

From: Chris Neufeld-Erdman <erdmanc@gmail.com>

Sent: Tuesday, January 14, 2020 9:45 AM

To: Eric Lee <ELee@cityofdavis.org>; CMOWeb <CMOWeb@cityofdavis.org>; City Council Members <CityCouncilMembers@cityofdavis.org>; Downtown Plan Advisory Committee <DPAC@cityofdavis.org>

Subject: Downtown Davis Specific Plan comment

Dear Eric (and other leaders);

On reviewing the zoning for the proposed Downtown Specific Plan, we want to ensure that any changes don't hamper the activities (current or future) of Davis Community Church (DCC).

In reviewing 40.13.140 in the Downtown Zones plan, we note that DCC is identified as CUP. We have a copy of the Zoning Atlas for downtown dated December 4, 2012 in which DCC is marked at C-RI. It may be that these are "apples and oranges", that is, unrelated and refer to different things.

However, we write to ensure that we know what's happening to our zoning under the new Plan.

The minutes of the City Council meeting on October 14, 2008 show some debate over DCC's zoning with respect to our partnership with other local congregations in facilitating the highly acclaimed Interfaith Rotating Winter Shelter.

Those minutes state: "City Manager Bill Emlen stated staff recommends the following regular agenda item discussion be tabled: Urgency Interim Zoning Ordinance Restricting New or Expanded Uses in the Core Residential Infill (C-RI) Zoning District That May Be Inconsistent With the Public/Semi-Public (P-SP) Zoning . . ."

In the Public Comment period, John Oakley, DCC's legal council "spoke regarding the tabled Urgency Interim Zoning Ordinance and requested City Council include DCC in zoning review discussions. He stated the Religious Land Use and Institutionalized Persons Act (RLUIPA) substantially limits the City Council's discretion when zoning decisions burden the free exercise of religion in a land use contract. Further, DCC seeks to build community and neighborhood consensus regarding the scope and content of its homeless services."

Further, numerous members of the community also spoke "in opposition to the table Urgency Interim Zoning Ordinance. Comments included: "city should respect autonomy of religious institutions and acknowledge roles of church in building community through charity acts; DCC programs are in response to reality of homeless in downtown areas."

We have no plans to change this highly successful community program that has helped the city cope with rising homeless and which has, in part, led to new city programs to combat the problems homeless persons face.

However, we wish to ensure that the new zoning plan does not restrict our 150 year old community organization for finding new ways to meet community needs and address community problems.

Can you verify that the new Plan does not restrict DCC's current or future activities in ways inconsistent with past policy and practice?

Please confirm receipt of this letter and its distribution to all necessary parties.

Sincerely,

The Rev. Dr. Chris Neufeld-Erdman, pastor and moderator of DCC's Session (council)

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