

ORDINANCE NO. 2653

AN ORDINANCE AMENDING CHAPTER 40 OF THE CITY OF DAVIS MUNICIPAL CODE TO AMEND ARTICLE 40.13 OF THE DOWNTOWN CODE TO PROVIDE FOR MINISTERIAL REVIEW OF QUALIFYING RESIDENTIAL DEVELOPMENTS AND TO AMEND ARTICLE 40.14A PERTAINING TO THE BOUNDARIES OF THE DOWNTOWN AND TRADITIONAL NEIGHBORHOOD OVERLAY DISTRICT MAP

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

SECTION 1. AMEND ARTICLE 40.13 DOWNTOWN DAVIS ZONES.

Article 40.13 is hereby amended to revise Section 40.13.020(a)(1) to add subsection (C) as follows, with all other subsections to remain the same:

- (C) Ministerial Review of Qualifying Residential Developments.** The following sites located within the Downtown Davis Zones and identified as Vacant and Underutilized Sites for housing (Table 62) in the City of Davis 2021-2029 Housing Element Update may be processed ministerially (i.e. “building permit only”) as described herein: 1) Site 1 (eight parcels located between 2nd and 3rd Streets and E and F Streets); 2) Site 3 (240 G Street); 3) Site 11 (907 4th Street); and any additional sites that may be identified and added to the Housing Element Site Inventory.

Housing developments must provide a minimum of 20 percent of the total project units as affordable for lower income households and comply with the City’s applicable objective requirements, including, but not limited to, the Form Based Code and Objective Design Standards for Ministerial Residential Developments. Where there is a conflict between the requirements of the Form Based Code and the Objective Design Standards for Ministerial Residential Developments, the provisions of the Form Based Code will prevail.

SECTION 2. AMEND ARTICLE 40.14A DOWNTOWN AND TRADITIONAL NEIGHBORHOOD OVERLAY DISTRICT (DTRN) MAP.

Article 40.14A is hereby amended to revise Section 40.14A.020(1) pertaining to the boundaries of the DTRN overlay district map to remove the site located at 526 B Street bounded by B and C Street and 5th and 6th Street and comprising approximately 2.2 acres from the DTRN overlay district (Exhibit A).

SECTION 3. FINDINGS.

The City Council of the City of Davis hereby finds:

1. The proposed amendments are in conformance with the General Plan, as amended, in that it provides consistency between the land use and zoning of the subject parcels and are necessary in order to provide the housing sites and densities consistent with the General Plan Housing Element. The proposed amendments implement Housing Element Program 2.15 by creating a by-right process for projects on specific parcels

that are identified as available to accommodate a portion of the City's Lower Income RHNA for the 2021-2029 cycle, in accordance with the requirements of Government Code Section 65583.2(c).

2. Public necessity, convenience and general welfare require the adoption of the proposed amendments, in that they are necessary to comply with state requirements and to provide the residential sites and densities necessary to meet the City's housing needs, as identified in the General Plan Housing Element.
3. The Planning Commission held a public hearing on November 8, 2023 to receive comments and consider the amendments and voted to recommend adoption of the zoning text amendments.
4. The zoning text amendment to clarify the process for ministerial review of qualifying residential projects and amendment to the DTRN boundaries does not result in any direct physical changes to the environment and is exempt from environmental review pursuant to CEQA Guidelines Section 15061 where it can be seen with certainty that the project will have no significant effect on the environment and furthermore the amendments are necessary as part of the adoption of the City's 2021-2029 Housing Element update and related housing sites rezone which were evaluated pursuant to CEQA in Negative Declaration #03-22 that determined that the housing element and rezone would not have significant effect on the environment and that no further environmental review was required.

SECTION 4. EFFECTIVE DATE.

The ordinance shall become effective on and after the thirtieth (30th) 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

40.14A Downtown and Traditional Neighborhood Overlay District (DTRN) Map

