

**ORDINANCE NO. 2651**

**AN ORDINANCE AMENDING CHAPTER 40 OF THE CITY OF DAVIS MUNICIPAL CODE TO REZONE THE FOLLOWING SITES TO PLANNED DEVELOPMENT (PD) 05-22 (HIGH DENSITY (HD) MIXED) AND ESTABLISH STANDARDS AND REQUIREMENTS FOR:**

- 1) 2932 SPAFFORD STREET (APN: 071-403-002) COMPRISING APPROXIMATELY 1.51 ACRES FROM PD 5-94D TO PD 05-22 (HD MIXED);
- 2) 1800 RESEARCH PARK DRIVE (APN: 069-290-081) COMPRISING APPROXIMATELY 1.74 ACRES FROM PD 3-84A TO PD 05-22 (HD MIXED);
- 3) 1021 OLIVE DRIVE (APN: 070-260-022) COMPRISING APPROXIMATELY 1.09 ACRES FROM GATEWAY OLIVE DRIVE SPECIFIC PLAN COMMERCIAL SERVICE TO PD 05-22 (HD MIXED); AND
- 4) 1616 DA VINCI COURT (APN: 069-060-024) COMPRISING APPROXIMATELY 2.06 ACRES FROM PD 6-76 TO PD 05-22 (HD MIXED)

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAVIS DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1. ZONING MAP CHANGE.**

Section 40.01.090 (Zoning Map) of Chapter 40 of the Municipal Code of the City of Davis, as amended, is hereby amended by changing the zoning designation of the following parcels located at:

- 1) 2932 Spafford Street (APN: 071-403-002) comprising approximately 1.51 acres from PD 5-94D to PD 05-22 (HD Mixed), as shown in Exhibit A;
- 2) 1800 Research Park Drive (APN: 069-290-081) comprising approximately 1.74 acres from PD 3-84A to PD 05-22 (HD Mixed), as shown in Exhibit B;
- 3) 1021 Olive Drive (APN: 070-260-022) comprising approximately 1.09 acres from Gateway Olive Drive Specific Plan Commercial Service to PD 05-22 (HD Mixed), as shown in Exhibit C; and
- 4) 1616 Da Vinci Court (APN: 069-060-24) comprising approximately 2.06 acres from PD 6-76 to PD 05-22 (HD Mixed), as shown in Exhibit D.

Specific Plans. The following rezoned site is removed from the boundaries of the Gateway Olive Drive Specific Plan (Resolution No. 7921), as amended: 1021 Olive Drive (APN: 070-260-022) comprising approximately 1.09 acres.

**SECTION 2. PURPOSE.**

The purpose of this planned development is to provide a mixed use residential district in a suitable environment for high density residential development or mixed-use development; that combines residential uses with conveniently-located non-residential uses, services, and jobs; is compatible with existing adjacent neighborhoods and uses; supports reduced vehicle trips; and promotes energy and resource conservation.

### **SECTION 3. MINIMUM RESIDENTIAL DENSITY REQUIRED.**

Residential uses are required as part of any new development. All new developments subject to this Planned Development shall provide a minimum residential density of 20.00 units per net acre. No maximum density applies. However, developments shall comply with applicable development standards.

### **SECTION 4. USES.**

The principal permitted, accessory, and conditional uses of this planned development are as follows, provided the residential requirement is met.

#### **A. Permitted Uses**

- a) Dwellings, multiple.
- b) Group care homes with six or fewer clients, subject to the provisions of Section 40.26.135.
- c) Cooperative housing, as defined in Section 40.01.010.
- d) Supportive housing.
- e) Transitional housing.
- f) Family and group day care homes as defined in Section 40.26.270.
- g) Combination of residential and non-residential uses as permitted in this section, provided a minimum of 50% of the floor area of the building(s) are for residential uses. Combined uses may be integrated vertically in the same building or horizontally on the same site provided the residential density requirement is met. Permitted non-residential uses are as follows.
  - i. Office uses.
  - ii. Research and development uses.
  - iii. Laboratories.
  - iv. Exercise studios or classes, yoga studios, martial arts studios, dance studios, less than five thousand gross square feet.
  - v. Neighborhood-serving food establishments such as restaurant, café, coffee shop, or similar, less than five thousand gross square feet, not including outdoor eating areas. Alcoholic beverage sales for consumption on premises is permitted provided that such sales are ancillary to food service.
  - vi. Neighborhood-serving retail uses less than two thousand five hundred gross square feet.
  - vii. Other similar uses.

