

STAFF REPORT

DATE: October 8, 2025

TO: Climate and Environmental Justice Commission
Fiscal Commission
Open Space and Habitat Commission
Planning Commission
Social Services Commission

FROM: Sherri Metzker, Community Development Director

SUBJECT: 2025 Measure J/R/D Amendment, Commissionapalooza

RECOMMENDATION

1. Hold a joint public meeting with five City Commissions regarding a proposed Amendment to Measure J/R/D (DMC Chapter 41, Citizens Right to Vote on Future Use of Open Space and Agricultural Lands);
2. Discuss possible amendments; and
3. Receive public comment.

COUNCIL GOALS

Shoring Up the Housing Continuum

FISCAL IMPACTS

The Yolo County Elections Office renders specified services relating to the conduct of an election on behalf of the City. The City is then responsible for its share of the costs. If the election item is a city-sponsored request, such as a proposed change to Measure J/R/D, the fees are paid by the city from the General Fund. If the election item is a proposed project required to go the voters under Measure J/R/D, the fees are paid by the project applicant. Election fees can vary widely depending on factors such as number of registered voters, length of a ballot, number of precincts participating in an election, voter turnout, and whether or not the election can be consolidated with other elections conducted on the same day.

For example, the City Clerk received an estimated cost of \$380,000 from the Yolo County Elections Office if the City held a 2025 special election with no other local, state or federal items on the ballot. In contrast, the November 2024 general municipal election cost the City \$116,747 for a council election in three districts and a citywide ballot measure. The November 2024 election had all jurisdictions in the county

participating, as well as county, state and federal offices and special districts, each of which paid a share of the costs.

JOINT COMMISSION MEETING

The agenda and format of this joint meeting is different from typical commission meetings. However, a similar joint commission meeting was held in April 2025 to kick off the General Plan Update process for six commissions (Climate and Environmental Justice, Open Space and Habitat, Planning Commission, Social Services, Recreation and Park, Transportation) and the Measure J/R/D Commissionapalooza will be conducted using the same process and procedures.

The Chair for each commission will sit at the dais. To simplify logistics, staff recommends the Planning Commission Chair be selected as the Lead Chair of the joint special meeting. Each commission will be assigned a designated area on one side of the Community Chambers audience seating to enable commissioners to sit together as a unit, and at designated times, provide feedback in a coordinated manner. The other side of the audience seating will be available for the public. Time for public comment will be provided after commission feedback.

Commissioners are asked to come prepared to provide input in the context of their commission's role and responsibilities. There will also be an opportunity for individual commissioners to comment on input from their commissioner colleagues and on the general topic of possible Measure J/R/D amendments.

COMMISSION	FOCUS
Climate & Environmental Justice	Environmental Mitigation Package; Community Benefit
Fiscal	Community Benefit
Open Space & Habitat	Urban Limit Line; Community Benefit
Planning	Affordable Housing; Urban Limit Line; Community Benefit
Social Services	Affordable Housing; Community Benefit

BACKGROUND

On April 4, 2025, staff met with the Long Range Growth (Measure J/R/D revision) Council Subcommittee (Chapman, Vaitla) to discuss the potential revisions to Davis Municipal Code (DMC) Chapter 41, Citizens Right to Vote on Future Use of Open Space and Agricultural Lands. The impetus for such revisions comes from General Plan Housing Element Program 2.6, which says in part,

“• Amend 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, or other changes to city ordinances that would help create affordable housing. Any change to Measure J/R/D/ would require a public vote.”

According to the Housing Element, this amendment was intended to be placed on the ballot in November 2024 (but no later than November 2026). As of today, no amendment has been placed on a ballot. On May 13, 2025, the City Council held a public meeting to discuss potential amendments to Measure J/R/D and directed staff to seek commission feedback on various concepts to consider.

It should also be noted that the City recently received two emails, one from Chelsea Lee of Sacramento Area Council of Governments (SACOG) and one from Fidel Herrera of California Housing and Community Development Department (HCD) indicating that HCD intends to begin reviewing the City's actions regarding its adopted Housing Element (See Attachments 2 & 3). Among other things, HCD will be focusing on, "zoning amendments that remove government constraints." HCD expressed similar concerns about Measure J/R/D during the Housing Element approval process, given its low level of successful outcomes.

