



**CITY OF DAVIS HOUSING ELEMENT UPDATE (Version 3)
And General Plan Amendment and Rezone to
Meet Regional Housing Needs Allocation
Planned Development PD 01-22 and PD-05-22**

Introduction

On August 31, 2021, the Davis City Council adopted the Housing Element for 2021-2029 (Version 1). As required by law, on September 10, 2021, the document was submitted to the California State Department of Housing and Community Development (HCD) for their certification. HCD responded with a letter to the City of Davis on December 8, 2021, in which, HCD found that the housing element (as adopted) did not comply with State Housing Law (Article 10.6 of the California Government Code.) Therefore, the adopted Housing Element is not certified.

In response, staff spent many months working with HCD on revisions to the adopted document. It was staff's hope that with these changes, HCD would be able to certify Version 2 of the Housing Element for 2021-2029. The City held three public meetings of the Planning Commission, and City Council to give members of the public the opportunity to provide oral public comments. On January 31, 2023, the City Council adopted Version 2 of the 2021-2029 Housing Element. On February 2, 2023, the final adopted document was submitted to the California State Department of Housing and Community Development (HCD) for their certification.

On April 3, 2023, the California Housing and Community Development Department provided a response letter to Version 2 of the adopted Housing Element. Generally speaking, the revisions included in Version 2 were accepted by HCD. There are a few remaining comments that must be addressed before HCD can certify the document, including the rezone of various sites throughout the city to provide opportunities for affordable housing (as identified in the element itself.) The proposed rezone along with the proposed amendments to the Housing Element document (Version 3) will be considered simultaneously.

Project Description

The proposed project includes the adoption of the City's revised 6th Cycle Housing Element (2021-2029). The 6th Cycle Housing Element was previously adopted by the City on January 31, 2023, but has since been revised in response to a second round of comments from the California Department of Housing and Community Development.

As an element of the Davis General Plan, and in accordance with the California Government Code, the Housing Element presents a comprehensive set of housing policies and programs to address identified housing needs for the City of Davis. The 6th Cycle Housing Element update corresponds to the planning period of May 15, 2021 to May 15, 2029, and the Regional Housing Needs Allocation (RHNA) projection period of June 30, 2021 to August 31, 2029. It replaces the 5th Cycle Housing Element corresponding to the planning period of 2013-2021. Adoption of the Housing Element would require approval of a General Plan Amendment by the City of Davis City Council. In addition to adoption by the City of Davis City Council, the 6th Cycle Housing Element must be certified by the California Department of Housing and Community Development (HCD).

The approval of the City of Davis 6th Cycle Housing Element would enable the City to preserve, improve, and approve development of housing for all incoming segments of the community and show how the City intends to meet the RHNA numbers assigned by the Sacramento Area Council of Governments (SACOG) and the State of California. The RHNA for the City of Davis includes a total of 2,075 housing units consisting of 580 very low-income units, 350 low-income units, 340 moderate-income units, and 805 above moderate-income units. Although, the proposed project does not include any actual physical development of housing identified in the Housing Element, physical changes to the environment would result from project approval.

The City proposes to revise its site inventory to identify additional sites to accommodate the (revised) shortfall of 496 lower income housing units. The City also proposes to rezone 16 sites and has identified a 753-unit capacity that exceeds the 496 dwelling unit shortfall requirement. The list below shows the name of the parcel, the current and proposed general plan designation, the current zoning and proposed zoning, whether or not the proposed zoning is residential only, the minimum required number of residential units to be built on the site, and whether or not the site is vacant. The corresponding map (shown below) indicates the location of each proposed parcel to be rezoned.

Number	Address & APN	Acres	Proposed Gen. Plan	Proposed Zoning	Residential Only Zoning	Minimum Req'd Number of Units	Vacant or Non-Vacant
1	1100 Kennedy 704-300-020	1.01	MHDR	PD (HD)	Yes	20	VACANT
2	3500 Chiles 069-530-024	7.31 of 14.56	HDR & MHDR	PD (HD)	Yes	146	VACANT
3	3425 Chiles 069-530-025	1.04	MHDR	PD (HD)	Yes	21	VACANT

4	3015 Cowell 069-530-007	1.1	MHDR	PD (HD)	Yes	22	VACANT
5	1000 Montgomery 069-100-025	5.31 of 10.6 acres	MHDR	PD (HD)	Yes	106	VACANT
6	2740 Cowell 069-530-029	2.47	MHDR	PD (HD)	Yes	50	VACANT
7	4920 Chiles 068-010-009	1.0	MHDR	PD (HD)	Yes	20	VACANT
8	2932 Spafford 071-403-002	1.51	Mixed Use	PD (HD Mixed)	No	30	VACANT
9	1800 Research Park 069-290-019	1.74	Mixed Use	PD (HD Mixed)	No	34	VACANT
Sub Total						449	
10	1021 Olive 070-260-022	1.09	Mixed Use	PD (HD Mixed)	No	16	VACANT
11	315 Mace 071-100-049	2.0 ±	MHDR	PD (HD)	Yes (on vacant rezoned portion)	40	VACANT (on rezoned portion)
12	4600 Fermi 071-425-001	6.98 acres	Mixed Use	High Density Overlay District	No	70	Non Vacant
13	1616 DaVinci 069-060-024	2.06	Mixed Use	PD (HD Mixed)	No	41	Non Vacant
14	4100 Chiles 069-070-032	3.38	Mixed Use	PD (HD Mixed)	No	67	Non Vacant
15	4120 Chiles 069-070-031	1.33	Mixed Use	PD (HD Mixed)	No	26	Non Vacant
16	526 B Street 070-017-001	2.2	MHDR	PD (HD)	Yes	44	Non Vacant
Subtotal						304	

449 +

304

753 Total Number of Units

total du on vacant/zoned RES

total du on vacant/zoned MU

Total number units on vacant

511

108

619

Proposed Housing Rezone Sites



Proposed Rezone Sites to meet Regional Housing Needs Analysis 2023

ENVIRONMENTAL CHECKLIST

1. Project title:	Housing Element Update (Version 3) and Rezone to Meet Housing Element RHNA Requirements
2. Lead agency name and address	City of Davis Community Development Department 23 Russell Boulevard Davis, CA 95616
3. Contact person and phone number	Sherri Metzker Community Development Director, 530-757-5610
4. Project location:	Citywide (see project description for specific list of candidate rezone sites)
5. Project sponsor's name and address	City of Davis 23 Russell Blvd. Davis, CA 95616
6. General plan designation	Various
7. Zoning	Various

8. Description of Project

The City of Davis proposes to amend and readopt its 6th Cycle Housing Element to address comments made by the California State Department of Housing and Community Development to achieve certification. The City of Davis also proposes to redesignate the general plan land use designation and zoning (with zoning standards) of 16 sites to meet the City's Regional Housing Needs Allocation (RHNA.)

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The city of Davis is a small city of approximately 70,000 residents near Sacramento, CA, and is the home of the University of California Davis. The city is largely a mix of single family residential, multifamily residential and commercial uses. The proposed rezone sites are located throughout the city near all of these uses. Many of the sites are vacant infill lots where they construction of housing would add valuable housing inventory to the city. All of the sites are located in generally suburban areas, surrounded by residential and non-residential uses, depending on the location.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

California State Department of Housing and Community Development

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?

The City of Davis has consulted with California Native American Tribes pursuant to Public Resources Code section 21080.3.1.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a Potentially Significant Impact as indicated by the checklist on the following pages.

	Aesthetics	Agriculture & Forestry Resources	Air Quality
	Biological Resources	Cultural Resources	Energy
	Geology/ Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials
	Hydrology/Water Quality	Land Use Planning	Mineral Resources
	Noise	Population Housing	Public Services
	Recreation	Transportation	Tribal Cultural Resources
	Utilities/ Service Systems	Wildfire	Mandatory Findings of Significance
X	None		

DETERMINATION:

On the basis of this initial study:

	I find that the proposed project COULD NOT have a significant effect on the environment and a Negative Declaration will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.
	I find that the proposed project may have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT IS REQUIRED.
	I find that the proposed project May have a "potentially" significant impact" or "potentially significant unless mitigated impact on the environment, but at least one effect has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required but it must analyze only the effects that remain to be addressed.
X	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects have been analyzed adequately in an earlier EIR OR NEGATIVE DECLARATION pursuant to applicable standards and have been avoided or mitigated pursuant to that earlier EIR OR NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.

<i>Sherri Metzker</i>	October 17, 2023
Signature	Date

Evaluation of Environmental Impacts:

I. AESTHETICS. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	×	× GP EIR 5A-33 through 5A-35)	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	×	×	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	× Davis GP EIR 5A-33 through 5A-35)	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	× Davis GP EIR 5A-36 through 5A-38)	<input type="checkbox"/>

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- The General Plan was determined to have a significant impact on aesthetics if potential development proposed in the plan would substantially degrade the existing visual character or quality of the site and its surroundings (see Question c below); or
- The General Plan was determined to have a significant impact if it would create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area (see Question d below).

Discussion

a,b. A scenic vista is an area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. This includes any such areas designated by a federal, State, or local agency. Federal and State agencies have not designated any such locations within the City of Davis for viewing and sightseeing. Similarly, the City of Davis, according to the City of Davis General Plan Program EIR, has determined that the Planning Area of the General Plan has no officially designated scenic highways, corridors, vistas, or viewing areas.¹ Because scenic resources do not exist within the City's Planning Area, the City of Davis General Plan Program EIR concluded that infill development within

¹ City of Davis. *Draft Program EIR* [pg. 5-2]. 2001.

the City does not have the potential to alter scenic views as infill development is surrounded by urban uses that limit views through the sites. Additionally, there are no officially designated scenic highways, corridors, or vistas designated since the General Plan EIR was published. As a result, the proposed project would not result in any new specific effects or effects that are greater than were already analyzed in the General Plan EIR.

- c. The General Plan EIR determined that development of infill sites generally surrounded by urban uses would not significantly degrade existing views. As a project proposed on an infill site surrounded by urban uses, the proposed project would not result in a more significant impact than disclosed in the General Plan EIR. The proposed project will not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

- d. The General Plan EIR considered whether infill development has the potential to increase daytime/nighttime light and glare. The General Plan EIR found that infill development would introduce additional sources of light and glare into areas that are primarily surrounded by lighted development (e.g., streetlights). However, because infill development would not introduce land uses or structures that would contribute a substantial amount of new nuisance light or glare into an area that currently has minimal light or glare, the impact would be less than significant. As a project proposed on an infill site is surrounded by urban uses, the proposed project will not result in a more significant impact than previously analyzed in the General Plan EIR. Therefore, the proposed project will not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

It should be noted that in addition to the foregoing conclusions, the City of Davis maintains City specific requirements related to the creation of new sources of light and glare. Any future project proposed on a rezone site project would be required to comply with the City's Outdoor Lighting Control policies. Consistency with the City's Municipal Code would be ensured during the site plan and architectural review process. Section 8.17.030 of the City's Municipal Code includes general requirements for outdoor lighting. For example, the Municipal Code requires all outdoor lighting to be fully shielded and the direction of lighting be considered to avoid light trespass and glare onto surrounding properties.

Applicable Davis General Plan Policies

- Policy UD 2.1 Preserve and protect scenic resources and elements in and around Davis, including natural habitat and scenery and resources reflective of place and history.

- Policy UD 3.2 Provide exterior lighting that enhances safety and night use in public spaces, but minimizes impacts on surrounding land uses.

- Policy HAB 1.4 Preserve and protect scenic resources.

II. Agriculture and Forest Resources. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	✘	✘ Davis GP EIR pp. 5A-31 through 5A-33)	<input type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	✘	✘ Davis GP EIR pp. 5A-31 through 5A-33)	<input type="checkbox"/>

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- The General Plan was determined to have a significant impact on agricultural lands if it was determined to convert prime agricultural land (with potential use for viable farming), to nonagricultural uses (see Questions a and e below).

Discussion

- a-e. The City of Davis General Plan EIR concluded that a significant impact on agricultural lands would occur if build out of the General Plan “would convert prime agricultural land (with potential use for viable farming), to nonagricultural uses.”²

The proposed project site does not contain any farmland and is not in proximity to existing farmland. In addition, the General Plan EIR considered the potential for development to convert agricultural land to urban use, and concluded only that development of the Covell Center site, unrelated to any proposed rezone site, would result in a significant impact. Therefore, the General Plan EIR concluded the development on any proposed rezone site does not result in any impacts to agriculture. Consistent with the General Plan EIR analysis, development of the proposed rezone sites will not result in any impact relating to conversion of agricultural land to urban uses.

III. Air Quality <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP EIR pp. 5E-14 through 5E-16)	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP EIR pp. 5E-16 through 5E-21)	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP pp. 5E-16 through 5E-21)	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP pp 5E-19 through 5E-21)	✘
e. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.)	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	

² City of Davis. *Draft Program EIR* [pg. 5A-31]. 2001.

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in a substantial adverse change in the environment related to air quality (see Questions a through d below).
- Under the General Plan EIR analysis, specific criteria developed by the YSAQMD are used in determining the significance of project-related air quality impacts. Project-related emissions are considered significant if emissions exceeded the YSAQMD thresholds of:
 - 82 pounds per day (ppd) of ozone precursor, ROG,
 - 82 ppd of ozone precursor, NO_x, or
 - 82 ppd of PM₁₀ (see Questions a through c below).
- The proposed land use map was determined to have a significant impact if the alternative would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation or expose sensitive receptors to substantial pollutant concentrations. Under project specific analysis developed by the YSAQMD used in determining the significance of project-related air quality impacts, project-related emissions were considered significant if emissions exceeded the YSAQMD thresholds of:
 - 550 ppd of CO.

Additionally, a specific project is considered to have a significant impact if it would:

- Result in predicted CO concentrations that exceed the state 1-hour standard of 220 ppm (or the federal 1-hour standard of 35 ppm) at any receptor that does not exceed this standard without the project,
- Result in predicted CO concentrations that exceed that state and federal 8-hour standard of 9 ppm at any receptor that does not exceed this standard without the project, or
- Increase CO concentrations at any receptor that already exceeds any of the above standards without the project. (see Question d below).

Discussion

- a. The City of Davis is located within the Sacramento Valley Air Basin (SVAB) and under the jurisdiction of the Yolo-Solano Air Quality Management District (YSAQMD). The federal Clean Air Act (CAA) and the California Clean Air Act (CCAA) require that federal and State ambient air quality standards (AAQS) be established, respectively, for six common air pollutants, known as criteria pollutants. The SVAB is designated nonattainment for the federal particulate matter 2.5 microns in diameter (PM_{2.5}) and the State particulate matter 10 microns in diameter (PM₁₀) standards, as well as for both the federal and State ozone standards.

The CAA requires each state to prepare an air quality control plan referred to as a State Implementation Plan (SIP). The SIPs are modified periodically to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins, as reported by their jurisdictional agencies. Due to the nonattainment designations, YSAQMD, along with the other air districts in the SVAB region, periodically prepares and updates air quality plans that provide emission reduction strategies to achieve attainment of the federal AAQS, including control strategies to reduce air pollutant emissions via

regulations, incentive programs, public education, and partnerships with other agencies.

The General Plan EIR analyzed the consistency with the SIP by considering whether the development anticipated under the General Plan would exceed any applicable YSAQMD thresholds. The General Plan EIR concluded that construction and operation emissions resulting from development under the General Plan would exceed PM₁₀, ROG, and NO_x thresholds. The General Plan EIR also determined development would exceed state CO standards only at Richards Boulevard and First Street. Although the General Plan EIR identified that buildout of the General Plan would result in an exceedance of state CO standards at Richards Boulevard and First Street, the General Plan EIR also acknowledged that mitigation was not feasible to avoid such an exceedance, and, as a result, mitigation measures to reduce the foregoing impact were not imposed in the General Plan EIR. As described below, the proposed rezone project would not result in any project specific air quality effects or air quality effects that are more significant than analyzed in the General Plan EIR because project-related air pollutant emissions would be below YSAQMD's thresholds of significance. Emission inventories used in the SIPs are developed based on projected increases in population, employment, regional VMT, and associated area sources within the region, which are based on regional projections. Mobile sources of emissions of pollutants, such as automobiles, constitute one of the largest sources of pollutants for which the SVAB is in nonattainment. Thus, by reducing VMT by providing housing within the City of Davis where there is a shortage of available housing, the rezoning project would result in reductions in pollutant emissions, which would comply with the applicable air quality plans for the region. In other words, by creating more housing closer to Davis job centers, the Davis workforce will no longer need to commute from outside Davis, thereby reducing commutes.

