

CITY OF DAVIS

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE J

If approved by a majority of the voters voting, Measure J would approve Resolution 18-023 amending the Davis General Plan to change the land-use designation for the Nishi Property from Agriculture to Residential Medium High Density and Natural Habitat, and establishing “Baseline Project Features” to govern development.

The 47 acre Nishi Property is located adjacent to the current city boundary west of Olive Drive, between Interstate 80, the UPRR Railroad tracks and UC Davis.

Davis voters approved “Measure J” in 2000 and “Measure R” in 2010. Measures J/R require voter approval of any amendment to the Davis General Plan that changes the land use designation of property from agricultural or open space to urban land uses. Measures J/R also require voter approval of baseline project features that cannot be changed without voter approval.

Nishi Property Baseline Project Features, General Plan map, and text amendments are set forth in Resolution 18-023 in full. Baseline Project Features include, but are not limited to:

- Development in accordance with the General Plan Amendment. The land use includes medium high-density student focused residential with private open space and parking, ancillary commercial/retail space, drainage and open space uses.
- Project cannot exceed 700 multifamily rental units with a maximum of 2200 beds, a maximum of 10,000 square feet of ancillary ground-floor retail, office and service space, and approximately 13.6 acres of open space, including 3.3 additional acres in the Putah Creek Corridor, Urban Forest and stormwater areas.
- Access to the Nishi Property will be by a new grade-separated undercrossing of the UPRR line to Old Davis Road and the UC Davis Campus (subject to approval by UC Regents).
- No vehicular access to or from the Nishi Property from West Olive Drive except for emergency vehicles and public transit.
- Construction of grade-separated crossing must commence before Project construction may start. No Certificates of Occupancy will be issued for any building until the UC Davis vehicular connection is completed and secondary emergency access is provided.
- Maximum of 700 off-street parking spaces.
- Require 220 beds be affordable to very-low income and 110 beds be affordable to extremely low income students.
- Tree buffer between buildings and I-80.

- All buildings LEEDv3 Gold standards or equivalent.
- Goal of Net Zero energy use, with photovoltaics and participation in the Valley Clean Energy Alliance power at the Green rate.
- Project will contribute \$200,000 for community enhancement programs for civic arts, carbon off-sets and downtown parking plan implementation.
- Project will pay approximately \$15,000,000 in City impact fees, construction tax and permit fees, \$2,200,000 in Yolo County impact fees and \$2,100,000 in Davis School District impact fees.
- Project will pay fees equal to the City's, County's and School District's share of property tax if the property is leased or acquired by a property tax exempt entity.
- Comply with City required Agricultural mitigation.

Resolution 18-023 was adopted and placed on the ballot as Measure J by the Davis City Council on February 6, 2018.

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Harriet A. Steiner
Davis City Attorney