

STAFF REPORT

DATE: August 31, 2021

TO: City Council

FROM: Ashley Feeney, Assistant City Manager
Sherri Metzker, Principal Planner
Jessica Lynch, Senior Planner

SUBJECT: 2021-2029 Housing Element

Recommendation

Staff and the Planning Commission recommend that the City Council;

1. Hold a public meeting; and
2. Approve the following; and

RESOLUTION OF THE CITY OF DAVIS CITY COUNCIL ADOPTING
NEGATIVE DECLARATION #4-21 AND UPDATED HOUSING ELEMENT OF
THE GENERAL PLAN FOR 2021-2029 AND TO DIRECT STAFF TO SUBMIT
THE UPDATED HOUSING ELEMENT TO THE STATE DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT FOR STATE CERTIFICATION

3. Provide staff feedback and direction on any further edits the City Council may wish to see added to the Revised Final Draft Housing Element prior to submitting to the Department of Housing and Community Development.

There were a number of edits to the Draft Housing Element after the public review period that have been incorporated into the Revised Final Draft Housing Element in response to public comment, Planning Commission and City Council comments. Analysis on comments that were received can be found in the "Summary of Comments" section of this staff report. While several of these comments resulted in edits to the Draft Housing Element, others were addressed through potential edits or responded to with explanations. Staff brought these items before the Planning Commission for review as part of their recommendation on the Revised Final Draft Housing Element. The Planning Commission recommended approval of the Revised Final Draft Housing Element but has scheduled a meeting for September 22, 2021 to have further discussion of some of the policy considerations identified in the comment section.

Staff supports the Planning Commission having further discussion on a number of these items which could be addressed in standalone policies or grouped as a recommended future amendment to the Revised Final Draft Housing Element. There are however a number of comments that staff feels the City Council may wish to consider for potential inclusion in the Revised Final Draft Housing Element prior to submission to the Department of Housing and Community Development. Staff has proposed these

specific recommendations for further edits to be included in the Revised Final Draft Housing Element in the “Staff Recommendations for Final Draft Housing Element Policy Language” section of this report. The City Council may give direction to include some or all of these recommendations. Alternatively, the City Council may wish to consider all or some of these items as a future amendment to the Final 2021-2029 Housing Element after the Planning Commission holds their September 22, 2021 meeting.

In the “Summary of Comments” section, comments 1 through 21 reflect various new policies or suggested edits to policies already included in the Revised Final Draft Housing Element. Since the Planning Commission recommended adoption of the Revised Final Draft Housing Element as written and deferral of these policy discussions to a later date, staff suggests that the City Council consider listing these changes as, “potential future policies to be considered at a future date” and include them in an informational appendix to the Housing Element. If the City Council chooses this option, it would signal to HCD that the City intends to further discuss and consider some of the additional suggestions gathered during the public comment period. Further, if chosen, staff would prepare the attachment prior to submittal to HCD. As an appendix, the policies listed in the document would not be adopted nor implemented but would be considered and deliberated on by the Planning Commission at a future date.

Staff recommends the City Council adopt the Revised Final Draft Housing Element at the August 31, 2021 meeting as proposed or with City Council supported edits to allow the document to be finalized for submission to the Department of Housing and Community Development (HCD) prior to the September 12, 2021 statutory deadline.

NOTE: References to the Draft Housing Element are referring to the document published on May 3, 2021.

References to the Final Draft Housing Element are referring to the clean document (without edits shown) published August 2, 2021.

A Revised Final Draft Housing Element has been completed containing minor edits based on feedback from the Planning Commission. The Revised Final Draft Housing Element is provided in Attachment 1 (Clean Version) and Attachment 2 (Redline version). This is the document that staff is asking that the City Council adopt.

Once adopted by the City Council, the document will be finalized as the “Final 2021-2029 Housing Element,” which will be submitted to HCD.

Fiscal Impact

Preparation of this report, the IS/ND, and the associated final Housing Element are part of the Department of Community Development and Sustainability budget. All consultant costs are covered under the existing budget allocation.

Submission of the Final 2021-2029 Housing Element to HCD prior to the September 12, 2021 statutory deadline provides fiscal benefits as it allows the City to be recognized as being in compliance with HCD requirements. This is a prerequisite for many grant opportunities that provide key funding for a number of projects and affordable housing initiatives. The City has a history of success relative to pursuing grant funding opportunities and meeting this statutory deadline will allow the City to continue to pursue grant funding opportunities where compliance with HCD statutes is a funding requirement.

Council Goal(s)

Approval of this Revised Final Draft Housing Element will promote the City Council goal to Ensure a Safe, Healthy and Equitable Community.

Staff Recommendations for Final Draft Housing Element Policy Language

As discussed in the Commission Input section of the staff report below, the Planning Commission recommended approval of the Final Draft Housing Element Draft to the City Council and that it be submitted to HCD for certification but also scheduled a meeting on September 22, 2021 for further discussion and consideration of amendments to the Housing Element. Given the number of additional policy considerations, the Planning Commission wishes to have further discussion around these items and may ultimately make a recommendation for City Council consideration of an amendment to the Final 2021-2029 Housing Element to include additional policies after further discussion. Any future amendments to the adopted Final 2021-2029 Housing Element would follow the same process in which general plan amendments are considered and then would be forwarded to HCD. Staff is supportive of the Planning Commission approach which provides for submission of the Final 2021-2029 Housing Element prior to the September 12, 2021 statutory deadline while providing an opportunity to continue housing related policy discussions raised through the public outreach process. While there are a number of items that staff feels warrant further discussion before considering including policies in the Revised Final Draft Housing Element, there are three specific items that the City Council may wish to confirm support for inclusion which are identified as follows:

Note: These items inclusive of the reference numbers are being pulled from the "Summary of Comments" section of this staff report.

Comment 1

The Housing Trust Fund Strategy [draft proposal] should be added as an appendix to the Housing Element.

Several commenters, including the Housing Element Committee and the Planning Commission, are in support of a policy wherein the City would identify and implement more robust sources of funding for affordable housing to be put into the housing trust

fund. Therefore, staff has included the (Social Services Commission) Housing Trust Fund Strategy (draft proposal,) as Appendix A to the Revised Final Draft Housing Element. Additionally, Policy/Program 2.2.1 has been amended to further enhance the program language. Staff recommends inclusion of the amended language (as shown below) and as included in the Revised Final Draft Housing Element.

2.2.1. Identify and implement one or more sources of robust permanent funding for the [City's Housing Trust Fund](#) ~~and~~, establish and prioritize uses for these funds, [and establish a procedure for administering the Housing Trust Fund. As a part of this process, consider the recommendations provided by the City's Social Services Commission, as shown in Appendix A.](#)

There were a number of comments of support for this as part of the public outreach process. Including this policy in the Revised Final Draft Housing Element provides for a process to address the ideas included in the proposal and also includes the proposal for reference purposes as an Appendix to the Revised Final Draft Housing Element document. Staff is supportive of this and recommends inclusion.

Comment 14

Please add the Social Services Commission into the participation of the affordable housing ordinance process in item 2.1.1

Staff recommends to add Social Services Commission review to the policy for clarity, staff suggests, "Social Services Commission" be added to the Responsible Agencies column.

One of the Social Services Commission's purposes is to evaluate affordable housing proposals. Staff intends to have the Social Services Commission review and make a recommendation to the City Council in the adoption of the updated affordable housing ordinance. Staff is supportive of this clarification and recommends modifying the document accordingly to provide this clarification.

Comment 15

Consider adding the following policy:

Explore putting a putting a package of housing policy initiatives on the ballot to:

1. Enact a property transfer tax that could be used, in combination with other funding sources, to support programs to address housing and homelessness through our existing Housing Trust Fund. (This would require voter approval for a tax hike and voter approval for the City of Davis to become a charter city empowered to impose such a tax.)
2. Amend the language already in Measure J/R/D that exempts from its public vote requirements projects that provide affordable housing or facilities needed for City services.

3. Extend and expand, as long and as much as possible, the legal authority under Article 34 of the State Constitution for the City to develop public housing that would otherwise expire in 2025.

Staff has formulated the commenter's concepts into the language of a policy statement. This policy would ask the populace via a ballot measure to help define the methods the City could use to put together a series of tools to assist in the development of affordable housing. The Planning Commission also recommended that the Social Services Commission Housing Trust Fund proposal draft be a, "standalone program and not incorporated into Housing Element Program Action 2.2.1." The Planning Commission also specified that they would recommend setting a deadline of June 2022 for the development of the program so that it could be on the ballot for the November 2022 Gubernatorial Election. A successful ballot measure could provide a funding source for the Housing Trust Fund. Staff believes inclusion of this policy would address some of the ideas identified in the draft Housing Trust Fund proposal for potential affordable housing funding sources.

Commission Input

The Planning Commission met on August 11, 2021, to make their recommendation for the Final Draft Housing Element. The Final Draft Housing Element contained the edits that staff, in collaboration with HCD staff and Legal Services of Northern California, prepared for final adoption. The staff report contained several suggested policy amendments that could be added to the Housing Element, but are not required to receive certification by HCD. Staff recommended that the Planning Commission, at a minimum, adopt the Final Draft Housing Element as it had been drafted and if time permitted, work through the additional suggested policy amendments. Ultimately, the Planning Commission chose to recommend adoption of the Final Draft Housing Element with a few modifications, which have been incorporated into the Revised Final Draft Housing Element (Appendices 1 and 2). They further decided to consider the additional policy edits at their September 21, 2021 regular meeting. In that way, they could ensure that the City Council could adopt the Revised Final Draft Housing Element in time to submit it to HCD and preserve the City's 8 year renewal cycle, while giving themselves adequate opportunity to debate the merits of the suggested policy amendments in an acceptable timeframe.

Aside from the specific comments and questions from the Planning Commission contained in Attachment 3, (to which staff has provided responses) there was additional discussion pertaining to a select few issues which the Planning Commission ultimately made a recommendation. Below, those issues are elaborated upon further.

Nishi Project

Discussion among members of the Planning Commission included an expression of concern that the Residential Sites Inventory includes an estimate of 105 income-

restricted units (35 for Extremely Low Income and 70 for Very Low Income households) as part of the Nishi project. The concern is that the project's affordable housing plan states that the income restricted beds would only be available to students demonstrating financial need. However, the Nishi Affordable Housing Plan goes on to say that the income restricted beds would be rented in compliance with all applicable fair housing laws. Therefore, rental to only students would be a violation of those laws. Ultimately, the Planning Commission recommended the elimination of the Nishi project affordable housing from the Residential Sites Inventory.

Based on the professional experience of staff and the consultant team, the 105 income restricted units listed under the Nishi project in the Residential Sites Inventory meet HCD's criteria for inclusion on the inventory. Furthermore, the project team has consulted with HCD and as a result included additional information in the Revised Final Draft Housing Element that demonstrates that the zoning of the Nishi project and the assumption for these future units to be built are appropriate.

The City Council certainly has the option of accepting the recommendation of the Planning Commission to remove the Nishi units from the Residential Sites Inventory. However, it is important to understand the impact of doing so, as these units represent approximately 18 percent of the City's RHNA obligation for Very Low Income units for 2021-2029. As stated in the Revised Final Draft Housing Element, there is currently not enough appropriately zoned land to build enough lower income housing to meet the City's obligation of 580 Very Low Income units, and the City would need to find and rezone enough land (23.6 acres) to build 472 units. If the City Council chooses to remove the 105 income restricted units in the Nishi project voluntarily, this would increase the City's shortfall to 577 units and obligate the City to rezone 28.9 acres by May 15, 2024.

If the City Council votes to make this change to the document, text edits reflecting this change would also be required prior to sending the Final 2021-2029 Housing Element to HCD for certification.

Housing Trust Fund

The Planning Commission also recommended that the Social Services Commission Housing Trust Fund proposal draft be a, "standalone program and not incorporated into Housing Element Program Action 2.2.1." The Planning Commission also specified that they would recommend setting a deadline of June 2022 for the development of the program so that it could be on the ballot for the November 2022 Gubernatorial Election.

It is worth mentioning that both Housing Element Programs 2.2.1 and 2.2.2 were developed as a direct result of feedback from the public, the Housing Element Committee, the Planning Commission, and the City Council. The direction was to incorporate the Housing Trust Fund proposal into the Housing Element in a way that would obligate the City to take strong action to develop, fund, and implement such a

program. Both programs 2.2.1 and 2.2.2 are solely dedicated to the concept of development of the Housing Trust Fund, and as part of the Housing Element, the City will be required to report on progress on both programs each year as part of the Annual Progress Report. Separating the Housing Trust Fund program from the Housing Element programs would actually reduce this accountability by not requiring annual reporting to the State. Having two Housing Element programs for the Housing Trust Fund would not preclude the City from implementing, strengthening, or changing the program as necessary. Staff believes, there is no reason to remove the programs from the Housing Element, as having them documented in the Housing Element would not hinder the Housing Trust Fund in any way.

Comments on Process and Approval

There were other comments expressed by some members of the Planning Commission noting concerns with the process. Some of the noted concerns included, that the Housing Element does not go far enough or is not aggressive enough to aid in developing affordable housing in Davis. Some concerns with the adequacy of the community outreach efforts were voiced. A statement that the Housing Element and General Plan should have been done before the Downtown Plan. Another comment was that the process should have started years ago, and that the City should be held accountable, even if it means potentially losing funding and being put on a four-year housing element cycle. There were also comments by some Planning Commissioners about appreciating the level of work it took for staff to bring the document forward.

The Planning Commission also inquired what would happen if the City does not approve the Housing Element by September 12, 2021. It should be noted that since the last Housing Element was approved and certified in 2013, there have been major changes to housing regulations, housing element law, and the powers of HCD. The SACOG region is only the second region to be going through the housing element update process since the approval of these new laws. The process has been exacerbated with a lack of written HCD guidance and continually changing legislative interpretations, making this a difficult question to answer, since these new powers and responsibilities of HCD have yet to be put into practice. That being said, there are two issues at hand, compliance and cycle renewal length (4 yrs. vs. 8 yrs.)