- b, c. The General Plan EIR considered whether development under the General Plan would exceed YSAQMD thresholds and concluded that some development would result in significant and unavoidable construction and operational increases in PM₁₀, ROG, and NO_x. The General Plan EIR also considered whether development would exceed the YSAQMD threshold for carbon monoxide (CO) and concluded that build out of the General Plan would result in CO emissions in excess of the YSAQMD's thresholds at the intersection of Richards Boulevard and First Street. Although the General Plan EIR concluded that buildout of the General Plan would result in an impact related to CO emissions, the General Plan EIR further concluded that feasible mitigation to reduce the identified impact did not exist, and the General Plan EIR did not impose any mitigation measures for the impact related to CO emissions at the intersection of Richards Boulevard and First Street. Therefore, the analysis demonstrates that proposed project will not result in project-specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Due to the nonattainment designations of the area, YSAQMD has developed plans to attain the State and federal standards for ozone and particulate matter. The plans include the 2013 Ozone Attainment Plan, the PM_{2.5} Implementation/Maintenance Plan, and the 2012 Triennial Assessment and Plan Update. Adopted YSAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment, consistent with applicable air quality plans. Thus, by exceeding the YSAQMD's mass emission thresholds for operational or construction emissions of ROG, NO_x, or PM₁₀, a project would be considered to conflict with or obstruct implementation of the YSAQMD's air quality planning efforts. The YSAQMD mass

emission thresholds for operational and construction emissions are shown in Table 1 below.

Pollutant	Construction Thresholds	Operational Thresholds
ROG	10 tons/yr	10 tons/yr
NO _x	10 tons/yr	10 tons/yr
PM ₁₀	80 lbs/day	80 lbs/day
<i>Source: YSAQMD. Handbook for Assessing and Mitigating Air Quality Impacts. July 11, 2007.</i>		

To assess the rezone project’s potential future impacts related to construction and operational emissions of the pollutants presented in Table 1 above, all projects operational emissions constructed under the rezone are estimated by using of the California Emissions Estimator Model (CalEEMod). CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify air quality emissions, including GHG emissions, from land use projects.

All projects within the YSAQMD, including the proposed rezone sites, are required to comply with all YSAQMD rules and regulations for construction, regardless of whether they exceed the threshold, including Rule 2.1 (Control of Emissions), Rule 2.28 (Cutback and Emulsified Asphalts), Rule 2.5 (Nuisance), Rule 2.14 (Architectural Coatings), and Rule 2.11 (Particulate Matter Concentration). The rules and regulations are not readily applicable in CalEEMod and are, therefore, not included in the modeling. Because compliance with the rules and regulations would likely result in some additional reduction in emissions, construction emissions from the future projects constructed on the rezone sites would likely be slightly reduced due to compliance with the rules and regulations.

The YSAQMD CEQA Handbook recommends that all projects under YSAQMD jurisdiction incorporate best management practices to reduce dust emissions.³ In recognition of YSAQMD recommendations, the City requires, as a uniformly applicable development standard, that projects comply with the following temporary actions during construction to minimize temporary air quality impacts (dust):

- a. An effective dust control program should be implemented whenever earth-moving activities occur on the project site. In addition, all dirt loads exiting a construction site within the project area should be well watered and/or covered after loading.
- b. Apply water or dust palliatives on exposed earth surfaces as necessary to control dust emissions. Construction contracts shall include dust control treatment in late morning and at the end of the day, of all earth surfaces during clearing, grading, earth moving, and other site preparation activities. Non-potable water shall be used, where feasible. Existing wells shall be used for all construction purposes where feasible. Excessive watering will be avoided to minimize tracking of mud from the project onto streets.
- c. Grading operations on the site shall be suspended during periods of high winds (i.e. winds greater than 15 miles per hour).
- d. Outdoor storage of fine particulate matter on construction sites shall be prohibited.

³ Yolo-Solano Air Quality Management District. *Handbook for Assessing and Mitigating Air Quality Impacts* [pg 14]. Adopted July 11, 2007.

- e. Contractors shall cover any stockpiles of soil, sand and similar materials.
- f. Construction-related trucks shall be covered and installed with liners and the project site shall be swept at the end of the day.
- g. Revegetation or stabilization of exposed earth surfaces shall be required in all inactive areas in the project.
- h. Vehicle speeds shall not exceed 15 miles per hour on unpaved surfaces.

Additionally, in order to minimize the release of ozone precursors associated with construction, the YSAQMD recommends, and the City requires as a uniformly applicable development standard, implementation of the following standard requirements during construction:

- a. Construction equipment and engines shall be properly maintained.
- b. Vehicle idling, including diesel equipment, shall be kept below 5 minutes.
- c. Construction activities shall utilize new technologies to control ozone precursor emissions, as they become available and feasible.
- d. To the extent possible, construction equipment shall be equipped with catalysts and filtration (diesel particulate filters). Where an option exists between two similar pieces of equipment, the newer and/or more controlled piece of equipment shall be used.
- e. During smog season (May through October), the construction period shall be lengthened so as to minimize the number of vehicles and equipment operating at the same time.

Since every project involving grading and construction must comply with the standard condition listed above, the impacts of PM10 are reduced to less than significant, and therefore is consistent with the General Plan EIR.

Operational Emissions

By developing housing (as is being proposed on the rezone sites) along arterials near to public transportation; providing housing within close proximity of a job center; and by providing parking supportive to bicycle transportation, the project promotes alternative transportation, thereby reducing its operational emissions. Further, all future projects on each proposed rezone site will have to demonstrate its operational related emissions prior to approval. Therefore, the proposed rezone project will not result in operational emissions that are project specific or more significant than what was already analyzed in the General Plan EIR.

Cumulative Emissions

The proposed rezone project sites are within an area currently designated as nonattainment for Ozone, PM₁₀, and PM_{2.5}. By nature, air pollution is largely a cumulative impact. Thus, the proposed rezone project, in combination with all other proposed and pending projects in the region, would significantly contribute to air quality effects within the SVAB, resulting in an overall significant cumulative impact. However, any single rezone project is not sufficient enough in size to, alone, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's incremental impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, YSAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds that project's emissions would be cumulatively considerable, resulting in a significant adverse air quality impact to the region's existing air quality conditions. As discussed above, implementation of the future projects would likely result in construction-related and operational emissions below YSAQMD's thresholds of significance. Therefore, the proposed rezone project will not result in cumulative emissions that are more significant than what was already analyzed in the General Plan EIR.

Conclusion

Based on the above, the proposed project would not violate any air quality standards or contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase in any criteria air pollutant. Consequently, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

- d. The General Plan EIR assessed the potential for buildout of the General Plan to result in increased local CO emissions due to traffic increases within the City. However, this rezone project is rezoning various project sites throughout the city and should reduce the amount of traffic generated from the sites because it is changing the zoning in most cases from non residential uses to residential, which generates less traffic. In addition, Davis has a low vacancy rate. By changing the approved land uses to residential, there will be a reduction in persons commuting which will lead to a reduction in CO emissions from traffic. This is because there will be a greater opportunity to live in Davis and work in Davis or attend school in Davis

The General Plan EIR determined that buildout of the General Plan would result in exceedance of state CO standards at one intersection within the City, the intersection of Richards Boulevard and First Street, which is the intersection within the City that has the highest level of traffic congestion. However, mitigation to reduce the foregoing impact was not feasible and the General Plan EIR did not impose any mitigation regarding CO emissions at the intersection of Richards Boulevard and First Street. However, the proposed project sites are not in close proximity to the intersection of Richards Boulevard and First Street and operation of the proposed project sites would not be anticipated to add a substantial amount of traffic to the intersection of Richards Boulevard and First Street during peak traffic hours when congestion is most severe. Traffic levels at Richards Blvd. and First Street would be expected to be reduced because people who currently commute to Davis would not have a greater opportunity to live in Davis because of the proposed changes to accommodate additional housing. In addition, the overall amount of traffic generated by the proposed land use changes/rezones is expected to be less as the properties would be rezoned to residential from non-residential in most cases. Therefore, as discussed below, the proposed project would not result in any project-specific effects or effects more significant than analyzed in the General Plan EIR related to CO emissions.

The YSAQMD's preliminary screening methodology for localized CO emissions provides a conservative indication of whether project-generated vehicle trips would result in the generation of CO emissions that would contribute to an exceedance of AAQS. Per the YSAQMD screening methodology, if either of the following results at any street or

intersection affected by a project, after implementation of mitigation,⁴ the project has the potential to result in localized CO emissions that could violate CO standards:

- The project would reduce peak-hour level of service (LOS) on one or more streets or at one or more intersections to an unacceptable LOS (typically LOS E or F); or
- The project would increase a traffic delay by 10 or more seconds on one or more streets or at one or more intersections in the project vicinity where a peak hour LOS of F currently exists.

The proposed rezone project would not have the potential to result in the reduction of peak hour LOS from an acceptable LOS to an unacceptable LOS, nor would the project result in an increase in traffic delay of 10 seconds or more at an intersection operating at LOS F currently or in the cumulative setting because the amount of traffic generated by the rezone is less than a project built under the current zoning designation. As illustrated in the project description, most of the sites to be rezoned are currently non-residential and will be rezoned to a residential use, thereby reducing the overall trip generation of the sites. As such, the proposed project would not result in increased local CO emissions that are more significant than what was already analyzed in the General Plan EIR.

The rezone project does not include any stationary sources of TACS. Therefore, the YSAQMD's thresholds apply only to the effect of new stationary sources on existing receptors, the proposed project would not involve the long-term operation of any substantial sources of TACs in proximity to existing receptors.

It should be noted that future residents of the proposed project site would be anticipated to use vehicles in the project area. Fossil fueled combustion engines, including those used in cars, trucks, and some pieces of construction equipment, release at least 40 different TACs. However, TAC emissions from resident operated vehicles would not be considered subject to the YSAQMD's thresholds nor would emissions from such vehicles be considered a substantial source of TACs. Vehicles are considered a mobile source of TACs, but the YSAQMD's thresholds apply only to new stationary sources of TACs. The ARB only considers motor vehicles to constitute a substantial source of TACs in freeways or urban roadways with more than 100,000 vehicles/day.⁵ The proposed project would only be anticipated to generate approximately 6600 daily vehicle trips. Therefore, the proposed rezone project would not generate a substantial amount of vehicle traffic and project-related vehicle usage would not be considered a substantial source of TACs.

The ARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook)⁶ was used to determine if any existing sources of TACs are within 500 feet of the project site. Of the potential sources of TACs listed in the ARB's handbook the only sources of TACs within the rezone project vicinity is Interstate 80. As such, the proposed project would not expose new residents to substantial health hazards due to existing sources of TACs.

Interstate 80 Emissions

⁴ Yolo-Solano Air Quality Management District. *Handbook for Assessing and Mitigating Air Quality Impacts* [p. 21]. July 11, 2007.

⁵ California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005.

⁶ California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005.

As discussed above, the YSAQMD's thresholds are intended for use when a project would involve siting a new stationary source of TAC emissions. The primary TAC of concern would be the potential for exposure of future occupants of the project to significant health hazards from Interstate 80 and if so, whether the impacts could be mitigated to a level of insignificance. There are six of the proposed sites located near Interstate 80. As such, an HRA for near road air quality exposure will be required as each specific project is analyzed. Preparation of the HRA will use the Bay Area Air Quality Monitoring District's Roadway Screening Analysis Calculator to estimate potential worst case health risks from mobile sources at new receptor locations.

- e. The General Plan EIR did not discuss potential odor impacts resulting from development. However, residential and mixed uses, such as the proposed project, are not typically associated with the creation of substantial objectionable odors. As a result, the proposed project operations would not create any objectionable odors that would affect a substantial number of people.

Diesel fumes from construction equipment are often found to be objectionable; however, odors from construction would likely only occur over portions of the improvement area at a time and would be substantially mitigated by the following uniformly applicable development policies: 1. Chapter 24 of the City's Municipal Code restricting construction to daytime hours; 2. the ARB's In-Use Off-Road Diesel Vehicle Regulation; 3. all applicable YSAQMD rules and regulations, particularly associated with permitting of air pollutant sources, and the YSAQMD recommended construction measures imposed on the proposed project. The aforementioned uniformly applicable development policies would substantially mitigate air pollutant emissions as well as any associated odors related to operation of construction equipment. Considering the short-term nature of construction activities, as well as the regulated and intermittent nature of the operation of construction equipment, construction of the proposed project would not be expected to create objectionable odors affecting a substantial number of people.

Any potential impacts would be substantially mitigated by uniformly applicable development policies including Chapter 24 of the City's Municipal Code, the In-Use Off-Road Diesel Vehicle Regulation, YSAQMD rules and regulations (including but not limited to Regulation IX, Rule 3-13, and Rule 3-25). Therefore, any potential impacts from the implementation of the proposed project are substantially mitigated by uniformly applicable development policies.

Applicable General Plan Policies

- Policy AIR 1.1 Take appropriate measures to reach and exceed the YSAQMD thresholds for air pollution levels.
- Policy ENERGY 1.3 Promote the development and use of advanced energy technology and building materials in Davis.
- Policy ENERGY 1.4 Continue to enforce landscaping requirements that facilitate efficient energy use or conservation.
- Policy ENERGY 1.5 Encourage the development of energy-efficient subdivisions and buildings.

IV. Biological Resources. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP EIR pp. 5H-9, 5H-35 through 5H-40)	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP EIR pp. 5H-26 through 5H-29)	<input type="checkbox"/>
c. Have a substantial adverse effect on federally protected (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP EIR pp. 5H-26 through 5H-34)	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
e. Conflict with any local policies or ordinances protecting biological	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

IV. Biological Resources. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
resources, such as a tree preservation policy or ordinance?				pp. 5H-24 through 5H-26 and 5H-42 through 5H-43	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☐	✘

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in a substantial adverse change in the environment related to biological resources (see Questions a through f below).
- The General Plan would have a significant impact if it would adversely affect sensitive natural communities, including riparian communities, wetlands, or other sensitive habitats (see Question b and c below).
- Adversely affect sensitive natural communities, including riparian communities, wetlands, or other sensitive habitats (see Question b and c below); or
- Substantially reduce the acreage of any agricultural crop, or common natural community that serves as valuable foraging or nesting habitat (see Questions a, b, and d below).
- The General Plan was determined to have a significant impact if implementation of the General Plan could result in the filling or other disturbance of jurisdictional wetlands (see Question c below).
- Based on the State CEQA Guidelines and professional judgement, it was determined that implementation of the General Plan update would result in a significant impact on biological resources if it would substantially affect a special-status plant or wildlife species or the species’ habitat (see Question a below).
- The General Plan was determined to have a significant impact if it was determined that implementation of the General Plan would adversely affect locally designated landmark trees or heritage oak trees (see Question e below).

Discussion

a, b. The General Plan EIR considered whether development under the General Plan had the potential to significantly impact sensitive plant and wildlife species and concluded that significant impacts to special status plants are only likely to occur at the Covell Center site, unrelated to the proposed project. The proposed rezone project’s effect would not be more significant than what was already analyzed in the General Plan EIR.

The General Plan EIR determined that development under the General Plan may result in disturbance or nest failure of Swainson's hawks; mortality or displacement of western burrowing owls; and impacts to the giant garter snake. Compliance with General Plan policy HAB 1.1 and associated standards, intended to preserve existing natural habitat areas, is imposed as a condition of approval and will reduce the foregoing impacts identified in the General Plan EIR. The proposed project's potential impact is not more significant than was considered in the General Plan EIR because the proposed project sites and is subject to the Policy HAB 1.1 and associated standards.

Any construction during the nesting season could have an impact on Swainson's Hawk nests, if active in the vicinity of a project. This can be mitigated by starting work outside of the nesting season and doing a pre-construction survey to determine the presence of the birds. This is a standard condition of approval for construction projects in Davis. Consequently, the proposed project will have no project specific effect or effect more significant than analyzed in the General Plan EIR.

In summary, the General Plan EIR included mitigating policies to substantially lessen effects to special-status species and other biological resources and those applicable measures have been incorporated into this rezone project. The proposed rezone project's effect would not be more significant than what was already analyzed in the General Plan EIR.

- c. The General Plan EIR concluded that the City's planning area, which encompasses the entire developed area of the City as well as land surrounding the City, contains both riparian woodland areas and wetland areas. Buildout of the General Plan would have the potential to result in impacts to both riparian woodlands and wetlands within the City's Planning Area. The General Plan EIR concluded that implementation of Policy HAB 1.1: Protect existing natural habitat areas, including designated Natural Habitat Areas, Policy HAB 1.2: Enhance and restore natural areas and create new wildlife habitat areas, and the updated General Plan Standards included as mitigation in the General Plan EIR would ensure that implementation of the General Plan would not result in significant impacts to riparian woodlands and wetland areas. Although Policy HAB 1.2 is not considered directly applicable to the proposed project, Policy HAB 1.1 is applicable to the proposed project and the future projects built on the rezone sites will have to comply with Policy HAB 1.1 and the relevant standards.
- d. The General Plan EIR did not consider whether the proposed project would interfere substantially with the movement of any resident or migratory fish or wildlife species because the City of Davis does not include any Environmental Critical Areas (ECA.) As discussed above, the proposed rezone sites primarily consist of vacant, disturbed land, with limited ruderal vegetation and perimeter ornamental trees, surrounded by urban uses or underutilized uses. Thus, the project sites do not represent a wildlife nursery site nor do the sites serve as an ECA, and implementation of the proposed project would not result in adverse effects to wildlife nursery sites or wildlife connectivity corridors.
- e. The General Plan EIR considered whether build out of the General Plan would adversely affect locally designated landmark trees or heritage oak trees and determined that with the imposition of General Plan policies and standards HAB 1.1.a (heritage oak and

biological resource protection) and LU A.1 (preserving green street in infill projects) the impact would be less than significant. The proposed project's potential impact is not more significant than was considered in the General Plan EIR because the proposed project sites are located in urbanized areas within the City of Davis.

