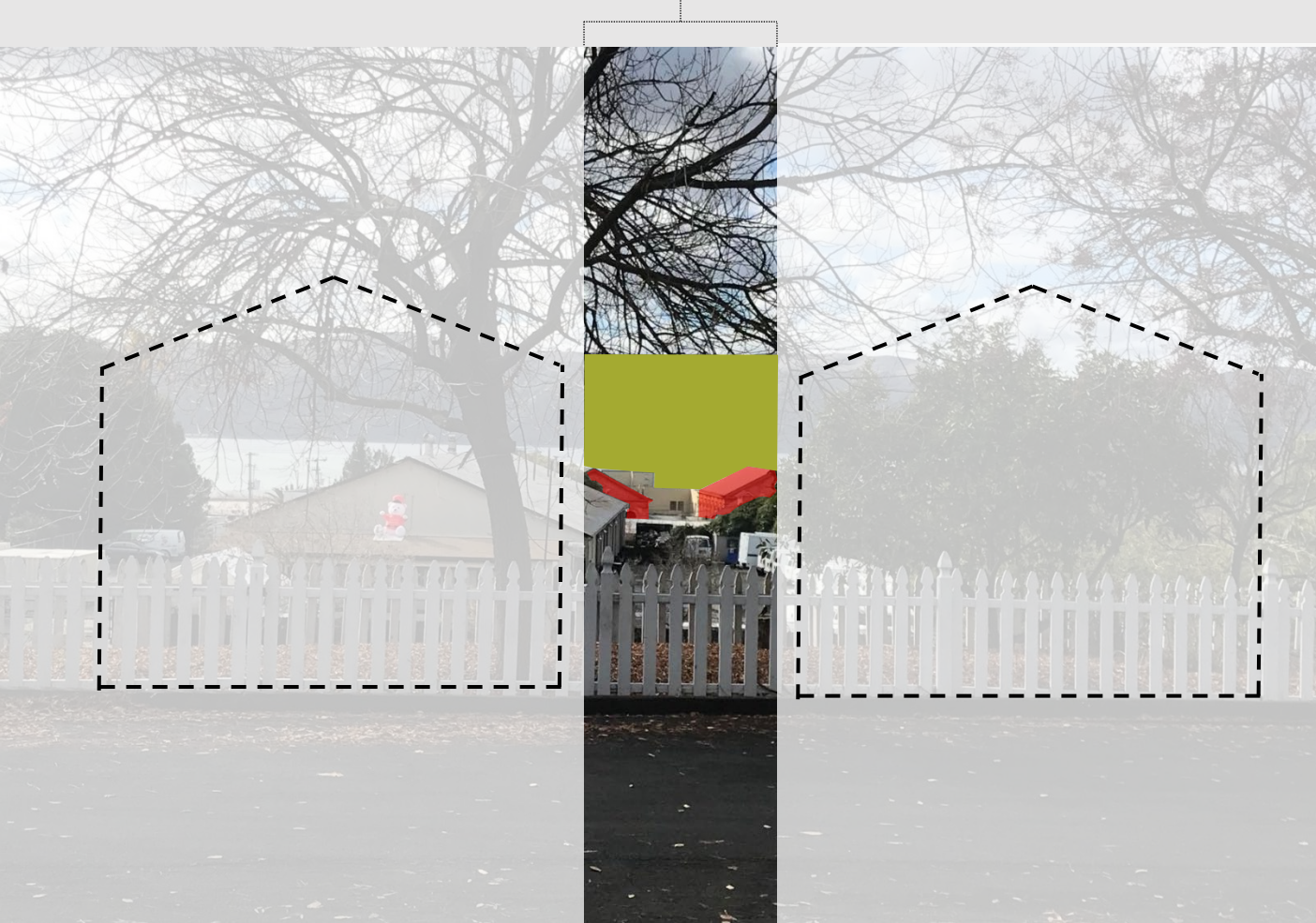
Option 1

View 1

View
Corridor

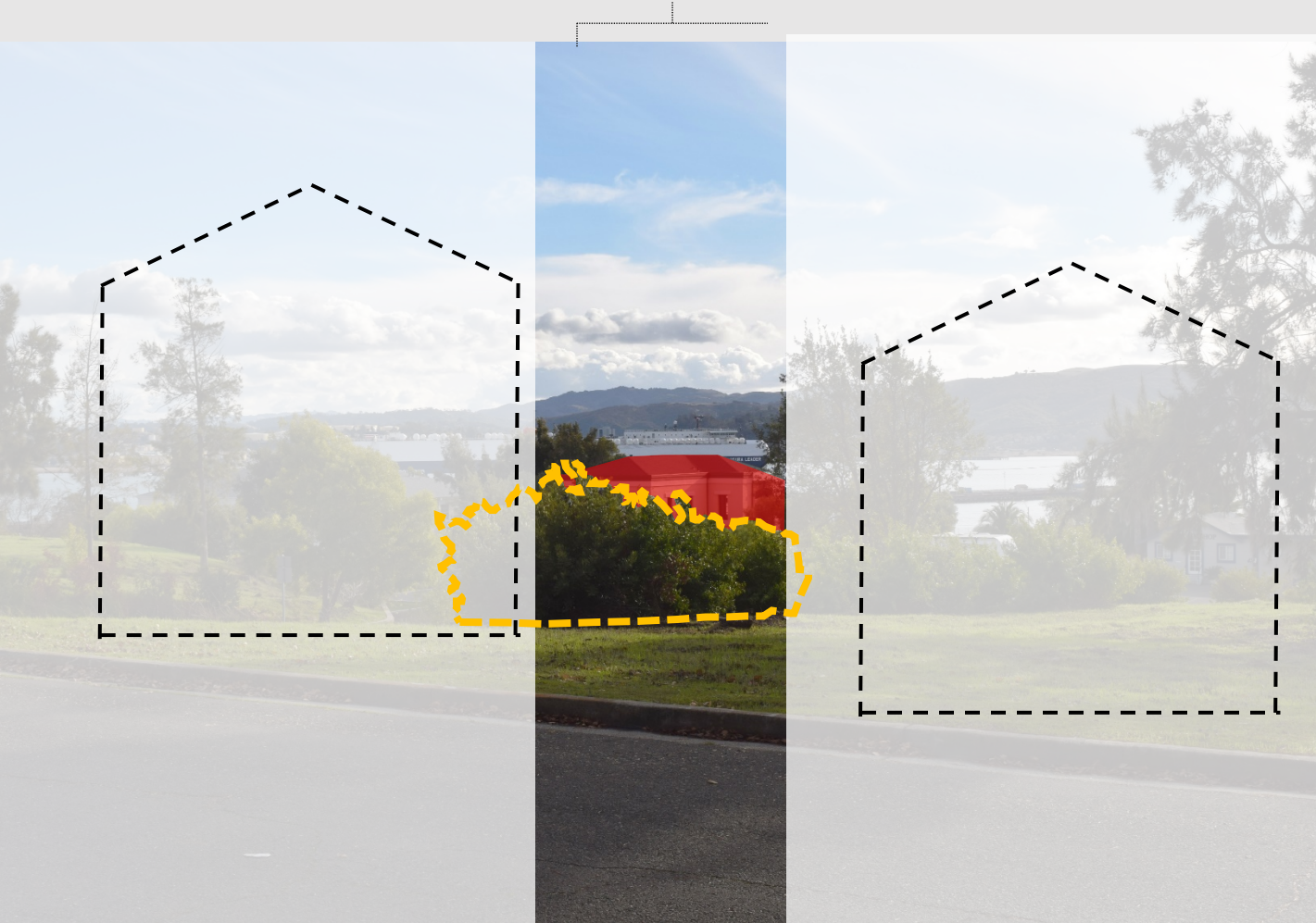
Features that must
remain unobstructed

-  Landmark Structure
-  Natural Features



Development that does not obstruct view of landmark structures is allowed

View of landmark structures must remain completely unobstructed



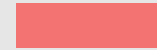
Development that does not obstruct view of landmark structures is allowed

