

**RESOLUTION NO. 22-009, SERIES 2022**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAVIS ADOPTING AN ADDENDUM, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND MAKING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE DAVIS INNOVATION AND SUSTAINABILITY CAMPUS (DiSC 2022)**

WHEREAS, an Environmental Impact Report (“EIR”) was prepared by the City of Davis in connection with the formerly proposed Mace Ranch Innovation Center (MRIC) Project, which proposed the annexation of approximately 229 acres, comprised of the 212-acre MRIC site (including a 25-acre City-owned property) and 16.5-acre Mace Triangle site, both located immediately east of the City of Davis city limits, near the “Mace Curve,” in unincorporated Yolo County, approximately 2.5 miles east of Downtown Davis. The MRIC Project included the build-out of up to 2,654,000 square feet of innovation center uses and dedication of 64.6 acres of green space on the 212-acre site. The City included the Mace Triangle Site within the project boundaries and evaluated development of up to 71,056 square feet of general commercial uses. The MRIC EIR also analyzed with equal weight a Mixed-Use Alternative, which provided the same non-residential square footage and land uses but included up to 850 workforce housing units; and

WHEREAS, at the applicant’s request, on September 19, 2017, the MRIC Project was brought before the City Council for consideration and certification of the EIR without concurrent consideration to approve a project, and the City Council adopted Resolution No. 17-125, certifying the Final MRIC EIR (State Clearinghouse # 2014112012); and

WHEREAS, in situations where a lead agency has certified an EIR for a project, and then the project is modified, the lead agency may prepare an addendum, a supplement to an EIR, or a subsequent EIR, depending on the nature of the modifications; and

WHEREAS, in 2019, the applicant proposed a revised project, referred to as “Aggie Research Campus” (subsequently renamed as “Davis Innovation and Sustainability Campus”) that was substantially similar to the Mixed-Used Alternative analyzed in the MRIC EIR. The proposed Aggie Research Campus/Davis Innovation and Sustainability Campus (“ARC/DISC”) Project involved the same 229-acre annexation area as the MRIC Project, located immediately east of the City of Davis city limits, near the “Mace Curve,” in unincorporated Yolo County, approximately 2.5 miles east of Downtown Davis. The Project would include development of the 194-acre ARC site with approximately 2,654,000 square feet of innovation center/business uses, up to 260,000 square feet of which may be developed with supportive commercial uses, and 850 workforce housing units; and

WHEREAS, the ARC/DISC Project required the following approvals from the City of Davis: General Plan Amendment, prezone, development agreement, and action by the City Council to set the baseline features of the project and call for an election. In addition, the Project required Yolo County Local Agency Formation Commission (LAFCO) review

and approval of a Combined Municipal Service Review (MSR) and Sphere of Influence (SOI) Amendment in order to bring the 229-acre project site within the City of Davis's SOI; annexation of the entire 229-acre project site into the City of Davis; and detachment of the entire 229-acre project site from the East Davis County Fire Protection District; and

WHEREAS, because substantial changes occurred with respect to circumstances under which the ARC/DISC Project would be undertaken, thus requiring major revisions of the MRIC EIR in select sections due to the involvement of new significant effects of substantial increase in the severity of previously identified significant effects, the City, as lead agency, decided to prepare a Subsequent Environmental Impact Report ("SEIR") for the ARC/DISC Project; and

WHEREAS, on December 2, 2019, the City conducted a public comment meeting to provide information on the ARC/DISC Project and to receive comments on the range of issues to be addressed in the SEIR. The City also accepted written comments from public agencies and the general public from December 2, 2019, to December 16, 2019; and

WHEREAS, the City subsequently contracted for the independent preparation of a Draft Subsequent Environmental Impact Report (the "Draft SEIR") (SCH #2014112012) for the ARC Project, including all necessary technical studies and reports in support of the Draft SEIR. In addition to the ARC/DISC Project, the SEIR evaluated the future development of up to 71,056 square feet of general commercial uses on the 16.5-acre Mace Triangle site; and

WHEREAS, at public hearings on June 30, 2020 and July 7, 2020, the ARC/DISC Project was brought before the City Council for consideration and certification of the SEIR, and the City Council adopted Resolution No. 20-109, certifying the Final Subsequent Environmental Impact Report for the Aggie Research Campus Project (State Clearinghouse # 2014112012), adopting findings pursuant to CEQA, adopting a Statement of Overriding Considerations, and adopting the Mitigation Monitoring and Reporting Program; and

