

4.1 AESTHETICS

4.1.1 INTRODUCTION

Pursuant to CEQA Guidelines Section 15162, the Aesthetics chapter of the Subsequent Environmental Impact Report (SEIR) assesses whether the proposed project would result in a new significant impact not previously identified in the Wildhorse Ranch Project EIR (2009 EIR) or a substantial increase in the severity of a significant impact previously identified in the 2009 EIR. The City of Davis has prepared the SEIR to analyze new or substantially more severe potential adverse effects that could occur as a result of the changes from the Wildhorse Ranch Project to the currently proposed project. For further details related to the proposed project, refer to Chapter 3, Project Description, of this SEIR.

This chapter describes existing aesthetic resources in the area of the proposed project and the broader region and evaluates the potential aesthetic impacts of the project. CEQA describes the concept of aesthetic resources in terms of scenic vistas, scenic resources (such as trees, rock outcroppings, and historic buildings within a State scenic highway), and the existing visual quality or character of the project area. In addition, pursuant to the CEQA Guidelines, this chapter describes potential impacts related to light and glare. The following analysis is based on information drawn from the City of Davis General Plan,¹ the City of Davis General Plan EIR,² and the 2009 EIR.

Pursuant to the court ruling in *Preserve Poway v. City of Poway* (2016) 245 Cal. App.4th 560 [199 Cal.Rptr. 3d 600], community character is separate and apart from aesthetic impacts and, thus, is not a CEQA issue. Rather, the analysis of aesthetics should be limited to tangible, physical evidence that a project is visually inconsistent with the surrounding community (rather than a psychological “feel”). Therefore, where applicable, the analysis presented within this chapter focuses on potential physical changes to the visual composition of the project site and surrounding area, rather than overall community character.

Subsequent to the City’s certification of the 2009 EIR, which evaluated the potential for the Wildhorse Ranch Project to alter the existing visual character of the project site, the CEQA Guidelines were updated to differentiate between how urban and non-urban sites proposed for development could result in potential impacts to public views of the sites. Appendix G, Section I, Question c, defines public views as those that are experienced from a publicly accessible vantage point. The sample Initial Study checklist found in Appendix G to the CEQA Guidelines suggests that different aesthetic standards apply in “non-urbanized” and “urbanized areas” respectively. For non-urbanized areas, there is an inquiry asking whether a proposed project “would substantially degrade the existing visual character or quality of public views of the site and its surroundings.” For urbanized areas, the question is whether the project would “conflict with applicable zoning and other regulations governing scenic quality.” Under the CEQA Guidelines, “urbanized area” is a term of art defined in CEQA Guidelines section 15387 as “a central city or a

¹ City of Davis. *City of Davis General Plan*. Adopted May 2001, Amended January 2007.

² City of Davis. *Final Program EIR for the City of Davis General Plan Update and Final Project EIR for Establishment of a New Junior High School*. Certified May 2001.



group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile.”

The likely reason that the California Natural Resources Agency (CNRA), in fashioning the inquiries in Appendix G, suggests different approaches to aesthetic analyses in non-urbanized areas and urbanized areas is CNRA did not want purely aesthetic concerns – such as height and mass by themselves – to deter dense, land-efficient development in urbanized areas. In such highly developed areas, additional high-density development can reduce the long-term environmental effects of what is often called sprawl by making an efficient use of areas that are already highly urbanized. Thus, projects proposed in such areas only require an evaluation of consistency with city or county regulations that govern scenic quality, such as design guidelines. (See *Bowman v. City of Berkeley* (2004) 122 Cal.App.4th 572, 592, 594 [“[t]he aesthetic difference between a four-story and a three-story building on a commercial lot on a major thoroughfare in a developed urban area is not a significant environmental impact, even under the fair argument standard”; “[w]here a project must undergo design review under local law that process itself can be found to mitigate purely aesthetic impacts to insignificance”].)

In contrast, in less developed areas, concerns about mass and height, and how they affect existing visual conditions, are more appropriate.

Here, the project site is within an “urbanized area,” as the site and surrounding properties include 1,000 persons per square mile. The City has therefore undertaken the inquiry appropriate for “urbanized areas.” While the 2009 EIR focused on how the Wildhorse Ranch Project would alter the existing visual character of the project site, such an inquiry was appropriate at that time when there was no distinction in Appendix G for non-urbanized and urbanized areas. Therefore, the change in methodology being employed in this SEIR is appropriate given the current Appendix G language and the project’s location within an urbanized area.