If the City does not adopt the Housing Element within 120 days after the statutory deadline (September 12, 2021), the City of Davis will be moved from an eight-year cycle to a four-year update cycle, meaning the next Housing Element would be due in 2025 instead of 2029.

On this issue of compliance, technically, the City is already out of compliance because the City has not yet adopted a Housing Element for the 6th cycle and the deadline for adoption was May 15, 2021. This means that Davis is potentially subject to the various consequences of being out of compliance (e.g., not being able to access certain sources of funding). The 120-day period after the deadline is a grace period in terms of

avoiding the requirement to update on a four-year cycle, but is not a true grace period in terms of avoiding the consequences of noncompliance. Therefore, Davis will be out of compliance until the City adopts the Housing Element.

Comments on Optional Topics in Planning Commission Staff Report

Though the Planning Commission ultimately decided to continue the discussion of most of the suggested policy amendments (i.e., not required by HCD for certification) to their upcoming September 22, 2021 meeting, there were some comments made specifically on Comments 4, 8, 9, 18, and 49 of the Planning Commission staff report.

- Specifically, the Commissioner requested that the Housing Element replace the term “strip mall” with another term like “neighborhood commercial center.” This change has been made throughout the Revised Final Draft Housing Element.
- The Planning Commission also pointed out that action would still need to be taken soon on the Affordable Housing Ordinance, which is currently operating as an interim ordinance. It is the intent of staff to redirect focus toward this effort once the Housing Element is completed, and more specific information about that effort will be available soon.
- Other comments, which will need to be revisited at the September 22, 2021 Planning Commission meeting and beyond, called for a central application system for affordable senior housing and the desire for more pre-application processes and meetings.

Final Recommendation

The Planning Commission ultimately recommended approval of the Revised Final Housing Element Draft to the City Council and that it be submitted to HCD for certification with 5 aye votes, 1 no vote, and 1 absence.

D. Robertson moved, second by S. Streeter, to recommend that the City Council approve a resolution adopting the updated Housing Element of the General Plan for 2021-2029 and directing staff to submit the updated Housing Element (HE) to the State Department of Housing and Community Development (HCD) for state certification and set a date certain for additional discussion and consideration of amendments to the HE.

M. Weiss proposed a Friendly Amendment: to recommend City Council approval of a resolution adopting the updated Housing Element of the General Plan for 2021-2029 and directing staff to submit the updated Housing Element to the State Department of Housing and Community Development (HCD) for state certification and consider some additional suggestions for potential inclusion to the HE and set a date to return and have a discussion on additional amendments. Motion Withdrawn accepted by mover.

D. Rutherford proposed a Friendly Amendment: to recommend removal of the Nishi affordable housing component from the residential site inventory. Accepted by mover and second.

D. Rutherford proposed a second Friendly Amendment: The City should develop a Housing Trust Fund program that clearly identifies the needs of the community that will be addressed, the programs that will be funded by the Housing Trust Fund (HTF), how the Housing Trust Fund will be administered, and to develop an oversight committee to ensure that the Housing Trust Fund funds are being used to meet the affordable housing needs of the community. It should be a standalone program action and not incorporated in to program action 2.2.1. In addition, the city should devise a ballot measure to procure funds for the HTF and set the deadline of June 2022 or by the deadline to submit measures for the November 2022 Gubernatorial Election. Accepted by mover and second.

D. Robertson Friendly Amendment: That staff schedule the return of further discussion and consideration of amendments to the Housing Element on September 22. Accepted by second.

M. Weiss Friendly Amendment: recommend the addition of comment 14 - add the Social Services Commission into the participation of the affordable housing ordinance process in item 2.1.1 and the Social Services Commission to the Responsible Agencies column. Not accepted by mover or second.

Motion passed by the following vote:

AYES: Robertson, Shandy, Streeter, Weiss, Essex

NOES: Rutherford

ABSENT: Rowe

Planning Commission Staff Report

Henceforth, the balance of this staff report is the same as the one presented to the Planning Commission on August 11, 2021. Any modifications made based on information received since August 11 will be marked as **bold underline** for additions and **~~bold strikethrough~~** for deletions.

Commission and Committee Input

To date, there have been four public meetings regarding the Draft Housing Element. The Housing Element Committee met on May 20, 2021 while the Planning Commission met on May 26, 2021, and again on June 9, 2021. The City Council held a public meeting on June 15, 2021. During the course of each of those meetings, the public

provided testimony on the Draft Housing Element document. In addition, the Housing Element Committee provided a list of recommendations (Shown below).

The Planning Commission met on June 9, 2021 and made the following recommendations as a commission.

1. To support the inclusion of Recommendations 1 and 2 from the Housing Element Commission list of recommendations (To include the Social Services Housing Trust Fund document as an appendix to the Housing Element and to establish a Housing Trust Fund program and an Oversight Committee.)
2. To recommend stronger language for Policy 1.4.1 to put additional pressure on UCD to provide on campus housing. The Planning Commission did not suggest any specific language.

The 10 recommendations for the Housing Element Committee are as follows;

Recommendation 1

That the Housing Trust Fund draft [proposal] that was presented at the last meeting and voted on unanimously by the Social Services Commission be added as an appendix to the Housing Element.

Recommendation 2

The City should develop a Housing Trust Fund program that clearly identifies the needs of the community that will be addressed, the programs that will be funded by the Housing Trust Fund, how the Housing Trust Fund will be administered, and to develop an oversight committee to ensure that the Housing Trust Fund funds are being used to meet the affordable housing needs of the community.

Recommendation 3

Regarding Policy 4.1, explore removing R-1 (Single Family) zoning from the Zoning Ordinance to allow for more flexibility to develop more dense housing and multifamily housing throughout the city.

Recommendation 4

Explore removing parking requirements from residential development within the city.

Recommendation 5

To have the City of Davis ensure the accuracy of ADU affordability levels reported in the 6th cycle Housing Element by examining the current market rents for reasonably comparable rental properties to determine the average price per square foot in the City of Davis.

As a Committee, the Housing Element Committee wants to communicate to the City Council that they are not necessarily happy with the SACOG ADU affordability study as it pertains to the affordability of ADUs in Davis. They request that as soon as it is practicable that the City carry out a survey to determine if there is better ADU affordability data available.

Recommendation 6

Recommend that the City repeal the 1% growth rate cap.

Recommendation 7

Explore rezoning strip malls from commercial property to mixed use property in this upcoming housing element to allow housing.

Recommendation 8

Explore including a by-right approval process for housing projects which meet the current affordable housing ordinance as is and current zoning standards at the time of application.

Recommendation 9

Consider placing a measure on the ballot that would exempt the Wildhorse Ranch and the Mace under the Curve properties from the requirement of having to subsequently be approved by a Measure D vote.

Recommendation 10

The Housing Element Committee supports a higher target for the projected number of housing units that we as a community want to provide in the next housing cycle, and we should use the 2,075 [RHNA] as a floor rather than an aspirational ceiling or target.

Consistent themes generated from the received public comments are expanded upon further in the Summary of Comments section of this staff report.

Background

The Housing Element Committee was a specially appointed committee, created by the City Council, and charged with the responsibility to review the existing Housing Element and other related documents, background information, and receive public input. The Committee also provided comments and feedback to City staff and the project consultants on the draft 2021-2029 Housing Element with the goal of creating a document which is responsive to community goals and aspirations. The Housing Element Committee was also charged with providing information about the project to others within and interested in the community, provide status updates to the City Commission they serve on, and to encourage others to participate in the process. At their final meeting, the Housing Element Committee made several recommendations to the Planning Commission and City Council (see list above.)

The City of Davis Department of Community Development and Sustainability released the Draft 2021-2029 Housing Element for public review to both the California Department of Housing and Community Development (HCD) and interested members of the public on May 3, 2021. The City asked all interested parties to provide comments on the draft document to assist the City in completing its effort to develop a housing policy framework for the next eight years.

The public review period for the Draft Housing Element 2021-2029 ran for a period of 60 days from May 3 to July 1, 2021. The City held a total of four public workshops by the conclusion of the expiration period to collect public comments on the draft document. These meetings included those held by the Housing Element Committee, Planning Commission, and City Council. The purpose of these workshops was to give members of the public the opportunity to provide oral public comments. The workshops were held at the following dates and times:

- Housing Element Committee: Thursday, May 20 at 6:00 pm
- Planning Commission: Wednesday, May 26, 2021 at 7:00 pm
- Planning Commission: Wednesday, June 9, 2021 at 7:00 pm
- City Council: Tuesday, June 15, 2021 at 6:30 pm

The City has also accepted written comments.

The Draft Housing Element was submitted to the State Department of Housing and Community Development (HCD) on May 3, 2021. HCD sent its comments to the City on July 1, 2021. Since that time, City staff and its consultant team have been reviewing the comments and making the changes as necessary in order to ensure that the Final Draft Housing Element can ultimately be adopted by the City Council and certified by HCD.

Upon City Council adoption, the Housing Element will be sent to HCD for certification, after which the certification process will be complete. However, the Housing Element can be amended as appropriate up to four times per year, since it is part of the General Plan. Each year, the City is required to assess its progress toward meeting the goals and implementing the programs contained within the Housing Element through the Annual Progress Report (APR) process, which is submitted to HCD and the Governor's Office of Planning Review. Following approval of the Housing Element by HCD, the City will proceed with the programs and necessary actions as defined in the certified document.

The purpose of the General Plan is to guide land use planning decisions. In essence, the General Plan is a "constitution for development," the foundation upon which all land use decisions in a City or county are to be based. It expresses community development goals and embodies public policy relative to the distribution of future land use, both public and private. The General Plan contains seven required elements, one of which is Housing. The term "element" refers to the topics that California law requires to be

covered in a General Plan (Gov. Code § 65302). The Housing Element implements the declaration of State law that, “the availability of housing is a matter of vital Statewide importance and the attainment of decent housing and a suitable living environment for all Californians is a priority of the highest order” (Gov. § Code 65580). Provisions in the Housing Element are more specific and directive than other elements, and contain detailed guidance and reviews. The law also provides the Department of Housing and Community Development (HCD) with unique authority over the Housing Element.

Housing Element updates must be consistent with other General Plan elements, including the land use element and diagrams. Integrating considerations of General Plan goals and policies through the Housing Element and each update may improve efficiency by ensuring consistency. Additionally, incorporating a holistic view of the document will allow the Housing Element to compliment other elements in addressing challenges such as climate change mitigation and adaptation, and working towards other local goals.

Local governments have the responsibility to adopt programs that implement the policies, goals and objectives of the Housing Element through their vested powers, particularly over land use and development controls, regulatory concessions and incentives, and the utilization of financial resources. Programs are the specific action steps the locality will take to implement its policies and achieve its goals and objectives. Programs must include a specific period for implementation to have a beneficial impact toward the goals and objectives during the planning period. Programs must also identify the agencies or officials responsible for implementation. Effective program descriptions also include immediate, short-term and long-term action steps, proposed measurable outcomes, objectives or performance measures, and specific funding sources, where appropriate (Gov. Code §65583(c)).

There are several terms used when developing a General Plan. They are as follows:

Development Policy	a General Plan Statement that guides action, including goals and objectives, principles, policies, standards, and plan proposals
Diagram	a graphic expression of a General Plan’s development policies, particularly its plan proposals, which must be consistent with the General Plan text (Gov Code § 65300.5)
Goal	a general expression of community values and direction, expressed as ends (not actions)
Objective	a specified end, condition, or State that is a measurable intermediate step toward attaining a goal.

Policy	a specific Statement that guides decision-making and helps implement a General Plan’s vision
Standards	A rule or measure establishing a level of quality or quantity that must be complied with or satisfied
Implementation Measure	an action, procedure, program, or technique that carries out General Plan policy. Each policy should have at least one corresponding implementation measure.

It is worth noting that the Housing Element is not an ordinance. It does not set any development standards and it does not rezone any properties mentioned within it. Instead, as a part of the General Plan, the Housing Element is a policy document. It sets the framework for what the City sets out to accomplish during the life cycle of the Housing Element. For example, one of the requirements of the Housing Element is to identify a list of properties that could conceivably be developed with housing between 2021 and 2029 to meet the City’s share of the Regional Housing Needs Allocation (RHNA). It does not ensure the units will be built, however. The RHNA is set through a State-mandated process by the Sacramento Area Council of Governments (SACOG) to ensure that cities and counties are planning for the development of enough housing to accommodate all economic segments of the community. The City of Davis does not determine the RHNA numbers, rather, the numbers are developed by the State of California and assigned to individual jurisdictions through SACOG. The list of available properties is referred to as the Residential Sites Inventory. Some listed properties are already zoned appropriately for housing while others would require a rezone. The City does not currently contain enough vacant land appropriately zoned for the development of the housing necessary to meet the City’s estimated housing needs for the period between 2021 and 2029. In order to address this issue, the Housing Element includes a program that requires the City to rezone enough land to meet this need within three years of the adoption of the Housing Element (by 2024.) Inclusion on this list does not necessarily mean that an identified property will be rezoned or developed. Properties contained on this list may change as properties are developed with other land uses or become no longer appropriate for housing development, or as other properties not listed are developed with or zoned for housing. Progress on the rezone efforts will be monitored through the City’s Annual Progress Reports which must be sent to the State of California each year.

The intent of soliciting comments from the public is to get a general sense from the community of common themes across comments and to ensure that the Housing Element reflects the community’s overall concerns. The State Department of Housing and Community Development (HCD) has also reviewed the Draft Housing Element to ensure that the draft document includes all of the regulatory requirements of State law.

