

ORDINANCE NO. 2582

ORDINANCE AMENDING SECTION 40.01.090 OF CHAPTER 40 OF THE CITY OF DAVIS MUNICIPAL CODE BY PREZONING APPROXIMATELY 228± ACRES (ASSESSOR’S PARCEL NUMBERS (APNS) 033-630-006, -009, -011, AND -012; 033-650-009, AND -026) LOCATED NORTHEAST OF THE INTERSECTION OF MACE BOULEVARD AND INTERSTATE 80 OF, TO PLANNED DEVELOPMENT (PD) # 4-14 UPON ANNEXATION TO THE CITY OF DAVIS AS OUTLINED IN SECTION 40.01.110 OF CHAPTER 40 OF THE DAVIS MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF DAVIS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. PROPERTY AREA.

The Property, consists of 6 parcels, generally located northeast of the intersection of Mace Boulevard and Interstate-80, totaling approximately ±228 acres generally described and referenced to as APN Assessor’s Parcel Numbers (APNs) 033-630-006, -009, -011, and -012; 033-650-009, and -026 which is shown on Exhibit A and described in Exhibit B.

SECTION 2. ZONING MAP CHANGE.

Section 40.01.090 (Zoning Map) of Chapter 40 of the City of Davis Municipal Code, as amended, is hereby amended by changing the land use designation of the 6 parcels containing approximately 228± acres, to Agricultural and Planned Development #4-14 (PD #4-14), as shown on Exhibit C.

SECTION 3. PURPOSE OF PRELIMINARY PLANNED DEVELOPMENT AREA.

The purpose of this preliminary planned development is to:

- A. Focus on the maximization of density to accommodate long-term business growth while taking into account the specific needs of potential tenants within the specific project where applicable.
- B. Make concerted efforts to integrate Sustainability principles into the project design, with the intent of creating new and adaptive models and integrating these principles throughout all components of the project. These include the concepts of incorporating storm water drainage swale systems and to integrate “smart street” designs into the project to minimize paved surfacing/street sections.
- C. Provide bicycle/pedestrian/transit connections that must be made in order to integrate this site as a truly multi-modal project.
- D. Include project elements of "work, live, play" that encourage an engaged and inviting workplace.
- E. Reflect a project character that is uniquely “Davis” while achieving very high aesthetic standards.
- F. Facilitate technology and business development in a new innovation center.

SECTION 4. USES.

The planned development area is comprised of three distinct Sub Areas. Each of the three districts in the Planned Development substantially corresponds with a district in the Davis Zoning Ordinance (Davis Municipal Code, Chapter 40). The principal permitted, accessory, and conditional uses of each district shall be consistent with the identified comparable Zoning District, as amended from time to time, except as provided herein. Specified uses for each Sub Area within PD #4-14, as depicted on

Exhibit C, are provided in this section.

Sub Area 1--City Property-Mace 25

The property assigned APN **033-650-026** shall be zoned Agriculture, consistent with Davis Municipal Code Section 40.02, as amended from time to time.

Sub Area 2 – Davis Innovation & Sustainability Campus

The property assigned APNs **033-650-009** and **033-630-009** shall be zoned as follows:

Davis Innovation & Sustainability Campus –Preliminary Planned Development (PPD)

Purpose.

The purpose of the Davis Innovation & Sustainability Campus (DISC) district is to provide an environment where leading-edge institutions and local, regional and international companies cluster and connect with start-ups, businesses incubators, and accelerators as well as the University of California, Davis can foster a creative and productive research and development center where innovators live, work and play.

Permitted uses.

The principal permitted uses of land in the DISC district are as follows:

- (a) Offices: including but not limited to administrative, executive, headquarters, medical, coworking and incubator space.
- (b) Laboratories: including but not limited to research, design, analysis, development and/or testing of a product
- (c) Light manufacturing, assembly or packaging of products, including but not limited to electrical, pharmaceutical, biomed and food products and devices, and associated warehousing and distribution.
- (d) Any other technical, research, development or light manufacturing use determined by the Planning Director to be of the same general character as the permitted uses.
- (e) Residential: workforce housing with an average density at or above 30 dwelling units per acre. The anticipated density range is between 15 and 50 dwelling units per acre, or higher, depending on product type.
- (f) Renewable energy generation and storage facilities.
- (g) Support Retail, single users at or less than 25,000 square feet, including but not limited to food and beverage, restaurant, dry cleaners, fitness center or gym.
- (h) Lodging or Hotel.
- (i) Conference Space.
- (j) Agriculture, including open air or greenhouse cultivation of crops and the tasting and/or sale of any products cultivated or produced on the premises, but excepting the raising of fowls or animals for commercial purposes.
- (k) Higher Education: extensions or graduate programs; public, semipublic or private.
- (l) Any use which handles, stores or treats in any fashion hazardous materials as defined in Section 40.01.010 of this chapter in a manner consistent with adopted ARC performance standards.