A further note on methodology is appropriate here. The 2009 EIR analyzed both public and private views. In actuality, there is no requirement to do so. CEQA case law has established that EIRs are not required to consider impacts on private views and may limit their analysis of aesthetic effects to impacts on public views. For example, in *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 492-494, the court held that a county, in preparing an EIR for a proposed condominium project, acted within its discretion in choosing not to consider private views. The court noted that “California landowners do not have a right of access to air, light and view over adjoining property” and added that “[u]nder CEQA, the question is whether a project will affect the environment of persons in general, not whether a project will affect particular persons.” (*Id.* at p. 492.) In this same vein, another court, in *Topanga Beach Renters Assn. v. Department of General Services* (1976) 58 Cal.App.3d 188, 195, observed that “all government activity has some direct or indirect adverse effect on some persons.” Such conclusions are consistent with the inquiries set forth in Appendix G of the CEQA Guidelines, which, as previously discussed, ask whether projects outside urbanized areas would “substantially degrade the existing visual character or quality of *public* views” of a project site and its surroundings. (Italics added.) In light of these considerations, the extent to which the project could conflict with applicable zoning and other regulations governing scenic quality is considered within the context of those who would view the project from public areas, rather than adjacent private neighborhoods.



4.1.2 EXISTING ENVIRONMENTAL SETTING

The following setting information provides an overview of the existing conditions of visual resources in the project region and within the vicinity of the project site.

Visual Character of the Region

The City of Davis' planning area, comprised of approximately 160 square miles, is located 11 miles west of Sacramento and approximately 79 miles northeast of San Francisco. The planning area consists of approximately 160 square miles and is characterized by agricultural/open space landscapes to the north, west, and south; highly developed urban landscapes within the City limits; and open space lands, including the Yolo Bypass Wildlife Area, to the east. Views from agricultural fields are enclosed on the west of the planning area by the Coast Range hills. Views of other directions are open to the horizon, although the Sierra Nevada Mountain range, Sutter Buttes, and Mount Diablo can be seen on clear days. The University of California, Davis (UC Davis) campus is located adjacent to the southwest corner of the City and occupies a total of 2,900 unincorporated acres, including the more-than-100-acre area UC Davis Arboretum, which is comprised of demonstration gardens, scientific collections, and the Putah Creek Riparian Reserve. The Davis General Plan does not designate scenic vistas within the City's planning area.

State Scenic Highways

Designated State scenic highways are not currently located in the vicinity of the City of Davis, which was similarly the case during the City's preparation and certification of the 2009 EIR. According to the California Department of Transportation (Caltrans) map of designated and eligible scenic routes under the California Scenic Highway Program, the nearest officially designated State scenic highway to the project site is State Route (SR) 160, which is located approximately 11.5 miles southeast of the City limits.³

Visual Character of the Project Site and Surrounding Area

The following information provides an overview of the physical conditions of the project site and surrounding area in relation to visual character.

Project Site

The approximately 25.8-acre project site is located north of East Covell Boulevard on an existing property known as the Wildhorse Ranch and/or Duffel Horse Ranch in the City of Davis, California. Public views of the project site are primarily afforded from East Covell Boulevard (see Figure 4.1-1) to the south of the site and the Wildhorse Agricultural Buffer (see Figure 4.1-2 and Figure 4.1-3) to the east of the site. Since the City's certification of the 2009 EIR, the majority of the project site has remained undeveloped with ruderal grasses that were previously used as pasture/grazing land; although, agricultural activity does not currently occur on-site. From a gated entrance immediately north of East Covell Boulevard, a paved driveway extends into the site and bisects the majority of the site in a north-to-south direction (see Figure 4.1-4). Ruderal grasses cover the southern portion of the project site on either side of the paved driveway (see Figure 4.1-5 and Figure 4.1-6) Within the central portion of the project site are a ranch home, two duplexes, a horse barn, and an equestrian training facility that is not currently in use (see Figure 4.1-7, Figure 4.1-8, and Figure 4.1-9). Beyond the existing on-site residences and barn, the northern portion of the project site is undeveloped with ruderal grasses (see Figure 4.1-10 and Figure 4.1-11).

³ California Department of Transportation. *California State Scenic Highway System Map*. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed March 2024.



Figure 4.1-1
Existing Northerly View of Project Site from East Covell Boulevard



Figure 4.1-2
Westerly View of Site from Wildhorse Agricultural Buffer (1 of 2)



**Figure 4.1-3
Westerly View of Site from Wildhorse Agricultural Buffer (2 of 2)**



**Figure 4.1-4
Existing On-Site View of Gated Entrance
From East Covell Boulevard**



**Figure 4.1-5
Existing On-Site View of Southwestern Pasture**



**Figure 4.1-6
Existing On-Site View of Southeastern Pasture**



**Figure 4.1-7
Existing On-Site View of Ranch Home**



**Figure 4.1-8
Existing On-Site View of Duplexes in Central Portion of Project Site**



Figure 4.1-9
Existing On-Site View of Eastern Side of Horse Barn



Figure 4.1-10
Existing On-Site View of Wildhorse Neighborhood to the North of Project Site



Figure 4.1-11
Existing On-Site View of North Pasture Looking Towards Wildhorse Neighborhood



The project site is generally flat, but slopes gently to the north, with elevations ranging from 35 feet above mean sea level (amsl) in the northern portion of the project site to approximately 40 feet above amsl in the southern portion of the site. The project site has not undergone substantial changes related to the site's setting or visual character since the certification of the 2009 EIR.

Surrounding Areas

The area surrounding the project site has not undergone significant changes since the City's certification of the 2009 EIR. The following discussions describe the land uses surrounding the project site, which are also shown in Figure 3-2 in the Project Description chapter of this EIR.