#### **B. Accessory Uses**

- a) Home occupations subject to the provisions of Sections 40.01.010 and 40.26.150.
- b) Swimming pools, private, subject to provisions of Section 40.26.350.
- c) Signs, subject to the regulations of Section 40.26.020.
- d) Other accessory uses and accessory buildings customarily appurtenant to a permitted use subject to provisions of Section 40.26.010.
- e) Accessory dwelling units meeting the requirements of Section 40.26.450 (Ministerial accessory dwelling units).

**C. Conditional Uses**

- a) Single room occupancy (SRO) units.
- b) Medical and dental clinics in combination with permitted residential uses.
- c) Nursery schools and daycare centers subject to the provisions of Section 40.26.270 in combination with permitted residential uses.

**D. Prohibited Uses**

- a) Single-family dwellings and duplexes.
- b) Drive-through facilities.

**SECTION 5. EXISTING STRUCTURES AND USES.**

Existing permitted structures and uses located on the property, as of the date of the adoption of this ordinance, and not otherwise described in the list of uses or standards may be continued in accordance with Davis Municipal Code Article 40.28 (Nonconforming Uses and Structures).

**SECTION 6. DEVELOPMENT STANDARDS.**

The zoning development standards for this planned development shall be as follows.

- a) Lot Area. Seven thousand five hundred square feet minimum.
- b) Lot Width. Seventy feet minimum, except that existing lots of record as of the date of this ordinance adoption are exempt.
- c) Building Height. Sixty feet maximum.
- d) Yard Setback Requirements. The following minimum yards shall be required.
  - Front Yard: Ten feet.
  - Side Yard, Street: Ten feet.
  - Side Yard, Interior: Five feet.
  - Rear Yard: Ten feet.

When the yards are adjacent to a single-family district or existing single-family development, the required minimum yards shall be increased to 10 feet on the interior side and 20 feet on the rear. An additional 10 feet of setback on the interior or rear sides shall be provided for any portion of the building exceeding 40 feet in height.

- e) Lot Coverage. Fifty percent maximum, not including accessory structures.
- f) Floor Area Ratio. 2.0 maximum. Garage floor area is not included for the purposes of floor area ratio calculations.
- g) Useable Open Space (minimum whichever is less).
  - Ten percent of site; or
  - Total based on unit number and type:

- Each studio or one-bedroom unit: one hundred square feet.
- Each two-bedroom unit: one hundred fifty square feet.
- Each additional bedroom: fifty square feet.

h) Vehicle Parking.

- Residential. No on-site parking for residential uses is required. However, if provided, the maximum parking provided for residential uses shall be as follows:
  - One space maximum per studio/one-bedroom unit.
  - One and three-quarter spaces maximum per two-bedroom unit.
  - Two spaces maximum per three-bedroom or more unit.
- Non-Residential. Parking for non-residential uses shall be provided as required by the Davis Municipal Code Section 40.25.090.
- Any off-street parking provided shall be developed as required in Davis Municipal Code Sections 40.25.010 to 40.25.120.

i) Bicycle Parking. Per Davis Municipal Code 40.25A.060

## **SECTION 7. FINAL PLANNED DEVELOPMENT**

These standards shall serve as the final planned development standards. Developments consistent with the standards established in this Planned Development are exempt from a final planned development review. However, modifications to the standards for a specific development may be allowed through approval of a revised final planned development for the site, pursuant to Davis Municipal Code Article 40.22.

## **SECTION 8. SITE PLAN AND ARCHITECTURAL REVIEW**

Except as provided for in Section 9 herein, site plan and architectural approval (Design Review) by the Director of Community Development and Sustainability or designee shall be required for all development, pursuant to Davis Municipal Code Article 40.31.