Option 1

View 2

Sight Line

Features that must remain unobstructed



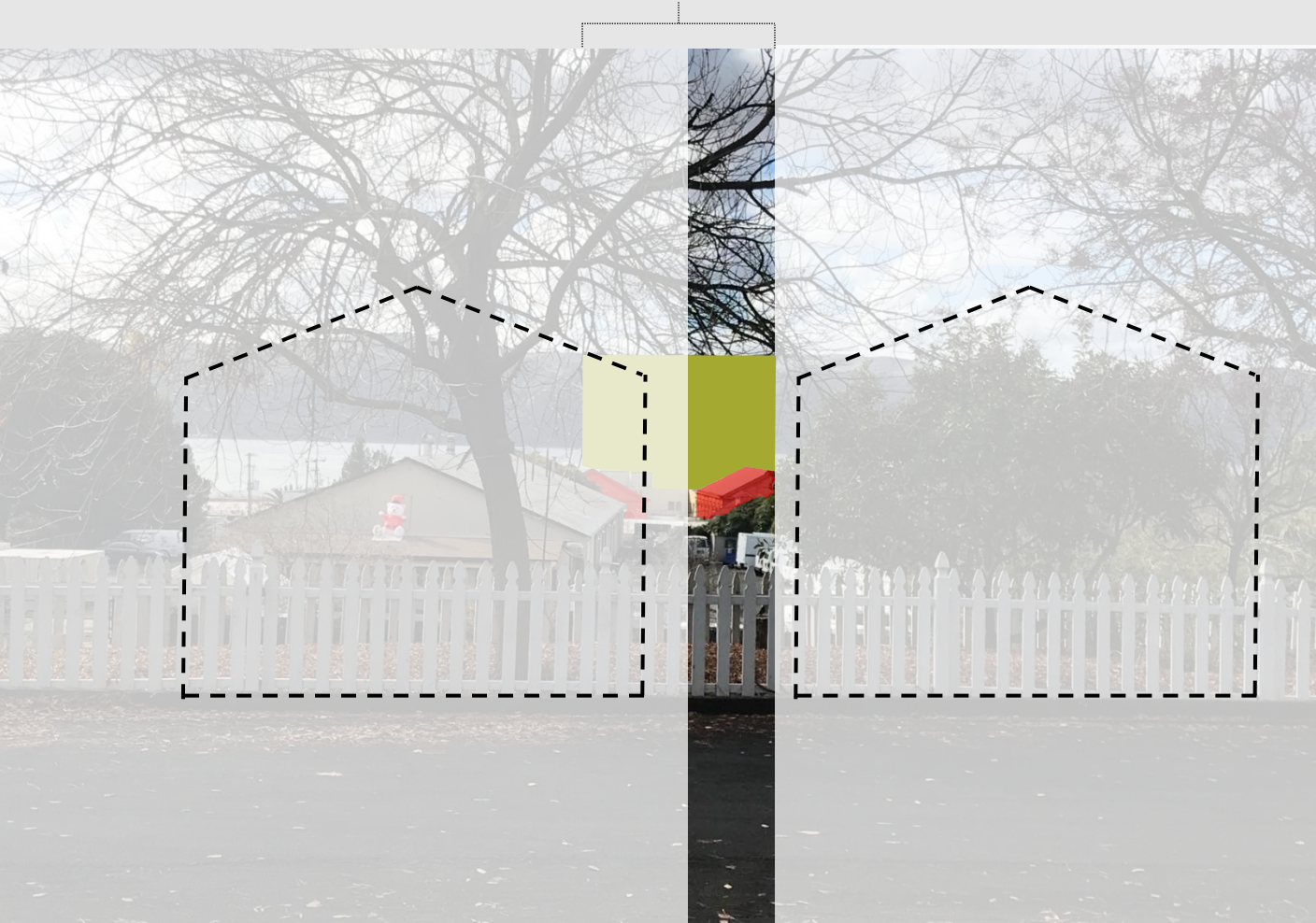
 Existing Vegetation*

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

Option 2: Allow Partial Obstruction for View Corridors

- **View Corridors:** Allow partial obstruction of landmark structures.
- **Sight Lines:** Landmark structures must remain entirely unobstructed.