Potential impacts were analyzed in the General Plan EIR, and, as discussed above, the proposed rezone project would not result in more significant impacts than what was previously considered in the General Plan EIR.

For the reasons discussed above, the proposed rezone project sites do not include sensitive habitat features, but do include vegetation related to previous landscaping of the project site. All projects must comply with relevant local guidelines related to potential impacts to protected resources, such as trees.

Article 37.03.060 of the City's Municipal Code requires approval of a valid tree removal request and/or tree modification permit prior to cutting down, pruning substantially, encroaching into the protection zone of, or topping or relocating any landmark tree or tree of significance. Furthermore, Article 37.05 contains protection procedures to be implemented during grading, construction, or other site-related work. Such procedures, include, but are not limited to, inclusion of tree protection measures on approved development plans and specifications, and inclusion of tree care practices, such as the cutting of roots, pruning, etc., in approved tree modification permits, tree preservation plans, or project conditions. Per Article 37.03, the project applicant is required to obtain a tree removal permit and provide for (1) on-site replacement, (2) off-site replacement, and/or (3) payment of in-lieu fees. In summary, the proposed project would not result in any new specific impacts or effects that are more significant than what was already analyzed in the General Plan EIR as related to the creation of conflicts with any local policies or ordinances protecting biological resources.

- f. All proposed rezone sites are located within the Yolo HCP/NCCP, adopted by the Conservancy Board and all member agencies, including the City of Davis; thus, consistency with the Yolo HCP/NCCP was not analyzed in the General Plan EIR.

Developed areas are dominated by pavement and building structures. Vegetation in developed areas generally consists of vegetated corridors (e.g., vegetation maintained adjacent to highways) and patches of mostly ornamental vegetation, such as tree groves, street strips, shade trees, lawns, and shrubs that are typically supported by irrigation. Urban lands cover 45,700 acres, or seven percent, of the Yolo HCP/NCCP Area. The proposed rezone sites include urban vegetation and areas with structures, graded lots, road and highway medians, anthropogenic drainage canal vegetation, rail rights-of-way, and sewage treatment ponds that do not provide habitat.

Although the proposed project is identified as a developed area in the Yolo HCP/NCCP, the project site currently consists of mostly vacant disturbed land with minimal ornamental vegetation. The Yolo HCP/NCCP considers general urban development within the City of Davis to be a covered activity and includes various Avoidance and Minimization Measures (AMMs) that constitute uniformly applicable development policies that substantially mitigate the potential impact. These are AMM1, Establish Buffers; AMM5, Control Fugitive Dust; AMM6, Conduct Worker Training; AMM7, Control Night-Time Lighting of Project Construction Sites; and AMM15, Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite. Such AMMs are uniformly applicable to

qualifying projects within the Yolo HCP/NCCP area. Further explanation of these mitigation measures is set forth in the Yolo HCP/NCCP.

In summary, the potential of the proposed project to conflict with the adopted Yolo HCP/NCCP is substantially mitigated by uniformly applicable development policies.

Applicable Davis General Plan Policies

Policy HAB 1.1 Protect existing natural habitat areas, including designated Natural Habitat Areas.

Standard 1.1a Heritage oak trees and City-designated signature trees shall be protected. Riparian corridors and wetlands should be protected.

Standard 1.1b Project design shall demonstrate that avoidance of sensitive resources has been integrated into project design. Where avoidance is not feasible, the project proponent shall compensate for the loss of disturbance within Yolo County. The type and amount of compensation shall be determined in conjunction with the appropriate local, state, and/or federal regulatory agency involved.¹

Standard 1.1i The City shall require a biological survey be prepared by a qualified biologist for proposed development areas that may contain sensitive resources as defined by the City or appropriate state or federal regulatory agencies. The biological study shall be prepared as a requirement of the environmental assessment of a given project unless the City's Planning Director determines, based on previous studies or other evidence, that the site's current state would preclude the finding of sensitive resources. Agricultural use or plowing of a site does not eliminate the probability of sensitive resources. Such studies, when required, shall include:

- Surveys and mapping of special-status plants and wildlife during the appropriate identification periods;
- mapping and quantification of sensitive habitat loss; and
- delineation and quantification of waters of the U.S., including vernal pools, swales, alkali wetlands, seasonal wetlands, and other wetlands shall be done using the current USACE wetland delineation manual.

For areas of non-native grassland, rural, developed, or agricultural lands that are determined to contain no special-status species, inclusions of alkali grassland, meadow and scrub, native perennial grassland, or wetlands, no further

mitigation will be required. If sensitive habitats are identified, please refer to the mitigation measure(s) below pertaining to that resource to avoid, minimize, or compensate significant effects on these resources accordingly.

Standard 1.1j If a biological study of a site determines the presence of sensitive biological resources, the project proponent will retain a qualified biologist, approved by the agency(s) with regulatory responsibility, to monitor construction activities in sensitive biological resource areas.

Standard 1.1k. Sensitive biological resources located in or adjacent to the construction area will be protected by placing orange construction barrier fencing, or stakes and flags, including buffer zone (where appropriate and depending on the type of resource). Adjacent resources that may require protection include oak woodland, riparian woodland and scrub vegetation, drainages, vernal pools and swales, other wetlands, native grassland, special status species populations, and elderberry shrubs.

Standard 1.1q In order to avoid or minimize impacts from noxious weeds, the City, land manager, or project proponent should implement the following steps.

- The City shall work with regulatory agencies to develop a plan to identify and manage those weed species or weed infestation areas which pose the greatest threat to sensitive biological resources, agricultural areas, or other high priority resources.

Project proponents will be required to survey and implement prevention measures, abatement measures, and post-project monitoring of noxious weeds as a component of land management or land development projects. All measures should be consistent with other City policies (e.g. minimization of pesticide use).

Policy LU A.1 In infill projects, respect setback requirements, preserve existing greenbelts and green-streets, and respect existing uses and privacy on adjacent parcels.

Applicable Yolo HCP/NCCP AMMs

AMM1, Establish Buffers. Project proponents will design projects to avoid and minimize direct and indirect effects of permanent development on the sensitive natural communities specified in Table 4-1 [of the HCP/NCCP] (herein referred to as *sensitive natural communities*) and covered species habitat specified in Table 4-1 by providing buffers, as stipulated in the relevant sensitive natural community AMMs (Section 4.3.3 [of the HCP/NCCP]) and covered species AMMs (Section 4.3.4 [of the HCP/NCCP]). On lands owned by the project proponent, the project proponent will establish a conservation easement, consistent with Section 6.4.1.3, *Land Protection Mechanisms* [of the HCP/NCCP], to protect the buffer permanently if that land is being

offered in lieu of development fees, as described in Section 4.2.2.6, Item 6: *HCP/NCCP Fees or Equivalent Mitigation* [of the HCP/NCCP].

The project proponent will design buffer zones adjacent to permanent residential development projects to control access by humans and pets (AMM2, Design Developments to Minimize Indirect Effects at Urban-Habitat Interfaces).

Where existing development is already within the stipulated buffer distance (i.e., existing uses prevent establishment of the full buffer), the development will not encroach farther into the space between the development and the sensitive natural community.

This AMM does not apply to seasonal construction buffers for covered species, which are detailed for each species in Section 4.3.4, Covered Species.

A lesser buffer than is stipulated in the AMMs may be approved by the Conservancy, USFWS, and CDFW if they determine that the sensitive natural community or covered species is avoided to an extent that is consistent with the project purpose (e.g., if the purpose of the project is to provide a stream crossing or replace a bridge, the project may encroach into the buffer and the natural community or species habitat to the extent that is necessary to fulfill the project purpose).

AMM5, Control Fugitive Dust. Workers will minimize the spread of dust from work sites to natural communities or covered species habitats on adjacent lands

AMM6, Conduct Worker Training. All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by the project proponent. The training will provide education regarding sensitive natural communities and covered species and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the FESA and NCCPA Permits. The training may be accomplished through the distribution of informational materials with descriptions of sensitive biological resources, photographs of covered species, and regulatory protections to construction personnel prior to initiation of construction work.

AMM7, Control Night-Time Lighting of Project Construction Sites. Workers will direct all lights for night-time lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area.

AMM15, Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite. The project proponent will retain a qualified biologist to conduct planning-level surveys and identify any nesting habitat present within 1,320 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, the project proponent will retain a qualified biologist to conduct preconstruction surveys for active nests consistent with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000) within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with the project proponent, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer

if Swainson’s hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated onsite biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. Up to 20 Swainson’s hawk nest trees (documented nesting within the last 5 years) may be removed during the permit term, but they must be removed when not occupied by Swainson’s hawks. For covered operations and maintenance activities that involve pruning or removal of a potential Swainson’s hawk nest tree, the project proponent will conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson’s Hawk Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active.

V. Cultural Resources. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	✘	✘ Davis GP EIR pp. 5J-13 through 5J-14)	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Davis GP EIR pp. 5J-15 through 5J-18)	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource on site or unique geologic features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP EIR pp. 5J-15 through 5J-18)	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in a substantial adverse change in the environment related to cultural resources (see Questions a through c below).
- The General Plan would have a significant impact if potential development proposed in the plan would result in the damage or destruction of known and/or unknown cultural resources (see Questions a through c below).

Discussion

- a. The General Plan EIR considered whether development under the General Plan would have an impact on historic resources and concluded the potential impact was less than significant because the General Plan contains policies intended to preserve, restore and protect historic and prehistoric archaeological resources in Davis. The proposed project is consistent with the applicable General Plan policies and standards related to historic resources: Policy HIS 1.2, HIS 1.3 and HIS 1.4. Completion of the Historical Resources Analysis Study satisfies all applicable General Plan policies and standards related to historic resources, ensuring that any proposed project on a proposed rezone site would not result in any new specific impacts or any effects that are more significant than what was already analyzed in the General Plan EIR as related to historic resources.

Most of the project sites are currently vacant. Those that are not vacant are of relatively recent design and are not identified as historic resources by the City of Davis. Furthermore, construction of a project on a proposed rezone site would be limited to site work within the project site and would not directly or indirectly impact any existing nearby developments.

Considering that most of the project sites are currently vacant and the City of Davis has not identified any historic resources on the other sites, the proposed rezone project would not have the potential to adversely affect historical resources and implementation of the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

- b. The General Plan EIR considered whether the impact of development under the General Plan would have an impact on known or unknown cultural resources and concluded that buildout of the General Plan would result in a significant impact to unknown cultural resources as a result of ground disturbance associated with infrastructure development and construction of new structures. General Plan Policy HIS 1.2 and associated standards call for the incorporation of measures to protect and preserve historic and archaeological resources into all planning and development. The requirements of Policy HIS 1.2 and the associated standards serve as uniformly applicable mitigation for all development within the City. The future projects constructed on the proposed rezone sites are required to adhere to the foregoing policy.

It is not anticipated that any of the proposed rezone sites will contain any archeological resources. Nevertheless, the City's General Plan Policy HIS 1.2 and associated standards serve as uniformly applicable mitigation measures to ensure that impacts to archaeological are reduced to the maximum extent feasible. General Plan Policy HIS 1.2 and associated standards would be implemented with any proposed project on a proposed rezone site. Therefore, the proposed project would not be anticipated to result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

- c. The General Plan EIR considered whether development under the General Plan would have an impact on known or unknown cultural resources. The General Plan EIR concluded that the impact would be significant as a result of ground disturbance associated with infrastructure development and construction of new structures. The proposed project would not have more significant effects than analyzed in the General Plan EIR because

the proposed rezone sites are previously disturbed infill sites.

- d. The General Plan EIR did not analyze the potential for buildout of the General Plan to result in disturbance of human remains. However, compliance with uniformly applicable development policies contained within the Health and Safety Code and Public Resources Code will substantially mitigate any potential impact. Remains of indigenous Californians and non-Native Americans have been discovered throughout plan area, outside of formal cemeteries. Sites where such remains exist are difficult to predict given the history of the region, including alluvial deposition of material, past agricultural activities, and previous developments. The any future construction on any proposed rezone project site must comply with uniformly applicable development standards in the form of state and federal regulations which will substantially mitigate any potential impact related to the inadvertent discovery of human remains. These regulations are Health and Safety Code Sections 7050-7052, Public Resources Code Section 5097.98 – Disturbance of Human Remains, Health and Safety Code Sections 8010-8011 – California Native American Graves Protection and Repatriation Act, and the federal Native American Graves Protection and Repatriation Act (NAGPRA) of 1990.

Applicable Davis General Plan Policies

Policy HIS 1.2 Incorporate measures to protect and preserve historic and archaeological resources into all planning and development.

Standard HIS 1.2b A cultural resources survey shall be required for development sites where cultural resource conditions are not known (as required by the Planning and Building Department). Resources within a project site that cannot be avoided should be evaluated. Additional research and test excavations, where appropriate, should be undertaken to determine whether the resource(s) meets CEQA and/or NRHP significance criteria. Impacts to significant resources that cannot be avoided will be mitigated in consultation with the lead agency for the project. Possible mitigation measures include:

- a data recovery program consisting of archaeological excavation to retrieve the important data from archaeological sites;
- development and implementation of public interpretation plans for both prehistoric and historic sites;
- preservation, rehabilitation, restoration, or reconstruction of historic structures according to Secretary of Interior Standards for Treatment of Historic Properties;
- construction of new structures in a manner consistent with the historic character of the region; and

- treatment of historic landscapes according to the Secretary of Interior Standards for Treatment of Historic Landscapes.

California State Regulations

Health and Safety Code Sections 7050-7052, Public Resources Code Section 5097.98 – Disturbance of Human Remains

Disturbance of human remains without the authority of law is a felony (Health & Saf. Code, § 7052). According to state law (Health & Saf. Code, § 7050.5; Pub. Resources Code, § 5097.98), if human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- *the coroner of the county has been informed and has determined that no investigation of the cause of death is required, or*
- *if the remains are of Native American origin, one of the following has occurred: o the descendants from the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of with appropriate dignity the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or*
- *the NAHC was unable to identify a descendent or the descendent failed to make a recommendation within 48 hours after being notified by the commission.*

According to the Health and Safety Code, six or more human burials at one location constitute a cemetery (Health & Saf. Code, § 8100), and disturbance of Native American cemeteries is a felony (Health & Saf. Code, § 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the NAHC within 24 hours; the NAHC then has jurisdiction over the Native American remains (Health & Saf. Code, § 7052.5c; Pub. Resources Code, § 5097.98).

Health and Safety Code Sections 8010-8011 – California Native American Graves Protection and Repatriation Act

California Native American Graves Protection and Repatriation Act of 2001 (Health & Saf. Code, §§ 8010-8011) establishes a state repatriation policy that is consistent with and facilitates implementation of the federal NAGPRA. This law strives to ensure that all California Indian human remains and cultural items are treated with dignity and respect and encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California.

Federal Regulations

Native American Graves Protection and Repatriation Act (NAGPRA) of 1990

The intent of NAGPRA (25 U.S. Code, § 3001) is to identify Native American affiliation or lineal descent and ensure the rightful disposition, or repatriation, of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony that are in federal possession or

control. The regulations implementing the requirements of NAGPRA relating to the inadvertent discovery of human remains and objects of cultural patrimony of Native American origin on federal or tribal lands are described in 43 Code of Federal Regulations Section 10.4.

VI. Energy.	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
<i>Would the project:</i>					
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.?					X
b. Conflict with or obstruct a state or local plan for renewable energy efficiency?			X		

Discussion

a. On April 4, 2023, the City of Davis adopted its updated Climate Action and Adaptation Plan (CAAP.) The purpose and intended effect of the CAAP is to reduce GHG emissions generated in the City to help reduce the effects of climate change by encouraging alternatively fueled vehicles, reducing vehicle miles traveled (VMT), using renewable energy, electrifying residential and commercial buildings, reducing waste generation, and increasing carbon sequestration. GHG reduction measures could result in the construction of small-scale construction projects, such as electric vehicle charging stations, small-scale ground-mounted or rooftop PV solar systems on residential, commercial, and school buildings; retrofits to existing buildings would not involve large amounts of labor or extensive use of construction equipment. Some worker trips and construction equipment may be required during installation of these facilities and features, resulting in the short-term consumption of diesel fuel and gasoline. Maintenance activities would be minimal and could consist of occasional inspection and cleaning of solar panels. Operational vehicle trips and associated fuel consumption would be minimal.