All changes required by HCD and State requirements have been incorporated into the Final Housing Element and are shown in tracked changes. Those changes may differ from some of the sentiments and opinions expressed in some of the public comments.

As noted above, the public comment period closed on July 1, 2021. Copies of the actual public comments and questions have been posted to the City's Housing Element Update webpage. The public comments have been summarized and addressed as part of this staff report to be used in consideration of additional amendments to the Final Draft Housing Element. Not all comments will be incorporated into the Final Draft Housing Element.

Summary of Comments

There are a number of common-themed comments and/or questions that have been made by various members of the public, the Housing Element Committee members, the Planning Commission, and the City Council. Some suggestions have not been included in the Final Draft Housing Element and some suggestions have already been listed as recommended policies in the Final Draft Housing Element. The decision makers may determine what additional suggestions they feel should be included or removed from the final version.

Each summarized comment has been assigned a number. The assigned comment number and the comment itself is shown bolded. If a new policy is suggested, Staff has provided recommended language that the decision makers can use to determine whether or not to include said language should be included in the Final Draft Housing Element. If the comment addresses a potential correction to the document, staff will address whether the correction is necessary or not. Staff recommends that the decision makers review each suggestion and determine if the additional language is warranted for inclusion.

Analysis

Housing Trust Fund

Comment 1

The Housing Trust Fund Strategy [draft proposal] should be added as an appendix to the Housing Element.

Several commenters, including the Housing Element Committee and the Planning Commission, are in support of a policy wherein the City would identify and implement more robust sources of funding for affordable housing to be put into the housing trust fund. Therefore, staff has included the (Social Services Commission) Housing Trust Fund Strategy (draft proposal,) as Appendix A to the Final Draft Housing Element. Additionally, Policy/Program 2.2.1 has been amended to further enhance the program

language. Staff is recommending inclusion of the amended language (as shown below) and as included in the Final Draft Housing Element.

2.2.1. Identify and implement one or more sources of robust permanent funding for the [City's Housing Trust Fund](#) ~~and~~, establish and prioritize uses for these funds, [and establish a procedure for administering the Housing Trust Fund. As a part of this process, consider the recommendations provided by the City's Social Services Commission, as shown in Appendix A.](#)

There were suggested revenue sources within the public comments. One was the use of resale inspection fees. These fees are currently structured to pay for the cost of performing the service and go into the Building Fund. There is no surplus associated with this revenue source and no other purpose was identified for the monies at the time it was created.

Commenters also suggested that the City create a funding source for down payment assistance. This concept could be included in the Housing Trust Fund Strategy. Therefore, staff has not included it specifically within any policy or program.

Comment 2

The City should develop a Housing Trust Fund program that clearly identifies the needs of the community that will be addressed, the programs that will be funded by the Housing Trust Fund, how the Housing Trust Fund will be administered, and to develop an oversight committee to ensure that the Housing Trust Fund funds are being used to meet the affordable housing needs of the community.

Comment 2 is in essence, part 2 to comment 1. Therefore, as described under Comment 1, Policy 2.2.1. has been amended to address this comment. The details of the recommendation were left out of the recommended policy language to give the City Council maximum flexibility when establishing how the Housing Trust Fund will be administered.

Comment 3

The City and county are currently working to review and revamp the affordable ownership program to improve the waitlist process and ensure equity? Can this be added to the HTF set of priorities? If added to the Housing Element, how is the HTF document amended before adoption?

The decision makers can declare that the priorities in the Housing Trust Fund shall be amended to reflect the request, by a separate motion and vote, prior to adoption of the Housing Element. Once the Housing Element is adopted, the only way the draft HTF document can be amended is through the same public hearing process used for a general plan amendment.

Comment 4

Please provide assistance for homes that might need fixing up including assistance to those who purchase a house needing repairs.

If the decision makers wish to add the exploration of such a program, staff recommends adding the program to the Housing Trust Fund, as shown in Appendix A of the Final Draft Housing Element.

Additional Policy Considerations

Comment 5

Consider adding the following policy:

Explore removing R-1 (Single Family) zoning from the Zoning Ordinance to allow for more flexibility to develop more dense housing and multifamily housing throughout the city.

There are a number of commenters on both sides of this recommendation, including the Housing Element Committee. There are factors that decision makers should consider in deciding whether to keep this policy and put it in the Final Draft Housing Element.

1. The State of California has already passed mandatory legislation requiring cities to approve certain accessory dwelling units by right. Therefore, a homeowner can already have up to two accessory units (an ADU and JADU) on their property, effectively making the single family dwelling a 3 unit dwelling. Of course, certain criteria must be met. Nevertheless, it is already possible.
2. Single family residential can be built at many densities. The City of Davis smallest lot size allowed under the zoning ordinance is 6000 square feet. After removing the necessary land for road improvements, etc., 1 acre of land can yield somewhere between 3 and 4 units per acre of single detached housing with 6000 square foot lots. The larger the individual lots, the less yield there is. In other cities (and under some Planned Developments in Davis) where smaller lots have been permitted for detached housing, the yield can be increased to about 7 to 9 dwelling units per acre. So, if the general plan were amended to allow greater densities, the yields could be increased.
3. There is not a great deal of available land to subdivide to achieve high densities. Therefore, the net effect would be limited.
4. The city's existing General Plan Land Use categories go up as high as 70 dwelling units per acre. At the existing permitted densities, density is already maximized.
5. This item may be appropriate to explore as part of the General Plan update rather than as an implementation measure in the Housing Element. If supported during the General Plan update process, the Housing Element could be amended accordingly with adoption of an updated General Plan.

Comment 6

Consider adding the following policy:

Explore removing parking requirements from residential development within the city.

Like Comment 3, there are a number of commenters on both sides of this recommendation, including the Housing Element Committee. It is a well demonstrated fact that the addition of free parking does add to the cost of housing. The question of how much parking is “necessary” has been a part of the planning process for decades. The answer to the question of what is necessary is exacerbated by the requirements of every city being different from one another.

The City of Davis has begun an effort to move in the direction of not having a parking standard by not including one in its draft Downtown Specific Plan. Not requiring a parking standard means that the decision makers would leave the decision to include parking up to the developer but not allowing parking beyond a specified maximum. Of course, parking remains an issue for those with mobility issues. It may be best to determine if an amendment to the parking standards is appropriate after implementation of the Draft Downtown Specific Plan where it can be used as a test case.

Comment 7

Consider adding the following policy:

The City should consider a permanent repeal of the 1% growth cap ordinance.

Chapter 18.01 of the Davis Municipal Code, is often referred to as the 1% growth cap ordinance. The ordinance language is designed to permit measured growth of single family residential development (that does not include affordable units.) Policy 7.1.2 in the 2013-2021 Housing Element reads as follows:

Process applications for the highest ranked sites with the highest development potential for housing to meet local housing needs and remain under the City’s 1% Growth Resolution, including development agreements that include adequate citizens’ participation and City Council oversight in the planning implementation of the allocation processes.

Since adoption of the last housing element, the State has approved SB 330, which prohibits certain limits on the number of building permits that a jurisdiction will issue. SB 330 expires in 2025. At that time, the City will have to decide whether or not to keep Chapter 18.01 in the Davis Municipal Code. Additional discussion on this policy can be found beginning on page ~~230~~223 of the **Revised Final** Draft Housing Element. Proposed policy 4.4.1. includes the language for the 2021-2029 ~~Draft~~ Housing Element and reads as follows;

4.4.1. Prohibit enforcement of the City’s one percent growth policy until at least January 1, 2025, consistent with SB 330, which prohibits certain limits on the number of building permits that a jurisdiction will issue (see the Constraints to

Housing Production chapter for more information). Evaluate repealing the policy on a more permanent basis.

Therefore, the comment has been addressed. It should be noted that the Housing Element Committee supported this policy as well as some additional commenters. There are, however, many others who do not support repealing the law.

Comment 8

Consider adding the following policy:

Consider rezoning strip malls from a commercial designation to a mixed use designation.

This concept was recommended by the Housing Element Committee.

One of the primary functions of the Housing Element as required by State law, is to evaluate how many available sites there are in the City where affordable housing can be built and compare that the number to the RHNA numbers assigned by SACOG. If there is a shortfall, the City must rezone enough sites to meet its obligation. Policy 1.1.2. commits the City to rezone enough sites to meet the anticipated shortfall. Presently, the draft policy 1.1.2. reads as follows:

1.1.2. Rezone enough sites at least 23.6 acres to address the City's City's shortfall of 323472 lower-income RHNA units, plus a buffer of at least an additional 140 lower-income units, by May 15, 2024. Rezoned sites will permit owner-occupied and rental multifamily uses by right pursuant to Government Code section 65583.2(i) for developments in which 20 percent or more of the units are affordable to lower income households, and at least 50 percent of the lower-income RHNA shortfall will be accommodated on parcels designated exclusively for residential uses. Rezoned sites must allow for densities of at least 30 dwelling units per acre, with a minimum density of 20 dwelling units per acre, and have existing or planned water, sewer, and dry utilities.

Commercially designated sites could be added as a descriptor to the policy as drafted. Therefore, the draft policy could read like this:

*1.1.2. Rezone enough sites at least 23.6 acres to address the City's City's shortfall of 323472 lower-income RHNA units, plus a buffer of at least an additional 140 lower-income units, by May 15, 2024. **Special consideration should be given to the re-designation of commercially zoned sites to Mixed Use where the commercial facilities are typically constructed in a row of single story buildings with a large parking lot in front.** Rezoned sites will permit owner-occupied and rental multifamily uses by right pursuant to Government Code section 65583.2(i) for developments in which 20 percent or more of the units are affordable to lower income households, and at least 50 percent of the lower-income RHNA shortfall will be accommodated on parcels designated exclusively*

for residential uses. Rezoned sites must allow for densities of at least 30 dwelling units per acre, with a minimum density of 20 dwelling units per acre, [and have existing or planned water, sewer, and dry utilities.](#)

Comment 9

Consider adding the following policy:

Explore including a by-right approval process for housing projects which meet the affordable housing ordinance and zoning standards in effect at the time of application.

At this time, if a property is zoned R-3 or R-HD, it is likely that a project on the site would only need Architectural and Site Plan review (sometimes called design review.) If that is the case, design review can be performed by staff and is the closest process to by right in the city. The issues before the director would be limited to design (site layout, parking, landscaping, architecture etc.) However, most sites are zoned under a Planned Development and require approval of a Final Planned development along with the design review. Those entitlements require Planning Commission approval.

It should be noted that there is some disagreement on whether this policy should include the ability for projects to use in lieu fees or site dedication to meet the affordability requirement. Other commenters would prefer that this only apply to projects that provide on-site inclusionary housing. Those specifics could be examined at the time the entire issue is examined or could be included in the policy statement.

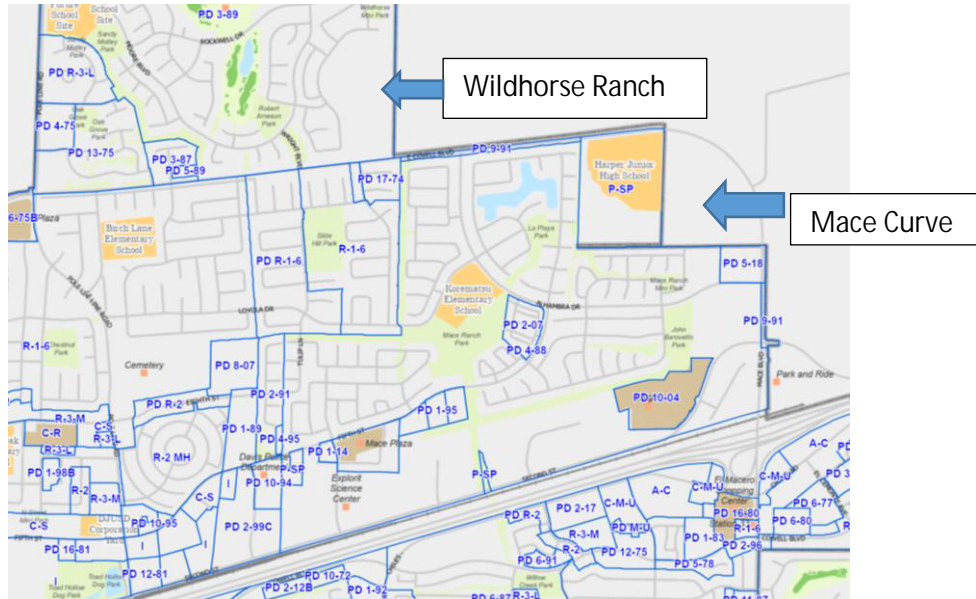
It should also be noted that the Affordable Housing Ordinance must also be updated as it is set to expire in November 2021. If it is determined that this policy should be included in the housing element, staff recommends that the time frame for completion would follow the update to the Affordable Housing Ordinance.

Comment 10

Consider adding the following policy:

Consider placing a measure on the ballot that would exempt the Wildhorse Ranch property and the Mace Curve property from the requirement of having to subsequently be approved by a Measure D vote.

The Housing Element Committee recommended this policy. Their intent is to remove one obstacle to developing housing because the City needs more land to develop a meaningful amount of housing. The Wildhorse Ranch property is within the City limits, but because it is zoned Agriculture, a vote by the electorate on the project approval is required prior to development. The Mace Curve property is under Yolo County jurisdiction. Therefore, prior to annexation any proposed project on the property would also be subject to a measure J/R/D vote by the electorate.



Comment 11

Consider adding the following policy-

Safe, Healthy Living. Promote housing designs and environments that improve safety and health of residents. Provide for restful sleep by establishing noise limits. Provide for toxin free clean air by phasing out all forms of residential smoke and avoiding unnecessary airborne dust. Design housing to discourage crime, for example locate outdoor bicycle parking in visible locations to discourage theft.