Partial obstruction of landmark structures and natural features allowed

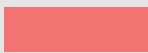



Option 2

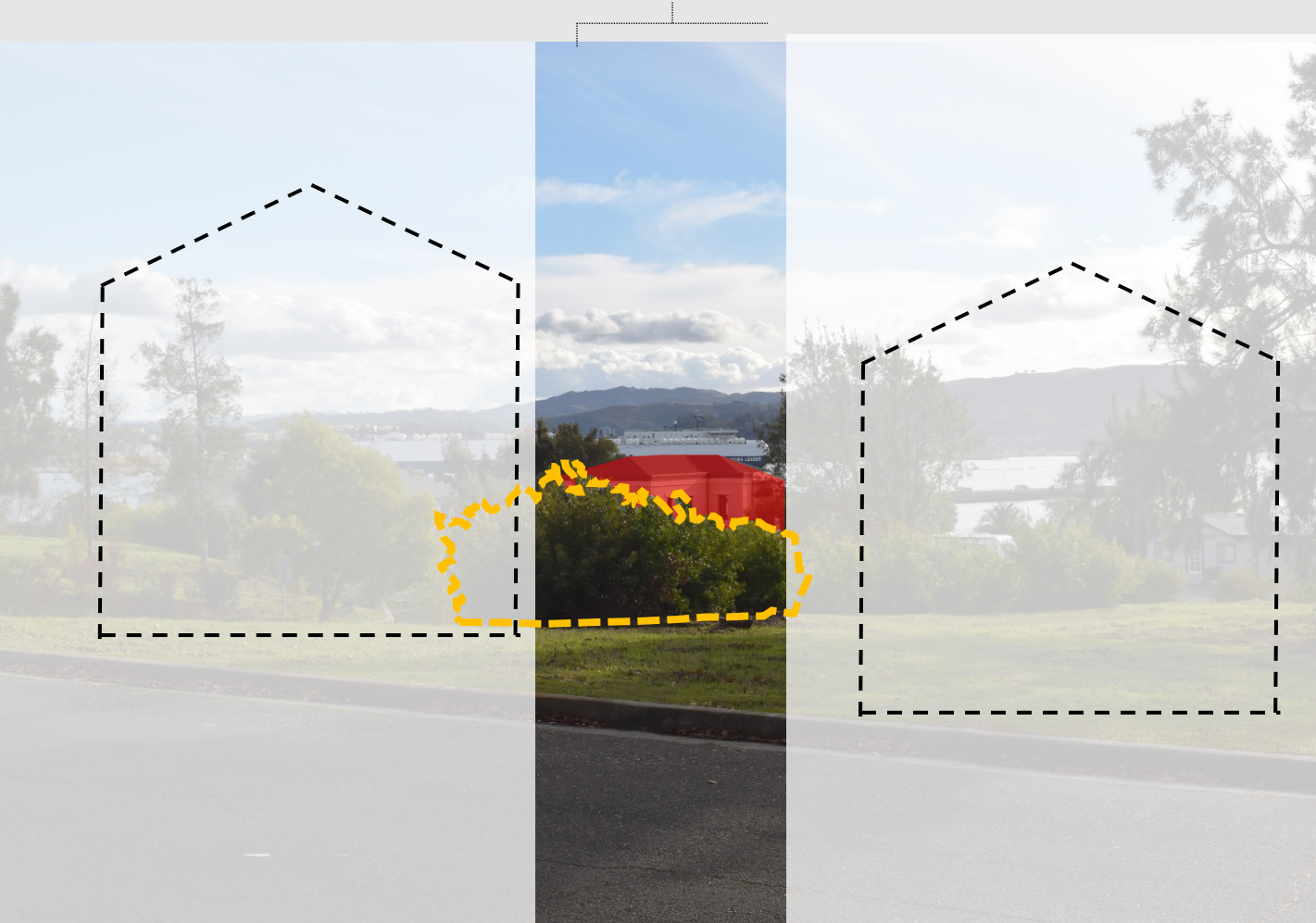
View 1

View
Corridor

Features that must remain unobstructed

-  Landmark Structure
-  Natural Features

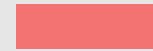
View of landmark structures must remain completely unobstructed