The construction of any projects that might be associated with the CAAP would be required to comply with the energy standards in the California Energy Code of the California Building Standards Code (Title 24) (2022) and be consistent with the City Municipal Code. Furthermore, these measures would increase the supply of renewable energy and improve building energy efficiency, conserving energy in the long-term. The impact is less than significant.

a. The adopted CAAP (which will be applied to each construction project) has GHG

reduction measures aimed at improving energy efficiency, converting gasoline or diesel to electricity or alternative fuels, and renewable energy that would directly support the Valley Clean Energy and City’s goals and strategies. The CAAP has climate reduction actions and supporting measures would generally encourage energy efficiency and conservation, as well as the use of solar energy; facilitate walking, bicycling, and use of public transit; and reduce waste generation and increase diversion away from landfills. The CAAP would not conflict with or obstruct a state or local plan for renewable energy and no impact would occur

VII. Geology and Soils. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP EIR pp. 5I-10 through 5I-11)	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP EIR pp. 5I-10 through 5I-11)	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	✘	✘ Davis GP EIR pp. 5I-4 through 5I-5)	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	✘	✘ Davis GP EIR pp. 5I-4 through 5I-5)	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>

VII. Geology and Soils. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
b. Result in substantial soil erosion or the loss of topsoil?				Davis GP EIR pp. 5I-2 through 5I-8)	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis GP EIR 5I-11 through 5I-13)	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	✘	✘ (Davis GP EIR pp. 5I-4 through 5I-5)	<input type="checkbox"/>

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in a substantial adverse change in the environment related to soils, geology, or mineral resources (see Questions a through e below).
- The General Plan was determined to have a significant impact if potential development proposed in the map would expose people, structures, or property to major geologic hazards such as earthquakes or ground failures (see Questions a through b below).
- The General Plan was determined to have a significant impact if development would result in deformation of foundations or damage to structures by soils that exhibit moderate to high shrink-swell characteristics (see Question d below).

Discussion

- ai. The General Plan EIR concluded that the risk of development exposing people or structures to major geologic hazards such as earthquakes or ground failure was less than significant because development would be required to comply with General Plan Policy HAZ 2.1, requiring enforcement of the Uniform Building Code which was intended to protect structures from collapse or major property damage during a seismic event. Since adoption of the City's General Plan EIR, the Uniform Building Code has been superseded by the California Building Standards Code (CBSC). The impacts of the proposed project would not be more significant than those analyzed in the General Plan EIR because the proposed project would be required to comply with the CBSC.
- aii. The General Plan EIR concluded that the risk of development exposing people or structures to major geologic hazards such as earthquakes or ground failure was less than significant because development would be required to comply with General Plan Policy HAZ 2.1, requiring enforcement of the Uniform Building Code. The impacts of the proposed project would not be more significant than those analyzed in the General Plan EIR because the proposed project would be subject to the CBSC as discussed above.

- aiii,aiv.
 - c. The Davis General Plan EIR considered whether development under the General Plan could result in landslide hazards, liquefaction hazards, seismically induced liquefaction, or hazards from other soil or land instability and concluded that the City's predominantly flat topography precludes the potential for development within the City to be subject to such hazards and no impact would occur. Because the conclusion applies to the entire City, the development under the proposed project will not have more significant effects than analyzed in the prior EIR.

Although the General Plan EIR did not include an explicit analysis of the potential for development within the City to be impacted by soil subsidence, the General Plan EIR did discuss general methods of reducing potential impacts due to unstable soils. For instance, the General Plan EIR identified General Plan Standard HAZ 2.1a as a means of assessing potential impacts related to soils and seismicity. General Plan Standard HAZ 2.1a requires that a soil report be prepared where soils conditions are not well known or as otherwise required by the City. In compliance with Standard HAZ 2.1a, any future project on a proposed rezone site would be required, as a standard condition of approval, to provide a soils report concurrent with submittal of improvement plans and to comply with all recommendations in the report prior to issuance of permits.

Preparation of a soils report and implementation of all recommendations represents implementation of General Plan Standard HAZ 2.1a, which is considered a uniformly applicable mitigation measure for all development within the City. The soils report would serve to substantially mitigate any potential impacts related to soil subsidence. As such, the project would not result in new specific impacts or effects that are more significant than what was already analyzed in the General Plan EIR as related to seismic-related ground failure, including liquefaction and landslides, and would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

- b. The General Plan EIR considered whether development would result in the potential for soil erosion and concluded that given the types of soil present within the City and with the implementation of the General Plan policies, such as Standard AG 3.1a (planting of windbreaks on the edges of urban development), the impact would not be significant. Because the conclusion applies to the entire City, the development of the future projects on proposed rezone sites will not have more significant effects than analyzed in the General Plan EIR.

In addition to the above, the City's General Plan identifies policies that provide explicit actions for reducing construction-related water quality impacts, including the erosion of topsoil.⁷ The General Plan policies require the continued application and enforcement National Pollutant Discharge Elimination System (NPDES) regulations for sites over one acre. Chapter 30.03.010 of City of Davis Municipal Code adopts by reference the standards of the State of California's NPDES General Permit for Stormwater Discharges Associated with Construction Activity (NPDES General Permit No. CAS000002). Given that the proposed project would result in the disturbance of 4.5 acres, the project would be subject to NPDES regulations. In addition, the proposed project would be required, per conditions of approval, to provide an Erosion Control Plan and comply with the City's Stormwater Management and Discharge Control Ordinance.

In accordance with NPDES regulations, in order to minimize the potential effects of construction runoff on receiving water quality, any construction activity affecting one acre or more must obtain a General Construction Activity Stormwater Permit. Permit applicants are required to prepare a Stormwater Pollution Prevention Plan (SWPPP) and implement Best Management Practices to reduce construction effects on receiving water quality by implementing erosion control measures. Compliance with the City's uniformly applicable requirements for NPDES regulation conformance would substantially mitigate potential impacts related to construction activities resulting in soil erosion. Considering that the proposed project would not result in such impacts, the project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

- d. The General Plan EIR considered whether development could result in damage from locating on expansive soils and concluded that the impact would be less than significant because General Plan policy HAZ 2.1 and related standards specifically regulate development on expansive soils. Because the conclusion applies to the entire City, the development of the proposed project will not have more significant effects than analyzed in the prior EIR.
- e. No future project on a proposed rezone site would include the use of septic tanks or alternative wastewater disposal systems as sewer service is readily available throughout the city. Thus, **no impact** related to such would occur.

⁷ City of Davis. *Program EIR for the City of Davis General Plan Update and Project EIR for Establishment of a New Junior High School* [pg. 51-2 to 51-8]. January 2000.

Applicable Davis General Plan Policies

- Policy HAZ 2.1 Take necessary precautions to minimize risks associated with soils, geology and seismicity.
- Standards 2.1a A soils report shall be required for development sites where soils conditions are not well known, as required by the Community Development or Public Works departments.
- Standards 2.1b. As a condition of approval of development, mitigation of any identified soils hazards shall be required.
- Actions 2.1c. Continue to update and enforce Building Code requirements for seismic and geologic safety and to address ground shaking and ground failure.
- Actions 2.1d. Continue to monitor studies of seismic activity in the region, and take appropriate action if significant seismic hazards, including earthquake faults, are discovered in the planning area.

VIII. Greenhouse Gas Emissions. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ City of Davis Climate Action & Adaptation Plan Negative Declaration April 2023	✘
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ City of Davis Climate Action & Adaptation Plan Negative Declaration April 2023	✘

DISCUSSION

Less-than-Cumulatively-Considerable Impact.

Considering that GHG emissions impact analysis and significance determination are established by the State legislative framework, the analysis in this section answers the two checklist questions in CEQA Guidelines Appendix G in a single impact assessment. Certain gases in Earth's atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space. A portion of the radiation is absorbed by Earth's surface, and a smaller portion of this radiation is reflected toward space through the atmosphere. Infrared radiation is selectively absorbed by GHGs. As a result, infrared radiation released from Earth that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This phenomenon, known as the "greenhouse effect," is responsible for maintaining a habitable climate on Earth.

Global warming potential (GWP) is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP of a GHG is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation, and length of time that the gas remains in the atmosphere ("atmospheric lifetime"). The reference gas for GWP is carbon dioxide (CO₂); therefore, CO₂ has a GWP of 1. The other main GHGs that have been attributed to human activity include methane (CH₄), which has a GWP of 27 and 29.8 for fossil and non-fossil sources, respectively, and N₂O, which has a GWP of 273 (IPCC 2021). For example, 1 ton of nitrous oxide (N₂O) has the same contribution to the greenhouse effect as approximately 273 tons of CO₂. The concept of CO₂ equivalence (CO₂e) is used to account for the different GWP potentials of GHGs. GHG emissions are typically measured in terms of pounds or tons of CO₂e and are often expressed in metric tons (MT) CO₂e.

Although climate change is driven by global atmospheric conditions, climate change impacts vary by region. A scientific consensus confirms that climate change effects are already being felt across the globe, including in California. As noted in the Sacramento Valley Regional Report of the California's Fourth Climate Change Assessment (Houlton and Lund 2018), climate change is expected to make the Sacramento region hotter, drier, and increasingly prone to extremes like megadroughts, flooding, and large wildfires. These changing conditions are likely to affect water and energy availability, agricultural systems, plants and wildlife, public health, housing, and quality of life. The City of Davis' Climate Change Vulnerability Assessment and adaptation actions address such changes.

City of Davis Climate Action and Adaptation Plan

The purpose and intended effect of the CAAP is to reduce GHG emissions generated in the City and protect public safety consistent with consistent with state goals and guidance concerning climate change. The CAAP identifies GHG reducing and climate adaptation strategies. Key actions to reduce GHG emissions include encouraging alternatively fueled vehicles, reducing VMT, using renewable energy, electrifying residential and commercial buildings, and providing for bicycle and pedestrian infrastructure improvements. The CAAP measures also include strategies for building electrification, and switching from fossil gas to electricity, renewable hydrogen, or other non-fossil renewables in all existing City facilities. Implementation of GHG reduction measures and supporting actions could result in the construction of active transportation facilities, small-scale construction projects, such as electric vehicle charging stations, small-scale ground-mounted or rooftop PV solar systems on residential, commercial, and school buildings, and retrofits to existing buildings. Worker trips and construction equipment would be required during installation of these facilities and features, resulting in short-term GHG emissions. Following construction, operation of the proposed GHG reduction measures may also include operational and maintenance activities, such as occasional inspection and cleaning of solar panels, which may generate a minor amount of emissions. However, as detailed in Section 3.3 of the CAAP, the net result of implementation of the CAAP is a reduction in GHG emissions from existing and anticipated development and related operational activities in the City. Implementation of the CAAP provisions would generally reduce GHG emissions, and implementation of the CAAP would result in a less than cumulatively considerable contribution to the significant impact of climate change.

Proposed GHG Emissions Thresholds

In addition to the CAAP, the City has developed GHG emissions significance thresholds to be used in CEQA review. The thresholds are designed to allow the City to determine whether proposed projects provide a reasonably proportional reduction in their emissions – a fair share of the State’s overall emissions reduction targets as outlined in SB 32 and AB 1279. The legal framework for GHG emission reductions has come about through Executive Orders, legislation, and regulations. Executive Order S-3-05, issued in recognition of California’s vulnerability to the effects of climate change, set forth the following target dates by which statewide GHG emissions would be progressively reduced: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels.

In 2006, California passed the California Global Warming Solutions Act of 2006 (AB 32; California Health and Safety Code Division 25.5, Sections 38500, et seq.). AB 32 further details and puts into law the mid-term GHG reduction target established in Executive Order S-3-05: reduces GHG emissions to 1990 levels by 2020. In April 2015, Governor Edmund Brown issued an executive order establishing a statewide GHG reduction target of 40 percent below 1990 levels by 2030. This 2030 emissions reduction target acts as an interim goal between the AB 32 goal (i.e., achieve 1990 emission levels by 2020) and Governor Brown’s Executive Order S-3-05 goal of reducing statewide emissions 80 percent below 1990 levels by 2050. In addition, the executive order aligns California’s 2030 GHG reduction goal with the European Union’s reduction target (i.e., 40 percent below 1990 levels by 2030) that was adopted in October 2014. Approval of SB 32 in September 2016 extended the provisions of AB 32 from 2020 to 2030 with a new target of 40 percent below 1990 levels by 2030.

Most recently, signed September 16, 2022, AB 1279, the California Climate Crisis Act, declares the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter. It also requires that by 2045 statewide anthropogenic greenhouse gas emissions are reduced to at least 85 percent below statewide 1990 levels. The City’s GHG emissions thresholds are consistent with, and supportive of, the State legislative framework for GHG emissions reduction, in a way that is appropriate for projects located in Davis, and that is appropriate for new development. Furthermore, the thresholds are for the purpose of evaluating the environmental impact of a project and adoption of the thresholds would not result in any physical environmental change, and therefore would have a less than cumulatively considerable impact.

Bright-Line Threshold

The City’s bright-line threshold is set at a level that represents a screening level for smaller projects that would not represent a cumulatively considerable contribution to the significant cumulative impact of greenhouse gas emissions to global climate change. Projects using the bright-line threshold should add annual amortized construction emissions to total annual operational emissions to compare to the threshold. The bright-line threshold was developed by using a level of 1,100 MT CO₂e per year in the year 2020, and then reducing this level of emissions by 85 percent between 2020 and 2045, consistent with the target included as a part of AB 1279. Regarding this mass emissions level – a 1,100 MT threshold was estimated to capture 98 percent of total GHG emissions of projects reviewed under an Initial Study or Environmental Impact Report in Sacramento County (SMAQMD 2014, 2020). This means that starting with this threshold – 1,100 MT CO₂e per year – would require feasible mitigation for projects accounting for nearly all GHG emissions. As noted previously, AB 1279 requires 1990 statewide emissions to be reduced by 85 percent by 2045. Therefore, to ensure consistency with AB 1279 as the most recent representation of the State’s legislative framework for GHG emissions reduction, the City’s proposed bright-line threshold decreases for each year between 2020 and 2045 at the same rate – 85 percent between 2020 and 2045. As noted previously, AB 32 required statewide emissions in 2020 to be at 1990 levels – a target that was achieved in California. Projects with emissions that would not exceed this bright-line threshold would result in a less than cumulatively considerable contribution to the significant cumulative impact of global climate change.

Efficiency-Based Threshold

As with the bright-line threshold, the City's efficiency-based threshold of 2.88 MT CO₂e per service population per year allows the City to assess whether a proposed would have a less than cumulatively considerable or a cumulatively considerable impact. Projects should add amortized annual construction emissions to annual operational emissions to compare with the efficiency-based threshold. Instead of a total emissions level, the efficiency-based threshold specifies a level of emissions per service population. Service population is equivalent to the total residential population and total full-time equivalent employment estimated for a project.

To construct the efficiency-based threshold, one must determine an emissions "budget" for each resident and employee – and this budget must represent an emissions rate that is consistent with, and does not conflict with the State's legislative framework for reducing GHG emissions. Since the efficiency-based threshold is a ratio that includes population + employment in the denominator of this ratio, it is primarily intended to be used for residential, retail, commercial services, professional office, and other projects that are primarily focused on residential development or new local employment. For development projects, particularly when considering more near-term targets, such as that of the State's 2030 target for 40 percent below 1990 levels, it is also important to evaluate whether a subject project "incorporates efficiency and conservation measures sufficient to contribute its portion of the overall greenhouse gas reductions necessary" for the State to achieve its own mandates (Center for Biological Diversity, et al. v. California Department of Fish and Wildlife, the Newhall Land and Farming Company, California Supreme Court, Case No. 5217763).

If a project demonstrates that the rate of GHG emissions is efficient enough to provide its share of State emissions reduction targets, the impact is not cumulatively considerable (Center for Biological Diversity, et al. v. California Department of Fish and Wildlife; Crockett 2011). The City's efficiency-based threshold offers just this – the local rate of GHG emissions for new development Davis, at the project level, that would result in a less than cumulatively considerable contribution to the significant cumulative impact of global climate change. To develop the efficiency target for a project with pre-2030 initial operation years, the statewide mass emissions target for 2030 required under SB 32 is divided by the forecast population and employment statewide for 2030. This yields an emissions budget for each resident and employee that is consistent with the State emissions reduction mandate for 2030. To tailor this threshold for use by the City, the statewide mass emissions target, population, and employment were adjusted to focus on the emissions sources that occur within Davis. Emissions sources and jobs that are not relevant for Davis were removed from consideration in developing the efficiency-based threshold so that when projects in Davis use this threshold, it provides an accurate reflection of what the fair share of emissions reduction should be for each subject project. For example, geological and petroleum technicians, and aircraft mechanics and service technician jobs were removed from consideration since these jobs do not exist in Davis.

Emission sources were also tailored in developing this efficiency-based threshold – for example, emissions related to agriculture and forestry, mining, petroleum refining, and waterborne transportation emissions were removed from consideration since these emissions do not exist in Davis. The following bullets present the statewide emissions, statewide emissions from sources that occur locally, population, and employment figures, and calculates the proposed 2030 GHG efficiency-based threshold.