This policy was suggested by one commenter. It should be noted that the City already has a noise ordinance that addresses permitted noise levels. Bicycle parking is subject to the standards in the Bicycle parking standards contained in the Zoning Ordinance, chapter 40.25A. The City does not have a law to provide for toxin free clean air nor any realistic ability to phase out all forms of residential smoke and unnecessary airborne dust.

Comment 12

The commenter suggests a policy to allow tiny houses.

Many cities throughout the country are using the tiny house concept to build affordable housing. Frequently, the housing is operated as transitional, and can be a more affordable method for providing housing by using small housing footprints and often irregular “leftover” lots. If the decision makers decide to include this concept as a policy, staff recommends the following language,

Explore the inclusion of an appropriate general plan land use designation and zone to allow for the construction and operation of a tiny house project.

Comment 13

Consider adding the following goals:

- Residential project will be given priority over non-residential projects.
- Housing affordable to Lower income households will be given first priority.
- Allow flexible parking regulations for housing development, especially in the Downtown Core, including the possibility of flexible use of City parking facilities by downtown residents, where appropriate and reduced or no parking requirements where appropriate guarantees limit occupancies to persons without motor vehicles.

Staff has provided the suggested language as written by the commenter. It is assumed that by priority, it means processing and construction priority. While this can seem like a worthwhile endeavor, the nature of how projects are processed does not lend itself to this prioritization. For example, suppose a project with low income housing is submitted for entitlement approval at the same time as a non-residential project. And for discussion purposes, assume both projects need the same entitlements. If the developer of the low income project is not responsive, as sometimes happens, then should the developer of the non-residential project be held up? And if the non-residential project moves forward when the low income project finally responds, should the non-residential project be stopped while the affordable housing project is processed? These goals are extremely difficult to implement and not recommended.

The use of flexible parking standards is already included in the Downtown Davis Specific Plan and could be considered as part of the future General Plan update.

Comment 14

Please add the Social Services Commission into the participation of the affordable housing ordinance process in item 2.1.1

One of the Social Services Commission's purposes is to evaluate affordable housing proposals. ~~Therefore, their participation~~The Social Services Commission will review and make a recommendation to the City Council in the adoption of the updated affordable housing ordinance ~~is expected~~. If the decision makers wish to add their review to the policy for clarity, staff suggests, "Social Services Commission" be added to the Responsible Agencies column.

Comment 15

Consider adding the following policy:

Explore putting a putting a package of housing policy initiatives on the ballot to:

2. Enact a property transfer tax that could be used, in combination with other funding sources, to support programs to address

housing and homelessness through our existing Housing Trust Fund. (This would require voter approval for a tax hike and voter approval for the City of Davis to become a charter city empowered to impose such a tax.)

2. Amend the language already in Measure J/R/D that exempts from its public vote requirements projects that provide affordable housing or facilities needed for City services.
3. Extend and expand, as long and as much as possible, the legal authority under Article 34 of the State Constitution for the City to develop public housing that would otherwise expire in 2025.
4. Amend Measure J/R/D to modify the existing exceptions to create meaningful opportunities to meet our needs for affordable housing and to provide other City facilities that benefit our residents.

Staff has formulated the commenter's concepts into the language of a policy statement. This policy would ask the populace via a ballot measure to help define the methods the City could use to put together a series of tools to assist in the development of affordable housing. If this item was to go forward, staff would recommend deleting the fourth point as it is captured in point number two.

Comment 16

Consider adding the following policy:

Start discussions with the Davis Joint Unified School District about the creation of housing on their surplus school property and explore what steps are required to facilitate such an approach, understand the implications of such a land use change for school neighbors and avoid conflicts with any long term school district plans.

Having a detailed discussion with DJUSD decision makers could reveal ideas related to identification of and potential uses of surplus property.

Comment 17

Consider adding the following policy:

Explore the use of federal, state or local housing funds to incentivize the construction of new ADUs that are affordable to low income persons.

The City has received State funding for the preparation of "off the shelf" plans for an ADU. This policy could lead to a method to use those plans for providing affordable housing (via a restriction). The intent of the ADU grant was to provide readily available, low-cost plans for ADU construction. If the City were

to offer further incentives, a property owner may be willing to accept a deed restriction that the ADU be rented at specified affordable rates. This could be a program for exploration. A funding source would need to be identified for the potential financial incentives.

Comment 18

Senior Citizen Commission encourages the city to consider the need for more affordable senior housing and to develop and implement a city sponsored centralized application processing program to improve access to affordable housing for seniors. Also, they recommend consideration for the needs for special services (such as a social service coordinator.)

The need for more senior citizen housing is addressed under comment 41. Currently, there is no centralized location where a low income senior citizen can make one application for all available affordable housing. Therefore, seniors must apply at each affordable housing location. The Senior Services Commission believes a centralized application process would make it easier for seniors to obtain affordable housing. If the decision makers wish to add a program to implement this concept, staff recommends the following language;

Explore the possibility of starting a City sponsored, centralized application processing program for Seniors to apply one time for all available affordable housing.

Suggested Policy Amendments

Comment 19

Please ensure the accuracy of ADU affordability levels reported in the 6th cycle Housing Element by examining the current market rents for reasonably comparable rental properties to determine the average price per square foot in the City of Davis.

As the Housing Element Committee, we want to communicate to City Council that we are not necessarily happy with the SACOG ADU affordability as it pertains to the affordability of ADUs and request that as soon as its practicable that the City carry out a survey to determine if there is better ADU affordability data available.

Staff has re-reviewed the affordability criteria used in the SACOG study and adjusted the rents to more accurately reflect the higher Davis rents. In light of that change, program 1.5.2. has been amended to read as follows,

[1.5.2. Conduct a survey every two years to collect information on the use and affordability of new accessory dwelling units. Halfway through the projection period \(2025\) if determined these units are not meeting a lower-income housing need, the City shall ensure other housing sites are available to accommodate the unmet portion of the lower-income RHNA.](#)

By implementing this program, the City will ensure that the ADUs are meeting the affordability criteria. If it is found that the ADU rents are not affordable, then the City will commit to meeting the unmet need by rezoning other sites. Pages ~~207-208~~184-185 in the **Revised** Final Draft Housing Element provide further explanation on this issue.

Comment 20

Based upon the most recent point in time homeless count of 190 individuals and existing shelter capacity for approximately 45 individuals, a need for at least 145 shelter beds remains. Based upon the city's limitation of 35 beds in shelters that are permitted by right, it is estimated that four sites would be necessary to accommodate the city's remaining need for 145 emergency shelter beds.

Policy 2.7.7 has been revised to clarify the need for additional emergency shelter sites.

2.7.7. ~~Revise~~To ensure the City can meet the remaining need for emergency shelter, ~~revise~~ the Zoning Code to allow emergency shelters by right in an additional zone or zones. As a part of this process, review and revise the 35-bed limit on emergency shelters that can be approved without a conditional use permit as needed to ensure ~~the~~ City can meet the remaining need for emergency shelter that the City's emergency shelter need can be met. Zones that are amended to allow emergency shelters by right will include sites with adequate parcel sizes, redevelopment or reuse opportunities, proximity to services, and appropriate development standards to enable the development of sufficient emergency shelter space to meet the remaining need.

Comment 21

Zoning policies should be clarified that Emergency Shelters are allowed by right in any Planned Development zoning designation so long as the underlying General Plan designation is Industrial or Business Park.

Program Action 2.7.7. is stated in Comment 19 (shown above.)

Staff recommends that if the decision makers decide to include this clarification, the policy should be re-drafted as follows;

*2.7.7. ~~Revise~~To ensure the City can meet the remaining need for emergency shelter, ~~revise~~ the Zoning Code to allow emergency shelters by right in an additional zone or zones. **Clarification shall be added to allow emergency shelters not only in any zone chosen by the City, but in its corresponding Planned Development zones as well.** As a part of this process, review and revise the 35-bed limit on emergency shelters that can be approved without a conditional use permit as needed to ensure ~~the~~ City can meet the remaining need for emergency shelter that the City's emergency shelter need can be met. Zones that are amended to allow emergency shelters by right will include sites with adequate parcel sizes, redevelopment or reuse opportunities, proximity to services, and appropriate development standards to enable the development of sufficient emergency shelter space to meet the remaining need.*

Regional Housing Needs Allocation

Comment 22

The Housing Element Committee supports a higher target for the projected number of housing units that the community should provide in the next housing cycle, and the 2,075 [RHNA] would act as a floor rather than an aspirational ceiling or target. This recommendation is not asking for a change to housing element, but rather to convey the Housing Element Committee's support for more housing than the current RHNA requires of the City. The committee feels that going forward, the City needs to target more land to provide more housing units in the city.

There were supporters and dissenters regarding this suggestion. Dissenters suggested that the City should push back on RHNA numbers, like other cities have done. Staff believes that after reviewing the methodology for the region, there is not a compelling argument to push back on the assigned numbers for this cycle. SACOG assigned the RHNA numbers almost a year ago and they have been accepted by HCD. It would be difficult, if not impossible, to obtain a reprieve on that front.

There is further explanation on how RHNA numbers are determined and assigned on page 191468 of the **Revised** Final Draft Housing Element.

Comment 23

The city should focus on its need for workforce and family housing. No more 4 and 5 bedroom units should be permitted. But when they are, how does the city get RHNA credit for these large units.

How is the city receiving credit for the by the bed methodology?

Why use by the bed if it doesn't meet the federal definition of affordable housing?

Do we have any indication of what other university towns are doing in their efforts to align university growth pressures and RHNA numbers.

In response to direction from HCD, the methodology for calculating RHNA credit for by-the-bed rental projects is contained in Appendix C of the Final Draft Housing Element. By including it in the Housing Element, HCD has confirmed that it is accepting the methodology. Certification of the Housing Element will document that acceptance. Furthermore, policy program 2.8.1 will implement the program. It reads as follows:

2.8.1. Calculate the City's RHNA credit for by-the-bed rental developments in accordance with the methodology that the City of Davis has submitted to HCD for conversion of affordable bed rentals into affordable RHNA credit. This methodology is detailed in Appendix C of this Housing Element document.

By-the-bed rentals do not meet the federal definition of a housing unit, but they are located in apartment units that do meet the standard, with separate bathroom facilities and a separate entrance from other units. The methodology for RHNA credit for these bed rentals acknowledges that each bed is not, and should be, counted as a separate unit for RHNA purposes, but it establishes an equivalency.

In a meeting with City staff in December 2020, HCD staff confirmed that HCD would not accept any alternative methodology for calculating RHNA credit for larger format (i.e., 4 or 5+ bedroom) apartments.

Staff did review the general plans for three other university towns, San Luis Obispo, Merced, and Chico. These towns were chosen because, like Davis, they are stand-alone communities that are not part of a larger metro area. Each general plan expressed a concern for the growing student population and a lack of on campus housing. Each general plan also expressed a desire to continue to work with the university to address the housing needs.

Comment 24

At the end of 2020, the city had a remaining RHNA of 110 very low income units and 14 low income units and had exceeded its obligation for moderate and above moderate. Is this still an accurate accounting?

The end of the 5th Housing Element accounting was in June, 2021. No additional building permits were issued for low or very low income properties so the numbers remain accurate.

Comment 25

Is there a consideration in the numbers (shown on pages 57-59) of what will be happening at the university and what is stated in the LRDP?

The figures shown on pages 57 – 59 of the Draft Housing Element (pages ~~63-65~~62-64 of the **Revised** Final Draft Housing Element) come from the Sacramento Area Council of Governments. Considering that the data they use often comes from the State, it is unlikely that it is reflective of what is happening at the university and what is stated in the LRDP. Furthermore, the projections are informational. In any case, the city must meet its RHNA obligations regardless of what the university does.

Comment 26

The projects in Table 56 seem to be credited to previous RHNA numbers and the RHNA numbers we are discussing in this Housing Element. How is credit given for planning for and constructing affordable units?

The manner in which RHNA numbers are used can be confusing to those who are not a part of the regular planning effort. In its most simplified version, it works as follows:

1. The State of California gives the local Council of Governments (SACOG) a total amount of housing units which must be planned for within the General Plans of the jurisdictions making up the Council of Governments.
2. SACOG develops a methodology for dividing up the number of housing units among the jurisdictions. The methodology meets the criteria of the State. The assigned numbers are called Regional Housing Needs Allocation (RHNA.)
3. The City adopts its Housing Element which shows where it has available sites, already zoned, where housing can be built. If it does not have enough sites, it must rezone sites to meet its RHNA allocation. The city's obligation is to provide enough sites already zoned that can provide the number of units listed in the RHNA.
4. Every year, the city reports to the State Department of Housing and Community Development how many units of housing were built. Some housing will be built on sites previously zoned and included in the housing element and some will be entirely new sites not previously considered. Once a project is issued building permits, it is no longer an eligible site in the housing element. In other words, a unit is "counted" for RHNA purposes at the time of issuance of the building permit. Alternatively, if a site is zoned for housing, but the housing is not built within the timeframe of the housing element, the city may continue to count that site to meet its available sites inventory.

Comment 27

The methodology appearing in Appendix B (of the Draft Housing Element) is overly complicated, making it difficult and time consuming to calculate an equivalency of the number of beds in a "Megadorm" to conventional multi-family apartments. A far simpler formula would be much easier to apply. For example, "Megadorm" units comprised of one or two beds could equal one conventional unit. Units with three beds could equal 1.5 conventional units, "Megadorm" units comprised of 4 beds could equal 2 conventional units, and those with five beds could equal 2.5 conventional apartments.

City staff considered various approaches to this methodology. The various approaches were discussed with SACOG staff, and the staff of HCD on how best to address developing this formula. This is the formula that HCD has accepted. Staff, if directed, can work with HCD to refine it in future documents.

Candidate Rezone Sites

Comment 28

There are other sites to consider for housing, such as the Shriner's Property or the Signature Property. Why aren't those included?