Option 2

View 2 Sight Line

Features that must remain unobstructed



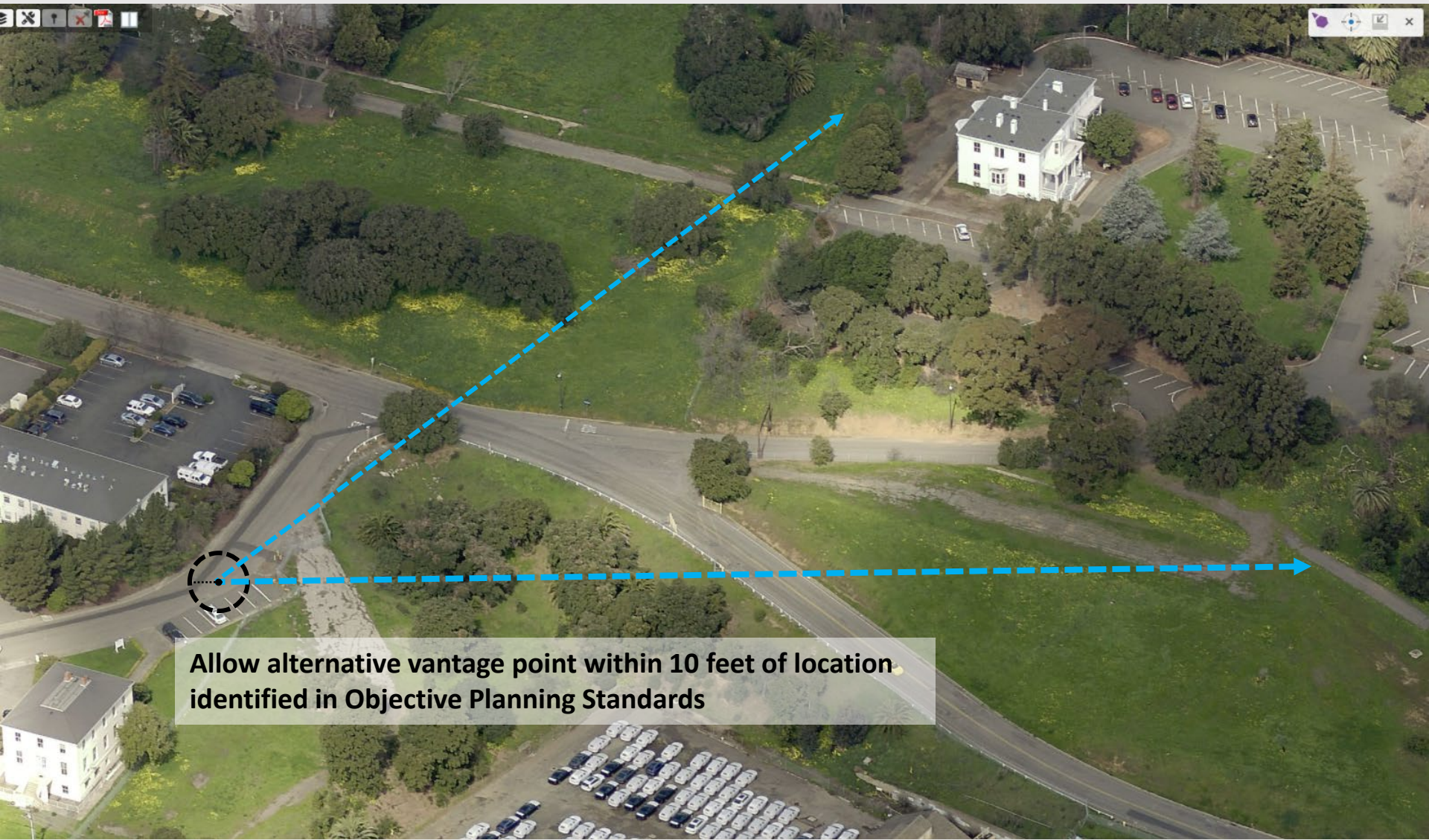
 Existing
Vegetation*

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

Development that does not obstruct view of landmark structures is allowed

Option 3: Allow Alternative Vantage Points

- Applicant may use an alternative vantage point to demonstrate compliance with standards.
- Alternative vantage points limited to a specified radius around the vantage points defined in the Objective Planning Standards (e.g., a 10 foot radius).



Allow alternative vantage point within 10 feet of location identified in Objective Planning Standards



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Arsenal View Protection

Requested Planning Commission Feedback: How should the City interpret and apply its view protection policies in the Arsenal?

Options:

1. Enhance Graphics to Clarify Requirement
2. Allow Partial Obstruction for View Corridors
3. Allow Alternative Vantage Points

Arsenal Building Separation/Width

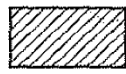
Question: How should the Objective Planning Standards implement “military spacing” in the Arsenal?



Figure 10

Site Specific Design Guideline Subdistricts

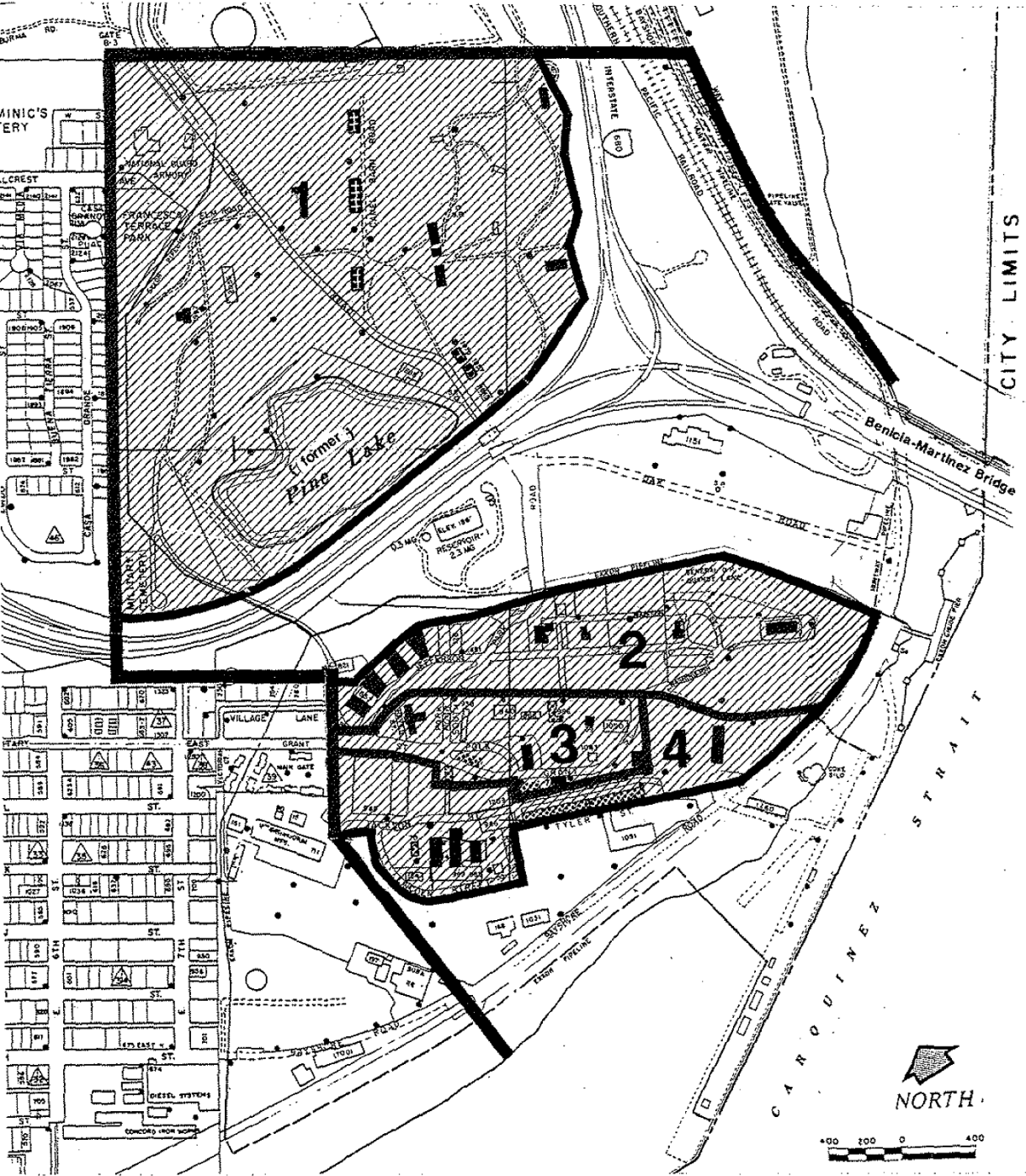
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Subdistrict Boundary