- ▶ 1990 statewide emissions: 431 MMT CO₂e/year
- ▶ 1990 statewide emissions, removing emissions sources that do not occur in Davis: 293 MMT CO₂e/year
- ▶ 2030 statewide emissions to achieve SB 32 reduction target of 40 percent below 1990 emissions: 259 MMT CO₂e/year
- ▶ 2030 statewide emissions to achieve SB 32 reduction target of 40 percent below 1990 emissions, considering only emissions sources that occur in Davis: 176 MMT CO₂e/year
- ▶ 2030 statewide population: 41,860,459
- ▶ 2030 statewide employment: 20,611,658
- ▶ 2030 statewide service population (population + employment): 61,042,493
- ▶ 2030 statewide emissions required to achieve SB 32 reduction target, divided by 2030 service population: 2.88

If a proposed project would achieve this threshold, it would demonstrate a GHG emissions rate that would be consistent with the State legislative framework for GHG emissions reductions, including the SB 32 reduction target for 2030, and substantial progress toward the State’s long-term goal of carbon neutrality by 2045. Continued statewide reduction measures implemented as a part of the Air Resources Board Scoping Plan would apply both to existing, on-the-ground development, as well as to new development. This would include new development proposed within Davis. As these scoping plan reduction measures are developed and implemented, they will improve the GHG efficiency of existing and future development within Davis and throughout the state, moving the state toward the 2045 carbon neutrality goal. In addition, as the City implements the CAAP, this will also improve the GHG efficiency of both existing and new development within Davis.

XI. Hazards and Hazardous Materials. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> General Plan EIR pp. 5A-38 through 5A-39)	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> General Plan EIR pp. 5A-38 through 5A-39)	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> General Plan EIR pp. 5A-38 through 5A-39)	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XI. Hazards and Hazardous Materials. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
g. Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- The General Plan would have a significant impact if the General Plan would expose construction workers to hazardous materials or if proposed uses involve the delivery, manufacture, or storage of hazardous materials that would pose a public safety threat.

Discussion

- a. The proposed project would rezone the project sites to either all residential or a mix of office/open floor tech/retail uses and residential uses and, thus, could be expected to involve the handling of substantial quantities of hazardous materials during operations. During construction of the proposed project, limited amounts of potentially hazardous materials, such as paint, hydraulic fluid, and similar substances could be present on site; however, such materials would be handled and disposed of in accordance with all applicable regulations.

Applicable regulations include the uniformly applicable federal regulations related to the Resource Conservation and Recovery Act, the Toxic Substances Control Act, and the Hazardous Materials Transportation Law. In addition to the foregoing federal regulations, uniformly applicable state laws and regulations relating to hazardous materials include the Hazardous Waste Control Law, and the California Accidental Release Program.

The General Plan EIR considered that the development in the City could involve the uses of hazardous materials during construction-related activities and could expose workers to an increased risk of exposure to materials. The impact was considered significant in the short term. No mitigation measures were proposed. As noted above however, these materials would be handled and disposed of in accordance with applicable regulations.

The regulations listed above would be applicable during both construction and operation of the proposed project. For construction activities in particular, the City's

General Plan includes Standard HAZ 4.1a, which requires the proper handling of hazardous materials during construction through the preparation and implementation of a hazardous materials management plan. Implementation of Standard HAZ 4.1a would ensure that construction activity related to the proposed project would not result in the improper handling of hazardous materials, which would reduce the likelihood of an accidental release of such material. Therefore, the proposed project will not result in a project-specific effect or an effect greater than that studied in the General Plan EIR related to the use of hazardous materials during construction-related activities.

During the future construction of the proposed rezone sites, limited amounts of potentially hazardous materials, such as paint, hydraulic fluid, and similar substances could be present on site; however, such materials would be handled and disposed of in accordance with all applicable regulations. Therefore, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

- b, d. The General Plan EIR did not consider whether development would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment or be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

However, the impacts are substantially mitigated by uniformly applicable development policies for land use projects within the planning area. Future projects would be subject to uniformly applicable regulation and monitoring requirements of various federal, State, and local regulations, including the Department of Toxic Substances Control (DTSC) and the Department of Motor Vehicles (DMV), related to accidental release of or exposure to hazardous materials.

- c. The General Plan EIR did not consider impacts related to the emission of hazardous materials within one-quarter mile of an existing or proposed school. However, the proposed residential uses are not expected to be individual hazardous emitters or handlers. Further, individual hazardous materials emitters or handlers must adhere to permitting requirements (Pub. Resources Code, Section 21151.4) that require evaluation and notification of where potential materials handling and emissions could occur within one-quarter mile proximity of existing or proposed schools. To the extent any impact were possible, it would be substantially mitigated by this uniformly applicable development policy.
- e. The proposed rezone sites are not located within the vicinity of a public or private airstrip and are not covered by an airport land use plan. Thus, no impact would occur with regard to creation of a safety hazard for people residing or working in the project area.
- f. The General Plan did not consider whether development would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. However, the proposed rezone project does not involve any operations or changes to the existing roadway network that would impair implementation or physically interfere with the City's Multi-Hazard Functional Planning Guide or the County's Emergency Operations Plan or Multi-Hazard Mitigation Plan (MHMP). Construction

activities affecting any of the identified evacuation routes would be both temporary and subject to traffic controls. Furthermore, the proposed project would be subject to the foregoing guides and plans, and any applicable measures from such guides and plans in the case of an emergency. Although such plans were not evaluated in the General Plan EIR, the plans serve as uniformly applicable mitigation for all development within the City and Yolo County, and compliance with such plans is required for all new developments.

According to the City's General Plan, the City of Davis Multi-Hazard Functional Planning Guide states that all major roads are available for emergency evacuation routes in the event of a disaster, depending on the location and type of emergency that arises. Major roads identified for evacuation include Russell Boulevard, SR 113, Interstate 80, Richards Boulevard, County Road (CR) 102/Pole Line Road, Mace Boulevard southbound, CR 32A, Covell Boulevard/CR 31, "F" Street/CR 101A, and North Sycamore Frontage Road. Furthermore, the proposed project does not involve any permanent changes to the circulation network in the vicinity of the project site. Thus, construction and operation of any future proposed project on a rezone would not result in interference with any of the foregoing evacuation routes.

- g. The project sites are located in an urban area and are surrounded by existing development. Wildlands are not located within the project area. Therefore, the proposed project would not expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, and no impact would occur.

Applicable Davis General Plan Policies

Policy HAZ 4.1 Reduce and manage toxics within the planning area.

Standard 4.1a Before construction starts, a project proponent will submit a hazardous materials management plan for construction activities that involve hazardous materials. The plan shall discuss proper handling and disposal of materials used or produced onsite, such as petroleum products, concrete and sanitary waste, shall be established prior to the commencement of construction-related activities and strictly enforced by the project proponent. A specific protocol to identify health risks associated with the presence of measures to be followed by the workers entering the work area. If the presence of hazardous materials is suspected or encountered during construction-related activities, the project proponent shall complete a Phase I or Phase II hazardous materials study for each identified site.

Policy HAZ 5.1 Reduce the combined load of pollutants generated in the City's wastewater, stormwater, and solid waste streams. Such pollutants include, but are not limited to toxic and hazardous substances.

X. Hydrology and Water Quality. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ General Plan EIR pp. 5G-20 through 5G-23)	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 5G-24 through 5G-25)	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 5G-15 through 5G-18	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 5G-15 through 5G-18	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 5G-15 through 5G-18)	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 5G-20 through 5G-23)	<input type="checkbox"/>

X. Hydrology and Water Quality. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis General Plan EIR pp. 5G-15 through 5G-20)	<input type="checkbox"/>
h. Place within a 100-year floodplain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis General Plan EIR pp. 5G-15 through 5G-20)	<input type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis General Plan EIR pp. 5G-15 through 5G-20)	<input type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
k. Conflict with or obstruct implementation of a water quality control plan or substantial groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	✘

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in a substantial adverse change in the environment related to Hydrology and Water Quality.
- A proposed land use map alternative was determined to have a significant impact if the alternative would result in a substantial increase in the rate or amount of surface runoff in a manner that would result in on- or off-site flooding;
- or create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage facilities.
- The General Plan was determined to have a significant impact if the General Plan would

- expose people or property to water-related hazards, such as flooding.
- The General Plan was determined to have a significant impact if the alternative would substantially degrade water quality.
- The General Plan was determined to have a significant impact if the alternative would substantially deplete groundwater resources, degrade groundwater quality, or cause a potential public health hazard.

Discussion

- a, f. Development of the proposed project site would require construction activities that would result in a land disturbance greater than one acre. Therefore, all future applicants who construct on a rezone site would be required by the State to obtain a Construction General Permit. Compliance with the Permit requires the applicant to file a Notice of Intent (NOI) with the SWRCB and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. The SWPPP would incorporate BMPs in order to prevent, or reduce to the greatest feasible extent, adverse impacts to water quality from point sources and erosion and sedimentation. The foregoing requirements for obtaining a Construction General Permit and preparation of a SWPPP are uniformly applicable to all development projects within California and would ensure that any potential impacts related to the violation of water quality standards or degradation of water quality would be substantially mitigated.

The General Plan EIR determined that construction and grading activities associated with development under the General Plan would not degrade water quality because projects would be required to comply with Policy WATER 2.3 as well as Action WATER 2.3a. In addition to the General Plan policies presented in the General Plan EIR, the General Plan EIR further noted that development projects within the City would also be subject to the City's uniformly applicable grading and erosion control regulations. For instance, the proposed project would be subject to Section VI, Chapter 30.03.010 of City of Davis Municipal Code, which adopts by reference the standards of the State of California's NPDES General Permit for Stormwater Discharges Associated with Construction Activity (NPDES General Permit No. CAS000002). Compliance with the NPDES requires implementation of a SWPPP. The General Plan EIR concluded that implementation of the foregoing General Plan policies and actions Citywide, as well as the application of the uniformly applicable mitigation measures included in the City's Municipal Code would ensure that development within the City would not result in impacts to water quality.

Because the proposed project would be required to comply with the foregoing uniformly applicable mitigation measures, potential impacts related to implementation of the proposed project would be substantively mitigated and the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

- b. Given that a majority of the City's water supplies are provided by surface water sources, increases in demand for water supplies associated with the proposed project would not be anticipated to substantially deplete groundwater supplies. Therefore, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells

would drop to a level that would not support existing land uses or planned uses for which permits have been granted), and a less-than-significant impact would occur. Considering that the proposed project would not result in such impacts, the project would not result in any new specific effects.

The General Plan EIR considered the impact of development under the General Plan on groundwater resources and concluded that because the General Plan contains policies WATER 1.1, 1.2, and 1.3 as well as Policy WATER 2.2, the impact would be less than significant.

Policies WATER 1.1 directs the City to focus on demand reduction and water conservation over the development of additional water resources while Policy WATER 1.2 requires water conserving landscaping. In compliance with the foregoing policies, the project has been designed with water efficient fixtures and low water use landscaping. As a result of such water efficiency measures, any proposed future project would operate with a water demand that would be approximately 70 percent below the average per capita demand for housing within the Sacramento Hydraulic Region and 33 percent more efficient than the average per capita use in the City of Davis. Thus, the proposed project has incorporated and satisfied Policies WATER 1.1 and 1.2.

Policy WATER 1.3 prohibits the City from approving development unless an adequate supply of quality water is available prior to occupancy of development. The City is further directed by Policy WATER 2.2 to protect groundwater resources to preserve quantity and quality. Since the adoption of the City's General Plan EIR, the City has switched primary water supply from groundwater to surface water, which is now provided through the Woodland Davis Clean Water Agency. Consistency with Policy WATER 1.3 is discussed in further depth below.

In 2015, the City prepared a combined Water Supply Assessment (WSA) for buildout of the General Plan, as well as specific large development projects including Mace Ranch Innovation Center, Davis Innovation Center, Nishi Property, and the Triangle Project.⁸ The WSA showed that after accounting for the four major development projects and development under the City's adopted General Plan, the City has 1,831 ac-ft/yr excess capacity in 2020 and 1,419 ac-ft/year in 2025. Of the four very large projects studied, only Nishi is approved. Therefore, as summarized in the Civil Utility Summary prepared for the project, the conclusion can safely be made that there is adequate capacity to serve the proposed rezone project sites along with other previously approved but not built projects.

Furthermore, the Project, together with all approved but not yet built projects can be adequately served with the City's existing water supply while preserving groundwater resources. Consequently, the proposed project is in compliance with General Plan Policies WATER 1.3 and 2.2

⁸ City of Davis. *Mace Ranch Final FEIR* (SCH# 2014112012). Adopted on September 19, 2017.

Considering the project's compliance with General Plan policies WATER 1.1, 1.2, 1.3, and 2.2, the proposed project will not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

- c,d. The General Plan EIR considered whether development under the general plan would generate substantial runoff or substantially modify existing drainage patterns. The General Plan EIR concluded that even with General Plan Policies WATER 3.1 and WATER 3.2 and associated standards and action, buildout of the General Plan would result in a significant impact. However, implementation of mitigation measures included in the General Plan EIR would reduce the potential for buildout of the General Plan to result in significant impacts to drainage patterns to a less-than-significant level. In particular, General Plan EIR Mitigation Measure HYD-2.1 ensured that buildout of the City would not result in development within flood-prone areas of the City. The proposed project sites area not within a flood-prone area of the City, and, thus, are not subject to General Plan EIR Mitigation Measure HYD-2.1. Similarly, the proposed project would not be subject to the requirements of policies WATER 3.1 and 3.2, because both policies related to citywide drainage infrastructure, rather than project-level considerations. However, the proposed rezone project sites would be subject to Standard WATER 3.2a, which requires that all new development be designed to accommodate a minimum of a 10-year recurrence design flow while routing 100-year recurrence event flows appropriately. The proposed projects will include bioretention planters that are adequately designed to meet the City's standards. Considering that the proposed project sites would not be located in a flood-prone area and would comply with all applicable General Plan policies and standards identified in the General Plan EIR, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Any project constructed on a proposed rezone site would be required to comply with the City's Stormwater Ordinance, and conditions of approval, to provide stormwater system sizing information, a Stormwater Quality Plan, stormwater calculations, a Stormwater Quality Maintenance Plan, and a Drainage Plan. Site stormwater flows would be treated and attenuated prior to flowing to existing public stormwater conveyance facilities. The proposed treatment and attenuation infrastructure included in the proposed project would result in the improvement of stormwater flows from the project site as compared to the previously-developed condition of the project site. Thus, the project would be consistent with Mitigation Measures HYD-1, HYD-2, and HYD-3 of the MTP/SCS EIR, and would not substantially alter the existing drainage pattern of the site or area, or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. The project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

The General Plan EIR considered whether buildout of the General Plan would exceed the capacity of the existing stormwater drainage facilities. General Plan EIR identified that General Plan Policies WATER 3.1 and 3.2 and the associated standards requiring new

development to mitigate for drainage and runoff would reduce this impact. However, due to certain developments within the General Plan that are unrelated to the proposed project, specifically development of the Covell Center, the General Plan EIR concluded the impact was nonetheless significant, but mitigation was available to reduce such impacts to a less-than-significant level. In particular, General Plan EIR Mitigation Measure HYD-2.1 ensured that buildout of the City would not result in development within flood-prone areas of the City. The proposed rezone project sites are not within a flood-prone area of the City, and, thus, are not subject to General Plan EIR Mitigation Measure HYD-2.1. As discussed previously, General Plan policies WATER 3.1 and 3.2 would not directly apply to the proposed project as such policies are intended for implementation on a City-wide level not a project-level. Nevertheless, the proposed project would be subject to Standard WATER 3.2a. As discussed previously, the proposed project would meet the stormwater design standards included in General Plan Standard WATER 3.2a. As such, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR related to exceedance of the capacity of existing or planned stormwater drainage facilities.

Incorporation of bioretention planters would ensure compliance of any proposed project on a rezone site with City regulations regarding stormwater. Therefore, the proposed rezone project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. New specific effects or effects that are more significant than what was already analyzed in the General Plan EIR would not occur.

- g-i. According to the Flood Insurance Rate Map (FIRM) number 06113C0611G, the proposed rezone project sites are located in Zone X, which is an area of minimal flood hazards. As such, the proposed project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary, FIRM, or other flood hazard delineation map, place within a 100-year flood hazard area structures that would impede or redirect flood flows, or expose people or structures to significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. Thus, project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to such.

The General Plan EIR concluded that although portions of the City are within the 100-year floodplain, the impact is less than significant because the General Plan includes policies HAZ 1.1 and HAZ 1.2 and associated actions that discourage floodplain development and require adherence to standards if an area of the floodplain is development. The proposed project is not located within a floodplain and, thus, General Plan standards HAZ 1.1a and HAZ 1.1c do not apply to the proposed project. Furthermore, the proposed project would include bioretention planters that would ensure that the project does not result in an increase in flood damage at any off-site areas, thus complying with General Plan policies HAZ 1.1 and HAZ 1.2, as well as Standard HAZ 1.1b. As such, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR related to development within flood zones and development resulting in increased flood risk.