Both the Shriner's property and the Signature property are located within the jurisdiction of Yolo County. Properties outside the city limits cannot be counted as available sites

toward the city's housing requirements unless they have been pre-zoned by the City. The chapter titled *Residential Site Inventory and Local Resources* gives an explanation as to why certain properties were considered and others not. Appendix B of the Final Draft Housing Element includes two maps that show the optional properties to include in the short term and long term rezone strategies. It is possible that the concept of adding additional sites outside of the city limits will be considered during the overall general plan update.

Comment 29

Why are candidate rezone sites not better distributed throughout the city?

House Sacramento recommends a 25% buffer of sites at all income categories.

Lots are being considered for rezoning to accommodate affordable housing but there is no plan or deadline to ensure that those same lots are developed for affordable housing. The plan should only include parcels whose owners have expressed real interest in investing in affordable housing and create an incentive plan to reward those land owners who proceed to build.

How will the shortfall be resolved and if not resolved, what are the consequences.

Rezoning does not imply the units will actually be built.

As stated earlier in this report, the city's assigned RHNA numbers come from the State of California via a SACOG distribution process. This cycle, SACOG assigned to the City of Davis, 2075 housing units. When the city prepares the Housing Element Update to address the new RHNA assignment, it must show where the available residential properties are located. If there are not enough available sites, the city must identify and rezone more sites within 3 years of adoption of the Housing Element. The sites identified to date are the candidate rezone sites to meet the shortfall.

This cycle, the State of California has made the selection of sites more stringent. All sites must be viable and "ready for development" meaning that if a city reports the inclusion of a site on its inventory, it must also show the reasonable likelihood of development. The sites selected, in the opinion of staff, have the most likelihood of development. If for some reason an adequate number of sites is not rezoned, then the city will be out of compliance with its General Plan, putting in jeopardy the ability to apply for grant funding and possibility the approval of other projects in the city.

It is true that simply rezoning a site does not mean units will actually be built. That is the reason why the city has an entire element designed to include policies that will further the production of housing. However, the City is not in the business of constructing housing. Therefore, it must rely on private developers to meet all of the requirements laid out by the city. And if the requirements are too burdensome, the affordable housing will not be built.

Comment 30

How are the 1000 units in the Downtown Specific Plan used in the RHNA calculations?

Why are Hibbert Lumber, Wild Horse Ranch and seldom used parks/open space not included in the candidate rezone sites?

Since the potential units included in the Downtown Specific plan are not permitted today (because adoption of the plan has not yet occurred) the potential for the units is counted as part of the Rezone Strategy. The potential units in the Draft Downtown Specific Plan cannot be counted toward the city's RHNA requirement until they are properly zoned. The Hibbert Lumber site is part of the rezone strategy. A further explanation can be found starting on page ~~191468~~, the Residential Site Inventory and Local Resources section of the Housing Element.

The Wild Horse Ranch site is zoned Agriculture and therefore would require a Measure J/R/D vote prior to development. Therefore, it does not meet the criteria set by the state for being "development ready."

The city has a general plan policy of providing 5 acres of parkland for every 1000 residents. Until the City can demonstrate it has excess parkland, it would be difficult to declare little used parkland as surplus.

Comment 31

Housing Policy 2.6 reads

Provide housing for the Davis workforce, including but not limited to teachers, UC Davis faculty and staff, retail and service workers, healthcare workers and city employees.

We recommend the addition of a program that would support the use of publicly owned land, including city and school district.

Possible City owned sites might include,

Anderson and F Street Property

The Park, bounded by King High School, the Sr Center and County Buildings

Fire Dept Building at 5th between D and E

West side of Corp Yard (Respite Center site)

All of the properties listed above are owned by the city of Davis, along with many others. Staff is unaware of any city owned parcel which could be deemed surplus, including those listed above. Furthermore, the City does not need a specific policy to address the use of publicly owned land for affordable housing. Under the Surplus Land Act, land deemed surplus by the city must first be made available for affordable housing. It is

likely that when the General Plan Update is performed, all publicly owned properties with another use will be evaluated for the potential use as affordable housing.

Comment 32

The commenter recommends the inclusion of sites that would be able to accommodate moderate income households throughout Davis. Increase the feasibility of Missing middle in neighborhoods that are exclusively single family.

ADUs are permitted by right in single family zones and are typically affordable to moderate income individuals. Additionally, the Housing Element does promote a mix of housing types in the City. The Inventory of Available sites includes sites affordable to those with a moderate income.

Comment 33

Remove inappropriate sites from possible development sites.

City should consider sites below .5 acres.

Remove unrealistic sites, such as E/F street sites...

Consider PGE Corp yard, DJUSD Admin building, City owned property.

There were several comments regarding the choice of sites the city has selected as possible development sites. The Legislature, unlike in any previous year, has dictated specific criteria that all potentially rezoned sites must meet. HCD will not accept any site under 0.5 acres. The E/F street site and its surrounding properties are part of the Downtown Davis Specific Plan. The City has control and ownership over the largest parcel and consideration will be given as to whether or not the property will be used as a cataly site for development in the Downtown Area.

Earlier this year, PG&E came to the city with a request for an entitlement for a new building on their corporation yard site at 5th and L Street. PG&E indicated to staff that they have no intention at this time of moving their corporation yard from Davis. They find that the location is very centralized to their northern California operations. Therefore, the PG&E site would not meet the Legislature's requirement for a property to be, "reasonably likely to develop."

Both the city and the School District have not indicated that their properties are surplus and available for development.

Comment 34

Cannery Marketplace (Table 56, page 154). It is noted that the project is on hold because the applicant is considering a revised project to replace the planned commercial development with residential units. This is a change that I strongly support. I recognize that many Cannery residents feel that the marketing literature for the Cannery "promised" a shopping center at the Cannery, but changes in retail buying habits make it increasingly doubtful that there will ever be sufficient demand for shopping, restaurants and related services at that site. (Plus, most of the contemplated shopping and related services are readily

available on the south side of Covell Boulevard at the Nugget shopping center.) I strongly suggest that the City should work with the developer to come up with a plan for affordable housing (either “Big A” and/or “Little a”) on the portion of the Cannery property abutting Covell Boulevard.

Because the applicant has a development agreement with the City, the City cannot unilaterally rezone the Cannery site without his agreement. Likewise, the applicant cannot request a rezone unless it is agreed to by the City.

Comment 35

How and why are the Nishi project and WDACC projects acceptable to count when there is no existing utility connection or infrastructure?

If WDACC is in the floodplain, how is the infrastructure to be funded?

How can Trackside be counted when it is in court?

Will Chiles Ranch subdivision ever be built?

The central question in all of these comments is how can the City take credit for projects that seem to have construction obstacles. Each one of the above referenced projects still plans to move forward. Granted, each one is in a different place in the approval process, but it is the expectation of the developer to construct. For example, staff has been in discussion recently with the Nishi developer. When the project was brought to the city, the developer knew and has accepted conditions of approval to extend the utilities onto the project site at the developer’s expense. The same is true of the WDACC project. When a project site is approved and the utilities are conditioned to be provided by the developer, it is acceptable to count the site as a viable site. It is worth noting that both sites are adjacent to existing utilities, which will enable them to connect.

It is also true that the WDACC site is in the floodplain. The developer plans to put additional fill on the site to raise it out of the floodplain. All expenses related to the work will be paid by the developer. The condition to do so has been agreed to by the developer.

The Trackside project is on appeal in a Yolo County court. Until the developer decides they no longer wants to defend the lawsuit and the courts have decided in favor of the plaintiff, the project remains viable.

The Chiles Ranch project was approved many years ago. However, a development agreement was also approved, which extended the time available to the developer to build. The City has received a very recent email from the developer stating that the project is still planned to move forward.

Comment 36

The housing element does not clearly identify which sites in previous housing elements and would either be not applicable towards the site analysis or subject to the mandatory rezoning as required by G.C. section 65583.2.c. (exactly as written)

The list of candidate sites for rezoning (Pg. 262 of Draft Housing Element) is incomplete.

The list of candidate rezone sites has been provided, circulated and commented upon.

The commenter elaborates in their letter that Site 1 on Table 57 (now Table 62 on page ~~206~~¹⁸³ of **Revised** Final Draft Housing Element) is made up of several parcels (some under 0.5 acres) under separate ownership. Furthermore, the commenter finds that to assume the site could be developed with 66 units does not seem to be realistic or appropriate.

These parcels are located within the area covered by the Draft Downtown Specific Plan and the largest of which is owned by the city. It is thought that the city owned parcel could be used as a catalyst site after the property is developed. Therefore, the city has reported the site as part of the Housing Element. The assumed density of the site has also been reduced to 53 units to provide a realistic capacity assumption.

Emergency Housing

Comment 37

Page 206 states that HEART of Davis organization has a 40 bed emergency shelter. This is an incorrect statement.

This statement has been corrected.

Comment 38

Please change Table 72 and the related calculations relative to the number of emergency beds provided by HEART of Davis.

Beginning on page ~~260~~²³⁷ of the **Revised** Final Draft Housing Element (now Table ~~80~~⁸¹), there is a discussion of emergency shelters and the number of beds provided therein. The information contained there has been updated to remove Heart of Davis as a provider and to report that the number of emergency shelter beds needed in Davis has increased to 145 beds.

Comment 39

The following statement (on page 145 of the Draft Housing Element)

The interfaith Rotating Winter Shelter provides cold weather shelter to the Davis homeless population at different member congregations throughout the winter.

Should be changed to,

Interfaith Rotating Winter Shelter no longer exists and the new program, HEART of Davis, will not be running an emergency rotating winter shelter.

This change has been made to the document.

University of California / Davis

Comment 40

The city of Davis needs to pressure UCD to develop far more, and much higher density on-campus student housing than they have described for its continuing growth and to build the promised on campus faculty and staff housing. This is critical to relieve pressure seriously impacting Davis and surrounding cities. UCD is the largest UC campus with 5300 acres, including a 900 acre core campus and also needs to commit to building at least 50% on campus student housing like all the other UCs.

Encourage UCD to continue to develop on campus housing to meet existing and future needs and to lessen pressure on city housing supply and transportation systems.

Strengthen the role of on campus housing by encouraging UCD to require freshmen and sophomores to live on campus.

Encourage UCD to located fraternities and sororities on the University Campus. Until that is possible, they should be located in medium high and high density residential zones near the campus.

Encourage UCD to continue their plans to develop more faculty housing and to develop staff housing and provide programs for maintaining both, to lessen the pressure on city housing supply.

The Draft Housing Element contains the following policy relative to housing provided by the UCD.

1.4.1. Continue to work with UC Davis to provide housing for students. Support the provisions in the Memorandum of Understanding entered into by and between the City of Davis and UC Davis in 2018, including but not limited to the University's commitment to provide on-campus housing for 100% of the actual student population in excess of the baseline enrollment number of 33,825 students, as defined in the 2018 Long Range Development Plan EIR.

Many commenters believe that the City should put additional pressure on the University to provide more housing for students which in turn, should make more housing available

in the city for non-students. In 2018, the City entered into a Memorandum of Understanding with the UCD with regard to implementation of their Long Range Development Plan. Policy 1.4.1. is drafted to be compliant with the MOU. Attached is the January 2019 LRDP Housing Report (See Attachment 4). The information within is accurate except that the Shasta/Emerson project will be complete in 2021 instead of 2022. The City will continue to monitor the construction of the housing projects on campus to ensure compliance with the MOU.

Comment 41

The City of Davis needs to ask SACOG and HCD to pressure UCD to build far more and much higher density on campus housing on its enormous 5300 acre campus and a 900 acre core campus, for its students.

The Sacramento Area Council of Governments and the State Department of Housing and Community Development have no jurisdiction over the University of California at Davis. The University does not receive a Regional Housing Needs Allocation. The UCD Regents are responsible for the operations of the campus.

Senior Citizens

Comment 42

Senior Citizens Commission recommends that the Housing Element promote the design of housing specific to the needs of seniors.

The Draft Housing Element already contains two policies regarding the needs of seniors. They are:

1.3.1. As part of the upcoming General Plan Update, explore regulatory incentives and zoning standards to facilitate the production of housing to meet the special housing needs of individuals with disabilities and developmental disabilities, extremely low, very low, and low incomes, large families, senior citizens, farmworkers and their families, female-headed households with children, and others with special needs.

And policy 1.3.4. Review new housing projects against the City-adopted Senior Housing Guidelines.

Comment 43

Designate a section of the Housing Element to Seniors, specifically encouraging the development and funding of age restricted housing communities for all income levels of Davis residents.

Pages 146 through 148 of the **Revised** Final Draft Housing Element are specifically about the housing needs of seniors. It should also be noted that Davis has already approved an age restricted housing community for seniors at all income levels. It is called Bretton Woods and should begin construction by 2022.

Greenhouse Gas Reductions

Comment 44

Action 6.1.11 should be revised to include an interim 2030 goal of reducing GHG emissions to 40% of 1990 levels and also revise the 2030 goal to reach neutrality by 2040, not be an either 80% or neutrality by 2040.

Action 6.1.11 has now been renumbered to Action 6.1.5 and reads as follows:

Action 6.1.115. Reduce the City's greenhouse gas emissions to 80 percent of 1990 levels or neutral no later than 2040.

Staff does not recommend the changes as suggested by the commenter. Greenhouse Gas emission reductions belong in the Climate Action and Adaptation plan, which is under revision. When new policies are adopted, the Housing Element will be updated to reflect the current policy.

Comment 45

All new multifamily dwelling housing projects should be required to provide electric vehicle charging facilities for residents.

The REACH codes (which have been adopted by the City of Davis) already require the inclusion of EV charging stations in multifamily residential projects.

Comment 46

The commenter supports the inclusion of a policy of infill housing throughout the city as a means of facilitating a lower carbon lifestyle for all residents.