Accessory uses.

The following accessory uses are permitted in an DISC district:

- (a) Home occupations subject to the provisions of Sections 40.01.010 and 40.26.150;
- (b) Antenna and telecommunications;
- (c) child care/day care facility;
- (d) parking garage; and

(e) stand-alone corporate signage.

Conditional uses.

The following conditional uses may be permitted in the ARC district:

- (a) Support Retail, single users larger than 25,000 square feet.
- (b) Public and semipublic, including public utility uses necessary and appropriate to the ARC district.
- (c) Any use which handles, stores or treats in any fashion hazardous materials as defined in Section 40.01.010 of this chapter in a manner deemed to exceed or inconsistent with the adopted ARC performance standards.

Prohibited uses.

The following uses are prohibited in the ARC district:

- (a) Surface mining operations and mineral extraction, including but not limited to natural gas extraction. This prohibition does not apply to the importation or exportation of overburden and fill material used in grading and/or site preparation.

Sub Area 3—Mace Triangle --

The property assigned APN 033-630-011 and 033-630-012 shall be zoned General Commercial, consistent with Davis Municipal Code Section 40.18A., as amended from time to time.

The property assigned APN 033-630-006 shall be zoned Public/Quasi-Public, consistent with Davis Municipal Code Section 40.20A., as amended from time to time

SECTION 5. FINAL PLANNED DEVELOPMENT (FPD)

A Final Planned Development (FPD) approval shall be required prior to the development of the site. The FPD shall be consistent with the provisions of PD#4-14.

The development standards and design guidelines for development within PD 4-14, including setbacks, parking requirements, and sign regulations, shall be contained in the Final Planned Development (FPD). The Final Planned Development shall include typical development standards for each Sub Area. Actual determination of Sub Area boundaries and acreages shall be established by the Planning Commission through the Final Planned Development. Parking standards are anticipated to be significantly lower than those in the City of Davis Municipal Code, consistent with the provisions of the Sustainability Implementation Plan.

SECTION 6. CONFLICTS

For provisions not covered by this ordinance, 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 7. ENVIRONMENTAL IMPACT REPORT MITIGATION MEASURES.

This amendment to the Zoning Chapter of the Municipal Code to the Planned Development District shall be subject to the mitigation measures in Aggie Research Campus Subsequent Environmental Impact Report (EIR)

SECTION 8. SPECIAL CONDITIONS

This preliminary planned development is subject to the following development obligations:

1. Compliance with the Baseline Project Features established in Resolution No. 20-110 approved

by the Davis City Council on July 7, 2020.

- 2. Approval of this Rezoning and Preliminary Planned Development is contingent upon voter approval of the General Plan Amendment #6-14 pursuant to Chapter 41 of the Davis Municipal Code, the Citizens’ Right to Vote on Future Use of Open Space and Agricultural Lands Ordinance.

SECTION 9. FINDINGS.

- A) The City Council of the City of Davis hereby finds that the criteria for the approval of the preliminary planned development have been fulfilled:
 - 1. The planned development is in conformity with the General Plan.
 - 2. The Aggie Research Development Project Planned Development is in conformity with the intent of the Planned Development District of the Zoning Chapter (Article 40.22).
 - 3. The Aggie Research Development Project Planned Development is consistent with the Zoning Ordinance, as the purpose of the Planned Development District is to allow for diversification in the relationship of various buildings and structures and provide relief from the rigid standards of conventional zoning. The proposed Planned Development is intended to provide an integrated and sustainable neighborhood.
 - 4. The property is suitable for the proposed development.
- B) The City Council further finds that the public necessity and convenience and general welfare requires the adoption of pre-zoning set forth in Section 1.
- C) The City Council further finds that it has reviewed and considered the Aggie Research Campus Project Subsequent Environmental Impact Report (EIR) and has determined that the document adequately addresses the environmental effects of the zoning/preliminary planned development.

SECTION 10. CONTINGENCIES AND EFFECTIVE DATE.