## **SECTION 9. MINISTERIAL APPROVAL OF QUALIFYING PROJECTS**

Qualifying residential development projects consistent with Government Code Section 65583.2(c) and (h) in which at least 20 percent of the residential units are affordable to lower income households shall be processed ministerially. Projects shall comply with all applicable development standards and requirements of this Planned Development and Davis Municipal Code and the adopted "Design Standards for Ministerial Residential Developments". Qualifying residential development projects shall comply with the inclusionary requirements in Davis Municipal Code Chapter 18.05 (Affordable Housing).

## **SECTION 10. EXCEPTIONS AND MODIFICATIONS**

Exceptions and minor modifications may be allowed pursuant to Davis Municipal Code Article 40.27.

**SECTION 11. CONFLICTS.**

For provisions not covered by this ordinance or the final planned development, the provisions of Chapter 40 of the Davis Municipal Code, as amended, shall apply. Where there is a conflict between the provisions of Chapter 40 and this ordinance, the provisions of this ordinance shall apply.

**SECTION 12. FINDINGS.**

The City Council of the City of Davis hereby finds:

1. The proposed rezone is in conformance with the General Plan, as amended, in that it provides consistency between the land use and zoning of the subject parcels and provides necessary high density housing sites consistent with the General Plan Housing Element to facilitate housing development while also accommodating opportunities for compatible non-residential and local-serving uses mixed with the residential, including:
  - Housing Policy 1.1. Maintain adequate sites to achieve Davis' RHNA goals for the 2021-2029 Planning Period.
  - Housing Policy 1.2: Facilitate the production of a variety of housing types that meet the housing needs of an economically and socially diverse Davis.
  - Housing Policy 2.1: Meet the projected local need for housing affordable to extremely low-, very low-, low-, and moderate-income households according to Davis' eight-year fair share of regional housing needs.
  - Housing Policy 4.1: Facilitate the production of housing for households at all income levels by streamlining the development process.
  - Housing Element Implementation Program 1.2 Rezone Program to rezone at least 24.8 acres to address the City's shortfall of 496 lower-income RHNA units, plus a buffer of at least an additional 140 lower-income units.
2. The sites are suitable for high density residential or mixed use development and will provide development of sustained desirability and stability in harmony with the character of the surrounding neighborhood in that they would be compatible with nearby residential and non-residential uses and there is adequate access and utilities to serve the sites.
3. Public necessity, convenience and general welfare require the adoption of the proposed rezone, in that it provides for high density residential areas necessary to meet the City's housing needs, as identified in the General Plan Housing Element, while also accommodating compatible non-residential uses mixed with residential.
4. The proposed rezone will be consistent with the Zoning Ordinance, as the purpose of the PD District is to provide a suitable residential environment for a mix of residential and non-residential uses and to promote a creative approach and variety in the physical development pattern of the city. This planned development district improves certainty for high density residential developments while also providing flexibility to allow diversification in the relationship of various buildings and structures and provide relief from the rigid standards of conventional zoning in order to allow for new and

compatible housing development with surrounding residential uses. The proposed rezoning will provide for an integrated and harmonious residential environment and a creative relationship with adjacent uses or on-site with a mix of residential and non-residential use. It will allow for and encourage architectural variation while maintaining the character of a site.

5. The proposed rezone allows a mix of residential and non-residential uses consistent with General Plan and city policies to ensure long-term stability of the project, reduce energy consumption, and promote reduction in automobile trips.
6. The Planning Commission held a public hearing on November 8, 2023 to receive comments and consider the rezone and voted to recommend adoption of the rezone.
7. The City Council held a duly noticed public hearing on December 5, 2023 and based on oral testimony and documentary evidence reviewed during the public hearing, reviewed the Initial Study (SCH#2023100491) prepared for the project and adopted a Negative Declaration. The Initial Study was prepared and circulated for public review in accordance with CEQA requirements and adequately analyzed the potentially significant environmental impacts of the project and concluded that the project impacts were less than significant and no mitigation was required. No public comments were received that altered the analysis or conclusions of the Initial Study. The Initial Study represents the independent judgment of the lead agency.

**SECTION 13. EFFECTIVE DATE.**

The ordinance shall become effective on and after the thirtieth (30<sup>th</sup>) day following its adoption.