WHEREAS, the ARC/DISC Project was approved by City Council and placed on the November 2020 Yolo County ballot under Measure J/R/D; however, the Project did not obtain majority support from the City's electorate; and

WHEREAS, in 2021, the applicant proposed a revised project, referred to as "Davis Innovation and Sustainability Campus 2022 / DiSC 2022" that is similar to the project analyzed in the ARC/DISC SEIR, but substantially reduced in scale. In general, the proposed project reduces the formerly approved ARC/DISC Project by approximately 50 percent in both land area and development intensity -- the project footprint is reduced from 194 acres to 102 acres; development intensity is reduced from 2.4 million sf to 1.1 million sf of office, laboratory, and advanced manufacturing space; and the number of residential units is reduced from 850 to 460 units. The proposed DiSC 2022 Project involves approximately half (102 acres) of the same 212-acre annexation area as the ARC/DISC and MRIC Projects, located immediately east of the City of Davis city limits,



near the “Mace Curve,” in unincorporated Yolo County, approximately 2.5 miles east of Downtown Davis. The DiSC 2022 Project would include development of the 102-acre site with approximately 1,100,000 square feet of innovation center/business uses, up to 260,000 square feet of which may be developed with supportive commercial uses, and 460 workforce housing units. Similar to the ARC/DISC Project, the DiSC 2022 Project also includes the annexation of the 16.5-acre Mace Triangle site and considers the potential for future development with up to 71,056 square feet of general commercial uses.<sup>1</sup> The DiSC 2022 Project requires the following approvals from the City of Davis: General Plan Amendment, prezone, development agreement, and action by the City Council to set the baseline features of the project and call for an election. In addition, the Project requires the Yolo County Local Agency Formation Commission (LAFCO) to review and approve of a Combined Municipal Service Review (MSR) and Sphere of Influence (SOI) Amendment in order to bring the 118.5-acre project site within the City of Davis’s SOI; annexation of the 118.5-acre project site into the City of Davis; and detachment of the entire 118.5-acre project site from the East Davis County Fire Protection District. The City will need to issue additional discretionary approvals for the DiSC 2022 Project prior to any on-site development being allowed; and

WHEREAS, an environmental analysis of the proposed DiSC 2022 Project was conducted and the City, as lead agency, concluded that the preparation of an Addendum to the ARC/DISC SEIR is appropriate pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162, 15163, 15164 and 15168; and

WHEREAS, necessary revisions and updates were also made to the ARC Mitigation Monitoring and Reporting Program; and

WHEREAS, an addendum to a previously certified final EIR need not be circulated for public review, but may be attached to a final EIR in accordance with CEQA Guidelines Section 15164; and

WHEREAS, on November 29, 2021, the Addendum for the DiSC 2022 project was posted to the City’s website; and

WHEREAS, on January 12, 2022, the Davis Planning Commission (“Planning Commission”) held a duly noticed public hearing to consider the Addendum and the DiSC 2022 Project, and

WHEREAS, on January 12, 2022, the Planning Commission made written recommendations to the Davis City Council to adopt the Addendum and approve the DiSC 2022 Project, and

WHEREAS, on February 1, 2022, the City Council held a duly noticed public hearing to consider the recommendations of the Planning Commission, staff’s presentation, the

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<sup>1</sup> Total annexation acreage for ARC and MRIC projects, including the Mace Triangle Site, equals approximately 229 acres; total annexation area for DiSC 2022 project equals approximately 118.5 acres.

report and all supporting studies and documents, including written and oral testimony, related to the proposed Addendum and the DiSC 2022 Project, and

WHEREAS, the City Council has duly considered the Addendum, the comments of the public, both oral and written, and all written materials in the record connected therewith, and finds that, pursuant to CEQA Guidelines Section 15164, an Addendum is appropriate because the DiSC 2022 Project does not trigger the criteria for the preparation of a Subsequent EIR, pursuant to CEQA Guidelines section 15162, as follows:

1. The proposed DiSC 2022 Project will not result in substantial changes to the ARC/DISC Project that would lead to the identification of new significant impacts or a substantial increase in the severity of previously identified significant environmental effects that would require major revisions of the previously certified Final SEIR for the ARC Project. The analysis in the Addendum and the supporting technical analyses conclude that the impacts are similar to or reduced from the ARC/DISC Project.
2. Substantial changes have not occurred with respect to the circumstances under which the project is undertaken that would lead to the identification of new significant impacts or a substantial increase in the severity of previously identified significant environmental effects that would require major revisions of the previously certified Final SEIR for the ARC/DISC Project.
3. No new information of substantial importance which was not known, and could not have been known with the exercise of reasonable diligence at the time the Final SEIR for the ARC/DISC Project was certified, has been discovered which would require major revisions of the previously certified SEIR.
4. There is no substantial evidence in the record as a whole that the proposed DiSC 2022 Project may have a significant effect on the environment or result in any new or additional significant adverse impacts, beyond that which was previously analyzed, disclosed, and mitigated as set forth in the ARC/DISC SEIR.

WHEREAS, as explained in *Save Our Heritage Organisation v. City of San Diego*, 28 Cal.App.5th 656 (4<sup>th</sup> Dist. 2018), new findings of fact pursuant to Public Resources Code Section 20181 and CEQA Guidelines Section 15091 are not required in connection with the approval of an addendum to an EIR; and

WHEREAS, the City Council finds that the Addendum has been prepared as required by law and in accordance with all requirements of CEQA and the CEQA Guidelines, and that the document as adopted reflects the independent judgment and analysis of the City of Davis, which has exercised overall control and direction of the preparation of the Addendum. The City Council has reviewed the Addendum, and bases its findings on such review and other substantial evidence in the record.



NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis does hereby find as follows:

Section 1. The City Council hereby finds that the above recitals are true and correct, and hereby incorporates them herein as though set forth in full by this reference.

Section 2. The City Council has reviewed the findings made in this Resolution and finds that they are based upon the information and evidence set forth in the Addendum, Final SEIR and upon other substantial evidence that has been presented at the hearings and in the record of the proceedings. The Addendum, Final SEIR, staff reports, technical studies, appendices, plans, specifications, and other documents and materials that constitute the record of proceedings on which this Resolution is based are on file for public examination during normal business hours at the Department of Community Development and Sustainability, City of Davis, 23 Russell Boulevard, Suite 2, Davis, California, 95616. The custodian of records is the City of Davis Department of Community Development and Sustainability. Each of these documents is incorporated herein by reference.

Section 3. Prior to taking action, the City Council has heard, been presented with, reviewed, and considered the information and data in the record, including oral and written testimony presented to it for and during public hearings. The City's independent environmental consultants and City staff reviewed and analyzed the comments received on the DiSC 2022 Project's environmental review. No comments or any additional information submitted to the City have produced any substantial new information requiring additional environmental review because no new significant environmental impacts were identified, nor was any substantial increase in the severity of any previously disclosed significant environmental impacts identified.

Section 4. The City Council hereby adopts the DiSC 2022 Addendum to the Certified Final SEIR for the ARC/DISC Project.

Section 5. CEQA Guidelines Section 15093 requires that if a project will cause significant and unavoidable impacts, the City must adopt a Statement of Overriding Considerations prior to approving the project. The Statement of Overriding Considerations is attached hereto as Exhibit A. For project-level and cumulative significant and unavoidable impacts to aesthetics and visual resources, agricultural resources, air quality, greenhouse gas emissions, and transportation and circulation; and cumulative significant and unavoidable impacts to fire protection services, the City Council hereby adopts the Statement of Overriding Considerations. The City Council finds that each of the overriding benefits by itself would justify proceeding with the Project despite any significant and unavoidable impacts identified in the Final SEIR and Addendum.

Section 6. Pursuant to Public Resources Code Section 21081.6, the City Council hereby adopts the DiSC 2022 Mitigation Monitoring and Reporting Program to replace the Mitigation Monitoring and Reporting Program adopted by Resolution No. 20-109, and

adopts each mitigation measure set forth therein, and imposes each mitigation measure as a condition of the proposed Project's approval.

Section 7. The City Clerk shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and its certification to be entered into the administrative record.