ANALYSIS

Measure J/R/D

The City Council General Plan Subcommittee (Long Range Growth Subcommittee was consolidated with and renamed General Plan Subcommittee in July 2025) has been working with staff to consider possible content of proposed revisions for Measure J/R/D and to develop corresponding amended language. The Subcommittee has reviewed the language of the current Chapter 41 and has recommended that the provisions be changed from a very limited set of exemption provisions, to broader exemptions that incentivize desired community enhancements. A copy of Chapter 41 is attached to this report (See Attachment 3). In general, it states that a Measure J/R/D vote is not necessary when the change to the general plan land use designation is for:

- a public school site;
- a public park site;
- a city facility such as a treatment plant;
- when it includes a redesignation of the property north of Sutter Hospital to a use that includes medical facilities;

Or if the council finds all of the following:

- if the land use change is necessary to meet the city's legal fair share of housing;
- if no other land is available to meet the city's fair share of housing;
- the parcel to be redesignated is not more than 5 acres in size unless the City Council states that the change is necessary to meet the city's fair share of housing;
- any proposal approved under this subsection shall be required to have all housing units permanently affordable to persons or families of moderate, low and very low income.

Although in the past the city of Davis has been able to meet its legal fair share of housing within the city limits, very few vacant parcels or land eligible for development

now remains within the city limits, making it more challenging to meet housing requirements. Furthermore, the State of California has changed the rules on what sites would actually be eligible to be included in the Housing Element (See Attachment 4). The Measure J/R/D process thus becomes increasingly applicable to housing applications.

The concept as proposed is that project applicants who propose to redesignate property currently identified for Agriculture or Open Space would be exempt from the provisions of a Measure J/R/D vote if the proposed project includes certain features. The commissions are asked to consider and provide feedback on what those features, or combination of features, should be. Additionally, staff needs to know how many features (or value metric) should be included to receive an exemption. Overall, whichever recommendations are proposed by commissions, the ultimate amendment should be simple, clear and direct on implementation.

Staff will take the recommendations from this meeting to the City Council for review and next steps.

Affordable Housing

One method to qualify for the waiver of a Measure J/R/D vote could be to provide a larger proportion of affordable housing than the City's Inclusionary Housing Ordinance requires, but less than the current exemption requires. An example would be to exempt a project that provides a minimum of 50% of the dwelling units as affordable according to a split among various income groups.

Example:

20% Moderate Income
10% Low Income
10% Very Low Income
10% Extremely Low Income

Related to that provision could be a land dedication and project funding wherein a developer provides a parcel that is assigned a particular density to create affordable housing. The density and minimum acreage should be provided. In addition, the infrastructure (i.e. roadways and utilities) could also be required to be built by the primary developer. It is recommended that the Social Services Commission and Planning Commission provide feedback on these proposed features.

Climate/Environment

A second method to qualify for the waiver of a Measure J/R/D vote could be to provide a substantial environmental mitigation package. In this case, the city could look to waive Measure J/R/D when a project includes features to achieve complete carbon neutrality, like >100% mitigation of greenhouse gas emissions, construction of and connection to a microgrid, or a project that provides additional agricultural land mitigation beyond the ordinance requirements. It is recommended that the Climate and Environmental Justice Commission provide feedback on these proposed features.

Community Benefits

Community Benefits might be included as a third method to qualify for the waiver of a Measure J/R/D vote. In this case, the developer might provide city facilities beyond those that are routinely required. This could be done as either a financial contribution or actual construction. It could include buildings, roads, utility lines, or drainage features. The required Community Benefit contribution could be determined by a per-acreage or other formula. Some examples could be construction of shelters from extreme weather, carbon sequestration on a significant level, a carbon farm, renewable electricity production. It is recommended that all commissions provide feedback on these proposed features.

Urban Limit Line

In combination with all of the other incentives, the Planning Commission and City Council could work to determine a City of Davis Urban Limit Line. Urban Limit lines are a planning tool beyond which urban development would not be allowed. This would give the public a general idea of the ultimate limits of urban development for the city. Ideally, this concept would be done in concert with the General Plan Update. Much of the same information to conduct a proper analysis would be done with both concepts (e.g. the General Plan and Urban Limit Plan). Measure J/R/D could also be amended to include language on the maximum acreage within the Urban Limit Line that would be subject to the exemption. It is recommended that the Open Space and Habitat Commission and Planning Commission provide feedback on this proposed features

Timing of J/R/D Amendment

It is expected that the Measure J/R/D amendment could be placed on the ballot in 2026. To do so, the amendment must be drafted and an election called by the City Council no later than June 2026. If the amendment could be drafted by January, it could be placed on the June 2026 ballot.