Subdistrict Designation:

- 1. The Hills
- 2. The Ridge/Officers' Row
- 3. The Plateau/Headquarters
- 4. The Flats/Waterfront



Subdistrict 2: The Ridge/Officers' Row



Multifamily and Mixed Use Development Sites in Subdistrict 2



Existing Requirement

Ridge/Officers' Row subdistrict Guideline 2.2:

“Larger, multi-family buildings should use smaller building modules to reflect predominant scale and facade rhythms of nearby historic residences.”

Scale and Rhythm of Nearby Historic Residences



82'

56'

70'

Scale and Rhythm of Nearby Historic Residences





03/08/2019 1 of 42 Select Date



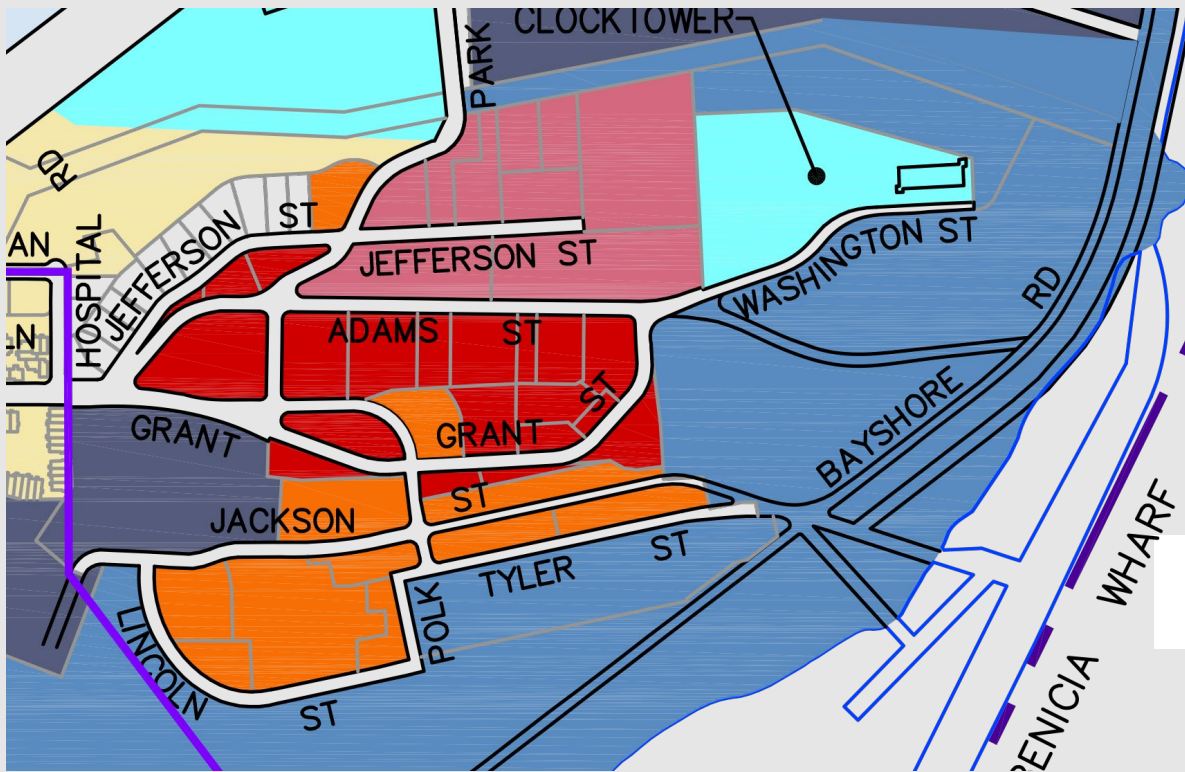
Scale and Rhythm of Nearby Historic Residences



Historic home width: 40-45 ft.

Distance between historic homes: 75-110 ft.

Distance between all homes: 10-40 ft.



Zoning Districts



	CO	CG
Front Setback	15 ft.	10 ft.
Side and Rear Setback	None	
Building Separation	As required by building code	
Courtyards	10-20 ft. (live-work and mixed-use exempt)	

Adopted Objective Planning Standards

	Arsenal District
Setbacks	
Front	20 ft. min.
Side	10 ft. min; 15 ft. max.
Rear	15 ft. min.
Lot Coverage	50%

Prior Council Direction

- Return with new spacing standards for the Arsenal that consider the scale and rhythm of the historic officers' quarters.



Options to Consider

1. Rely on spacing established by existing standards
2. Establish new building width and separation standards

Option 1: Rely on Spacing Established by Existing Standards

Existing Standards

- Arsenal Historic Conservation Plan: view corridor, sight lines and pedestrian ways
- Zoning Code and Existing Objective Planning Standards: Setbacks, lot coverage, and landscaping