The ordinance shall become effective only upon approval of General Plan Amendment #6-14 and ratification by the voters pursuant to Chapter 41 of the Davis Municipal Code, the Citizens’ Right to Vote on Future Use of Open Space and Agricultural Lands Ordinance.

INTRODUCED on the 7th day July, 2020, and PASSED AND ADOPTED by the City Council of the City of Davis on this 21st day of July, 2020, by the following vote:

AYES: Arnold, Carson, Frerichs, Lee, Partida

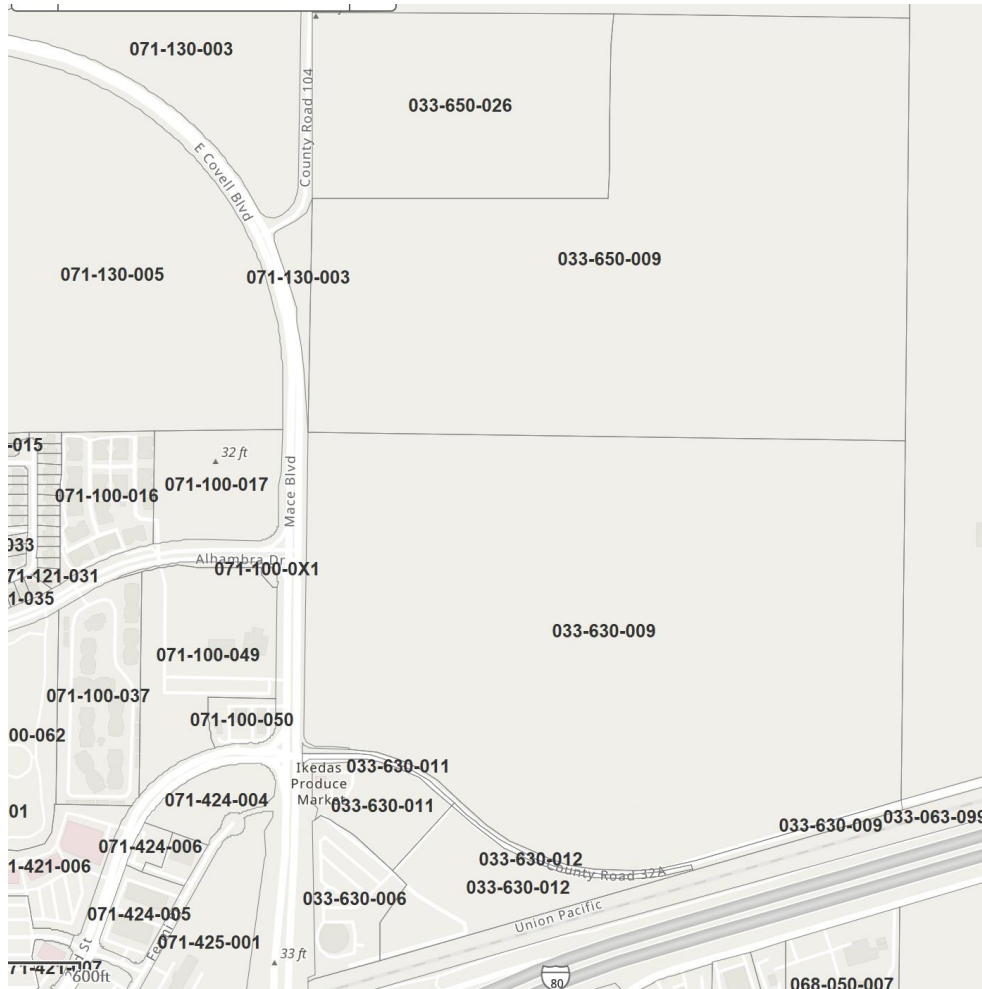
NOES: None

Gloria J. Partida
Mayor

ATTEST:

Zoe S. Mirabile, CMC
City Clerk

**Exhibit A
Properties to be Rezoned
PD-4-14**



Parcels with Assessor Parcel Numbers to be Zoned

- 033-650-026**
- 033-650-009**
- 033-630-009**
- 033-630-006**
- 033-630-011**
- 033-630-012**

Exhibit B
Rezoning and Preliminary Planned Development for
Aggie Research Campus and related Properties
Legal Description

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF YOLO, UNINCORPORATED AREA, AND IS DESCRIBED AS FOLLOWS:

R&B DELTA III, A CALIFORNIA LIMITED LIABILITY COMPANY

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 6, T. 8N., R. 3E., M. D.B. & M., LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 6, T. 8N., R. 3E., M.D.B. & M.; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID SECTION 6 TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 6; THENCE NORTHERLY ALONG THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 1815.00 FEET, TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING WESTERLY PARALLEL WITH THE SOUTHERLY BOUNDARY LINE OF SAID SECTION 6 TO THE WESTERLY LINE OF THE EASTERLY HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 6; THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF THE EASTERLY HALF OF SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 825 FEET, MORE OR LESS, TO A POINT ON A LINE PARALLEL WITH AND DISTANT 990 FEET NORTHERLY, MEASURED AT RIGHT ANGLES FROM THE SOUTHERLY LINE OF SAID SECTION 6; THENCE WESTERLY ALONG SAID PARALLEL WITH THE WESTERLY LINE OF SAID SECTION 6.

EXCEPTING THEREFROM ANY PORTION DEEDED TO THE COUNTY OF YOLO BY DEED DATED AUGUST 25, 1964 AND RECORDED IN BOOK 778 OF OFFICIAL RECORDS, PAGE 18, YOLO COUNTY RECORDS.

EXCEPTING THEREFROM ALL MINERALS, OIL, GAS, CASINGHEAD GAS, ASPHALTUM AND OTHER HYDROCARBONS AND CHEMICAL GAS, NOW OR HEREAFTER FOUND, SITUATED OR LOCATED IN ALL OR ANY PART OR PORTION OF THE LANDS HEREINABOVE DESCRIBED AS RESERVED BY WILLIAM H. MADDOCKS, ET UX., BY DEED RECORDED JANUARY 26, 1981 IN BOOK 1458 OF OFFICIAL RECORDS, PAGE 296, YOLO COUNTY RECORDS.

ASSESSOR'S PARCEL NUMBER: 033-650-009

FRANK C. RAMOS AND JOANNE M. RAMOS TRUSTEES OF THE FRANK C. RAMOS AND JOANNE M. RAMOS FAMILY TRUST DATED SEPTEMBER 22, 2005, BUZZ OATES LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AND OATES ASSOCIATES INVESTORS, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF YOLO, STATE OF CALIFORNIA AND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 7, OF TOWNSHIP 8 NORTH, RANGE 3 EAST, M.D.B. & M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 7; THENCE NORTH $89^{\circ} 56'20''$ EAST 50.00 FEET TO A POINT ON THE EASTERLY LINE OF MACE BOULEVARD SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID EASTERLY LINE OF MACE BOULEVARD, SOUTH $00^{\circ} 20'30''$ EAST, 1,406.70 FEET TO A POINT ON THE CENTERLINE OF NEW COUNTY ROAD 32A; THENCE DEPARTING FROM SAID EASTERLY LINE OF MACE BOULEVARD, SOUTHEASTERLY ALONG THE CENTERLINE OF NEW COUNTY ROAD 32A, SOUTH $89^{\circ} 39'30''$ EAST 196.92 FEET; THENCE THROUGH A CURVE CONCAVE TO THE SOUTH WITH AN ARC LENGTH OF 428.84 FEET, RADIUS OF 600.00 FEET, INCLUDED ANGLE OF $40^{\circ} 57'05''$ AND CHORD OF SOUTH $69^{\circ} 51'58''$ EAST 419.77 FEET; THENCE SOUTH $49^{\circ} 23'25''$ EAST 167.44 FEET; THENCE THROUGH A TANGENT CURVE TO THE LEFT WITH AN ARC LENGTH OF 1,009.26 FEET, RADIUS OF 1,000.00 FEET AND INCLUDED ANGLE OF $57^{\circ} 49'35''$; THENCE DEPARTING FROM SAID CENTERLINE OF NEW COUNTY ROAD 32A, SOUTH $17^{\circ} 13' 00''$ EAST 30.00 FEET TO A POINT ON THE NORTHERLY LINE OF UNION PACIFIC RAILROAD; THENCE NORTHEASTERLY ALONG SAID NORTHERLY LINE OF UNION PACIFIC RAILROAD, NORTH $72^{\circ} 47'00''$ EAST 975.77 FEET TO A POINT ON THE EASTERLY SIDE OF THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE DEPARTING FROM SAID NORTHERLY LINE OF UNION PACIFIC RAILROAD, NORTH ALONG THE EASTERLY SIDE OF THE NORTHWEST QUARTER OF SAID SECTION 7, NORTH $00^{\circ} 20'54''$ WEST, 1597.65 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE WEST ALONG THE NORTHERLY SIDE OF SAID SECTION 7, SOUTH $89^{\circ} 56'20''$ WEST, 2,604.64 FEET TO THE TRUE POINT OF BEGINNING.