The city of Davis is creating a large plan for infill housing under the adoption of the Downtown Davis Specific Plan. The plan will allow for the development of 1000 dwelling units in a predominantly commercial area, close to the university and other places of employment in the city.

Comment 47

Eliminate all natural gas appliances in all new residential construction by 2025

Staff does not recommend the changes as suggested by the commenter. While the elimination of natural gas appliances will support the city's greenhouse gas reduction goals, the more appropriate place for such a policy is within the Climate Action and Adaptation Plan (CAAP.) In that way, all greenhouse gas reduction efforts can be evaluated simultaneously. After the CAAP is adopted, any necessary amendments can be made to the housing element. The City has also adopted REACH codes that provide a disincentive to build a home with natural gas appliances thereby promoting electrification.

Miscellaneous

Comment 48

On page 229 of the Draft Housing Element, there is a note that staff time has already been allocated to this project and a date is given of 2025. Is that the date that the topic will be discussed or the expected completion date of whatever action items are identified.

The commenter is referring to Program Action 5.2.5 which reads as follows:

Program Actions	Objectives	Responsible Agencies	Time Frame	Potential Funding
5.2.2. Work with residents and landlords/owners in the event of sharp rental increases or evictions of groups of tenants by landlords of rental properties with 40 or more units. Special attention shall be given to projects with potential for large-scale gentrification or displacement of Section 8 residents or other underserved populations without appropriate relocation to other similar affordable units.	a. Assist residents with housing information	a. Housing staff, with support from the Social Services Commission and City Council	As needed	Already budgeted staff time
5.2.3. Forward all existing and new affordable housing opt-out notices to Legal Services of Northern California in Woodland.	a. Forward opt-out notices	a. Housing and Social Services staff	As notices are received	Already budgeted staff time
5.2.4. Work to maintain continued affordability of existing affordable housing with expiring federal, state, or local subsidy programs by annually monitoring each at-risk project and working with owners to develop a plan for conservation of the units. This may include offering technical assistance in identifying alternative funding sources if original funding will expire.	a. Enforce affordability covenants and resale restrictions b. Provide technical assistance	a and b. Housing staff, with support from the Social Services Commission and City Council	Annually and ongoing as needed	Already budgeted staff time
5.2.5. Evaluate mechanisms to provide further protections for residents in mobile home parks, potentially to include a mobile home park rent stabilization ordinance, a memorandum of understanding between mobile home park owners and the City, City subsidies for mobile home park residents, resident or City purchase of mobile home parks, and/or a zoning overlay to designate mobile home parks for mobile home park use.	a. Analyze various models and policies related to space rent affordability; make recommendation b. Analyze implementing a mobile home park zoning overlay for the City's City's mobile home parks; make recommendation c. Review and take action	a. Housing staff b. Social Services Commission, Planning Commission and City Council	2025	Already budgeted staff time

The reference to, “already budgeted staff time” means the task will likely be performed by City staff whose salaries are already included as part of the city budget. The reference to 2025 means that the expected timeframe to finish the task is the year 2025.

Comment 49

Why not restart the pre application process for projects headed for a measure D vote? Further, the city’s own infill guidelines document needs to be implemented.

In the past, the Planning Commission would hold a “pre-application” public meeting for those projects which were considered potentially controversial. As staff understands the process, this would be without the benefit of staff analysis and technical input, without CEQA analysis, and outside of a legally required public hearing. The commenter feels that this process should be brought back because potentially problematic issues could be ironed out early in the application process, particularly

those headed for a Measure J/R/D vote. Staff does not recommend requiring such a process but rather having the pre application process be voluntary as it has the potential to violate due process requirements. Furthermore, there is no assurance that satisfying the issues with one group will satisfy those of another. The entitlement approval process is designed to be a quasi-judicial one where the Planning Commission and City Council evaluate all information from the staff, the public and the applicant in an open and transparent setting. The City's infill guidelines, while available as a published document, were never formally adopted and therefore, cannot be required.

Comment 50

The Plescia Report needs to be given to the Finance and Budget Commission for it to review and we need to get their feedback on the analysis and conclusions in the document. The Finance and Budget Commission need to determine if more than 15% of affordable housing can reasonably be required of new multifamily projects on larger parcels. Vertical Mixed use needs a new analysis to increase requirement.

The Plescia Report was prepared for use in adopting new provisions in the Affordable Housing Ordinance. It is no longer necessary to spend time reviewing the document as a new, updated analysis will be prepared and reviewed as part of the update to the affordable housing ordinance.

Comment 51

Impact fees need to be directly related to the number of bedrooms in the project.

Can an inflation factor be applied or built in to the fees?

In lieu fees for affordable housing are too low.

If you must accept in lieu fees, make the fee comparable to the cost of the number of units demanded by the affordable housing ordinance for that development using a net present value calculation.

Is the current fee still acceptable.

Following the adoption of the housing element and the update to the Affordable Housing Ordinance, the City will undertake a fee study to determine the appropriate fee amounts.

Comment 52

Land dedication should be the primary method for providing affordable housing.

Land Dedication is not always the most viable method for compliance, especially if the original parcel is relatively small. Furthermore, the current Affordable Housing Ordinance has many methods for compliance, one of which is land dedication. The City has found that having a menu of options for compliance gives the city a greater chance

for providing affordable housing. While the city can always strive to do more, many cities do not come as close to meeting their assigned RHNA numbers as Davis has.

Comment 53

Housing Program Action 1.3.2 --Work with the Housing Authority to provide Housing Choice Vouchers to small households with extremely low and very low incomes.

Should be re written as follows;

Work with the Housing Authority to Provide Housing Choice Vouchers to qualifying households.

Based upon comments made by HCD, staff has redrafted program 1.3.2 as follows;

1.3.2. Work with the Housing Authority to provide Housing Choice Vouchers to ~~small~~ households with extremely low and very low incomes, particularly households belonging to underserved populations, to the extent permissible by local, State, and federal law. Continue to participate on the Housing Authority Board of Directors and meet quarterly with a representative of the Housing Authority to discuss local projects.

Comment 54

Housing Program Action 2.1.3 states

Create incentives to the development of affordable housing through measures such as flexible development standards that are compatible with the surrounding neighborhood. The PD zone is meant to foster development flexibility. For non-PD sites, the city can consider parking reserves or waivers on development standards such as setbacks, lot coverages and open space of up to 10 percent.

It should be re written to state;

Create incentives to the development of affordable housing through measures such as flexible development standards. The PD zone is meant to foster development flexibility. For non-PD sites, the city can consider parking reserves or waivers on development standards such as setbacks, lot coverages and open space of up to 10 percent.

The commenter believes that the descriptor, “compatibility with the surrounding neighborhood” is vague and unnecessary.

Comment 55

Housing policy 3.1 reads;

Affirmatively furthering fair housing opportunities for all persons regardless of race, color religion, sex national origin familial status, disability, age, marital status, sexual orientation, source of income, and receipt of section 8 or other subsidized rental program.

The proposed action does not reflect national standards of AFFH. We recommend the development of program actions that would examine how existing city housing policies limit integration and contribute to segregation and then address those barriers.

Affirmatively furthering fair housing opportunities is a new area required to be addressed by the State. HCD provided commentary on how to comply with the requirements in their comment letter. Therefore, staff has rewritten portions of the Housing Element chapter entitled, *Assessment of Fair Housing* (beginning on page 9998 of the **Revised** Final Draft Housing Element.) Furthermore, policy 3.1.1. has been redrafted to read as follows:

3.1.1. ~~Serve at least 100 people annually with the City's Fair Housing Services~~Provide information related to California Housing Law by disseminating information about these services throughout the community through the City's Fair Housing Services.

Comment 56

There should be a review of previous housing element to describe the extent to which planned actions were accomplished and how the land inventory compared to actual development.

The review of the accomplishments of the 5th Cycle Housing Element (2013-2021) begins on page 1746 of the **Revised** Final Draft Housing Element.

Comment 57

There should be an assessment of the probability of inventoried land to be developed throughout the life of the element.

The chapter titled, *Residential Site Inventory and Local Resources*, gives an explanation of the available sites and how they meet the state requirements for likelihood of development. (See page 191468)

Comment 58

What is the potential fiscal impact of policy 5.2.7?

Policy 5.2.7 states,

5.2.7. Provide financial incentives to rental property owners with affordable units that are at risk of conversion to market-rate on the condition of making individual units permanently affordable, when appropriate.

When a project has had an affordable housing funding component included in the original project, such as funding from the government, there is frequently an expiration date to such arrangements. Those units are labeled, “at risk.” When the city becomes aware that a property is nearing the end of its agreement, the city will try to negotiate an extension of that agreement to preserve the units. Each circumstance is different depending on the needs of the property, the funds available to the city, and the general market for housing. The Housing Trust Fund program is a chance to set guidelines for such situations.

Comment 59

Web based virtual methods precluded participation from diverse minority populations and the underserved.

What was done to contact each of these organizations and people listed and keep them involved in the process? How is public outreach documented? How was Facebook used? How were media releases used? How did City share digital information with the project partners?

A complete description of how the various organizations and people listed were kept involved in the process is included **in Appendix B** ~~on pages 5 through 10~~ of the **Revised** Final Draft Housing Element.

Comment 60

Table 30 should include the expiration date of currently affordable housing projects.

Table 30 does show the expiration date of the affordability requirement in each project. It is in the final column. All updates have been entered accordingly.

Comment 61

**Use realistic build out densities, particularly in core area.
100% density in Core Retail unrealistic.**

Davis is assuming that every site listed in the site Inventory will be developed. HCD requires cities to account for the difference between a site’s nominal capacity and its realistic capacity. The Draft Housing Element assumes that they are equal.

In response to comments made by HCD and others relative to build out densities, staff reduced the build out density by 20% to 80% in the Downtown Specific Plan area, as well as for all Low Income and Moderate Income housing sites in the city. The assumed building density for all Above Moderate Income sites was reduced by 10% to 90% density as well. A full discussion of density assumptions is located on pages **192-196**~~171-173~~.

Comment 62

How do we create a more diverse community?

Habitat for Humanity recommends:

- **Reforming zoning to allow mixed income communities. Diversify the types of homes.**
- **Build and preserve affordable homes in communities of opportunity.**
- **Increase the mobility of families with vouchers.**

The City of Davis has already begun the process of reforming its zoning to allow mixed income communities. For many years, the City has promoted a diversified housing stock in its housing element. Furthermore, the entire City is considered a community of opportunity. Therefore, any affordable housing built in the city is a step forward. The Housing Element has many policies which promote these same concepts.

Comment 63

How does the city of Davis compare to other cities for the cost of a building permit?

Table 78 (in the Final Draft Housing Element) shows a fee comparison of the jurisdictions in the SACOG region. It should be noted that for Davis, SACOG misrepresented the in lieu affordable housing fees as part of the total fees reported in their fee study. This is inaccurate as not all projects pay in lieu fees. Table 78 provides accurate fee estimates for Davis.

Comment 64

How were the land values derived on page 212 (of the Draft Housing Element.)

Staff and the consultant used industry standard real estate data to estimate typical costs. This information is the best to which we have access.

Comment 65

Policy 2.6.1 needs to have a specific action.

Policy 2.6.1. reads as follows:

2.6.1. Explore programs to assist members of the City's workforce with securing housing in Davis, including but not limited to expanding the local employee incentive system to include rental developments, and continue to utilize local employee incentive system as a means of connecting local employees to local affordable and middle ownership opportunities.

Its action is to continue the use of the Local Workforce Incentive System. This program is required by all housing projects with an affordable component. In effect, the System is a point system given to prospective affordable housing tenants wherein persons who already live in Davis get extra points, persons who work in Davis get additional points, etc. In this way, the marketing is geared toward the local population, giving them a

greater likelihood of getting an affordable unit. Therefore, the Local Workforce Incentive program is the specific action.

Comment 66

What is the Universal Access Ordinance?

The Universal Access Ordinance is found in chapter 18.10 of the Davis Municipal Code. Under this code, all new single family and multifamily units not otherwise subject to building code requirements are subject to the requirements of this article shall, at minimum, include components of accessibility in the development of said units.

Corrections

Comment 67

The attached Census map shows 15,607 jobs in the city of Davis in 2018 rather than the 22,303 figure shown in the Draft Housing Element. The 2017 map shows 15,197. Is there an explanation?

The map referenced by the commenter is provided from *On the Map*, which primarily uses data on jobs that are covered by unemployment insurance to estimate the number of jobs in a given area. Because this source relies mostly on unemployment insurance records, it does not include those who are self-employed and it may be less accurate for counting some workers that are not covered by unemployment insurance (e.g., State employees), though *On the Map* has improved its methodology for counting these workers over time.

Comment 68

The sums on Table 56 appear to be slightly incorrect.

Table 56 is now Table 61. The totals have been adjusted.

Comment 69

The commenter suggests the following typographical corrections;

- 1. Typographical Corrections: There are just a few minor corrections needed. a. Page 6, "Public Review Period:" Change April to May because the HE was issued May 3.**
- b. Page 16, item 9, "Progress/Effectiveness" column, line 7: delete the word "are" between the words "requirements" and "were."**
- c. Page 20, item 18, "Progress/Effectiveness" column, line 4: insert the letter "s" in the word "provide."**
- d. Page 32, item 57, "Progress/Effectiveness" column, line 4: Change 2020 to 2021, because the City is still working on the Downtown Davis Specific Plan.**
- e. Page 81, 2nd paragraph, line 8: it appears a word is missing between the words "while" and "means;" probably the word "it" is needed.**

These corrections have been made.

Comment 70

In the Constraints Section, page 166, 2nd paragraph, last sentence: It states that “The City finds that density standards in the General Plan do not hinder the production of housing.”

What analytical process was used to reach this conclusion? In other words, what proof of this assertion exists? Absent documented evidence, this assertion could be challenged.