The area immediately north of the project site consists of single-family residences associated with the Wildhorse neighborhood, and of Duchamp Park located within the neighborhood. Beyond the residences is the Wildhorse Golf Course to the north. The site is bounded to the east by the 135-foot-wide Wildhorse Agricultural Buffer. Land directly beyond the Wildhorse Agricultural Buffer consists of open agricultural land and is the subject site for the Shriners Property development application, which is currently being processed by the City. The Wildhorse Agricultural Buffer includes a 35-foot-wide greenbelt that contains a gravel pedestrian path/trail known as the Wildhorse Greenbelt.

The project site is bounded to the south by East Covell Boulevard. Single-family residences associated with the Slide Hill Park neighborhood are located immediately to the south of East Covell Boulevard. The area to the west of the project site also consists of single-family residences associated with the Wildhorse neighborhood, the Wildhorse Golf Course, and Robert Arneson Park.

Off-Site Improvement Areas

Off-site improvements associated with the proposed project include an off-site sewer line extension to establish sewer service for the proposed project. From an existing 42-inch sewer trunk main to the north of the project site, along the northern boundary of the Wildhorse Golf Course, 2,270 lineal feet of new 12-inch sewer line would be extended through the edge of the existing Wildhorse Agricultural Buffer to the project site's northeastern corner. The new sewer line would require a crossing of Channel A.

Generally, the portion of the off-site sewer line alignment contains natural features, such as Channel A and its associated riparian vegetation. The Wildhorse Agricultural Buffer includes a gravel pedestrian trail and consists primarily of ruderal grasses and scattered trees and shrubs.

Viewer Types

Viewer types in the vicinity that have public views of the project site include the following:

- Motorists along East Covell Boulevard would have existing views of the project site while driving past the site. In addition, motorists travelling north on Monarch Lane would have existing views of the project site.
- Pedestrians and bicyclists in the area include nearby residents and visitors that use the public sidewalks and roadways to walk or bike to their destination. Such pedestrians have views of the project site from East Covell Boulevard and Monarch Lane, as well as the trail within the Wildhorse Agricultural Buffer to the east of the project site. Pedestrians and bicyclists also have views of the project site from the grade separated crossing underneath East Covell Boulevard that connects the neighborhood south of the project site to the north



side of East Covell Boulevard and the Wildhorse Agricultural Buffer path. In general, views experienced by pedestrians and bicyclists are similar to views experienced by motorists.

Light Pollution and Glare

Light pollution refers to all forms of unwanted light in the night sky, including glare, light trespass, sky glow, and excessive illumination at an intensity that is inappropriate. Views of the night sky can be an important part of the natural environment, particularly in communities surrounded by extensive open space. Excessive light and glare can also be visually disruptive to humans and nocturnal animal species.

Currently, the project site is primarily characterized by vegetated, unlit landscape, with the only exception being the ranch home, two duplexes, and horse barn located in the central portion of the project site. As such, significant sources of light and glare do not currently occur on the project site. However, the project site is located within the vicinity of existing residential uses to the north, south, and west of the project site. Lighting associated with such development, as well as street lighting along East Covell Boulevard and Monarch Lane and headlights from vehicles traveling on the roadways, contribute to the overall nighttime lighting environment of the project area.

4.1.3 REGULATORY CONTEXT

Applicable federal laws or regulations pertaining to the aesthetic quality of the project area do not exist. The existing State and local laws and regulations applicable to the proposed project are listed below.

State Regulations

The following is an applicable State regulation related to aesthetic resources.

California Scenic Highway Program

The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been so designated. The State Legislature lists highways that are eligible for designation in California Streets and Highways Code Sections 260 through 284. In order for an eligible highway to be officially designated by Caltrans, the local government with jurisdiction over the land that abuts the highway must adopt a program that limits development, outdoor advertising, and earthmoving along the highway segment, pursuant to Caltrans' approval of the program criteria.

Local Regulations

The following local regulations are applicable to the proposed project.

City of Davis General Plan

The City of Davis General Plan urban design goals and policies that are applicable to the proposed project are presented below.

Urban Design, Neighborhood Preservation and Community Forest Management Chapter

Goal UD 1 Encourage community design throughout the City that helps to build community, encourage human interaction and support non-automobile transportation.



- Policy UD 1.1 Promote urban/community design which is human-scaled, comfortable, safe, and conducive to pedestrian use.
- Goal UD 2 Maintain an aesthetically pleasing environment and manage a sustainable community forest to optimize environmental, aesthetic, social, and economic benefits.
- 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 2.2 Maintain and increase the amount of greenery, especially street trees, in Davis, both for aesthetic reasons and to provide shade, cooling, habitat, air quality benefits, and visual continuity.
- Policy UD 2.3 Require an architectural “fit” with Davis’ existing scale for new development projects.
- Policy UD 2.4 Create affordable and multi-family residential areas that include innovative designs and on-site open space amenities that are linked with public bicycle/pedestrian ways, neighborhood centers, and transit stops.
- Policy UD 2.5 Ensure attractive functional signs.
- Goal UD 3 Use good design as a means to promote human safety.
- Policy UD 3.1 Use good design to promote safety for residents, employees, and visitors to the City.
- Policy UD 3.2 Provide exterior lighting that enhances safety and night use in public spaces, but minimizes impacts on surrounding land uses.
- Goal UD 4 Create an urban design framework that would strengthen the physical form of the city.
- Policy UD 4.1 Develop an urban design framework plan to consolidate and clarify the relevant design concepts in this chapter and other chapters to promote a positive and memorable image for the city and to reinforce the functional systems of the city such as land use, circulation, and open space.