ELECTION DATES	YOLO COUNTY LOCAL MEASURE DUE DATES	LAST CITY COUNCIL MEETING BEFORE DUE DATE
June 2, 2026 Special Election (Gubernatorial Primary)	January 13, 2026	January 6, 2026
November 3, 2026 General Election	June 16, 2026	June 16, 2026

The County requires all jurisdictions that wish to hold an election to submit their resolutions calling an election 140 days prior to the election date. This deadline gives the elections staff adequate time to prepare all the documentation needed for the election, particularly when there are multiple jurisdictions involved.

ENVIRONMENTAL REVIEW

An amendment to Measure J/R/D that would revise the exceptions to voter approval would not be a “project” as defined by the California Environmental Quality Act as it would constitute an “organizational or administrative activit[y] of government that will not result in direct or indirect physical changes in the environment.” CEQA Guidelines, § 15378(b). Measure J/R/D does not impose substantive limits on development in peripheral areas of the City, but rather establishes additional procedural requirements for development. Presenting an amendment of Measure J/R/D to the voters would not commit the City to approve any specific project but would solely impact the process by which a project might be approved. For these reasons, an amendment to Measure J/R/D to revise exemptions to the voter approval requirement does not require additional CEQA analysis. Projects seeking approval through Measure J/R/D or seeking to utilize an exception to Measure J/R/D would be required to undergo environmental review as required by CEQA.

Attachments

1. Email from Chelsea Lee, SACOG
2. Email from Fidel Herrera, HCD
3. Davis Municipal Code Chapter 41
4. Excerpts from the Housing Element Inventory Guidebook

ATTACHMENT 1

Received via Email 8/29/25

SACOG Notification on Cycle 6 Housing Element Program Implementation

Good Morning all,

Thank you for attending SACOG's recent webinar on Aug. 25; it was nice to meet many of you on Monday! For those I have not met, I look forward to working with you on the Cycle 7 RHNA/Housing Element Update.

As I mentioned briefly during the webinar, SACOG has received a heads-up from HCD that they will soon begin outreaching to SACOG jurisdictions to inquire about the status of Cycle 6 Housing Element implementation. HCD has been conducting these reviews geographically and by the COG HE due dates.

While we don't know exactly how this will play out, here is our understanding of what you can expect when they reach out to you:

- HCD will begin its review of each jurisdiction by assessing progress on key programs and deadlines that were indicated in your Cycle 6 HEs. HCD also reviews APR data and looks at existing conditions with respect to AFFH, in order to get a better understanding of what degree of enforcement to take. Their review rubric has three tiers: low, medium, and high.
- HCD focuses on key, high-priority programs to track. A suggestion is to refer back to your HE letter of adopted compliance to get a sense of what areas HCD will be asking for updates on. The letter usually will have called out specific programs HCD is tracking.
- HCD prioritizes programs related to statutory rezones, significant zoning changes that accommodate large portions of the RHNA, such as through a Specific Plan or Downtown revitalization, AFFH, and zoning amendments that remove govt. constraints (e.g. commitments to increase heights in higher density residential zones, changes that open up access to housing choice for special population groups (seniors, persons with disabilities, unhoused, etc.).
- Generally speaking, HCD's approach to enforcement has several steps. They usually begin by meeting with staff for progress updates and by sending out LOIs (Letters of Inquiry).
- As you can imagine, it's completely normal for jurisdictions to have some late or incomplete progress towards program milestones. Thus, it is unusual for HCD to head straight for "high" enforcement action. Even in the worst-case scenario, they will hold a series of meetings with staff to work with you on a timeline for making progress before escalating. It's worth being aware that HCD has increased statutory authority on enforcement now and, while rare, in extreme

cases it is possible for them to provide a Notice of Violation (NOV), which essentially revokes HE compliance.

- For any incomplete, but critical HE programs, our understanding is that HCD is most interested in understanding what steps have been taken, and what remaining work needs to be done. Being able to provide updates and outline a plan to keep moving towards implementation goes a long way with them in determining what path of action they will take.

If SACOG can be of assistance in answering any additional questions about this process, please let us know. Thank you.