PASSED AND ADOPTED by the City Council of the City of Davis on this 1st day of February, 2022, by the following vote:

AYES: Arnold, Carson, Chapman, Frerichs, Partida

NOES: None



Gloria J. Partida  
Mayor

ATTEST:



Zoe S. Mirabile, CMC  
City Clerk

## X. STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO THE DISC 2022 PROJECT FINDINGS

As described in Section III of these Findings, the following significant and unavoidable impacts could occur with implementation of the project:

- Project implementation may substantially degrade the existing visual character or quality of the project site and its surroundings (SEIR Impact 3-2; Addendum, Section I, Question 'd').
- Project implementation may result in a significant impact related to the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Important Farmlands) to non-agricultural use, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency (SEIR Impact 3-5; Addendum, Section II, Question 'a').
- Project implementation may result in a significant impact related to the loss of forest or agricultural land or conversion of forest or agricultural land to non-forest or non-agricultural use (SEIR Impact 3-7; Addendum, Section II, Question 'd').
- Project implementation may violate an air quality standard or contribute substantially to an existing or projected air quality violation during operations, and a conflict with or obstruction of implementation of applicable air quality plans (SEIR Impact 3-11; Addendum, Section III, Question 'a').
- Project implementation may generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment (SEIR Impact 3-37; Addendum, Section VIII, Question 'a').
- Project implementation may conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs (SEIR Impact 3-38; Addendum, Section VIII, Question 'b').
- Project implementation may conflict with a program, plan ordinance, or policy addressing the circulation system under Existing Plus Project conditions (SEIR Impact 3-70; Addendum, Section XVII, Question 'a').
- Project implementation may result in a significant increase in Vehicle Miles Traveled (SEIR Impact 3-72; Addendum, Section XVII, Question 'b').
- Project implementation may result in significant impacts to Pedestrian and Bicycle Facilities (SEIR Impact 3-75; Addendum, Section XVII, Question "a").
- Project implementation may result in significant impacts to Transit Services (SEIR Impact 3-76; Addendum, Section XVII, Question 'a').
- Project implementation may result in significant cumulative impacts related to long-term changes in visual character of the region (SEIR Impact 3-85; Addendum, Section XXI, Question 'b').

- Project implementation may result in significant impacts related to cumulative loss of agricultural land (SEIR Impact 3-87; Addendum, Section XXI, Question 'b').
- Project implementation may result in a cumulatively considerable net increase of any criteria pollutant (SEIR Impact 3-88; Addendum, Section XXI, Question 'b').
- Project implementation may result in significant cumulative impacts related to greenhouse gas (GHG) emissions and global climate change (SEIR Impact 3-93; Addendum, Section XXI, Question 'b').
- Project implementation may result in significant cumulative impacts to fire protection services from the proposed project in combination with future developments in the City of Davis (SEIR Impact 3-102; Addendum, Section XXI, Question 'b').
- Project implementation may conflict with a program, plan, ordinance or policy addressing the circulation system under Cumulative Plus Project conditions (SEIR Impact 3-104; Addendum, Section XXI, Question 'b').
- Project implementation may result in a significant cumulative Increase in Vehicle Miles Traveled (SEIR Impact 3-105; Addendum, Section XXI, Question 'b').
- Project implementation may result in significant cumulative impacts to pedestrian, bicycle, and transit facilities (SEIR Impact 3-106; Addendum, Section XXI, Question 'b').

The following reasons demonstrate that the benefits of the project outweigh its unavoidable adverse environmental effect, thereby justifying approval of the proposed project. There is substantial evidence that these public benefits outweigh the significant impacts of the project, and therefore, the above-identified impacts are acceptable to the City of Davis. The project will provide for the following benefits:

1. Economic benefits through tax revenues and project fees;
2. Create jobs through construction of the proposed project;
3. Provide additional housing in the City of Davis;
4. Increase the economic potential of the University of California and create long-term jobs;
5. Fulfill a vision that has been identified and studied by the City for over two decades, and that has been embraced by the City Council for at least 10 years;
6. Create a space to retain and grow Davis-based businesses and start-ups;
7. Position the City of Davis for post-COVID economic recovery, stressing the importance of providing shovel-ready sites;
8. Assist the City of Davis in its goal of reaching fiscal sustainability;
9. Provide a revenue source that will be used to maintain and enhance community amenities; and
10. Exceed the City of Davis's affordable housing requirements and sustainability requirements, and set a precedent regionally with respect to sustainability.

With respect to Item 1, the DiSC 2022 Economic Analysis compared the estimated tax revenue to be generated by the proposed project to the estimated cost of providing public services to the project. The



proposed project would generate tax revenues through property tax, transfer tax, sales and use tax, transient occupancy tax, and public safety tax. Other revenue sources would be generated through City permitting, construction tax, and development impact fees, as well as the School Impact Fee and County Facilities and Services Authorization Fee. According to the DiSC 2022 Economic Analysis, the proposed project would have a net fiscal surplus to the City's General Fund at buildout of approximately \$3.88 million annually.