- j. The General Plan EIR did not address impacts related to seiches, tsunamis, or mudslides. A seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir, which has a destructive capacity that is lesser than that of tsunamis. Seiches are known to have occurred during earthquakes. Tsunamis are defined as sea waves created by undersea fault movement. A tsunami poses little danger away from shorelines; however, when a tsunami reaches a shoreline, a high swell of water breaks and washes inland with great force. Waves may reach fifty feet in height on unprotected coasts. Furthermore, mudflow typically occurs in mountainous or hilly terrain. As the City of Davis is not located near waters subject to tidal changes, closed bodies of water, or hilly or mountainous terrain, no impact related to seiches, tsunamis, or mudflows would occur and further analysis is not required.
- k. The Housing Element update and rezone project would not include direct groundwater extraction and would encourage water savings through conservation. Construction of future housing projects on the rezoned sites could result in requiring earth disturbance. All construction projects in the City would require compliance with NPDES to control stormwater discharges. When appropriate, any project construction pursuant to the rezone project would be subject to a Stormwater Pollution Prevention Plan and/or be required to incorporate Best Management Practices during construction to reduce potential impacts. Potential water quality impacts associated with the build-out of the City were analyzed in the City General Plan and addressed with policies, strategies, and mitigation measures that would protect and reduce potential impacts on water quality. (Policy WATER 1.1, 1.2, 2.1, 2.2, 2.3, 4.1 and 4.2). The impact is less than significant.

Applicable Davis General Plan Policies

- Policy HAZ 1.1 Site and design developments to prevent flood damage.
 - Standard HAZ 1.1b Development shall not increase flood hazards or reduce the effectiveness of existing flood control facilities.
- Policy HAZ 1.2 Continue to provide flood control improvements that are sensitive to wildlife habitat and open space preservation.
- Policy Water 1.1 Give priority to demand reduction and conservation over additional water resource development.
- Policy Water 1.2 Require water conserving landscaping.
- Policy Water 1.3 Do not approve future development within the City unless an adequate supply of quality water is available or will be developed prior to occupancy.
- Policy Water 2.1 Provide for the current and long-range water needs of the Davis Planning Area, and for protection of the quality and quantity of groundwater resources.
- Policy Water 2.2 Manage groundwater resources so as to preserve both quantity and quality.
- Policy Water 2.3 Maintain surface water quality.

Action WATER 2.3a Continue to Implement best management practices and policies incorporated in the Urban Water Management Plan and other adopted policies.

Policy Water 3.1 Coordinate and integrate development of storm ponds and channels City-wide, to maximize recreational, habitat and aesthetic benefits.

Policy Water 3.2 Coordinate and integrate design, construction, and operation of proposed stormwater retention and detention facilities City-wide, to minimize flood damage and improve water quality.

Standard 3.2a All new development shall include drainage facilities that are designed to accommodate a minimum of a 10-year recurrence design flow. In addition, all new development shall route the 100-year recurrence event and appropriately mitigate for both the increase in flows from the site due to development, and for runoff volumes which have historically occurred on the site.

Storm drainage facilities with open, naturalistic channels are encouraged, where feasible. Such facilities can minimize impacts on the city's system, add to the water table, and provide an open space amenity, although long term maintenance costs must be considered. In addition, properly designed plantings within and adjacent to drainage facilities can serve to treat urban runoff, reducing downstream impacts.

Standard 3.2b New development's detention and retention facilities shall be designed so as not to cause significant negative impact to other drainage facilities in the watershed.

XI. Land Use and Planning. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>

XI. Land Use and Planning. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
b. Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 5A-29 through 5A-30	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if the General Plan alternative or one of its components would conflict with the environmental plans and goals of the local community or other planning regulations (see Question b below).
- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to land use, aesthetics, or hazardous materials (see Question b below).

Discussion

- The General Plan EIR did not analyze the potential for buildout of the General Plan to result in the physical division of an established community. The project sites are surrounded by existing residential or non-residential uses on parcels that are already existing and part of the overall neighborhoods where they are located. Given that the projects would be considered infill development, the proposed project would not physically divide an established community. Thus, no impact would occur.
- The discussions below provides a summary of the project’s consistency with the City’s General Plan.

General Plan Consistency

The proposed rezone project proposes approval of a General Plan Amendment to redesignate the project site from either, General Commercial, Business Park, Low Density

Residential, Mixed Use or Public / Semi-Public to High Density Residential or Mixed Use and High Density Residential. Although the proposed project includes a General Plan Amendment, the need for such an amendment does not inherently indicate that the proposed project is inconsistent with the General Plan. Rather, despite the need for a General Plan Amendment, the proposed project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, and is consistent with any adopted design guidelines for the district within which the project is located (Davis Code section 40.31.085(a)).

The development conforms to the General Plan in that it implements several General Plan visions including:

- *Value, support and nurture Davis' individuals, families and youth; their quality of life; and the ethic of lifelong learning and contribution [p. 41 of the General Plan]*
 - The project provides housing to support the workforce population.
- *Promote alternative transportation modes such as bicycling, walking, public transit and telecommuting [p. 43 of the General Plan]*
 - The project promotes alternative transportation by developing housing along arterials near to public transportation; providing housing within close proximity of a job center; and by providing parking supportive to bicycle transportation.
- *The General Plan indicates that the Residential Category "is intended to allow for residential development emphasizing compact clustered development in new areas and infill in existing neighborhoods, together with a mixture of local-serving retail and institutional uses, to meet housing demands, reduce pressure for peripheral growth and facilitate transit and bicycle/pedestrian travel."*
 - The project increases residential density at the project sites, allowing infill within the existing neighborhoods.
- *Policy HOUSING 1.1 Encourage a variety of housing types that meet the housing needs of an economically and socially diverse Davis.*
 - The project will create available housing sites that will provide an opportunity for those working in Davis to live nearby and avoid commuting to work out of town and in a vehicle.
- *Policy HOUSING 1.2 Strive to maintain an adequate supply of rental housing in Davis to meet the needs of all renters, including students.*
 - The rezone project includes rental units available to all residents and designed to meet the needs of the workforce population.

Conclusion

Based on the above, the proposed project would not create new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to inconsistency with applicable land use plans, policies, or ordinances adopted for the purpose of avoiding or mitigating on environmental effect.

- c. At the time the General Plan EIR was prepared, there was only one adopted HCP in the Sacramento area, the Natomas Basin HCP (NBHCP). Today, the Yolo HCP/NCCP was recently adopted by the Conservancy Board and all member agencies, including the City of Davis; thus, consistency with the Yolo HCP/NCCP was not analyzed in the General Plan EIR. The project sites are designated Urban/Developed in the Yolo HCP/NCCP.

Developed areas are dominated by pavement and building structures. Vegetation in developed areas generally consists of vegetated corridors (e.g., vegetation maintained adjacent to highways) and patches of mostly ornamental vegetation, such as tree groves, street strips, shade trees, lawns, and shrubs that are typically supported by irrigation. Urban lands cover 45,700 acres, or seven percent, of the Yolo HCP/NCCP Area. This area includes urban vegetation and all areas with structures, graded lots, road and highway medians, anthropogenic drainage canal vegetation, rail rights-of-way, and sewage treatment ponds that do not provide habitat.

10 of the project sites currently consist of vacant disturbed land with minimal ornamental vegetation related to previous landscaping, and while the project sites do not currently contain development, from a habitat type perspective, the characteristics of the site continue to be consistent with that of developed areas. The Yolo HCP/NCCP considers general urban development within the City of Davis to be a covered activity and includes various Avoidance and Minimization Measures (AMMs) that should be applied where applicable. The AMMs applicable to the proposed project include AMM1, Establish Buffers; AMM5, Control Fugitive Dust; AMM6, Conduct Worker Training; AMM7, Control Night-Time Lighting of Project Construction Sites; and AMM15, Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite. Such AMMs are uniformly applicable to qualifying projects within the Yolo HCP/NCCP area and serve to substantially mitigate potential impacts from such development, as further described in the Yolo HCP/NCCP.

Given the land cover type, history of development of the project site areas, the implementation of all uniformly applicable AMMs from the Yolo HCP/NCCP would ensure that development of the proposed project would not conflict with the adopted Yolo HCP/NCCP.

Applicable Davis General Plan Policies

Policy LU 2.1 Develop and implement guidelines for infill development and comprehensive car management strategies immediately following the adoption of the General Plan so that guidelines and strategies will be in place prior to the approval of significant new infill development.

Standard 2.1a Guidelines should recognize various forms and patterns of infill development including:

1. new mixed use, transit oriented development in new neighborhoods developed on urban land zoned for nonresidential uses. (Land designated on the General Plan Land Use Map for uses of agriculture, agriculture buffer, or various open space uses are not to be considered as, nor re-designated as, urban land for infill purposes.)
2. new mixed use, transit oriented development in/near established neighborhoods.
3. residential infill in/near established neighborhoods
4. densification of existing single family lots.
5. targeted residential infill to help address the needs of UC Davis students and employees, City and school district employees, seniors, lower income households and other special needs groups (e.g., prospective joint UC-City-RDA-private sector sponsored projects).
6. redevelopment of older apartment complexes.

XII. Mineral Resources. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
a,b. The General Plan EIR did not address mineral resources. However, the most important mineral resources in the region are sand and gravel, which are mined on Cache Creek and other channels in Yolo County. A survey of aggregate resources by the State Division of Mines and Geology showed that significant deposits of aggregate resources are not located in the City of Davis Planning Area. The only mineral resource known to exist in the City's Planning area is natural gas; however, specific resource areas have not been identified. General Plan policies provide for minimizing resource exploitation. Because of the lack of mineral resources in the project area, no impact to mineral resources would occur and further analysis is not required.					

XIII. Noise. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	* General Plan EIR pp. 5F-14 through 5F-15; 5F-18 through 5F19	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	*
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	* Davis General Plan EIR pp. 5F-18 through 5F-21	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	* Davis General Plan EIR pp. 5F-18 through 5F-21	*
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to noise (see Questions a through f below).
- The General Plan was determined to have a significant impact if construction activities could violate provisions of City's Noise Ordinance (Chapter 168, "Noise Regulations" of the City of Davis Municipal Code). Specifically, permitted construction activities between the hours of 7 a.m. and 7 p.m. (Monday through Friday) and 8 a.m. and 8 p.m. (Saturday and Sunday) were considered significant if both of the following measures are exceeded:
 1. No individual piece of equipment shall produce a noise level exceeding 83 dBA at a distance of 25 feet.
 2. The noise level at any point outside the property plane of the project shall not exceed 86 dBA (see Question d below).
- The General Plan was determined to have a significant impact if the potential development proposed in the plan would substantially increase the exposure of existing noise sensitive land uses to noise in excess of exterior and/or interior noise standards specified in Figure 5F-I, of the General Plan EIR (see Questions a and c below).

Discussion

- a,c. The General Plan EIR considered whether buildout of the General Plan would expose noise sensitive land uses to construction or operation related noise in violation of the City's Noise Ordinance. The General Plan EIR concluded that the impact of construction noise and operation in some areas were significant and unavoidable. In concluding that construction and operational noise in some areas would result in significant and unavoidable impacts, the General Plan EIR considered infill development within the City. The proposed rezone project would represent infill development similar to the type of development generally analyzed in the General Plan EIR. The proposed project would not involve construction-related or operational sources of noise in excess of the sources considered in the General Plan EIR, and, the application of the City's Noise Ordinance and the application of General Plan EIR Mitigation Measure NOI 2.1 would result in the conclusion that potential impacts related to implementation of the proposed project would not exceed the impacts previously considered by the General Plan EIR.
- b. Vibration associated with the construction of a future project on a rezone site has the potential to temporarily impact adjacent structures. Measures that shall be implemented to reduce noise, vibration, and ground borne noise generated by construction activities will be analyzed prior to project approval where feasible and necessary to address site-specific considerations.
- d. The General Plan EIR considered whether the project would expose noise sensitive land uses to construction or operation related noise in violation of the City's Noise Ordinance. The General Plan EIR concluded that the impact of construction noise and operation in some infill areas were significant and unavoidable. The proposed project would not involve construction-related or operational sources of noise in excess of the sources considered in the General Plan EIR, and, thus, potential impacts related to implementation of the proposed project would not exceed the impacts previously considered by the General Plan EIR.

Compliance with Existing Law

Section 24 of the City of Davis Municipal Code establishes a maximum noise level standard of 55 dB during the hours of 7:00 AM to 9:00 PM, and 50 dB during the hours of 9:00 PM to 7:00 AM. The Municipal Code makes exemptions for certain typical activities which may occur within the City. The exemptions are listed in Article 24.02.040, Special Provisions, and are summarized below:

- a) Normal operation of power tools for non-commercial purposes are typically exempted between the hours of 8 AM and 8 PM unless the operation unreasonably disturbs the peace and quiet of any neighborhood.
- b) Construction or landscape operations would be exempt during the hours of 7 AM to 7 PM Mondays through Fridays and between the hours of 8 AM to 8 PM Saturdays and Sundays assuming that the operations are authorized by valid city permit or business license, or carried out by employees or contractors of the city and one of the following conditions apply:
 - (1) No individual piece of equipment shall produce a noise level exceeding eighty-three dBA at a distance of twenty-five feet. If the device is housed within a structure on the property, the measurement shall be made outside the structure at a distance as close to twenty feet from the equipment as possible.
 - (2) The noise level at any point outside of the property plane of the project shall not exceed eighty-six dBA.
 - (3) The provisions of subdivisions (1) and (2) of this subsection shall not be applicable to impact tools and equipment; provided, that such impact tools and equipment shall have intake and exhaust mufflers recommended by manufacturers thereof and approved by the director of public works as best accomplishing maximum noise attenuation, and that pavement breakers and jackhammers shall also be equipped with acoustically attenuating shields or shrouds recommended by the manufacturers thereof and approved by the director of public works as best accomplishing maximum noise attenuation. In the absence of manufacturer's recommendations, the director of public works may prescribe such means of accomplishing maximum noise attenuation as he or she may determine to be in the public interest.

Construction projects located more than two hundred feet from existing homes may request a special use permit to begin work at 6:00 AM on weekdays from June 15th until September 1st. No percussion type tools (such as ramsets or jackhammers) can be used before 7:00 AM. The permit shall be revoked if any noise complaint is received by the police department.
 - (4) No individual powered blower shall produce a noise level exceeding seventy dBA measured at a distance of fifty feet.

- (5) No powered blower shall be operated within one hundred feet radius of another powered blower simultaneously.
- (6) On single-family residential property, the seventy dBA at fifty feet restriction shall not apply if operated for less than ten minutes per occurrence.
- c) The City Code also exempts air conditioners, pool pumps, and similar equipment from the noise regulations, provided that they are in good working order.
- d) Work related to public health and safety is exempt from the noise requirements.
- e) Safety devices are exempt from the noise requirements.
- f) Emergencies are exempt from the noise requirements.

The most restrictive standard would be the requirement that construction equipment does not exceed 83 dBA at a distance of 25-feet or 86 dBA at a property plane. Construction noise levels can comply with the City of Davis Municipal Code through the implementation of the strategies contained in the Noise Ordinance. Specifically, as a means of complying with the requirement of 83 dBA at a distance of 25-feet, the future project should employ sound control devices on equipment, muffled exhausts on equipment, and installation of acoustic barriers around stationary equipment which block line-of-sight to the equipment. As a means of complying with the 86 dBA at the property line, the installation of 6-foot tall barriers at the property line can be employed. These barriers can be constructed of plywood, prefabricated temporary acoustic barriers or tightly fitted straw or hay bales.

A comprehensive list of potential noise reduction strategies is as follows:

- Use of electric construction equipment as an alternative to diesel-powered equipment;
- Sound control devices on equipment;
- Muffled exhaust on construction equipment;
- Staging of construction equipment from nearby residences;
- Limits on idling time for construction equipment and vehicles;
- Installation of acoustic barriers around stationary construction noise sources;
- Installation of temporary barriers between the project site and adjacent sensitive receptors.

Given the requirement for the proposed rezone project to comply with existing law (i.e., Davis Noise Ordinance), the proposed project's construction noise impacts would not be significant.

The City of Davis also includes a standard condition of approval on projects regarding construction noise. This condition requires implementation of noise-reducing construction practices such as requiring all equipment to have sound-control devices.

The application of the uniformly applicable requirements of the Davis Noise Ordinance and the standard conditions of approval would substantially mitigate potential impacts related to implementation of the proposed project, and, consequently, the proposed project would not result in temporary or periodic increases in ambient noise in excess of the levels previously analyzed in the General Plan EIR.

- e,f. The proposed project is located within a two-mile radius of the University Airport. However, the project site is located outside of the 55 dB CNEL noise level contour. Therefore, no impact would occur.