Warm Regards,

Chelsea Lee (she/they) | Associate Planner

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ATTACHMENT 2

Received via Email 9/4/25

SACOG Housing Element Implementation Program Reminder

Per Government Code section 65585 (i), HCD can review any action or inaction taken in relationship to the adopted housing element. This includes implementation of program actions included in the housing element. The California Department of Housing and Community Development (HCD) through its Housing Element Implementation (HEI) Program is proactively monitoring, reviewing and engaging with jurisdictions on the implementation of the housing element. HCD's HEI Program utilizes annual progress reports (Government Code section 65400) to review programs that were essential to housing element compliance. Upon a preliminary review of the annual progress report, HCD will reach out to jurisdictions to gain a stronger understanding of progress, then will internally determine next steps based on the conditions and circumstances.

This communication serves as a notice to SACOG that HCD will be reviewing housing element program implementation in the upcoming weeks. HCD welcomes the opportunity to answer any questions and looks forward to working with you all. For more information and specific questions regarding the Housing Element Implementation Program, please contact Fidel Herrera at Fidel.Herrera@hcd.ca.gov.

**Fidel Herrera,
Housing and Community Development**

ATTACHMENT 3

Article 41.01 Citizens Right to Vote on Future Use of Open Space and Agricultural Lands

§ 41.01.000**Title.**

This article shall be known as the "Citizens' Right to Vote on Future Use of Open Space and Agricultural Lands Ordinance."

§ 41.01.010**Purpose and findings.**

(a) Purpose.

- (1) The purpose of this article is to establish a mechanism for direct citizen participation in land use decisions affecting city policies for compact urban form, agricultural land preservation and an adequate housing supply to meet internal city needs, by providing the people of the City of Davis the right to vote, without having to evoke referenda, on General Plan land use map amendments that would convert any agricultural, open space, or urban reserve lands, as designated on the land use map of the City of Davis General Plan, dated August 1, 1999, to an urban or urban reserve land use designation and on any development proposal on the Covell Center or Nishi properties.
- (2) The purpose of this article is to ensure that the purposes and principles set forth in the City of Davis General Plan relating to voter approval, land use, affordable housing, open space, agricultural preservation and conservation are fully considered by establishing an expanded land use entitlement process for proposed conversion of properties to urban use that are designated or in agricultural or open space use. This action recognizes that continued conversion of agricultural lands to meet urban needs is neither inevitable nor necessary, and that any land use decision affecting such properties shall be subject to a public vote.

(b) Findings. The city council and the voters of the city hereby incorporate all of the recitals set forth above and, in addition, find that:

- (1)** The protection of existing agricultural and open space lands, natural habitats and reserves surrounding the City of Davis, and within the Davis Planning Area, is of critical importance to the present and future residents of the City of Davis. Agriculture has been and remains a major contributor to the local and regional economy, directly and indirectly creating employment for many people, and providing valuable food crops distributed worldwide.

- (2) Continued urban encroachment into agricultural and open space lands, natural habitats and reserves impairs agriculture and threatens the public health, safety, and welfare by causing increased traffic congestion, associated air pollution, and potential adverse impacts to the quantity and quality of available water resources. Continued urban encroachment into agricultural lands also requires significant new public infrastructure and facilities and places additional stresses on existing public infrastructure and facilities.
- (3) The unique character of the City of Davis and the quality of life enjoyed by city residents depend on the protection of agricultural, open space lands, and natural habitats and reserves on its periphery. The protection of such lands aids the continued viability of agriculture, defines urban/rural boundary, and brings mental and physical benefits from the broad vistas at the urban edge onto open space and agricultural lands. It also contributes to the protection of wildlife including rare, endangered, or threatened species, environmentally sensitive areas, and irreplaceable natural resources.
- (4) The General Plan contains policies for compact urban form, and protection of agricultural lands from urban development including a policy that prohibits new urban development on open space and agricultural lands. The General Plan further calls for the use of all available mechanisms to preserve open space and agricultural lands and provides for the implementation of growth management systems.
- (5) The city has actively promoted both the preservation of agricultural lands and habitat and the availability of affordable housing within the city through the existing policies in the city's General Plan and the city's implementing activities, including, but not limited to, the right-to-farm ordinance, the city's acquisition of open space, agricultural lands and habitat, the city's participation in the agricultural lands stewardship program, the city's affordable housing ordinance, and other city programs and policies designed to promote agricultural preservation and/or affordable housing.
- (6) This citizens' right to vote on future use of open space and agricultural lands ordinance implements the General Plan and is consistent with the city's adopted General Plan and furthers and implements the policies of the General Plan. The city finds that this ordinance will provide for a balance between the preservation of agricultural lands and open space and the housing needs of the city.