It is noted that while several of the above-identified significant and unavoidable impacts are related to traffic, due primarily to the fact that they are extraterritorial impacts (i.e., outside of the City's jurisdiction), the Addendum requires the applicant to provide fair share contributions to the prospective improvements (e.g., see Mitigation Measure 3-70(a)), which would result in a substantial infusion of monies towards the needed improvements. In addition, the project includes construction of transportation improvements, such as a transit plaza on Mace Boulevard, south of Alhambra Drive, to service local and regional bus and shuttle service to and from the project site. The project will also fund and build new and improved bus stops with lighting, passenger shelters, and real time transit information signage on both sides of Mace Boulevard. Regarding bicycle facilities, the project would build the connection of the existing bike trail on Mace Boulevard to East Covell Boulevard, along the inside of the "Covell Curve" connecting the two roadways, thereby improving bicycle safety to schools and the project site.

With regard to Item 2, the proposed project would create construction jobs. Considering the nature and size of the proposed project, a significant amount of construction workers would be needed in construction of the proposed project. Annual average direct construction-related employment during development of the proposed project is estimated to be approximately 195 jobs. Similar to the economic benefits discussed above, the annual average total direct, indirect, and induced employment due to construction of the project is estimated at more than 250 jobs. Total one-time earnings from direct, indirect, and induced effects of construction employment as a result of DiSC 2022 is approximately \$200 million at full buildout. Additionally, if building materials are purchased in the area, additional stimulation of the local economy and businesses would occur.

Regarding Item 3, the demand for housing in Davis is well documented. Buildout of the residences would be tied to completion of the commercial space, assumed to be 2,000 sf of commercial space per residential unit. The proposed residences would have a strong impact on the overall feasibility of the proposed project. The proposed project would contribute an additional 460 residential units to increase the supply and variety of housing options available for students, employees, and university-related personnel.

With respect to Item 4, the overall development of the project would increase the economic potential of the University of California. A technical memorandum that analyzed the economic benefits of the proposed project was prepared by Economic & Planning Solutions, Inc.<sup>1</sup> The DiSC 2022 Economic Analysis measured the overall effect that an initial activity, such as spending in one industry, has on a region as the

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<sup>1</sup> Economic & Planning Solutions, Inc. *Subject: Davis Innovation and Sustainability Campus (DiSC) Economic Analysis – Pro Forma (Feasibility), Fiscal Impacts, and Economic Impacts; EPS #212099.* December 6, 2021.

spending recirculates through other sectors of the local economy through additional business and household spending. Economic impacts can be measured in terms of overall output, employment, or the earning from employment. According to the DiSC 2022 Economic Analysis, the proposed project would generate nearly 2,400 jobs, with employee compensation of over \$200 million. The City would experience some economic spinoff of that direct employment, but a much greater spinoff and associated economic benefits would occur in other parts of Yolo County. Total County employment, including on-site employment and indirect and induced employment, would be approximately 4,000 jobs annually at buildout, with compensation of approximately \$300 million.

With respect to Items 5 and 6, the City began studying and looking for an opportunity to create a research and innovation park beginning as early as 2001, with the adoption of the current General Plan. In 2008, the City prepared the Business Park Land Strategy to determine whether the long-term supply of business park land was sufficient. Upon finding it was not, in 2010 the City Council established the Innovation Park Task Force to explore, with the help of UC Davis's Studio 30, how, where, and whether to pursue construction of a future business/innovation park within or peripheral to City boundaries, for the purpose of retaining growing businesses and attracting emerging entrepreneurs to the City. The City Council unanimously accepted the Studio 30 Final Report and adopted its recommendations in November 2012. In 2014, the Council Innovation Center subcommittee developed a set of eight "Guiding Principles" to evaluate and guide refinement of proposed innovation centers, which were subsequently adopted by the City Council.

As illustrated by the above actions, an innovation park has long been envisioned by the City as a way to build off a unique and valuable community asset, the University of California at Davis, to facilitate a diversified local economy and enable collaboration between the university and private industry. The proposed project would be consistent with these established City policies, including the Guiding Principles for Davis Innovation Centers. The project would provide readily available, zoned lands that would allow for businesses to move quickly and with certainty, thereby enabling for retention and growth of existing local businesses and attracting new businesses.