Landmark Structure

Viewpoint

View Corridor

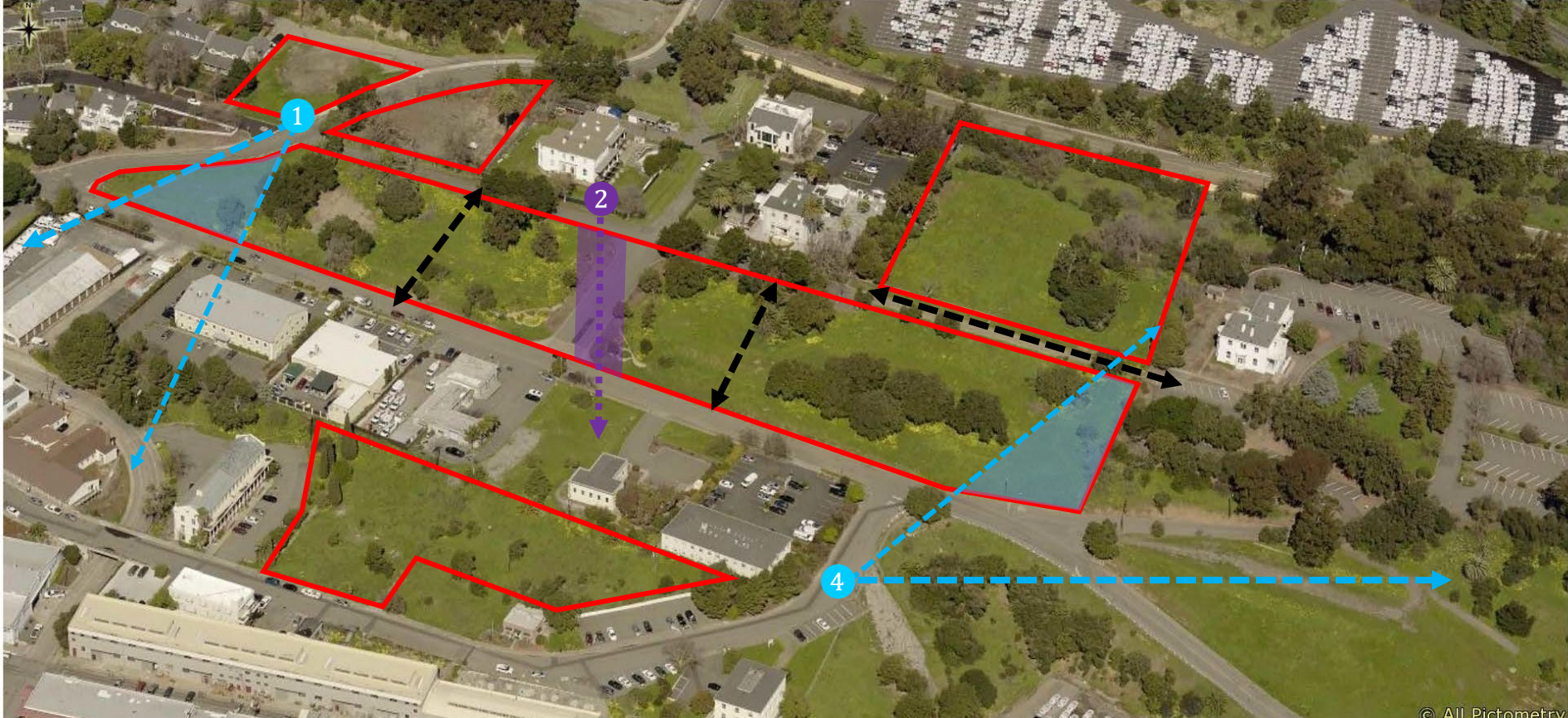
Sight Line

Potential Pedestrian Connection

200 ft



View Corridors, Sight Lines and Potential Pedestrian Connections



© All Pictometry



View Corridor



Sight Line

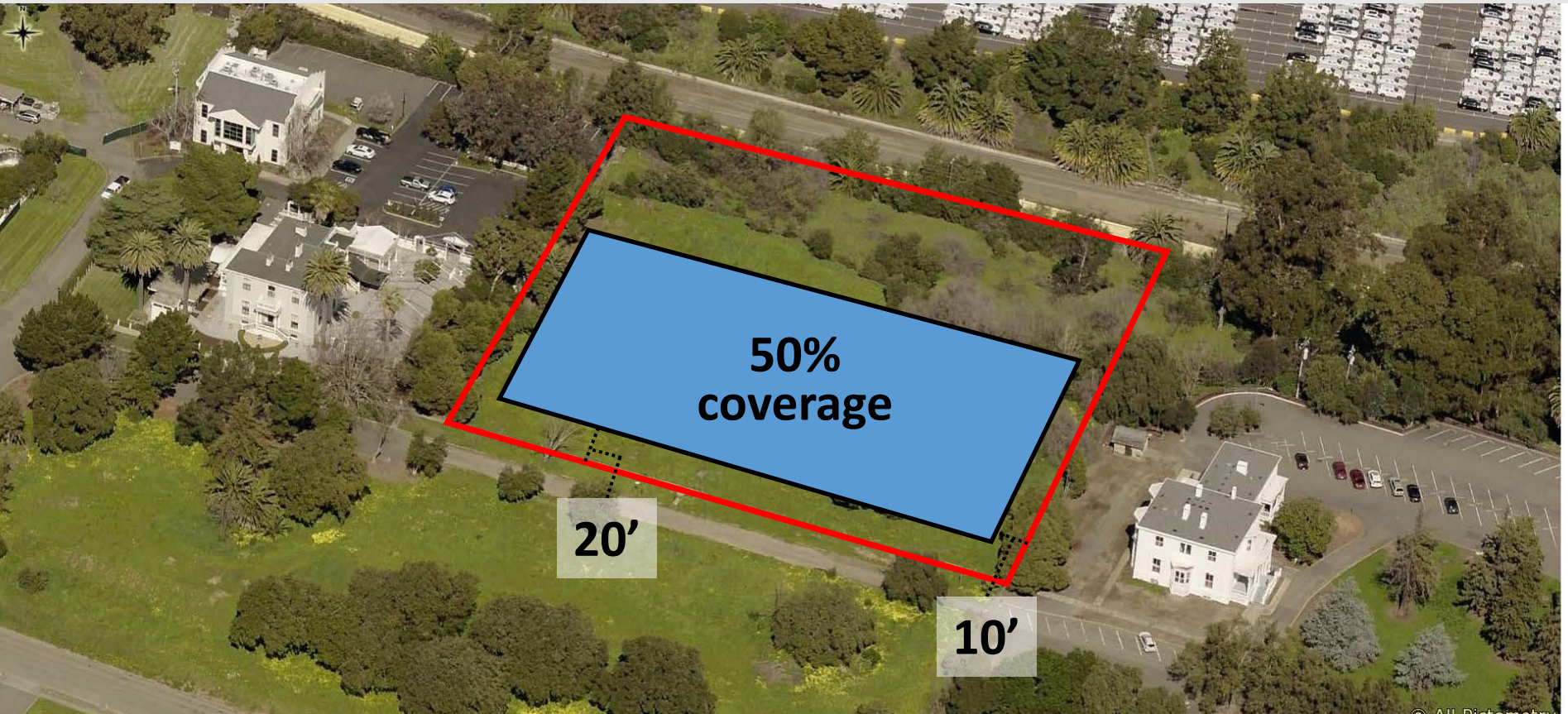


Potential Pedestrian Connection



Multifamily and Mixed Use Development Sites

Existing Setback and Lot Coverage Standards



Option 2: Establish New Building Width and Separation Standards

Possibilities:

- Mirror or approximate the width of existing buildings
- Match existing “courtyard” and setback requirements in the Medium- and High-Density Residential districts

Example New Building Width and Separation Standards





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Arsenal Building Separation/Width

Requested Planning Commission Feedback: How should the Objective Planning Standards implement “military spacing” in the Arsenal?

Options:

1. Rely on spacing established by existing standards
2. Establish new building width and separation standards

Tree Protection in the Arsenal

Question: How should the City interpret and apply its tree protection requirements in the Arsenal Historic District?

Existing Regulations

General Plan Policies and Programs:

- “Preserve historic trees and landscapes.” (Policy 3.1.3)
- “Encourage preservation of existing trees. Especially preserve and protect mature, healthy trees whenever practicable, particularly where such trees are of significant size or are of significant aesthetic value to the immediate vicinity or to the community as a whole.” (Policy 3.20.3)
- “Strive to incorporate existing mature, healthy trees into proposed developments.” (Program 3.20.D)

Existing Regulations

Arsenal Historic Conservation Plan:

- Mature trees and ornamental vegetation identified as “another historically important element of the Arsenal’s landscape.”
- Figure 5 identifies location of “Significant Trees or Tree Groupings”
- The “seldom-seen cork oak” above the Adams and Washington Street embankment are called out as significant

Figure 5

Open Spaces and Landscape Features

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Open Space in Public Ownership