INTRODUCED on the 5th day of December, 2023, and PASSED AND ADOPTED by the City Council of the City of Davis on this 9th day of January, 2024, by the following vote:

AYES: Arnold, Neville, Partida, Vaitla, Chapman

NOES: None



Josh Chapman  
Mayor

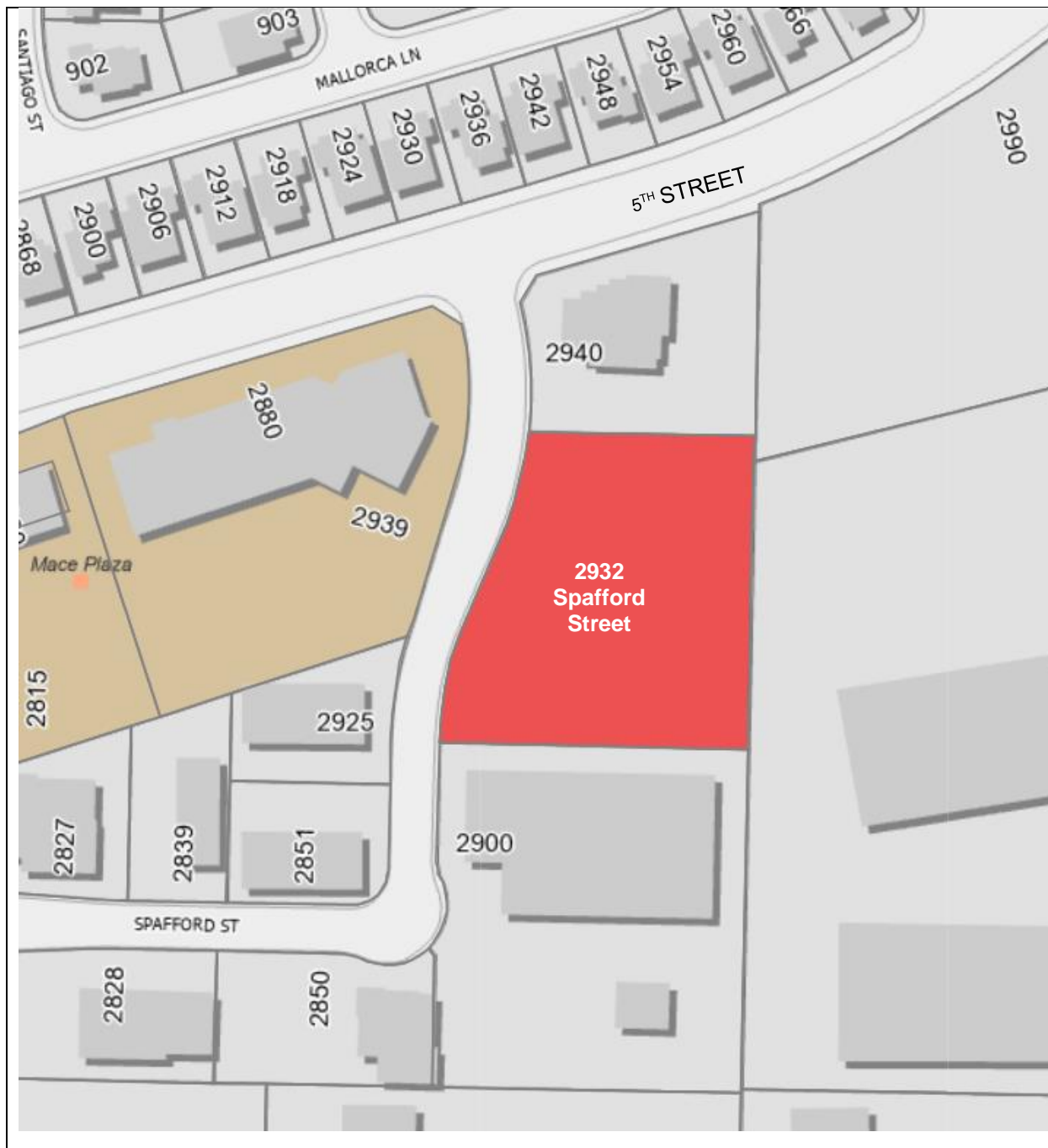
ATTEST:



Zoe S. Mirabile, CMC  
City Clerk

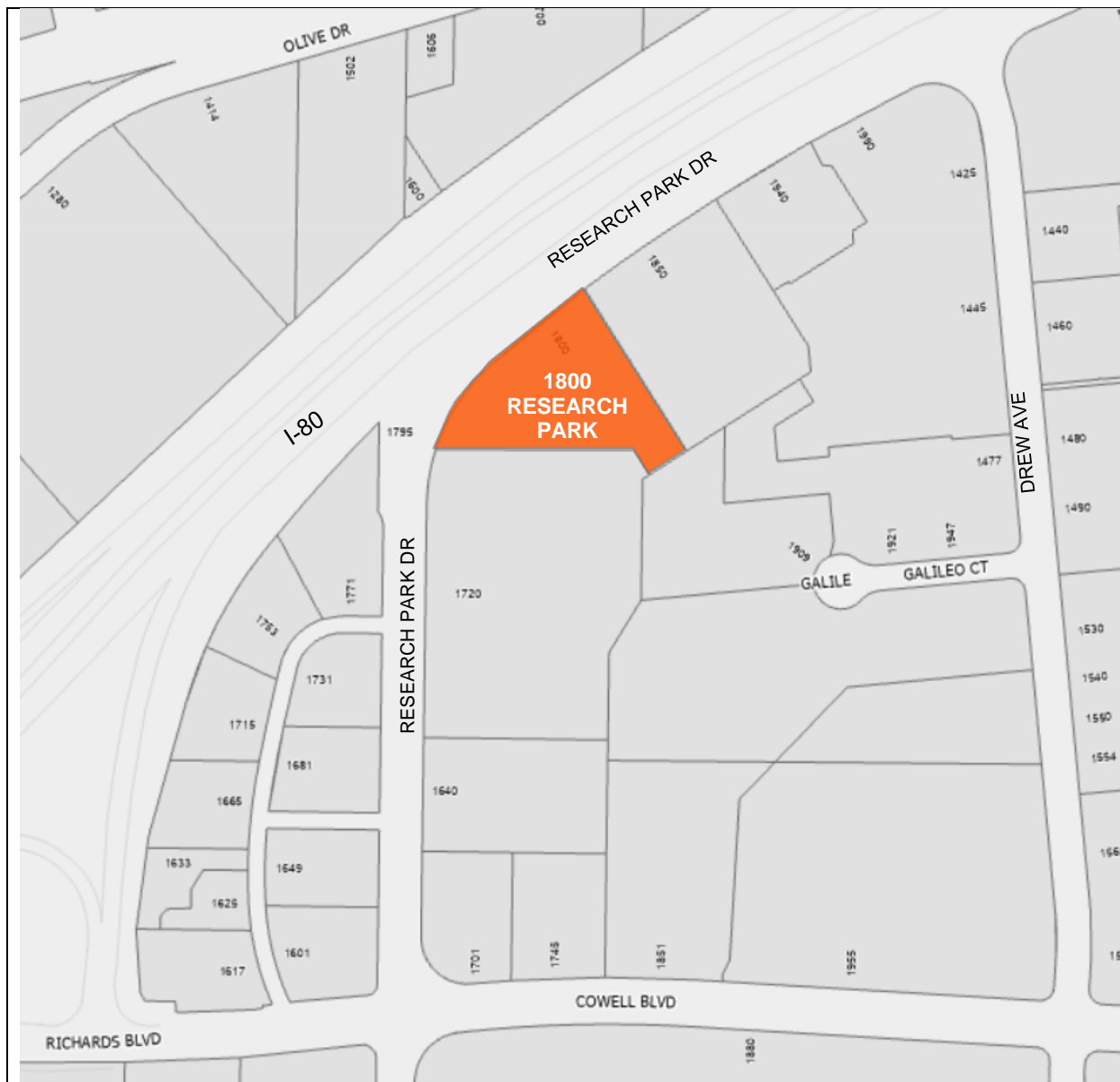
## EXHIBIT A Zoning Amendment

**2932 Spafford Street (APN: 071-403-002)  
Approximately 1.51 acres to PD 05-22 (High Density Mixed)**



## EXHIBIT B Zoning Map Amendment

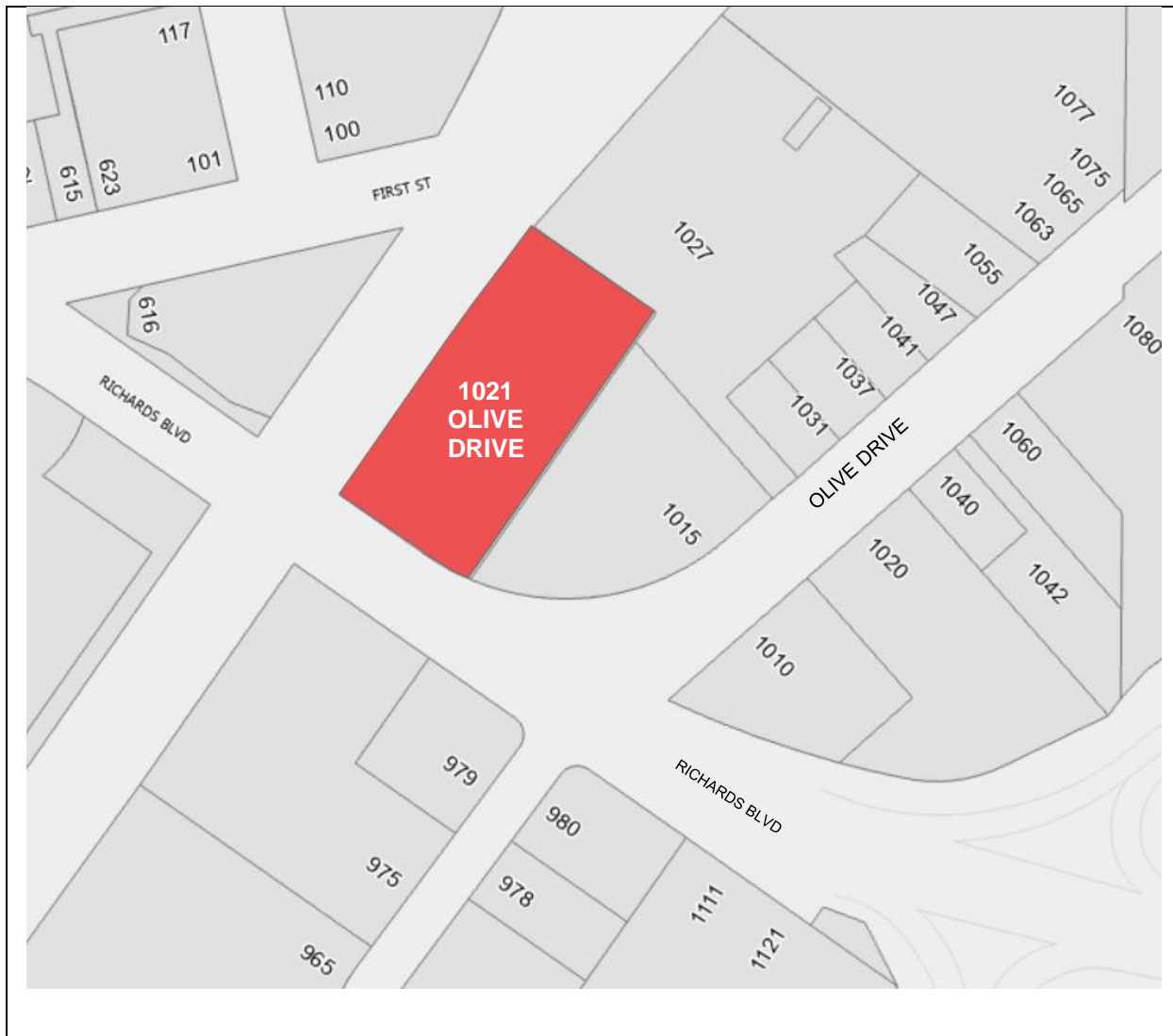
**1800 Research Park Drive (APN: 069-290-081)  
Approximately 1.74 acres to PD 05-22 (High Density Mixed)**





## EXHIBIT C Zoning Map Amendment

**1021 Olive Drive (APN: 070-260-022)**  
**Approximately 1.09 acres to PD 05-22 (High Density Mixed)**



## EXHIBIT D Zoning Map Amendment

**1616 Da Vinci Court (APN: 069-060-024)**  
**Approximately 2.06 acres to PD 05-22 (High Density Mixed)**