With regard to Item 7, the COVID-19 pandemic has had a significant financial impact on the City of Davis, the extent of which is still unclear. The City has experienced a loss of projected revenue and an increase in public health-related costs, which in turn necessitated budget reductions for Fiscal Year 2020-21. As noted for Items 1, 2, and 4 above, the DiSC 2022 project would generate revenue for the City and County through the collection of impact fees and taxes. It is also estimated to create nearly 2,400 jobs at build out, which in turn would help generate business, employee, and household spending elsewhere in the City and County. The revenue and jobs generated by project construction and at build out will assist in the City's economic recovery from COVID-19.

Regarding Items 8 and 9, the City Council adopted eight Council Goals in 2018, including to "Ensure Fiscal Resilience." As described in the technical memorandum prepared by Economic & Planning Solutions, Inc., the proposed DiSC 2022 project would be expected to produce \$3.88 million in net positive fiscal benefits to the City of Davis on annual basis at buildout. These revenues would be available to help support community services and amenities for existing and future residents. In addition to the projected \$3.88

million in net positive fiscal benefits, a land-secured assessment on market rate, ownership housing would provide a minimum of \$150,000 annually at buildout of the market rate residential to fund services that are directly supportive of transit services, roadway repair and maintenance, roadway, bicycle and pedestrian safety and other community amenities. Additionally, the project would construct turnkey parks and maintaining all onsite parks and open space areas, relieving the City of a considerable maintenance burden.

Finally, with regard to item 10, the proposed project would be required to provide 69 affordable units under the City's affordable housing ordinance. The developer has committed to exceeding the requirements by providing 85 affordable housing units, which equates to 18.5% of the overall housing units in the project. Both rental and for sale units will be provided, and 74 of the 85 affordable units will be constructed on-site.

The proposed project would also be one of the most sustainable projects in the City of Davis. The sustainability features include energy procurement and energy efficiency measures; housing near commercial development to minimize transportation emissions; transit, transportation, and circulation improvements to promote nonvehicular means of transportation; and habitat and agricultural conservation measures. More specifically, with respect to the project's energy footprint, electricity demand would be met by 100% clean energy that is generated onsite or purchased from a 100% renewable program. All project buildings would meet and exceed Title 24, Cal Green Tier 1 and utilize the City's Residential Energy REACH Code standards, and all commercial buildings would be all-electric for the building envelope. Utilizing these measures and more, the project will achieve carbon neutrality. These project features would set a precedent in the greater Sacramento region for sustainability.

Substantial evidence supporting the benefits described in this Statement of Overriding Considerations can be found above and in the documents found in the record of proceedings. Any one of the reasons provided above is sufficient to demonstrate that the benefits of the project outweigh its unavoidable adverse environmental impacts, thereby each separately and individually justifying approval of the project. Based on the above, in consideration of the above-noted project benefits, despite the significant environmental effects, the City Council, in accordance with Public Resources Code Sections 21001, 21002.1(c), 21081(b) and CEQA Guidelines Section 15093, chooses to approve the project because, in its judgment, the economic, social, and other benefits that the project will produce will render the significant effects acceptable.

## XI. CONCLUSION

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Council finds that the unavoidable adverse environmental impacts identified may be considered "acceptable" due to the specific considerations listed above, which outweigh the unavoidable, adverse impacts of the proposed project.

The Davis City Council has considered information contained in the Addendum prepared for the proposed DiSC 2022 Project, as well as the public testimony and record of proceedings in which the project was considered. Recognizing that significant and unavoidable impacts may result from implementation of the proposed project, the Council finds that the benefits of the project and overriding considerations



outweigh the adverse effects of the project. Having included all feasible mitigation measures in the Mitigation Monitoring and Reporting Program, and recognized all unavoidable significant impacts, the Council hereby finds that each of the separate benefits of the proposed DiSC 2022 Project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants adoption of the proposed project and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption of the proposed DiSC 2022 Project.

Based on the foregoing findings and the information contained in the record, the Council hereby determines that:

1. All significant effects on the environment due to implementation of the proposed DiSC 2022 Project have been eliminated or substantially lessened where feasible;
2. There are no feasible alternatives to the proposed DiSC 2022 Project which would mitigate or substantially lessen the impacts; and
3. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.