Applicable Davis General Plan Policies

Policy NOI 1.1	Minimize vehicular and stationary noise sources, and noise emanating from temporary activities.
Standard 1.1a	The City shall strive to achieve the “normally acceptable” exterior noise levels as shown in Table 19 [Figure 5F-1 in this EIR] of the General Plan Update and the target interior noise levels as shown in Table 20 of the General Plan update in future development areas and in currently developed areas
Standard 1.1b	New development should generally be allowed only in areas where exterior and interior noise levels consistent with Tables 19 [Figure 5F-1 in this EIR] and 20 of the General Plan update can be achieved.
Standard 1.1c	New development and changes in use should generally be allowed only if they will not adversely impact attainment within the community of the exterior and interior noise standards shown in Table 19 [Figure 5F-1 in this EIR] and 20 in the General Plan Update Cumulative and project specific impacts by new development on existing residential land uses should be mitigated consistent with the standards shown in Table 19 and 20 of the General Plan Update.
Standard 1.1d	Required noise mitigation measures for new and existing housing should be provided with the first stage and prior to completion of new developments or the completion of capacity-enhancing roadway changes wherever noise levels currently exceed or are projected within 5 years to exceed the normally acceptable noise levels shown in Table 19 [Figure 5F-1 in this EIR] of the General Plan update.
Action 1.1h	Require an acoustic study for all proposed projects that would have noise exposure greater than normally acceptable as indicated by Figure 37 of the General Plan update.
Action 1.1m	The project proponent shall employ noise-reducing construction practices. The following measures shall be

incorporated into contract specifications to reduce the impact of construction noise.

- All equipment shall have sound-control devices no less effective than those provided on the original equipment. No equipment shall have an unmuffled exhaust.

As directed by the City, the contractor shall implement appropriate additional noise mitigation measures including, but not limited to, changing the location of stationary construction equipment, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, or installing acoustic barriers around stationary construction noise sources.

XIV. Population and Housing. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis General Plan EIR pp. 7-16	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- As discussed previously, the Legislature has adopted several statutory provisions to incentivize infill development within this region of the State. Therefore, the proposed project would have a less-than-significant impact related to inducing substantial population growth in an area, either directly or indirectly. The project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to such. It should be noted that the General Plan EIR does not specify thresholds of significance for the inducement of population growth.

- b, c. Many of the proposed project sites are currently vacant and undeveloped or are non residential. As such, the proposed project would not displace existing housing or people, necessitating the construction of replacement housing elsewhere, and no impact would occur.

XV. Public Services.

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 5C-25 through 5C-30	✖
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 5C-23 through 5C-25	✖
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 5C-30 through 5C-33)	✖
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 5C-35 through 5C-37)	✖
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		✖

XV. Public Services.

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
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e. Other Public Facilities?

✖
Davis General
Plan EIR pp.
5C-33 through
5C-35)

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to public services and utilities (see Questions a through e).
- The General Plan was determined to have a significant impact if development would cause a substantive increase in demand for law enforcement services that cannot be responded to by existing plans or General Plan policies (see Question b below).
- The General Plan was determined to have a significant impact if development would cause a substantive increase in demand for fire protection services that cannot be responded to by existing plans or General Plan policies (see Question a below).
- The General Plan was determined to have a significant impact if implementation of the plan would require the need for additional fire protection infrastructure (other than improvements already planned) in order to maintain acceptable levels of service (as measured by response time) (see Question a below).
- The General Plan was determined to have a significant impact if development would require a substantive expansion of the existing school system that could not be mitigated by plan policies and/or state mandates (see Question c below).
- The General Plan was determined to have a significant impact if development would require substantive expansion of the existing library system and such expansion cannot be provided through existing plans and/or general plan policies (see Question e below).
- The General Plan was determined to have a significant impact if development would require substantive expansion of the existing park and recreation facilities that cannot be responded to by existing plans or General Plan policies (see Question d below).

Discussion

- a. The proposed project site is located within the jurisdiction of the Davis Fire Department. The proposed project would include the construction of 753 additional multi-family residential units, which could increase the demand for fire protection services within the City. The General Plan EIR determined that increased demand for fire protection is less than significant because Policy POLFIRE 3.2 requires all new development include adequate provision for public safety. With the incorporation of POLFIRE 3.2, the impacts of the proposed project are not more significant than was considered by the General Plan EIR.

The proposed structures would be designed in compliance with all applicable provisions of the California Fire Code and would include features such as fire sprinklers and smoke alarms. In addition, the City has a mutual aid agreement with UC Davis Fire Department, which has a ladder truck (Truck 34), capable of reaching the upper floors of taller structures within the City.

Fire Code consistency review would be performed as part of the construction and development review process for the proposed project. The development review and approval process would also include the payment of any necessary fees to the Davis Fire Department.⁹ Development review as well as payment of necessary fees represent uniformly applicable standards that would sufficiently mitigate any potential impacts related to implementation of the proposed project regarding fire protection services. Therefore, the proposed project would not result in a need for new, or improvements to existing fire protection facilities, the construction of which could cause significant environmental impacts. The project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

- b. The proposed project site is currently located within the jurisdiction of the Davis Police Department. The proposed project would include the construction of 753 multi-family residential units, which could increase the demand for police protection services within the City.

The General Plan concluded that the citywide increase in demand for law enforcement service is less than significant because of the inclusion of General Plan policies POLFIRE 1.1 and 1.2 which require that adequate levels of police and fire protection services are in place to accommodate new development. Considering that policies POLFIRE 1.1 and 1.2 act on a citywide level to ensure adequate police protection services are provided to new development, the impacts of the proposed project are not more significant than was considered by the General Plan EIR. It should be noted that both POLFIRE 1.1 and 1.2 are citywide policies that do not directly apply to the proposed project, but act to ensure adequate service levels throughout the City.

Police protection for the project sites is currently provided by the Davis Police Department, which maintains a staff of 61 sworn police officers and 34 civilian personnel. The Davis Police Department and the UC Davis campus police have a mutual aid agreement to respond to major incidents within the City and on campus. The Davis Police Department

⁹ City of Davis. *Fee Schedule*. Available at <http://cityofdavis.org/city-hall/finance/fee-schedules>. Accessed November, 2019.

is located centrally in the city, and the current headquarters is considered sufficient to serve the current and projected police service demands for the City, including development of the proposed rezone sites.

The proposed project would be designed in accordance with the City's Security Ordinance, which is contained in the City's Municipal Code as Article 8.14. Article 8.14 includes various minimum requirements for security measures to be included in new multi-family residential structures. Features required for multi-family dwellings include self-locking devices on exterior doors, proper unit identification, properly secured windows, and minimum security standards for doors. Furthermore, Article 8.14 includes regulations to ensure that proper lighting is provided in stairwells, walkways, public areas, and parking lots. The inclusion of such design features would increase the security for any project built under the proposed rezones, which would help to minimize security risks related to the proposed project, and reduce the project's demand on police services. In addition, the City of Davis maintains Development Impact Fees for various types of development within the City, including residential uses. Such fees are based on the anticipated demand, and are periodically reviewed by the City. The future projects built on the rezone sites would be required to pay Development Impact Fees.

Because the future multi-family structures would be designed in compliance with Article 8.14, Minimum Security Building Standards, and the proposed project would include payment of the applicable Development Impact Fees, the proposed project would not result in a need for new, or improvements to existing police protection facilities, the construction of which could cause significant environmental impacts; as a result, a less-than-significant impact would occur. Adherence to Article 8.14, Minimum Security Building Standards, and the payment of applicable Development Impact Fees represent uniformly applicable standards that would serve to sufficiently mitigate potential impacts related to police protection. Consequently, the project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to such.

- c. The General Plan EIR considered whether buildout of the General Plan would have an impact on the existing school system and concluded the impact was less than significant based on the payment of SB 50 fees. The proposed project would include residential development, and, thus, could increase the number of students attending local public school facilities. However, under the provisions of SB 50, a project's impacts on school facilities are fully mitigated via the payment of the requisite new school construction fees established pursuant to Government Code Section 65995. Thus, payment of the requisite new school construction fees represents uniformly applicable mitigation that would sufficiently mitigate potential impacts related to the proposed project. Through payment of applicable impact fees by the project applicant, the project would not result in any new specific impacts or effects that are more significant than what was already analyzed in the General Plan EIR.
- d,e. As noted previously, the City collects impact fees for parks and other public facilities from new development based upon projected impacts from the development. The City also reviews the adequacy of impact fees on an annual basis to ensure that the fee is commensurate with anticipated future facilities demands, assessed on a fair share basis

for new development.

The General Plan EIR considered the impact of development on park and recreation facilities would be less than significant with the implementation of policies POS 1.1 (systematic, Citywide planning of parks and facilities), 3.1 (relating to the creation of neighborhood greenbelts in residential developments on land not previously used for residential uses), 3.2 (development of greenbelts in new non-residential development areas), 3.3 (implement specific projects to augment the existing greenbelt/open space system), 4.2 (Construct new parks and recreation facilities), 6.1 (allow local organizations and the private sector opportunities to implement creative recreation programs and facilities), 6.2 (require dedication of land and/or payment of an in-lieu fee for park and recreational purposes), and 7.1 (balance the need for park facilities and open space).

The portions of the rezone project are located on sites that were previously developed for nonresidential uses, and, thus, were not subject to the requirements of policies POS 3.1, 3.2, or 3.3. Policy POS 6.2, the payment of impact fees is applicable to the proposed project, and as described above, the applicant will pay the applicable impact fees. Payment of such fees will facilitate the City's implementation of Policy POS 1.1 and Policy 7.1. It should be noted that while payment of impact fees would facilitate Policies POS 1.1 and 7.1, both of the aforementioned policies are citywide policies that would not be directly applicable to the proposed project. Thus, the proposed project would include implementation of all applicable General Plan policies and would support citywide policies.

The payment of applicable impact fees would constitute implementation of uniformly applicable standards that would serve to mitigate any potential impacts to park, recreation, and other governmental resources. New specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to parks, recreation facilities, and other public facilities would not occur.

Applicable Davis General Plan Policies

Policy POLFIRE 3.2 Ensure that all new development includes adequate provision for fire safety.

Policy POS 4.2 Construct new parks and recreation facilities.

Policy POS 6.1 Give local organizations, the School District, UC Davis, and the private sector opportunities and support for devising and implementing creative solutions for meeting recreation program and facility needs.

Policy POS 6.2 Require dedication of land and/or payment of an in-lieu fee for park and recreational purposes as a condition of approval for subdivisions, as allowed by the Quimby Act (Government Code 66477).

XVI. Recreation. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis General Plan EIR pp. 5C-35 through 5C-37	✘
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘	✘

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to public services and utilities (see Questions a and b below).
- The General Plan was determined to have a significant impact if development would require substantive expansion of the existing park and recreation facilities that cannot be responded to by existing plans or General Plan policies (see Questions a and b below).

Discussion

a-b. As discussed in Section XIV, Public Services, of this document, the proposed project would not substantially increase demand for parks or facilities and would not affect any recreational opportunities. The project would result in an increase in the use of existing recreational facilities in the area; however, the increase would not cause substantial physical deterioration of such facilities.

The General Plan EIR considered the impact of development on park and recreation facilities would be less than significant with the implementation of policies POS 1.1, 3.1-3.3, 4.2., 6.1., 6.2., and 7.1. Only POS 6.2, payment of impact fees is applicable to the proposed project, and as describe above, the applicant will pay the applicable impact fees.

As noted previously, the proposed project will pay impact fees calculated based upon projected impacts from the development. The City also reviews the adequacy of impact fees on an annual basis to ensure that the fee is commensurate with anticipated future

facilities demands, assessed on a fair share basis for new development. The payment of applicable impact fees would constitute implementation of uniformly applicable standards that would serve to mitigate any potential impacts to park, recreation, and other governmental resources.

Based on the above, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to such.

Applicable Davis General Plan Policies

Policy POS 6.2 Require dedication of land and/or payment of an in-lieu fee for park and recreational purposes as a condition of approval for subdivisions, as allowed by the Quimby Act (Government Code 66477).

XVII. Transportation/Traffic. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Conflict with a program, plan, ordinance or policy addressing the circulation system including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis General Plan EIR p. 5D-25 through 5D-29)	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	✘		<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	✘	✘ Davis General Plan EIR pp. 5D-38 through 5D-39)	<input type="checkbox"/>
d. Substantially increase hazards due to a design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to traffic and circulation (see Questions a through e below).
- A significant impact would occur if policies proposed were not in compliance with the Congestion Management Plan adopted by Yolo County (see Question b below).
- The General Plan was determined to have a significant impact if the alternative exceeded standards contained in the General Plan update as stated in Standard MOB 0.2. In general, a significant impact on roadway segments will occur if ADT volumes reach LOS F in roadways outside the City's core area (see Questions a, b, and f below).
- The General Plan was determined to have a significant impact on bicyclists and pedestrians if the alternative would conflict with any plans or programs that support alternative forms of transportation or would lead to increases in accidents with vehicles (see Questions a and f below).
- The General Plan was determined to have a significant impact on transit services if the alternative would conflict with any plans or programs that support alternative forms of transportation (see Questions a and f below).
- The General Plan would require expansion of transit services that are not convenient or efficient for transit providers (see Question f below).
- The General Plan was determined to have a significant impact on rail and or air service if the alternative would conflict with the development of any future rail facilities and or the operation of any existing rail or air service facilities within the planning area (see Question c below).

Discussion

- a. The General Plan EIR considered whether:
 1. Development would conflict with the environmental plans and goals of the local community or other planning regulation (Impact TC-1)
 2. A policy change in the General Plan update would result in substantial adverse change in the environment related to traffic and circulation (Impact TC-1)
 3. A Proposed policy would conflict with the Congestion Management Plan adopted by Yolo County. (Impact TC-1)
 4. Development would exceed standards Standard MOB 0.2: Streets, bike paths, bike lanes and trains should generally conform to the City guidelines, as shown in Tables 6 and 7 of the General Plan Update. In general, a significant impact on roadway segments will occur if ADT volumes reach LOS F in roadways outside the City's core area. (Impact TC-2)

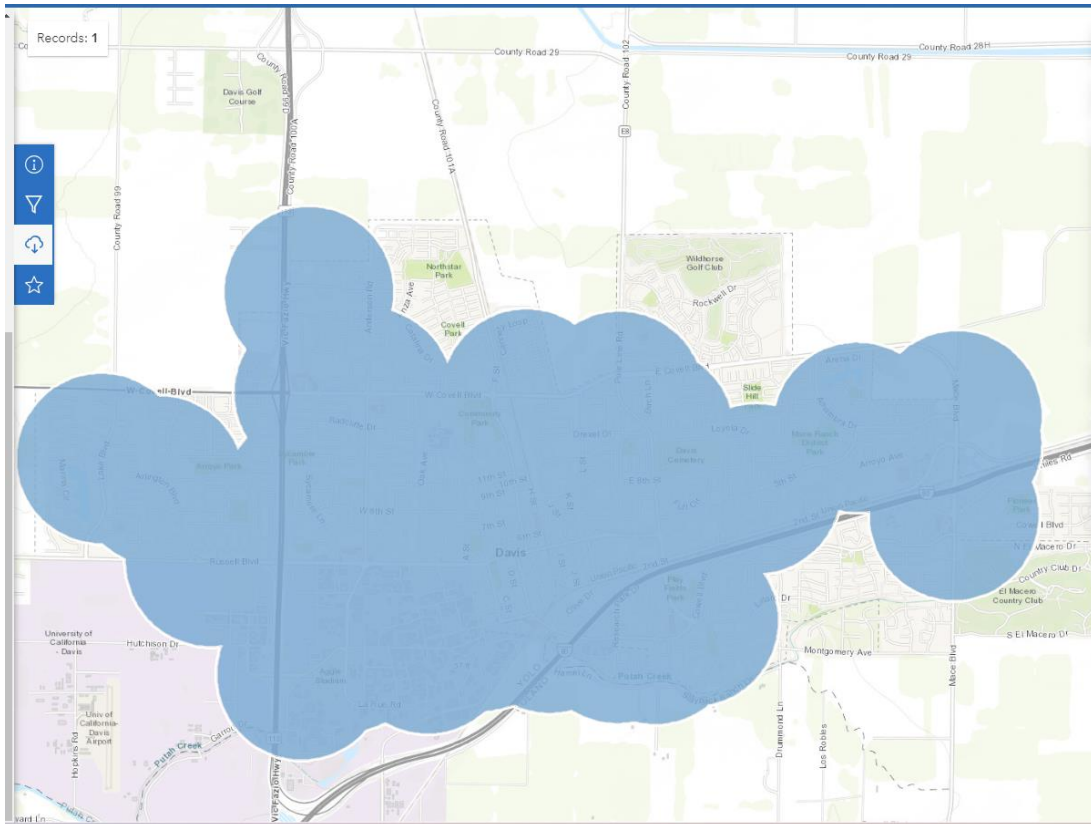
The General Plan EIR concluded that with the implementation of General Plan policies relating to mobility and safety (Goal MOB 3; Goal MOB 4; Goal C&T 2; Policy MOB 1.2; Policy MOB 1.4, Policy MOB 1.9) impacts under 1 (related to environmental plans and goals) and 2 (related to traffic and circulation) above would be less than significant. The General Plan EIR concluded impacts under 3 above (related to the Congestion

Management Plan adopted by Yolo County) would be significant because the City's standards are lower than the Congestion Management Plan for three roadway segments. The General Plan EIR concluded that impacts under 4 above would be significant and unavoidable because congestion at three intersections would reach LOS F. These are Pole Line Road/Country Road 102 between 5th street and Cowell Boulevard; Richards Boulevard between E Street and East Olive Drive; and Old Davis Road West of A Street.