During the General Plan 2013-2021, the city was tasked with the production of 1066 housing units. During that time, 1483 housing units were built with 398 of them being affordable to Low or Very Low income persons. Most of those projects included a General Plan amendment to entitle the project, which was granted by the city. Furthermore, the city’s general plan residential land use categories top out at 50 to 70 dwelling units per acre, well over the default density standard of 30 units per acre for lower income housing used by HCD. The General Plan promotes a diversity of housing types, affordable to a variety of income types, and includes density ranges to make that possible. Therefore, the General Plan does not include density standards that hinder the production of housing.

Comment 71

Constraints Section, Specific Plan subsection, page 167, first paragraph: The document states that the South Davis Specific Plan and the Gateway/Olive Drive Specific Plan do not allow densities that meet the default density standard for lower-income housing, or 30 units per acre.

i. Why is this case; i.e., what is the rationale for these plans to not allow such densities?

ii. Consider examining whether these limits in the current specific plans warrant revision to allow such densities.

Both of these specific plans were adopted long before the default density standard for lower income housing was 30 dwelling units per acre. However, the city has approved the Lincoln 40 project at 22 units per acre and has a pending project within the Gateway/Olive Drive project proposed at well over 30 units per acre. The many of the candidate rezone sites are located with the South Davis Specific Plan and will be considered for increased density.

Comment 72

On the bottom of page 172, Table 64 – Residential Zoning Standards, Mixed Use,: It says that lots in excess of 24,000 SF shall require conditional use permits.

i. What is the rationale for this requirement?

- ii. Why is 24,000 SF the “magic number.”
- iii. Should the City consider revising or eliminating this limitation?

Staff did some research into the source of the 24,000 square foot number. Unfortunately, the code was adopted in the 1970s and there is no record for why it was chosen. However, the MU zone is located within the area of the Draft Downtown Davis Specific Plan. When the new plan is adopted, the existing provisions will be superseded. The Draft Downtown Davis Specific Plan is anticipated to be adopted in Q1 2022.

Comment 73

The HE states under Parking Standards, page 193 of the Draft Housing Element, that the current parking requirements do not hinder the availability and affordability of housing. Please explain the analytical methods used to reach this conclusion. What proof exists to substantiate this conclusion? Without concrete proof, how can this statement be made?

Table 30 includes a list of all of the affordable units in Davis, including the 398 built between 2013 and 2020. If parking were a hindrance to providing affordable housing, the units would not have been built. More specifically, the Creekside Apartments project provided a total of 50 parking spaces when the standard parking requirement for the 90-unit multi-family dwelling project under the City’s zoning would be 97 spaces. Under state law, the project was entitled to a lesser standard of .5 spaces per bedroom, or 50 spaces for 99 bedrooms. Another example where an affordable housing project was afforded flexible parking standards was the Bartlett Commons in the Cannery. That project was given a 10% reduction in the number of required stalls.

Comment 74

On page 201, under *Efforts to Remove and Reduce Governmental Constraints*, 4th bullet: The sentence references “reduced requirements for in-fill development comprised of mixed-use and/or condominium development.”

i. The City formerly had an affordable housing exemption for mixed-use development; i.e., the loophole that enabled the Nishi developer to exclude affordable housing from the first proposal (which failed on the 2016 ballot). Upon the recommendation of the Planning Commission in 2018, City Council abolished that exemption, meaning that since then, mixed-use projects must meet the requirements of the City’s Affordable Housing Ordinance. Therefore, how can the City offer “reduced requirements” for mixed use infill projects when in fact affordable housing requirements are fully applicable to mixed-use projects? Maybe I’m just missing something here, or else the statement needs clarification.

Under Chapter 18.05.050(a)(1)(D), for projects comprised of market rate stacked condominiums or ownership units within vertical mixed-use development, the developer must provide for a number of affordable housing units equivalent to five percent of the total units being developed including the affordable units. While this is not an

exemption, it does recognize the complexity and costs associated with vertical mixed-use development and is a reduced requirement relative to more standardized single-family housing types. The affordable requirement being at five percent is only applicable to vertical mixed-use ownership housing types at this time. After the Housing Element is adopted, the City will be pursuing an update of the inclusionary housing requirements for rental housing to update affordable requirements for rental vertical mixed-use projects among other rental housing types.

Comment 75

A number of UCD Employees: It appears there are 3 different numbers for UCD employees, but unless there is an explanation somewhere that I missed, there is no way to discern why such differences appear. The differences:

- i. Table 17 says 22,616 people work in Davis.
- ii. But, Table 18, the list of Principal Employers, has a total of 27,810 UCD employees, a difference of 5,194 workers. How can the top 10 employers have a total of 5,194 more employees than the total number of people working in Davis shown in Table 17? One explanation could be that the 24,629 UCD employees shown in Table 18 includes the Med Center in Sacramento, but I have not yet found a statement to this effect.
- iii. Table 19, page 56, shows that UCD has a total of 22,590 workers.

Table 17 shows total employment in Davis according to ACS data. This is all people who work in Davis, not just UCD employees.

Table 18 shows 27,810 total employees at the top ten employers in Davis (UCD and others), as reported in the City's CAFR. The table shows 24,629 UCD employees. The employment counts in the CAFR include total employment for entities located in Davis, some of which might be located outside of the Davis jurisdictional boundaries. We added a note to the revised document to clarify.

Table 19 shows the total number of workers, as reported by *OnTheMap*, at UC Davis (22,590), including both the Davis campus and the Sacramento satellite campus. There is a note in the table that states that both campuses are included.

The data in Table 18 are from the City's 2019 CAFR while the data in Table 19 are from 2017 (the most recent available when we pulled the data), which might explain at least some of the difference. The difference could also be due in part to differences in the methodology used for each source.

Environmental Determination

Staff recommends approval of a Negative Declaration and Initial Study in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, the City's procedures for the implementation of CEQA, and other applicable laws. The proposed project is found to have less than significant / no impacts. Therefore, no environmental impact report (EIR) will be prepared for the project.

The Initial Study and proposed Negative Declaration can be reviewed online at:

<https://www.cityofdavis.org/city-hall/community-development-and-sustainability/planning-and-zoning/housing-element-update-2021-2029>.

The IS/ND was published and circulated for public review for 30 day in July and August of 2021. One comment letter was received from the Central Valley Regional Water Quality Control Board that details the relevant water quality regulations that would apply to future development projects. None of the comments are relevant to the programs or policies within the Housing Element. No response is needed.

Attachments

1. Final Revised Draft Housing Element (Clean Version)

<https://www.cityofdavis.org/city-hall/community-development-and-sustainability/planning-and-zoning/housing-element-update-2021-2029>

2. Final Revised Draft Housing Element (Redline Version)

<https://www.cityofdavis.org/city-hall/community-development-and-sustainability/planning-and-zoning/housing-element-update-2021-2029>

3. Planning Commission Questions and Responses

4. UCD LRDP report (2019)

5. Housing Element Negative Declaration and Initial Study

<https://www.cityofdavis.org/city-hall/community-development-and-sustainability/planning-and-zoning/housing-element-update-2021-2029>

6. Resolution

Resources

City of Davis Housing Element Webpage:

<https://www.cityofdavis.org/city-hall/community-development-and-sustainability/planning-and-zoning/housing-element-update-2021-2029>

**ATTACHMENT 3
PLANNING COMMISSION QUESTIONS AND RESPONSES**

On August 11, 2021, the Planning Commission deliberated the proposed Housing Element. Prior to taking action, they posed a series of clarifying questions. Staff responded to the questions during the meeting, and have provided them here for information to the City Council.

The Planning Commission met on August 11, 2021 to discuss the Final Draft Housing Element and provided the following input. Specific comments from the Planning Commission are presented below, along with staff's response, if warranted. Further below is a description of the more general discussion items that may require City Council to weigh in on and discuss.

Why were Programs 35 and 39 from the prior Housing Element deleted and not carried forward in the update? The text in the Program/Effectiveness column on the table on page 32 for Program 35 says, "The City intends to resume its efforts on the rehabilitation of this property as funding and staffing allow." The text on page 33 for Program 39 says, "The City continues to work on a sign program to disclose all pending development. This has not yet been completed."

Program 35: According to the City's Housing Element Annual Progress Report (APR), this program is not funded. While the APR reports that the City is working on rehabilitation efforts for a specific property, efforts related to this specific property do not indicate an overall ability to implement this program. In addition, several components of this program are covered by other programs in the updated Housing Element. For example, the Housing Element identifies housing opportunity sites, and Program 2.4.2 says that the City will compile and maintain a list of vacant sites that are suitable for affordable housing development. Several programs associated with Policies 4.1 and 4.2 help to encourage and facilitate residential development by providing assistance with entitlement processing and other technical assistance as well as streamlining the review process.

Program 39: This program was not completed during the prior housing element cycle and does not have a strong relationship to facilitating affordable housing production or improving access to housing for those in need. This program was deleted in order to prioritize actions that will have a more significant impact.

Staff does not recommend a change to the text of the Revised Final Housing Element Draft based on this comment.

The document uses both 2018 and 2019 American Community Survey (ACS) data. If 2019 data was available, why use 2018 data? Why not update 2018 ACS data when 2019 ACS data became available.

The Housing Element used the most current data available at the time that the document was prepared. At the time that the majority of the Housing Element Needs Assessment chapter was prepared, the 2018 data were the most recent available from the ACS. This portion of the document was prepared early in the process to provide

data for public engagement events and meetings as well as to inform subsequent stages of the Housing Element preparation process. Shortly before the public review draft was released and after the majority of the Housing Needs Assessment had been prepared, the consultant team added some additional figures to the draft document based on information available through the HCD AFFH (Affirmatively Furthering Fair Housing) Data and Mapping Resources Tool in order to address evolving guidance from HCD on the requirements for the AFFH component of the needs assessment. By that time, the ACS had released 2019 data and these data were incorporated into the AFFH Mapping Resources Tool, and thus into the Housing Element document. The remainder of the document was not updated to include 2019 ACS data due to the additional time and budget that would be required to make this change. However, it is unlikely that updating the remaining data based on the 2019 ACS would have a meaningful impact on the findings from the Needs Assessment in such a way as to impact the programs portion of the Housing Element.

Staff does not recommend a change to the text of the Revised Final Housing Element Draft based on this comment.

On page 224 of the redline version of the Final Housing Element Draft, there is a reference to “current vehicle ownership standards.” This is not a transportation industry term.

Following discussion between Commissioner Shandy and Assistant City Manager Ash Feeney, they suggested the following wording change:

- In general, the parking requirements under this standard ~~do not provide~~ exceed adequate parking to meet current vehicle ownership standards.

This phrase was not intended to represent a specific industry term, but rather to describe current trends in vehicle ownership. The project team was able to research the use of this phrase and determined that it had originated in the previous (5th cycle) Housing Element. Page 5-7 of the 2013-2021 Housing Element stated:

“In general, the parking requirements under this standard do not provide adequate parking to meet current vehicle ownership standards. Instead of a typical vehicle ownership of one to two cars per household, there tend to be one vehicle per tenant in the many all-student households that occupy a majority of market rate rental housing units in Davis. The City has required alternative transportation plans in order to address this need. Additional planning has included increased bike parking and shared bicycles, proximity to and promotion of bus options, and apartment parking permit requirements.”

As shown, the intent of this language was to convey that due to the prevalence of students renting apartments, rather than a single household per apartment, the likelihood of there being enough cars for each apartment to exceed the number of parking spaces provided under this standard is greater. The project team determined that this was still relevant to the current Housing Element cycle. Therefore, the

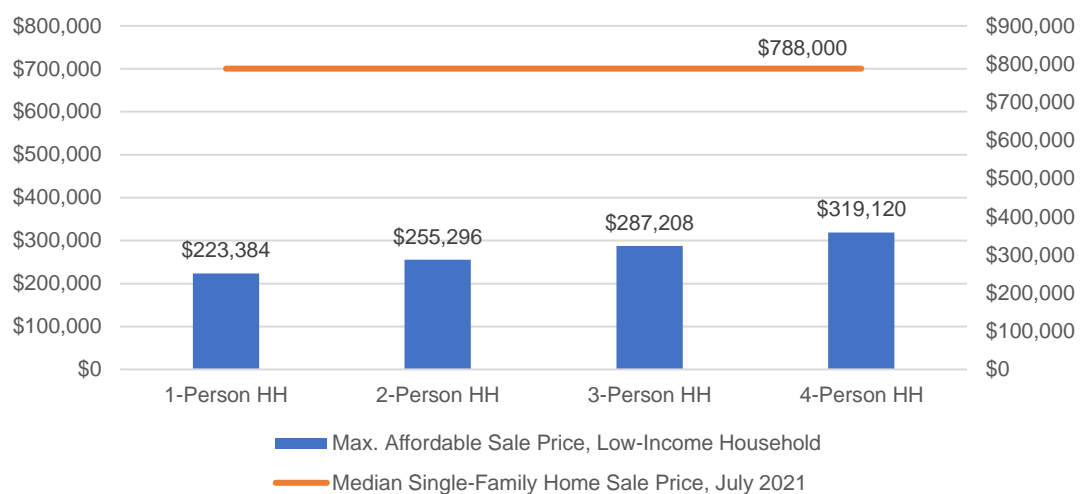
proposed edit discussed at the Planning Commission is inaccurate. Based on the To avoid potential confusion surrounding the use of the term “current vehicle standards,” the text of the Housing Element has been updated as follows:

In general, the parking requirements under this standard do not provide adequate parking to meet current vehicle ownership standards. In cases where these parking standards are not anticipated to address parking needs for a particular project, tThe City has required alternative non-vehicular transportation plans in order to address this need. Additional planning has included increased bike parking and shared bicycles, proximity to and promotion of bus options, and apartment parking permit requirements. These strategies have generally been effective in mitigating the need for parking while remaining more cost-effective than providing additional parking spaces.