Outdoor Lighting Control Ordinance

The City enacted the Outdoor Lighting Control Ordinance in 1998. The ordinance, set forth by Davis Municipal Code Article 8.17, commonly referred to as the City’s “Dark Sky Ordinance,” provides standards for outdoor lighting in an effort to minimize light pollution, glare, and light trespass caused by inappropriate or misaligned light fixtures, while improving nighttime public safety, utility, security, and preserving the night sky as a natural resource and, thus, facilitating people’s enjoyment of stargazing. The Outdoor Lighting Control Ordinance does not apply to



interior lighting, including lighting at greenhouse facilities. Single-family and duplex residential properties are exempted.

4.1.4 IMPACTS AND MITIGATION MEASURES

This section describes the standards of significance and methodology used to analyze and determine the proposed project's potential impacts related to aesthetics. A discussion of the project's impacts, as well as mitigation measures, where necessary, is also presented.

Standards of Significance

Consistent with Appendix G of the CEQA Guidelines, an impact related to aesthetics is considered significant if the proposed project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway;
- In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point), or in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Method of Analysis

The analysis of this SEIR is focused generally on the changes in circumstances and modifications to the former Wildhorse Ranch Project following the City's certification of the 2009 EIR, pursuant to CEQA Guidelines Section 15162. The analysis of this chapter is based on the 2009 EIR and full consideration to the development of the proposed project and the resulting physical changes to the environmental baseline.

As discussed throughout this SEIR, the environmental baseline for this SEIR is appropriately considered to be the approved Wildhorse Ranch Project, which included a 191-unit residential development comprised of 73 detached single-family residences and 78 two- and three-story single-family townhomes on 11.95 acres, as well as 40 attached affordable housing units on 1.92 acres. In addition, the Wildhorse Ranch Project included the dedication of 2.26 acres of additional agricultural buffer, 1.61 acres of interior greenbelt, and 4.4 acres of interior open space.

The standards of significance listed above are used to delineate the significance of any visual alterations of the site, including alterations that would impact views from public viewsheds in the project area.

Project-Specific Impacts and Mitigation Measures

The following discussion of impacts related to aesthetics is based on implementation of the proposed project in comparison to existing conditions and the standards of significance presented above.



4.1-1 Have a substantial adverse effect on a scenic vista or substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway. Based on the analysis below, the currently proposed project would not result in a new significant impact or substantially more severe significant impact beyond what was previously identified in the 2009 EIR.

Examples of typical scenic vistas include mountain ranges, ridgelines, or bodies of water as viewed from a highway, public space, or other area designated for the express purpose of viewing or sightseeing. In general, a project's impact to a scenic vista would occur if development of the project would substantially change or remove a scenic vista.

The 2009 EIR did not evaluate potential impacts to scenic vistas; however, the project site did not include scenic vistas, such as the examples listed above, nor were scenic vistas officially designated by the City's General Plan. The 2009 EIR evaluated potential impacts to scenic resources under Impact 4.7-3 and concluded that a less-than-significant impact would occur. As discussed therein, while several trees existed on-site, designated State scenic highways did not occur within the City's vicinity.

The currently proposed project would be developed largely within the same project site boundaries analyzed in the 2009 EIR, with the exception of the off-site sewer line extension, which would be installed underground within the Wildhorse Agricultural Buffer, and the pentathlon facility obstacle course. Considering that new scenic vistas have not been identified within or immediately beyond the project site since the City's certification of the 2009 EIR (including the Wildhorse Agricultural Buffer, which is not considered by the City to be a scenic vista), the currently proposed project would not result in a new substantial adverse effect to a scenic vista not previously identified in the 2009 EIR.

Additionally, State scenic highways have not been designated within the City or in the vicinity of the project site since the City's certification of the 2009 EIR. The nearest designated State scenic highway is SR 160, which is located approximately 11.5 miles southeast of the City limits. Therefore, similar to the analysis of the Wildhorse Ranch Project, the currently proposed project would not result in a substantial adverse effect to scenic resources within the vicinity of a State scenic highway, as such highways continue to not be located within the project vicinity.

Based on the above, the currently proposed project would not result in a new significant impact or substantially more severe significant impact related to having a substantial adverse effect on a scenic vista or substantially damaging scenic resources within a State scenic highway beyond what was previously identified in the 2009 EIR.

Applicable Mitigation Measure(s) from the 2009 EIR
None applicable.



Modified Mitigation Measure(s)

None required.