§ 41.01.020 **Voter approval.**

(a) Voter approval of changes to land use designations on the land use map from agricultural or urban reserve to urban land use designations or from agricultural to urban reserve land use designations.

(1) Each and every proposed amendment or modification of the land use map to modify the land use designation of lands designated for agricultural, open space or urban reserve use on the land use map to an urban or urban reserve designation is a significant change that affects the city and its ability to maintain its vision for a compact urban form surrounded by farmlands and open space. Any such proposal, therefore, requires public participation in the decision, including, but not limited to, voter approval of the proposed amendment or modification of the land use map.

(2) Any application for an amendment or modification of the land use map that proposes changing the land use map land use designation for any property from an agricultural, open space, or urban reserve land use designation (e.g., agricultural, open space, agricultural reserve, urban reserve, environmentally sensitive habitat, Davis greenbelt) to an urban land use designation or from an agricultural designation to an urban reserve designation shall require:

(A) Establishment of baseline project features and requirements such as recreation facilities, public facilities, significant project design features, sequencing or phasing, or similar features and requirements as shown on project exhibits and plans submitted for voter approval, which cannot be eliminated, significantly modified or reduced without subsequent voter approval;

(B) Approval by the city council, after compliance with the California Environmental Quality Act, the state planning and zoning laws and any other applicable laws or regulations; and then

(C) Approval by an affirmative majority vote of the voters of the City of Davis voting on the proposal.

The land use designation amendment or modification shall become effective only after approval by the city council and the voters. The city shall not submit any application to the voters if the application has not first been approved by the city council, unless otherwise required by law.

(3) If, after compliance with the California Environmental Quality Act and any other applicable laws, the city council modifies or amends the land use designation for any property from an urban land use designation to an agricultural, open space, or urban reserve land use designation, the land use designation of that property shall not be amended or modified from the agricultural, open space, or urban reserve designation to an urban land use designation without first complying with

this article, including, but not limited to, the voter approval requirements set forth in subsection (a)(2) of this section.

(b) Voter approval of development proposals on remaining large vacant properties (Covell Center and Nishi properties) designated for urban land uses on land use map, dated August 1, 1999.

(1) In recognition of the pace and extent of development that has occurred during the first half of the 1987 General Plan planning period, careful consideration shall be given to future use of the remaining two large vacant properties currently designated for urban uses on the land use map that are not subject to a development agreement or do not have a vested right to proceed with development of the property. Key considerations for requiring voter approval prior to development on these two properties are impacts on already overburdened public facilities and infrastructure, long-term preservation of adjoining agricultural lands, preservation of viewsheds and valuable habitat areas, and to ensure that the city maintains a compact and efficient urban form as mandated by General Plan policies. Accordingly, any land use decision that directly affects one or both of these properties, or any portions thereof, including any legislative action, subdivision map application, site plan review, or planned development application, requires full public participation, including an affirmative vote of the people on any city council action to approve such a request. Specific properties included under these provisions are:

(A) The property known as Covell Center, or any portion of said property, bordered by Covell Boulevard on the south, the Hunt property and County Road 101A on the west, County Road 102/Pole Line Road on the east, and the southern edge of the city-owned property and extending to F Street on the north as shown on the land use map (Exhibit A attached to the ordinance codified in this article and included by reference).

(B) The Nishi property, or any portion thereof, the boundaries of which are established in the Gateway/Olive Drive specific plan dated January, 1996 (Exhibit B attached to the ordinance codified in this article and included by reference).

(2) Any application for a development proposal or land use change leading to urban development on all, or any portion of either of these properties shall require:

(A) Establishment of baseline project features and requirements such as recreation facilities, public facilities, significant project design features, sequencing or phasing, or similar features and requirements as shown on

project exhibits and plans submitted for voter approval, which cannot be eliminated, reduced or significantly modified without subsequent voter approval;

(B) Approval by the city council, after compliance with the California Environmental Quality Act, the state planning and zoning laws and any other applicable laws or regulations; and then

(C) Approval by an affirmative majority vote of the voters of the City of Davis voting on the proposal.

The land use entitlements for development on all, or any portion of either of these properties shall become effective only after approval by the city council and the voters. The city shall not submit any application to voters if the application has not first been approved by the city council, unless otherwise required by law.