ASSESSOR'S PARCEL NUMBER: 033-630-009

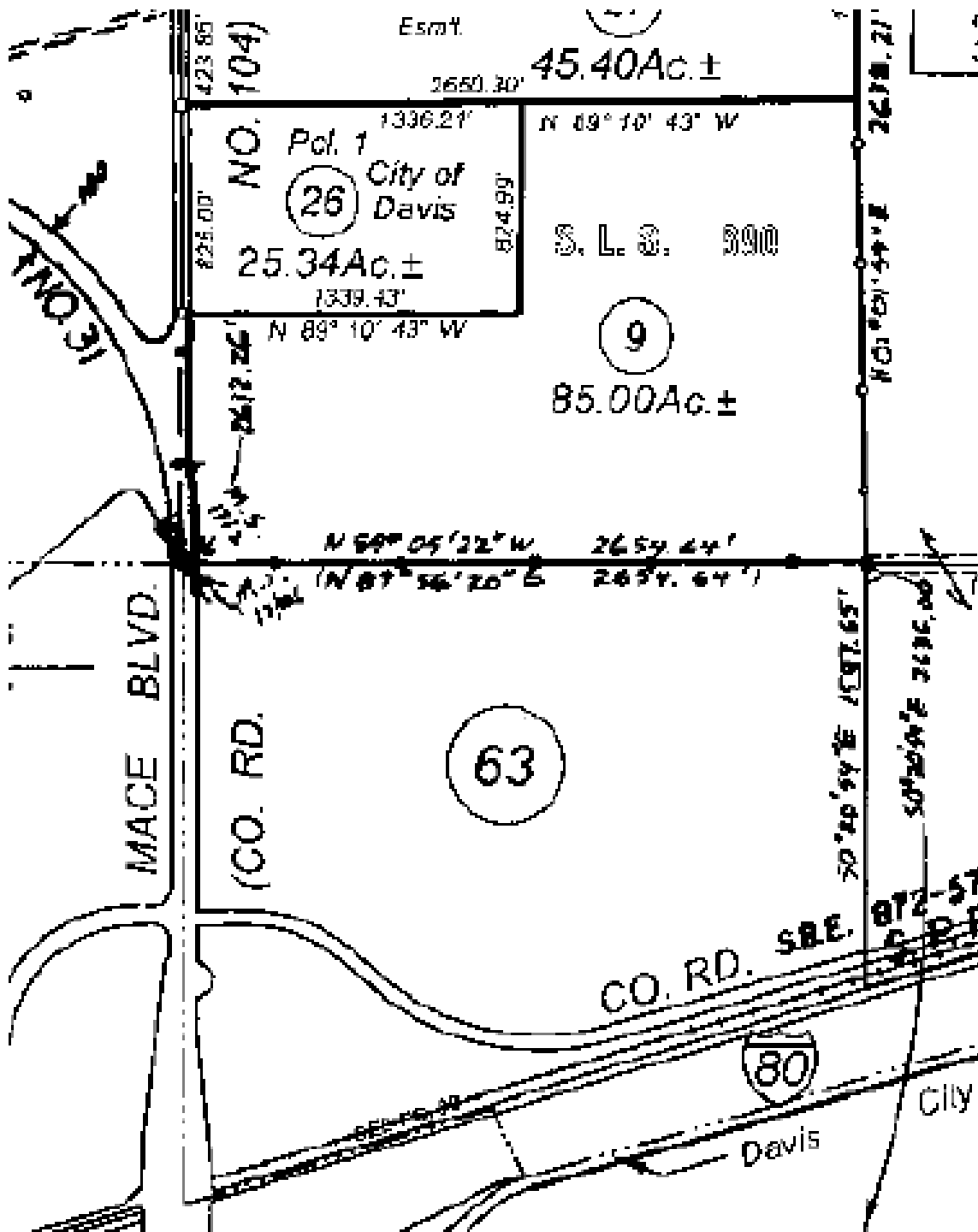


Exhibit C

Rezoning and Preliminary Planned Development for Aggie Research Campus and related Property Zoning Map