New Mitigation Measure(s)

None required.

4.1-2 In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from publicly accessible vantage point) or, in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality. Based on the analysis below and even with implementation of mitigation, the currently proposed project would result in a new significant impact or substantially more severe significant impact beyond what was previously identified in the 2009 EIR.

The 2009 EIR evaluated potential impacts to altering the existing character of the project site and obstructing views from existing residences under Impact 4.7-1 and concluded that the project would change the character of the project site from an agricultural horse ranch setting to an urban setting. As discussed therein, the Wildhorse Ranch Project included several features to minimize the visual intrusion of the project, including a central greenbelt connecting to the existing Wildhorse Agricultural Buffer; expansion of the Wildhorse Agricultural Buffer to 200 feet in width through dedication of an additional 65 feet; and expansion of backyard areas of homes along the western and northwestern boundary of the project site by an additional 20 feet (relative to the project's other new homes) to increase privacy and open space between existing residences and those proposed by the Wildhorse Ranch Project. Based on the incorporation of such features, the 2009 EIR determined that the landscaping and open space features of the project would have increased the aesthetic quality of the project and reduced the effects of the project's conversion of the site from an agricultural setting to an urban setting. However, because the Wildhorse Ranch Project would have permanently altered the character of the site and blocked partial views towards the east, which are characterized by distinct background views of the Sierra Nevada foothills, the 2009 EIR concluded that a significant and unavoidable impact would have occurred, with feasible mitigation unavailable.

As previously discussed, in accordance with the current CEQA Guidelines, the relevant threshold in this SEIR is whether the proposed project would conflict with applicable zoning and other regulations governing scenic quality, as the project site is located in an urbanized area. Therefore, this analysis of potential impacts related to the visual character of the site does not take the approach employed in the 2009 EIR. The City's General Plan designates the site as Agriculture and the site is zoned Planned Development (PD) 3-89. However, because the proposed project is being processed pursuant to the Builder's Remedy under a settlement agreement between the City and the project applicant, the project is not required as part of project approval to demonstrate consistency with standards established by the Agriculture land use designation and PD 3-89 zoning district, including those associated with scenic quality.



Nonetheless, the proposed project would still be required to comply with all other applicable General Plan policies and Davis Municipal Code regulations related to urban design and scenic quality.

For example, General Plan Policy UD 2.1 requires preservation and protection of scenic resources, including natural habitat and scenery, as well as resources reflective of place and history. The proposed project would comply with the foregoing policy, as the project site generally does not include natural habitat and scenery, nor resources reflective of place and history. Nonetheless, the proposed project would include approximately 2.76 acres of open space and 0.46-acre of trails, including three open space lots (Lots D, H, and G) and a stormwater basin. Lot D, located along the southern portion of the western site boundary, would include an area for the planting of an urban forest. Lot H, located along the central portion of the western site boundary, would include a tot lot, and Lot G, located in the northern portion of the site, would include an area for the planting of an urban forest. The project would also include a 20-foot-wide tree buffer located along the western and northern site boundaries within a private easement for tree plantings. Such design features would serve to preserve and protect open space and trees within the project site. The proposed project would additionally comply with General Plan Policy UD 2.2, which requires maintenance and an increase in greenery. The proposed project would include new plantings of native, drought-tolerant trees, shrubs, and seasonal grasses along the East Covell Boulevard project frontage, internal street network, and northern and western site boundaries. Furthermore, the project would comply with General Plan Policy UD 2.3, which necessitates that new development fit with the existing scale of the City, as the proposed single-family residences along the western site boundary would be single-story homes, consistent with the size of the existing homes located in the adjacent neighborhoods of Wildhorse and Slide Hill Park. Finally, General Plan Policy UD 2.5 requires attractive and functional signs. Signs within the project site would be limited to those associated with the multi-family residential building, as well as the USA Pentathlon Training Facility and pool complex. New signs would be subject to the requirements of the City of Davis Sign Design Guidelines.⁴ As required therein, any signs within the project site must be compatible with building architecture, legible, placed appropriately to respect architectural features and create interest, designed with appropriate colors, materials, and illumination. It should be noted that the proposed off-site sewer line extension would be installed underground within the Wildhorse Agricultural Buffer and, therefore, would not affect views of the project site or agricultural buffer.

Additionally, the USA Pentathlon Training Facility would be subject to the City's Site Plan and Architectural Review process. Pursuant to Davis Municipal Code Article 40.31, the City's Site Plan and Architectural Review serves to determine compliance with applicable development standards to promote harmonious growth of the City. New development subject to the review process must demonstrate compliance with standards governing the siting of structures; inclusion of landscaping, fencing, and other screening; design of circulation and parking facilities; design and installation of curbs, gutters, sidewalks, and drainage infrastructure; and location of open space, among other requirements. Because the proposed project was submitted pursuant to Builder's Remedy and without any legislative entitlements, the proposed project is not

⁴ City of Davis. *Davis Citywide Sign Design Guidelines*. November 18, 2008.



consistent with the project site's designation as Agriculture in the General Plan or the PD 3-89 zoning district. Therefore, the proposed project would conflict with applicable zoning, creating a potentially significant impact on aesthetics that was not previously addressed in 2009 EIR because the Wildhorse Ranch Project did include a General Plan land use designation and zoning amendment. This impact would be potentially significant despite the fact that the proposed project would involve similar development as the Wildhorse Ranch Project, with a net reduction of 16 residential units.