(3) Voter approval of an application applicable to one or both of the above properties shall be required for:

(A) Any land use entitlement or development proposal application request affecting the entire property; except a request that would change the land use designation to an agricultural land use designation;

(B) Any land use entitlement request for the development of a portion of the property.

(c) Once the voters have approved a land use map designation or land use entitlement for a property, additional voter approval shall not be required for:

(1) Subsequent entitlement requests that are consistent with the overall approved development project or land use designation and entitlements including the baseline project features and required provision of open space, recreational amenities, design features and public facilities, as specified in the exhibits and plans approved by the voters.

(2) Any requested modification to a land use designation or development project entitlement that does not increase the number of permitted dwellings or units or the intensity of commercial/industrial development and does not significantly modify or reduce the baseline project features and required provision of open space, recreational amenities, design features and public facilities, as specified in the exhibits and plans approved by the voters. The city council may adopt procedures for the hearing of a request for modification.

Chapter 41.01.030 **Exemptions.**

The requirement for voter approval set forth in this article shall not apply to any of the following:

- (a) Land to be used for public schools, except should such land be deemed not needed for public school purposes, any proposal to convert such land for urban use shall be subject to the voter approval requirements of this article.
- (b) Land to be used for public parks, except should any such land be deemed not needed for public park purposes, any proposal to convert such land to urban use shall be subject to the voter approval requirements of this article.
- (c) Other city facilities that require large acreage that cannot feasibly be located on lands designated for urban uses (e.g., a sewer treatment facility, solid waste disposal facility, corporation yard, etc.).
- (d) Any re-designation of the parcel immediately north of Sutter Davis Hospital designated urban reserve on the land use map, after compliance with the California Environmental Quality Act and other applicable laws, for use as medical facilities or medical offices and uses subordinate or accessory to medical facilities or medical offices.
- (e) After notice and hearing as required by state law and after compliance with the California Environmental Quality Act, the city council may, without a vote of the electorate of the city, approve residential development on land designated agriculture, agriculture reserve or urban reserve if the city council finds that all of the following circumstances exist:
 - (1) The approval is necessary and required to meet the city's legal fair share housing requirement;
 - (2) There is no other land already designated for urban use that can accommodate the City's legal fair share housing requirement; and
 - (3) Not more than five acres per year in total area is designated under this exemption for residential development. Additional acreage may be designated under this exemption if the city council finds that the acreage is necessary to meet the city's legal fair share obligation based on maximum multifamily densities.

Any proposal approved under this subsection shall be required to have all housing units permanently affordable to persons or families of moderate, low and very low income.

The intent of this exemption is to provide sufficient land for housing to accommodate moderate, low and very low-income housing, as may be necessary over time.

- (f) Any development project that has obtained a vested right pursuant to state law prior to March 8, 2000, the effective date of Ordinance 2008 adopting Measure J.

41.01.040 **Definitions**

As used herein, the following words and phrases shall have the following meanings:

Agriculture and open space land use designation, agricultural land use designation or urban reserve land use designation shall refer to the 1987 General Plan land use designations and the uses permitted within these land use designations that provide for agricultural or open space uses, including, but not limited to, agriculture, agriculture reserve, agricultural open space, environmentally sensitive habitat area, greenbelt/agriculture buffer, or urban reserve as they exist on August 1, 1999, in particular:

(1) Agricultural reserve means agricultural lands designated as permanent agriculture. This designation is used in areas to ensure a permanent buffer between adjacent jurisdictions.

(2) Agricultural open space means lands in agricultural use and land designated to protect valuable natural resources.

(3) Agricultural uses include farmlands (including farmhouses and farm buildings) and land to be used for the production of food and fiber. Residential and nonresidential uses that preclude agricultural uses are prohibited.

(4) Urban reserve means land designated for potential urban development after the development of land designated for urban uses on the General Plan land use map.

It is the intent of the agricultural and open space land use designations to protect valuable natural resources such as agricultural land and natural habitat, to allow for productive agricultural use, to ensure a permanent buffer between adjacent jurisdictions and to serve as a visual amenity around urban development. It is further the intent of these land use designations to preserve existing wildlife habitat and develop new wildlife habitat. Wildlife preserves, low intensity recreation, nature study and interpretive centers are permissible uses if the particular use is compatible with agricultural and/or habitat uses.

General Plan land use map, General Plan map or land use map specifically refers to the land use map from the 1987 City of Davis General Plan, as amended through August 1, 1999.