Due to the reduction in overall trips generated by changing the land use designation of the the proposed rezone sites primarily from non residential to residential, the proposed overall rezone project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR as related to transportation.

- b. Section 15064.3 of the CEQA guidelines, lays out the criteria for determining the significance of Transportation Impacts. Generally, a project located within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the same project area compared to existing conditions should also be presumed to have a less than significant transportation impact.

The Sacramento Area Council of Governments has provided a map indicating all locations within the city of Davis that are within one-half mile of an existing major transit stop or a stop along an existing high quality transit corridor. (See Exhibit below labeled *2040 Planned Major Transit Stops Half Mile Buffer / SACOG Open Portal*) All proposed rezone sites, but one, are located within one half mile. That one site is located slightly more than one half mile away from the transit stop. Therefore there is no significant impact.



2040 Planned Major Transit Stops Half Mile Buffer / SACOG Open Portal

- c. The General Plan EIR considered whether build out of the General Plan would conflict with the development of any future rail facilities or the operation of any existing rail or air service facilities within the City. The EIR concluded that any future rail expansion would be adjacent to the current Amtrak tracks. The EIR concluded that development under the General Plan did not include any activities that would interfere with the construction or operation of light rail service and would have no effect on regional or local air traffic.
- d,e. The General Plan EIR did not consider whether development would substantially increase hazards due to design features or result in inadequate emergency access. Project access would be designed in accordance with City standards, and, as a result, the proposed project would not result in any new specific impacts related to increased hazards or inadequate emergency access. The proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Applicable Davis General Plan Goals and Policies

Goal C&T 2 Pursue telecommunications as a means to reduce transportation impacts that can improve air quality and personal convenience and reduce dependency on non-renewable resources.

- Policy MOB 1.2. Encourage the use of alternative transportation modes.
- Policy MOB 1.4 Develop a traffic-calming program and implement traffic-calming measures, where appropriate and feasible, to minimize the impacts on the use of local streets by vehicular traffic and to maintain, or as necessary enhance, livability of the neighborhoods. Consider traffic-calming measures along collector and minor arterial streets, where appropriate and feasible, to slow speeds where needed. Examples of assorted traffic-calming treatments are shown in Figure 20 [of the General Plan].
- Goal MOB 3 Increase walking and the use of nonpolluting forms of transportation.
- Goal MOB 4 Reduce automobile use by improving transit service and encouraging transit use
- Standard TRANS 1.2a Residential and commercial developments and redevelopment projects should achieve transit-supportive densities within ¼-mile of multi-modal corridors. Such densities would consist of ten (10) units per acre or greater, if compatible with neighborhood context.
- Goal TRANS #2: The Davis transportation system will evolve to improve air quality, reduce carbon emissions, and improve public health by encouraging usage of clean, energy-efficient, active (i.e. human powered), and economically sustainable means of travel.
- **Performance Objective #2.1:** Reduce carbon emissions from the transportation sector 61% [sic] by 2035.
 - **Performance Objective #2.2:** Reduce vehicle miles traveled (VMT) 39% by 2035.
 - **Performance Objective #2.3:** Annually increase funding for maintenance and operation needs of the transportation system, until fully funded.
- Policy TRANS 1.6 Reduce carbon emissions from the transportation system in Davis by encouraging the use of non-motorized and low carbon transportation modes.
- Policy TRANS 1.7 Promote the use of electric vehicles and other low-polluting vehicles, including Neighborhood Electric Vehicles (NEV).
- Policy TRANS 2.4 As part of the initial project review for any new project, a project-specific traffic study may be required. Studies shall identify impacted transportation modes and recommend mitigation measures designed to reduce these impacts to acceptable levels.
- Policy TRANS 3.3 Require new development to be designed to maximize transit potential.
- Policy TRANS 4.4 Provide pedestrian and bicycle amenities.

Policy TRANS 5.2 Existing and future off-street parking lots in development should contribute to the quality of the urban environment and support the goals of this chapter to the greatest extent possible.

XVIII. Tribal Cultural Resources. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
<p>a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Section 210074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p>					
<p>i) Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or</p>	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
<p>ii) A resource determined by the lead agency, in its discretion and sponsored by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of the Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource</p>					

XVIII. Tribal Cultural Resources. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
to a California Native Tribe.					

X

Discussion

i, ii) The Housing Element Update and rezone project does not propose any site-specific development that could impact identified or unidentified historical, archaeological, or tribal resources or human remains. However, implementation of the rezone effort could result in future projects that involve ground disturbing activities and/or building alteration, but there are no specific projects identified and thus no specific location, size, or design to evaluate. Additionally, any construction activity associated with a project rezone would occur within existing developed areas.

Projects that require discretionary approval will be required to be consistent with applicable City General Plan policies (Policy HIS 1.1, 1.2 and 1.3). In August of 2022, the City requested a list of potentially interested Native American tribal representative and a search of the Sacred Lands File from the Native American Heritage Commission. On October 14th, the Native American Heritage Commission replied with a list of contacts and indication that the search of the Sacred Lands File was negative for the City of Davis. Based on previous interactions on past projects, on August 19th, 2022, the City had sent invitations to the Cortina Rancheria – Kletsel Dehe Band of Wintun Indians, Lone Band of Miwok Indians, and Yocha Dehe Wintun Nation. No tribal contacts requested consultation. There are no known Tribal Cultural Resources in Davis. Therefore, there is no impact.

XIX. Utilities and Service Systems. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘	✘
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis General Plan EIR pp. 5G-15 through 5G-16	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis General Plan EIR pp. 5C-37 through 5C-40	✘
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis General Plan EIR pp. 5C-37 through 5C-40	✘
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✘ Davis General Plan EIR pp. 5C-43 through 5C-45	✘
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Davis General Plan EIR pp. 5C-43 through 5C-45)	✘

General Plan EIR Significance Criteria

The thresholds of significance applied in the General Plan EIR are as follows:

- A significant impact would occur if a policy change in the General Plan update would result in substantial adverse change in the environment related to public services and utilities (see Questions a through g below).
- The General Plan was determined to have a significant impact if development would cause a substantive increased demand for domestic water supplies that cannot be responded to by existing plans or General Plan policies (see Question d below).
- The General Plan was determined to have a significant impact if development would require substantial expansion of domestic water distribution and storage facilities that cannot be responded to by existing plans or General Plan policies (see Questions b and d below).
- The General Plan was determined to have a significant impact if development would require the substantive extension of sewer mains and capacity, and expansion of treatment facilities that cannot be responded to by existing plans or General Plan policies (see Questions a, b, and e below).
- The General Plan was determined to have a significant impact if development would produce substantive solid waste increases in excess of landfill that cannot be responded to by existing plans or General Plan policies (see Question f below).

Discussion

a,b,d,e. The proposed project's potential impacts related to water and wastewater treatment and conveyance infrastructure are discussed below.

Wastewater Treatment and Conveyance

The City of Davis Public Works Department provides sewer service to the Davis Planning Area. The City's Wastewater Treatment Plant is located approximately 3.3 miles northeast of Davis on County Road 28H, immediately east of the Yolo County Landfill. Sewer service is controlled through the use of connection fees and through requirements contained in the City's sewer ordinance.

The General Plan EIR concluded that development under the General Plan would result in a less-than-significant impact on treatment facilities, based on the treatment plant's capacity of 7.5 MGD. Because the project in some cases is more dense than originally designated under the General Plan, it could result in potentially greater impacts to wastewater treatment than analyzed in the General Plan EIR.

Thus, implementation of the uniformly applicable Mitigation Measure PS-1 substantially mitigates potential impacts by ensuring that adequate capacity exists to accommodate the proposed project and the proposed project would not result in new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

Water Resources

The General Plan EIR considered whether development under the General Plan would cause an increase in demand for domestic water supplies that could not be met, or would require substantial expansion of domestic water distribution and storage facilities that could not be addressed by existing facilities. General Plan policy WATER 1.3 requires adequate levels of water supply and distribution are in place to accommodate new development. Based on this policy, and the City's water conservation efforts, the General Plan concludes the impact is less than significant. The proposed project would result in development of the project site with a greater density than anticipated in the General Plan. MTP/SCS Mitigation Measures USS-2 is applicable to address potential impacts from the proposed increase in development density.

Beginning in June 2016, the City's main source of domestic water switched from groundwater sources to surface water sources. While groundwater will continue to be used within the City during peak demand periods and for some irrigation uses, the primary source of water for the City will be surface water, which will reduce the City's demand on groundwater resources. The City of Davis prepared a Water Supply Assessment (WSA) to assess continued water availability within the City should the City approve four large projects, the Mace Ranch Innovation Center, the Davis Innovation Center, the Nishi Project, and the Triangle Project. The WSA showed that after accounting for increased water demand from growth within the City, including the foregoing large projects, the City would continue to maintain an excess capacity through 2025. Of the four large projects studied in the WSA, only a less intense version of the Nishi Project has been approved and is not yet built. Thus, the Cunningham Engineering Study and the City of Davis have determined that there is adequate water to serve the needs of the proposed rezone project and cumulative growth within the City because the Mace Ranch Innovation Center, Davis Innovation Center, and the Triangle project will not be built making their allotted capacity available.¹⁰

Based on the above, the project would not require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient water supplies would be available to serve the project from existing entitlements and resources without new or expanded entitlements. Preparation of an Engineering Technical Memorandum for the construction of a project on any of the proposed rezone project sites satisfies uniformly applicable mitigation measures USS2 and PS-1, thus ensuring that the proposed project would not result in new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR.

- c. Prior to discharge to the City's infrastructure, stormwater from any project site would first be directed into bioretention planters proposed for inclusion in the future project. The proposed future project would be required, as conditions of approval, to provide stormwater system sizing information, a Stormwater Quality Plan, stormwater calculations, a Stormwater Quality Maintenance Plan, and a Drainage Plan. Site stormwater flows would be treated and attenuated prior to flowing to existing public stormwater conveyance facilities.

Incorporation of bioretention planters would ensure compliance of the proposed future construction projects with City regulations regarding stormwater. Therefore, the proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. The General Plan EIR considered whether new development would exceed the capacity of existing stormwater drainage facilities and concluded that because General Plan Policies WATER 3.1 and WATER 3.2 and associated standards and action require new development be designed, constructed, and operation to mitigate for drainage and runoff, the impact was less than significant.

The future projects built on the proposed rezone sites would be subject to General Plan Standard WATER 3.2a, which requires that all new development be designed to accommodate a minimum of a 10-year recurrence design flow while routing 100-year recurrence event flows appropriately. The bioretention planters discussed above are would be designed to meet the City's standards. Considering the above, the future projects built on the proposed rezone site would comply with all applicable General Plan policies and standards identified in the General Plan EIR. Therefore, the proposed project would not result in any new specific effects or effects that are more significant than what was already analyzed in the General Plan EIR. Therefore, new project-specific effects related to such would not occur.

- f,g. Solid waste services (collection and recycling) are provided to the City of Davis by Davis Recology, a private firm under contract with the City. All non-recyclable wastes collected from the City are disposed of at the 770-acre Yolo County Central Landfill in the northeast portion of the Davis Planning Area.

The General Plan EIR considered whether development under the General Plan would result in solid waste increases in excess of the landfill capacity that could not be addressed by existing plans or General Plan policies. The General Plan EIR concluded that the City would generate approximately 193,677 total pounds of solid waste per day, but that Policy MAT 1.1 and related actions requiring recycling and yard waste reduction would reduce the impact to less than significant. The proposed project involves denser development than was anticipated under the General Plan. As a result, the impact may be greater than analyzed under the General Plan, however, as described below, Mitigation Measure USS-3 would apply to address this impact.

Although the proposed project involves denser development than was anticipated under the General Plan, the proposed project would not require construction of new or physical expansion of existing landfills and a project-level CEQA review of such new or expanded facilities would, as a result, not be required.

The proposed rezone project would include development of the sites with residential uses or office/tech spaces, which would result in short-term solid waste generation associated with construction activities, as well as long-term solid waste generation associated with continued occupation of the site. However, the City has previously anticipated development of the site with nonresidential uses and associated solid waste generation. In order to reduce construction waste generated by new development, the City of Davis has adopted Tier 1 of the California Green Building Standards Code, which requires applicable projects to divert at least 65 percent of all construction and demolition debris through recycling, reuse and/or waste reduction. In addition, the City has implemented an

organics program to collect yard waste, food scraps, and food soiled paper for composting. Food scraps, food soiled paper and non-recyclable organic materials comprise over 30 percent of the City's existing waste stream; therefore, the operational waste presented above could be reduced by as much as 30 percent due to the project's operational participation in the City's organics program.

The rezone project would be subject to existing rules and regulations related to solid waste diversion. They will be serviced by a landfill with adequate capacity and would not violate any relevant statutes related to solid waste disposal. New project-specific effects related to such would not occur.

Applicable Davis General Plan Goals and Policies

- Policy MAT 1.1 Promote reduced consumption of non-renewable resources.
- Goal Water 1 Minimize increases in water use.
- Policy Water 1.2 Require water conserving landscaping.
- Policy Water 1.3 Do not approve future development within the City unless an adequate supply of quality water is available or will be developed prior to occupancy.
- Policy Water 2.1 Provide for the current and long-range water needs of the Davis Planning Area, and for protection of the quality and quantity of groundwater resources.
- Policy Water 3.1 Coordinate and integrate development of storm ponds and channels City-wide, to maximize recreational, habitat and aesthetic benefits.
- Policy Water 3.2 Coordinate and integrate design, construction, and operation of proposed stormwater retention and detention facilities City-wide, to minimize flood damage potential and improve water quality.
- Standard Water 3.2a All new development shall include drainage facilities that are designed to accommodate a minimum of a 10-year recurrence design flow. In addition, all new development shall route the 100-year recurrence event and appropriately mitigate for both the increase in flows from the site due to development, and for runoff volumes which have historically occurred on the site.
- Policy Water 5.1 Evaluate the wastewater production of new large-scale development prior to approval to ensure that it will fall within the capacity of the plant.

XX. Wildfire. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
b. Due to slope, prevailing winds and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post fire slope instability or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	✘	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

According to the CalFIRE, the City of Davis is not located in or near designated California Fire Hazard Severity Zones or in a State Responsibility Area (CalFIRE 2022). Therefore, there is no impact.

XXI. Mandatory Findings of Significance. <i>Would the project:</i>	Significant Impact	Less-Than-Significant or Less Than-Significant with Mitigation Incorporated	No Impact	Analyzed in Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 7-8 through 7-16)	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 7-8 through 7-16)	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✖ Davis General Plan EIR pp. 7-21 through 7-24)	<input type="checkbox"/>
a. As discussed, <i>supra</i> , Section IV, and as supported by the analysis and conclusions in the General Plan EIR, the proposed project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. As discussed, <i>supra</i> , Section V, and as supported by the analysis and conclusions in the General Plan EIR, the proposed project would not eliminate important examples of the major periods of California history or prehistory.					
b-c. Potential cumulative impacts of development, including infill projects such as the proposed project, were analyzed in the General Plan EIR. The General Plan EIR identified potentially significant and unavoidable cumulative impacts associated with the cumulative conversion of agricultural lands to non-agricultural uses, cumulative fire protection service impacts, cumulative school facility impacts, cumulative roadway system impacts, and cumulative construction-related and local CO emission impacts. The proposed project's contribution to these cumulative impacts would not be more significant than analyzed in					

the General Plan EIR. First, as discussed, *supra*, Section II, the proposed project has no impact on agricultural lands.

Second, with respect fire protection services, locations of the rezone sites and access from Research Park Drive, inclusion of fire sprinklers, and the City's existing mutual aid agreement with UC Davis Fire Department demonstrate that the proposed project's contribution to these cumulative impacts would not be greater than development contemplated in the General Plan EIR. Moreover, uniformly applicable development policies and standards, including standard Davis Fire Department fees for new development ensure that the proposed project's contribution to this cumulative impact is substantially mitigated.

Third, with respect to school facilities, uniformly applicable development policies and standards, including statutory school construction fees established pursuant to Government Code Section 65995, ensure that the proposed project's contribution to this cumulative impact is substantially mitigated. Therefore, the proposed project's contribution to this cumulative impact would not be greater than development contemplated in the General Plan EIR.

Fourth, with respect to roadway system impacts, under Cumulative conditions, the Transportation Study determined that all study intersections would operate at LOS C or better for the overall intersection LOS. As a result, the proposed project's contribution to this cumulative impact would not be greater than development contemplated in the General Plan EIR.

Finally, with respect to construction-related and local CO emission, the proximity to transit resources ensures that the proposed rezone project's contribution to these cumulative impacts would not be greater than development contemplated in the General Plan EIR. Thus, uniformly applicable development policies and standards, including YSAQMD's air quality screening standards, ensure that the proposed project's contribution to this cumulative impact is substantially mitigated.