In general, the proposed project would consist of a mixed-use development community, including a total of 175 dwelling units, comprised primarily of single-family units, as well as up to 45 multi-family residences, whereas the Wildhorse Ranch Project would have included 191 units. Therefore, development of the proposed project would be generally similar to what was previously anticipated and approved by the City as part of the Wildhorse Ranch Project. While the currently proposed project would include a 1.4-acre site for the future construction of a USA Pentathlon Training Facility and pool complex, the maximum building height of the training facility would be two stories, which would be less than the maximum height of the three-story single-family townhomes approved for that portion of the Wildhorse Ranch Project. Additionally, although the proposed multi-family apartment building could feature up to four stories, this would not be considered a substantial increase over the previously approved three-story townhomes. Siting the proposed apartment building along East Covell Boulevard would also allow for visually intrusive elements, such as trash enclosures and parking lots, to be sited behind the building and out of public views. Furthermore, the proposed project would include new landscaping trees along the East Covell Boulevard frontage which would help to screen views of the site, including the multi-family apartments, USA Pentathlon Training Facility, and associated surface parking areas, from motorists, bicyclists, and pedestrians traveling along East Covell Boulevard. The selection and placement of the new landscaping trees would be subject to review and approval by the Community Development and Sustainability Director, as established by Davis Municipal Code Section 40.31.040, to ensure that screening is sufficiently provided in accordance with City standards. Thus, development of the proposed project would be, on the whole, visually consistent with the uses anticipated and approved for the site as part of the Wildhorse Ranch Project.

As noted above, the proposed project was submitted pursuant to a settlement agreement with the City that provides that the project will be processed without legislative entitlements, including a General Plan amendment or zoning amendment. Under Builder's Remedy, the City cannot deny the project based on inconsistency with the General Plan or zoning code. For these reasons, this inconsistency cannot be fully mitigated. Notwithstanding, this inconsistency can be partially mitigated by the implementation of new Mitigation Measure SEIR 4.1-2, which would require that the project comply with conditions of approval imposed by the City on the project's Tentative Map in order to ensure visual consistency with adjacent uses to the north, south, and west of the project site.

The properties in the immediate vicinity of the project site within the Wildhorse and Slide Hill Park neighborhoods are currently developed with residential uses. In addition, the Cannery Project was relatively recently developed to the west of the Wildhorse subdivision and includes residential uses, including multi-family, as well as commercial uses. To partially mitigate the aesthetic impact of the proposed project,



the City will require Conditions of Approval that would impose development standards on the proposed project, including, but not limited to, conditions regulating lotting layout, setbacks, building height, structural design, landscaping, and the general appearance of the project. These conditions will be intended to create visual consistency with the surrounding neighborhoods.

Based on the above, the proposed project, unlike the Wildhorse Ranch Project, would be inconsistent with the General Plan land use designation and PD zoning for the project site. Therefore, the currently proposed project could result in a new significant impact or substantially more severe significant impact related to conflicts with zoning and other regulations governing scenic quality beyond what was previously identified in the 2009 EIR.

Applicable Mitigation Measure(s) from the 2009 EIR

None applicable.

Modified Mitigation Measure(s)

None required.

New Mitigation Measure(s)

Even with the imposition of new Mitigation Measure SEIR 4.1-2, the development of the project site with the currently proposed uses would be inconsistent with the designation of the site in the General Plan as Agricultural and its PD 3-89 zoning, potentially resulting in a *significant and unavoidable* impact.

SEIR 4.1-2 The project shall comply with Conditions of Approval on the Tentative Map with respect to aspects of project design, including, but not limited to, lotting layout, setbacks, height limitations, structural design, landscaping, and appearance of the project intended to create visual consistency with adjacent uses to the north, south, and west of the project site. Such conditions shall be developed by the City with the intent of imposing development standards on the project similar to what is required for the adjacent Planned Development (PD) zoning districts to ensure aesthetic compatibility with the surrounding areas and scenic quality.

4.1-3 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Based on the analysis below and with implementation of mitigation, the currently proposed project would not result in a new significant impact or substantially more severe significant impact beyond what was previously identified in the 2009 EIR.

The 2009 EIR evaluated potential impacts related to light and glare under Impact 4.7-2 and concluded that development of the new residential units would have generated new sources of light and glare, such as residential lighting, streetlights, and lighting associated with the project's open space amenities. In order to reduce impacts from



light and glare, as well as increase neighborhood cohesion, the applicant proposed the dedication of an additional 20 feet to each property owner adjacent to the north and west boundary of the project. In addition, the project included an orchard and open space area between the existing residences to the west of the project site and the proposed residences. The greenbelt dedication and open space area would have helped to reduce light and glare impacts resulting from the project. In addition, the exterior lighting for the project would have been appropriately shielded, consistent with General Plan Policy UD 3.2. However, because final details regarding proper shielding and placement of all on-site lighting had not yet been prepared, the 2009 EIR determined that a significant impact could occur and required Mitigation Measures 4.7-2(a) and 4.7-2(b), which required preparation a lighting plan subject to review and approval by the Chief Building Official of the City of Davis and preparation of a street lighting plan subject to review and approval by the City Engineer, respectively. Through compliance with the foregoing measures, the 2009 EIR concluded that a less-than-significant impact would occur.