Affordable to moderate and very low-income persons or families shall have the same meaning and income levels as those used in the city's affordable housing ordinance, Article 18.05 of the City's Municipal Code, or as used by the United States Department of Housing and Urban Development.

Urban use or urban land use designation refers to any land use designation that permits development, including, but not limited to, any residential use (with a density greater than one unit per twenty gross acres), retail, office, highway/service commercial, recreational/commercial, business parks, public/semi-public, industrial, or other non-open space or non-agricultural use characteristic of urban development.

Significantly or significantly changed or modified means that the proposed change or modification materially alters the essential characteristics of the project or the baseline feature or requirement.

§ 41.01.050 **Elections.**

- (a)** Except for the renewal or repeal of this article pursuant to Section 4 of Ordinance Nos. 2350 and 2581, any direct or indirect costs to the City of Davis caused by the elections mandated by this article shall be borne by the applicants of the amendment of the General Plan land use map designation or other development proposal requiring the election, unless otherwise prohibited by state law.
- (b)** Elections mandated by this article shall be consolidated with other elections, whenever feasible. Different proposals may appear on the same ballot at the same election provided that each separate proposal affecting a discrete property or development project shall be submitted to the voters as a separate measure.

Attachment 4

Excerpts from Housing Element Sites Inventory Guidebook

https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf

An effective housing element provides the necessary conditions for conserving, preserving and producing an adequate supply of housing affordable at a variety of income levels and provides a vehicle for establishing and updating housing and land-use strategies to reflect changing needs, resources, and conditions. Among other things, the housing element establishes a jurisdiction's strategy to plan for and facilitate the development of housing over the five-to-eight year planning period by providing an inventory of land adequately zoned or planned to be zoned for housing and programs to implement the strategy.

Other characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., size and shape of the site, improvements currently on the site, slope instability or erosion, or environmental and pollution considerations), location (e.g., proximity to and access to infrastructure, transit, job centers, and public or community services), competitiveness for affordable housing funding (e.g., Low Income Housing Tax Credit scoring criteria), and likelihood or interest in development due to access to opportunities such as jobs and high performing schools. When determining sites to include in the inventory to meet the lower income housing need, HCD recommends that a local government first identify development potential in high opportunity neighborhoods. This will assist the local government in meeting its requirements to affirmatively further fair housing and ensure developments are more competitive for development financing.

Parcels included in the inventory, including any parcels identified for rezoning, must have sufficient water, sewer, and dry utilities available and accessible to support housing development. Or the parcel can be included in a program or plan of a public or private entity to secure sufficient water, sewer, and dry utilities supply to support housing development on the site in time to make housing development realistic during the planning period.

Sites must be identified throughout the community in a manner that affirmatively furthers fair housing opportunities (Government Code Section 65583(c)(10)). Affirmatively Furthering Fair Housing means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and fosters inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

For purposes of the housing element site inventory, this means that sites identified to accommodate the lower-income need are not concentrated in low-resourced areas (lack of access to high performing schools, proximity to jobs, location disproportionately exposed to pollution or other health impacts) or areas of segregation and concentrations of poverty.

The housing element must identify which RHNA income category that each site in the inventory is anticipated to accommodate. On the site inventory, specify whether the site or a portion of the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing. Sites can accommodate units for more than one income category.

The housing element need only describe those environmental constraints where documentation of such conditions is available to the local government. This analysis must demonstrate that the existence of these features will not preclude development of the sites identified in the planning period at the projected residential densities/capacities.

If a proposed parcel is more than 0.5 acres or less than 10 acres, is the size of the site automatically considered appropriate to accommodate lower income RHNA? Not necessarily. If the size of the parcel in combination with the allowable density and accompanying development standards cannot support a housing development affordable to lower income households, further analysis and programs may be needed to demonstrate the suitability of that site to accommodate the portion of the RHNA for lower income households.

If the inventory identifies nonvacant sites to address a portion of the RHNA, the housing element must describe the realistic development potential of each site within the planning period. Specifically, the analysis must consider the extent that the nonvacant site's existing use impedes additional residential development, the jurisdiction's past experience converting existing uses to higher density residential development, market trends and conditions, and regulatory or other incentives or standards that encourage additional housing development on the nonvacant sites.

If the jurisdiction must rely on annexation to accommodate its RHNA, the housing element must include a program committing to completing the annexation within three years of the planning period.