The Housing Element does not focus on Low Income ownership opportunities. Why?

Providing homeownership opportunities for low-income households can be challenging due to the significant gap between market-rate home sale prices and the sale prices that low-income households can afford. Often the affordable sale price for a low-income household is lower than the cost to build a for-sale unit. The charts below show the affordable single-family home and condominium sale prices for low-income households of various sizes, along with the market-rate single-family home and condominium sale prices. Note that the affordable sale price for condominiums is lower than the affordable sale price for single-family homes because monthly costs for condominium ownership include HOA fees, which reduce the income that a household has available for mortgage payments.

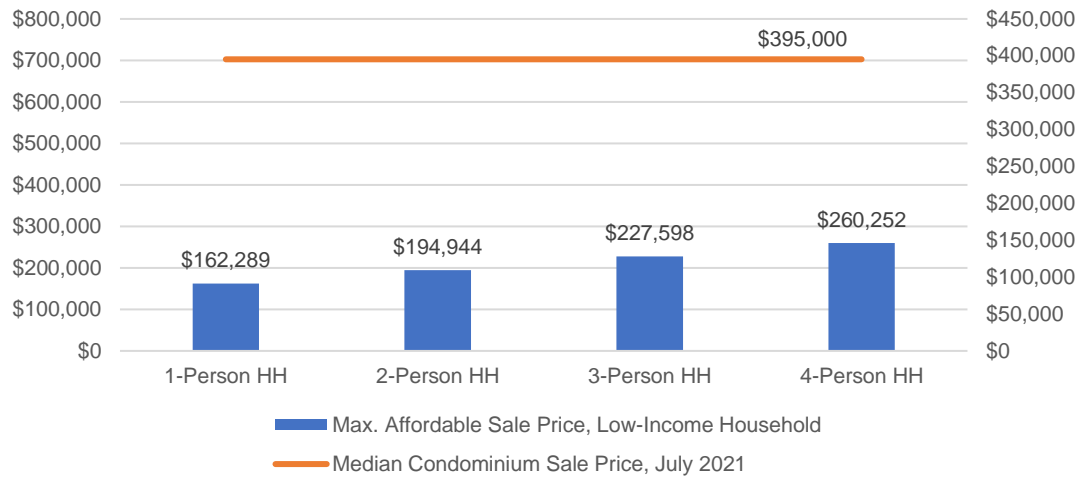
Figure 1: Affordable Single-Family Home Sale Price for a Low-Income Household and Market-Rate Single-Family Home Sale Price, Davis, 2021



Notes:

1. Household incomes based on 2021 HCD income limits for Yolo County.
2. Assumes an FHA loan with a 3.5 percent down payment plus upfront mortgage insurance equal to 1.75 percent of loan amount. Down payment ranges from \$7,818 for a one-person household to \$11,169 for a four-person household. Upfront mortgage insurances ranges from \$3,772 for a one-person household to \$5,389 for a four-person household.

Figure 2: Affordable Condominium Sale Price for a Low-Income Household and Market-Rate Condominium Home Sale Price, Davis, 2021



Notes:

1. Household incomes based on 2021 HCD income limits for Yolo County.
2. Assumes an FHA loan with a 3.5 percent down payment plus upfront mortgage insurance equal to 1.75 percent of loan amount. Down payment ranges from \$7,818 for a one-person household to \$11,169 for a four-person household. Upfront mortgage insurances ranges from \$3,772 for a one-person household to \$5,389 for a four-person household.
3. HOA fees estimated at \$339 per month.
4. The July 2021 median market-rate condominium sale price is based on only two sales during this period. In June 2021 there were nine condominium sales in Davis, with a substantially higher median sale price of \$525,000.

The Housing Element includes some programs that could facilitate the production of more affordable homeownership opportunities, though the extent to which these types of homeownership opportunities will be affordable to low-income households will depend on market conditions and the specifics of City development agreements with developers. These programs include:

- Program 1.2.2: As part of proposed large housing developments, encourage a range of housing types including small residential lots and other smaller unit types to facilitate the creation of more inclusive communities.

- Program 1.2.3. Through the adoption of the Downtown Davis Specific Plan (DDSP), provide opportunities for the development of owner-occupied townhouses, small cottages, and condominiums in and near the core area to limit sprawl and provide housing options for a wide range of current and future residents at a lower price point than a typical single-family home.
- Program 2.1.4. If new lands are added to the City's General Plan Area, identify, zone and develop affordable housing sites early in the planning process.

In addition to these programs, the City could facilitate low-income homeownership opportunities by providing down payment assistance to low-income buyers. However, the City does not currently have funds for such a program. This could be considered as a potential priority for use of the City's Housing Trust Fund (see Program 2.2.2).

The City could also facilitate low-income homeownership opportunities by implementing inclusionary requirements on new for-sale developments. This be included as part of the updated Affordable Housing Ordinance (see Program 2.1.1).

The City could also negotiate with developers of new subdivisions to provide low-income for-sale units as part of the development agreement process, potentially as an extension of Program 2.1.4.

It should be noted that providing homeownership opportunities for low-income households is often costly due to the significant gap between market-rate sale prices and the sale price that is affordable to a low-income household. Consideration of potential actions to facilitate low-income homeownership should include an evaluation of the total cost of such programs and the resulting number of households that would be served, compared to other approaches to address housing needs among various segments of the City's population.

The maps in the appendix showing the results of the RHNA virtual exercise are difficult to read.

Maps with a higher resolution have been added to Appendix C of the Revised Final Housing Element Draft.

The Extremely Low and Very Low Income affordable beds in the Nishi project should not be counted in the Housing Element's Residential Sites Inventory because the project's Affordable Housing Plan specifically states that the income restricted beds would be rented only to students.

The phrasing of this clause in the Affordable Housing Plan is unfortunate, as it does appear to convey that income restricted beds would only be available to students. However, the Affordable Housing Plan goes on to say that the income restricted beds would be rented in compliance with all applicable fair housing laws, and rental to only students would be a violation of those laws.

Staff believes that because the Affordable Housing Plan specifically states that all applicable fair housing laws will be followed that the income restricted beds and units in the Nishi project do indeed meet the intent of providing affordable housing to anyone needing it at the Extremely Low and Very Low Income levels. The income restricted beds would equate to an estimated 35 Extremely Low Income units and 70 Very Low Income units, for a total of 105 of the City's RHNA obligation to provide 580 Very Low Income units.¹ This represents approximately 18 percent of the City's obligation to provide land zoned for Very Low Income housing. Also, worth mentioning is that the zoning itself of Nishi still allows for the development of both Extremely Low and Very Low Income units. If these units are removed from the Residential Sites Inventory, the City will be obligated to increase the amount of land needing to be rezoned by May 15, 2024.

For this reason, staff recommends keeping the income restricted units in the Housing Element's Residential Sites Inventory.

However, if the City Council chooses to remove the income restricted units from the Residential Sites Inventory, the Lower Income unit inventory would be reduced by 105 units, which would increase the City's current shortfall of Lower Income units from 472 units to 577 units. This would also increase the City's rezone obligation from 23.6 acres to 28.9 acres based on the assumed realistic capacity assumptions. Text edits reflecting this change would also be required prior to sending the Final 2021-2029 Housing Element to HCD for certification.

Regarding Table 70 on page 202 of the Final Housing Element Draft, is there really a statewide standard for parking?

Staff clarified at the meeting that they believed this is a reference to the concessions permitted under the State Density Bonus law but that they would confirm and report back to the City Council. Following the Planning Commission hearing, the project team confirmed this and revised the title of Table 70 to "Maximum Allowable Parking Requirements for Density Bonus Projects" to clarify the information that is reflected in the table.

In the "Input Received" subsection in the redline version, there are no changes shown about changes made between the Public Review draft and the Final Draft based on public comments and feedback from the Planning Commission. Would like to see more information on the input from the Planning Commission in this subsection.

While the Community Participation section, beginning on page 5, of the Housing Element was rewritten between the releases of the Public Review Draft and the Final Draft of the Housing Element, changes were not made specifically to the "Input Received and Responses to Input Received" subsection. Additional language

¹ Note that the RHNA combines units for Extremely Low and Very Low Income units under the "Very Low Income" category.

describing the changes made in response to the Planning Commission's input at the June 15, 2021 meeting has been added to the Input Received subsection, beginning on page 10 of the Revised Final Draft Housing Element.



UC Davis 2018 LRDP:

Exceeding student enrollment housing needs

Access to housing is a significant challenge throughout the state of California and critical to supporting the strong sense of community cultivated by our university. To provide future students with easy access to academic resources and multiple options to live on campus, **UC Davis is pursuing the most ambitious student housing construction initiative in its history – one that even exceeds the university’s potential enrollment growth.**

This student-housing plan, which includes capacity for adding up to 9,050 beds of new campus housing, was included as part of the university’s 2018 Long Range Development Plan (LRDP) – a comprehensive, multi-year community engagement and planning effort – and approved by the UC Board of Regents at their July 19, 2018 meeting.

This document provides additional details and outlines the university’s timeframe for addressing this important section of the LRDP for our community.

By 2025, UC Davis will add up to 6,180 new beds – 118% of potential enrollment growth. UC Davis will add an additional 2,870 beds by 2030 and so realize in excess of 9,050 beds identified within the LRDP. Finally, the campus will continue to actively partner with the City to entitle the Nishi project which may accommodate an additional 2,000 students immediately adjacent to campus.

July 2018
(revised January 2019)

Committed Projects through 2025

Project	Type of housing	Bed increase	Opening	Notes
Tercero Phase IV	Residence Hall	500 beds	Fall 2017	Complete.
West Village Double-Up Expansion	Apartments	550 beds	Fall 2017 through Fall 2022	Approved and in-progress. Formal agreement with developer to expand beds in existing West Village neighborhood. Approximately 300 new double-up beds to be occupied in Fall 2019 and the remaining 250 beds to be filled in the next 1-3 years.
Webster and Emerson	Residence Hall	440 beds	Fall 2022	Approved and in-progress. Webster is opening fall 2019 with 400 beds (replacing 260 beds). Emerson will start construction in fall 2019 and will reopen in 2022 with 800 total beds (replacing 500 beds). Emerson was approved by the Regents in March 2018 (Budget, External Finance and Design pursuant to CEQA).
West Village	Apartments	3,290 beds	Fall 2020 through Fall 2021	Approved and in-progress. Regents approved Design pursuant to CEQA July 19, 2018 and delegated final finance and business terms to the President. Construction underway with 1,000 beds scheduled to complete for fall 2020 and an additional 2,290 beds completing in fall 2021.
Orchard Park	Apartments Student Family	up to 1,400 beds including 200 units for student families	Fall 2023	Information item to Regents in March 2018, financial feasibility and design in progress. Final bed counts and timing will be determined in 2019. <i>Note: student family units assumed to support at least one student per unit plus family members.</i>
TOTAL		6,180 beds		Exceeds potential enrollment growth of 5,175

Planned Projects through 2030

Project	Type of housing	Bed increase	Notes
Solano Gateway housing	Student Apartments	1,470 beds	Redevelopment of Solano Park Apartments to occur after Orchard Park is completed. The redevelopment of Environmental Horticulture may occur sooner
Segundo	Residence Halls	400 beds	Redevelopment of Regan Hall Complex to achieve higher density.
Segundo	Student Apartments	500 beds	Redevelopment of Cowell Building and adjacent parking lots as a mixed use residential program with office space and new dining commons.
Tercero 5	Residence Halls	200 beds	Infill development near new Tercero Dining Commons.
Core Campus Mixed Use	Student Apartments	300 beds	Integrate residential space into new academic and administrative development opportunities in the core campus.
West Village Faculty and Staff Housing	Single or multifamily homes	500 units	These numbers are not included in student housing numbers. Financial analysis in progress.
TOTAL		2,870 beds	

RESOLUTION NO. 21- SERIES 2021

RESOLUTION OF THE CITY OF DAVIS CITY COUNCIL TO ADOPT THE NEGATIVE DECLARATION #4-21 AND UPDATED HOUSING ELEMENT OF THE GENERAL PLAN FOR 2021-2029 AND DIRECT STAFF TO SUBMIT THE UPDATED HOUSING ELEMENT TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR STATE CERTIFICATION

WHEREAS, the City's Housing Element has been updated and includes current demographic and housing stock information as required by State Housing Law; and

WHEREAS, the City has identified an adequate list of housing sites to accommodate the amount, type and income levels required by the City's Regional Housing Needs Allocation; and

WHEREAS, the City has conducted an environmental review of the Housing Element, prepared Initial Study and Negative Declaration #4-21 and has determined that this update will not result in a significant effect on the environment; and

WHEREAS, the Element contains program actions to meet the goal to provide housing that is affordable for residents with low incomes and low-paying jobs, fixed incomes, and pensions; and to strive to meet the identified current and projected local need for housing and for housing affordable to extremely low-, very low-, low-, and moderate-income households including provision of Davis' eight-year fair share of regional housing needs; and

WHEREAS, the City will continue to diligently seek resources to create and conserve the supply of housing; and

WHEREAS, the City has submitted its draft Housing Element document to the State Department of Housing and Community Development (HCD) and has made changes and updates in response to HCD's questions and comments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davis that:

1. The City Council hereby certifies Negative Declaration # 4-21 that has been prepared for this update to the City's Housing Element as adequate under the California Environmental Quality Act. No significant impacts are identified and no mitigation is required;
2. The City Council adopts the updated 2021-2029 Housing Element, which includes changes in response to the State Department of Housing and Community Development (HCD)'s review of the document in accordance with state law;
3. The City Council directs staff to resubmit this updated Housing Element document for certification by HCD.

PASSED AND ADOPTED by the City Council for the City of Davis this _____ day of August 31, 2021, by the following vote:

AYES:

NOES:

Gloria Partida
Mayor

ATTEST:

Zoe S. Mirabile, CMC
City Clerk