Similar to the Wildhorse Ranch Project, the currently proposed project would also consist of new residences, on-site roadways, associated utility improvements, and open space, landscaping, and trails. Individual homes within the project site would introduce new sources of night lighting in the form of exterior light sources such as porch and patio lights, architectural accent lighting, motion-activated security lighting, driveway lighting, landscape lighting, and interior lighting visible through windows. In addition, the proposed USA Pentathlon Training Facility and pool complex could introduce new sources of night lighting, such as security lighting. New sources of glare would occur primarily from the windshields of vehicles travelling within the project site, as well as through the use of reflective building materials, including polished steel and reflective glass. All exterior lighting installed as part of the proposed project would be designed consistent with General Plan Policy UD 3.2, ensuring shielding fixtures are installed in such a manner as to prevent direct rays from passing property lines or into the public right-of-way. In addition, new lighting would be required to comply with the City's Outdoor Lighting Control Ordinance, which provides standards for outdoor lighting to minimize light pollution, glare, and light trespass. Compliance with General Plan Policy UD 3.2 and the City's Outdoor Lighting Control Ordinance would ensure that development of the currently proposed project results in sources of light and/or glare substantially similar to the lighting approved as part of the Wildhorse Ranch Project. The proposed project would also include a 20-foot-wide buffer along the western and northern site boundaries, similar to the Wildhorse Ranch Project; albeit, the proposed 20-foot-wide tree buffer would be located in an on-site easement instead of within dedicated land to owners of the new residences. Nonetheless, similar to the Wildhorse Ranch Project, the currently proposed project would be subject to Mitigation Measures 4.7-2(a) and 4.7-2(b), as the proposed project would still require submittal and City approval of a lighting plan and a street lighting plan.

Based on the above, the currently proposed project would not result in a new significant impact or substantially more severe significant impact related to the creation of new sources of substantial light or glare beyond what was previously identified in the 2009 EIR.



Applicable Mitigation Measure(s) from the 2009 EIR

None applicable.

Modified Mitigation Measure(s)

The following mitigation measures from the 2009 EIR have been modified to correct a minor typographical error and ensure applicability to the currently proposed project. Minor modifications are shown in ~~strike through~~ and double-underline. Implementation of the following mitigation measure from the 2009 EIR would reduce the above potential impact to a *less-than-significant* level.

4.7-2(a) *Prior to ~~issuance of the first building permit~~ approval of the subdivision improvement plans, the developer shall submit a street lighting plan for review and approval by the City Engineer. ~~Street lightning shall be limited to reduced height low profile fixtures.~~ The Plan shall comply with Chapter 6 of the Davis Municipal Code- Article VIII: Outdoor Lighting Control, and the most recent edition of City standards and specifications.*

4.7-2(b) *Prior to the issuance of building permits for the multi-family apartments and USA Pentathlon Training Facility, the developer shall submit a lighting plan for the review and approval of the Chief Building Official and the Community Development Director of the City of Davis. ~~The lighting plan shall include shielding on all light fixtures and shall address-limiting light trespass and glare~~ on the multi-family apartment site and the USA Pentathlon Training Facility through the use of shielding and directional lighting methods, including which may include, but is not limited to, fixture location and height. The Plan shall comply with Chapter 6 of the Davis Municipal Code- Article VIII: Outdoor Lighting Control.*

New Mitigation Measure(s)

None required.

Cumulative Impacts and Mitigation Measures

As defined in Section 15355 of the CEQA Guidelines, “cumulative impacts” refers to two or more individual effects which, when considered together, are considerable, compound, or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.

Some types of impacts to aesthetic resources are localized and not cumulative in nature. For example, the creation of glare or shadows at one location is not worsened by glare or shadows created at another location. Rather these effects are independent, and the determination as to whether they are adverse is specific to the project and location where they are created. Projects that block a public view or affect the visual quality of a site also have localized aesthetic impacts. The impact occurs specific to a site or area and remains independent from another project elsewhere that may block a view or degrade the visual environment of a specific site.



Two types of aesthetic impacts may be additive in nature and, thus, cumulative, including night sky lighting and overall changes in the visual environment as the result of increasing urbanization of large areas. As development in one area increases and possibly expands over time and meets or connects with development in an adjoining exurban area, the effect of night sky lighting experienced outside of the region may increase in the form of larger and/or more intense nighttime glow in the viewshed. Similarly, as development in one area changes from rural to urban, and this pattern continues to occur throughout the undeveloped areas of a jurisdiction, the changes in visual character may become additive and cumulatively considerable. The proposed project's incremental contribution to night sky lighting and changes in visual character are addressed below.