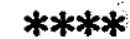
Major Open Space Feature



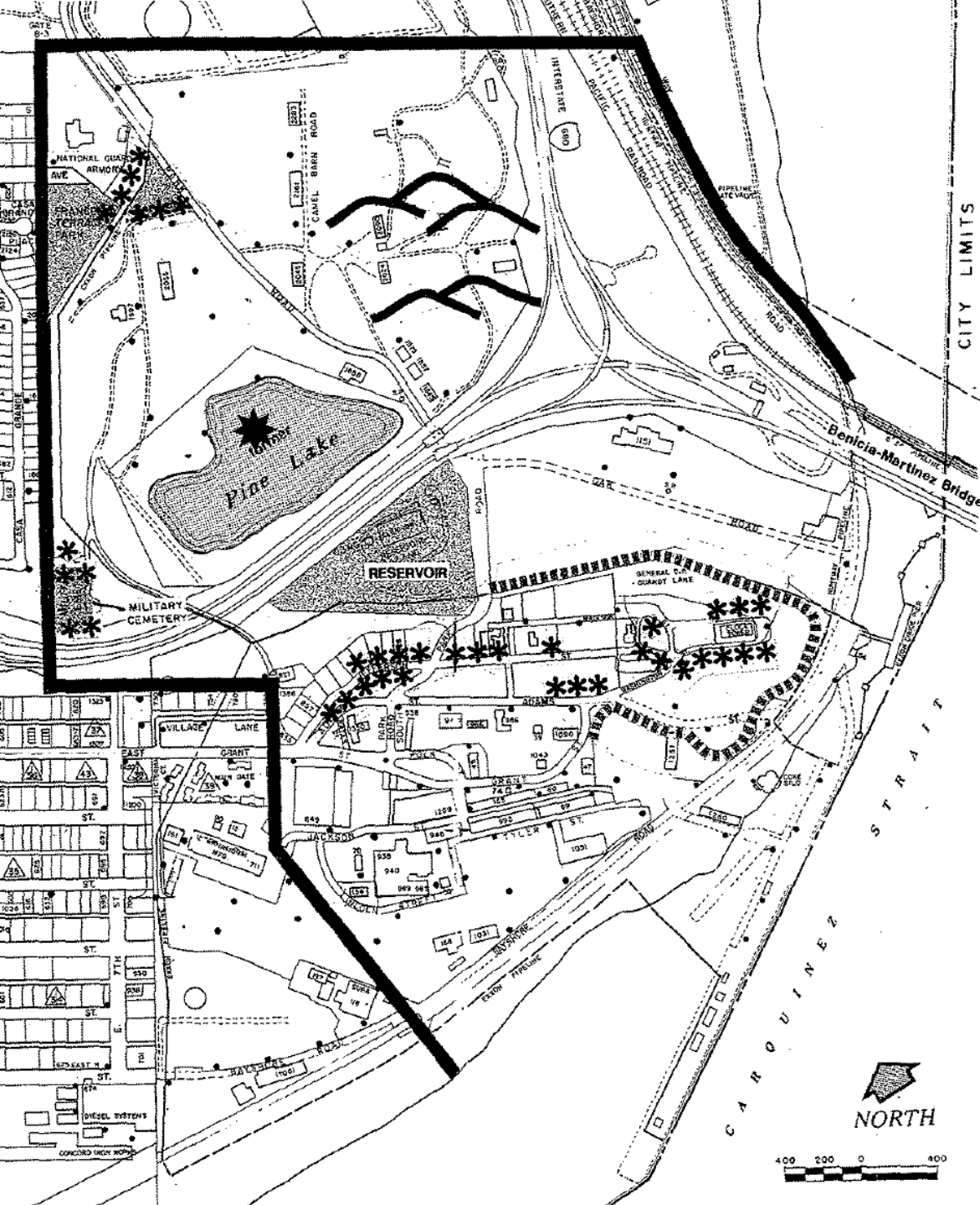
Major Topographic Feature

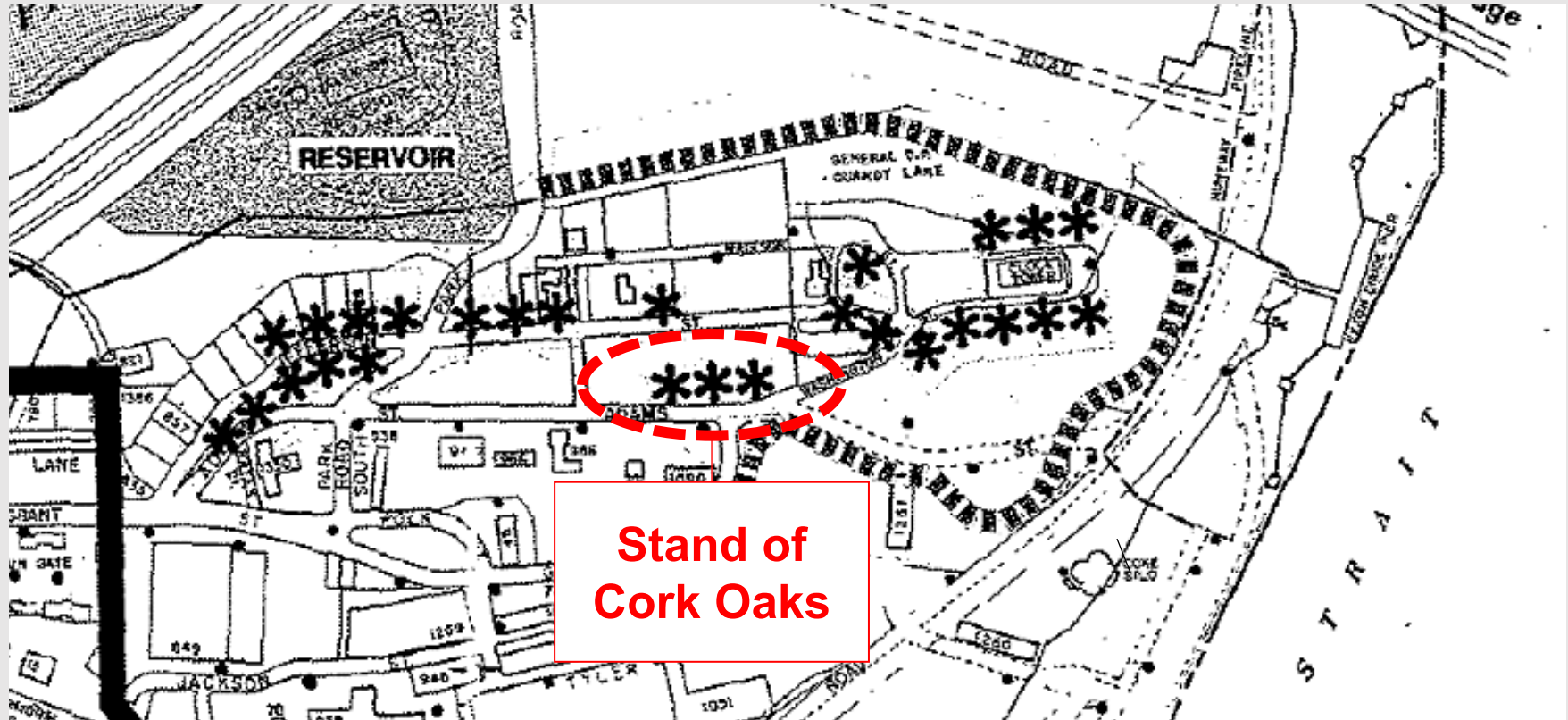


Rolling Hills



Significant Trees or Tree Groupings
(Locations Approximate)





**Stand of
Cork Oaks**

Significant Trees or
Tree Groupings
(Locations Approximate)



**Stand of
Cork Oaks**



Cork Oaks Viewed from Adams Street (looking North)



Cork Oaks Viewed from Lot Interior (looking East)



Future Development Policy 2 for the Ridge/Officers’ Row Subdistrict:

“Retain significant tree plantings on private sites and along streets, as shown in Figure 5. Permit removal of large trees only if a property is unduly constrained from development by their retention, and they are replaced at a higher ratio elsewhere on site.”

Existing Regulations

Municipal Code Chapter 12.24: Trees and Street Trees

- Identifies “protected trees” which includes “all other trees over 12 inches diameter” on private property.
- Removal of a protected tree requires a tree removal permit.
- Identifies criteria for consideration in review of a tree removal application (e.g., safety, impacts on development)
- Requires mitigation for removed trees

Existing Regulations

Tree Preservation Standards of Review (Criteria for action on tree removal permit)

1. Does the tree meet a guideline for removal?
2. Can the removal be avoided or mitigated?
3. Will removal result in impacts? Can this impact be mitigated?

City Council Action

January 19, 2021

- Adopted new standards for replacement trees and tree protection during construction
- Did not adopt standard for when trees may be removed from a development state
- Directed staff to:
 - Further investigate which trees in the Arsenal should be considered historically important; and
 - Provide clarification about whether there is a difference between historic trees and protected trees.

City Arborist Review

- February 10, 2021: “limited visual inspection” of these trees shown in AHCP Figure 5
- City Arborist found the cork oaks are:
 - Uniquely prominent and vulnerable to removal to accommodate development;
 - In good health; and
 - Considered Protected Trees under the City’s existing tree protection regulations.

Options to Consider

1. Nominate trees for Heritage Tree designation
2. Establish incentives for voluntary tree preservation
3. Adopt the language previously considered by City Council

Option 1: Nominate Trees for Heritage Tree Designation

- BMC Chapter 12.24 establishes a procedure for Heritage Tree designation
- Heritage tree designation requires property owner consent, review by the Parks, Recreation and Cemetery Commission, and City Council approval
- Heritage trees may be removed with a permit

Option 2: Establish Incentives for Voluntary Tree Preservation

- The City could encourage designated tree preservation with incentives
- Incentives could include deviation from Objective Planning Standards (e.g., outdoor living areas, setbacks, build-to-lines or site landscaping)

Option 3: Adopt Language Previously Considered by City Council

Standard B-1 allows removal of a protected tree if:

- The tree is in poor health or is a public safety hazards; and/or
- Removal of tree is necessary to achieve the proposed density.



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