The cumulative setting for impacts related to aesthetics encompasses development of the proposed project in conjunction with buildout of the Davis General Plan planning area, as well as a list of present and probable future projects. For more details regarding the cumulative setting, refer to Chapter 5, Statutorily Required Sections, of this SEIR.

4.1-4 Long-term changes in visual character associated with development of the proposed project in combination with future buildout of the City of Davis and present and probable future projects. Based on the analysis below, the currently proposed project would result in a new significant cumulative impact or substantially more severe significant cumulative impact beyond what was previously identified in the 2009 EIR.

The 2009 EIR evaluated potential long-term impacts to the visual character of the region from the Wildhorse Ranch Project in combination with existing and future developments in the Davis area under Impact 4.7-4 and found that a significant and unavoidable impact would occur. As discussed therein, the Wildhorse Ranch Project would have contributed to the cumulative change in visual character of an agricultural area within the City of Davis. The properties in the immediate vicinity of the project site were developed for residential uses with the exception of the land east of the project site, which was used for agricultural purposes. Therefore, in terms of the change in the visual character of the project area, the 2009 EIR determined that development of the Wildhorse Ranch Project would have been typical of what currently exists north, west, and south of the project site. However, the character of the area would have changed from flat fields and roadways to residences with trees and a greenbelt area. Therefore, the 2009 EIR concluded that the conversion of the project site, in addition to other lands in the project area, from a rural to urban setting would result in a substantial change to the visual character of the region, and feasible mitigation did not exist to reduce the impact to a less-than-significant level.

The cumulative analysis in this SEIR is based upon development of the proposed project in conjunction with buildout of the Davis General Plan planning area, as well as a list of present and probable future projects. In addition to the proposed project, present and future probable projects along the Mace Boulevard/East Covell Boulevard corridor include the Davis Innovation and Sustainability Campus (DiSC) 2022 Project, Shriners Property Project, and Village Farms Davis Project.



The sites of the DiSC 2022 and Shriners Property projects are both located on existing agricultural land outside of the City limits along Mace Boulevard/East Covell Boulevard to the east of the project site. The DiSC 2022 Project site consists of 102 acres (plus the 16.5-acre Mace Triangle property) immediately to the east of Mace Boulevard and north of County Road (CR) 32A, northeast of the City limits. The Shriners Property Project site is comprised of 234 acres to the north of East Covell Boulevard, immediately east of the Palomino Place Project site and the Wildhorse neighborhood and adjacent to the northeastern City limits boundary. Given the setting of the two sites, as well as their locations in the unincorporated portion of Yolo County, the sites are considered nonurbanized, and the relevant threshold is whether buildout of the DiSC 2022 and Shriners Property projects would substantially degrade the existing visual character or quality of public views of the sites and their surroundings.

Existing public views of the DiSC 2022 Project site along Mace Boulevard are characterized primarily by active agricultural land. Existing public views of the Shriners Property Project along East Covell Boulevard is similarly characterized by active agricultural land. Though rejected by the voters in November 2022, the City previously approved the DiSC 2022 Project, and the project is currently still eligible to try again for voter approval. The DiSC 2022 Project included a mix of office, research and development, and laboratory uses; advanced manufacturing, prototyping, and product testing uses; ancillary retail; 460 residential units; a hotel and conference center; green space; and a transit plaza. The Shriners Property Project is anticipated to include a variety of residential uses totaling 1,200 units; parks and recreation areas, including a community park; a transit station; and a new trail system. Development of the foregoing uses as part of the DiSC 2022 and Shriners Property projects would result in the urbanization of active agricultural land, which could be considered a cumulatively significant change to the overall landscape along Mace Boulevard and East Covell Boulevard.

With respect to the proposed project, as discussed above under Impact 4.1-2, the project site is considered urbanized and the relevant threshold is whether the proposed project would conflict with applicable zoning and other regulations governing scenic quality, as the project site is located in an urbanized area. As previously discussed, the proposed project would be required to comply with applicable General Plan policies and Davis Municipal Code regulations related to urban design and scenic quality, including General Plan Policies UD 2.1, UD 2.2, UD 2.3, and UD 2.5, among others. The proposed project would be consistent with the foregoing policies, as the project site generally does not include natural habitat, nor resources reflective of place and history. The proposed project would include approximately 2.76 acres of open space and 0.46-acre of trails, a 20-foot-wide tree buffer located along the western and northern site boundaries within a private easement for tree plantings, and new plantings of native, drought-tolerant new trees, shrubs, and seasonal grasses along the East Covell Boulevard project frontage, internal street network, and northern and western site boundaries. The Pentathlon facility would also be subject to the City's Site Plan and Architectural Review process, established by Davis Municipal Code Article 40.31. Furthermore, the proposed project would be subject to Conditions of Approval that would require compliance with the City's objective design standards, as well as consistency with the adjacent uses to the north, south, and west of the project site, which consist primarily of residential uses associated with the Wildhorse and Slide Hill Park neighborhoods. However, because the proposed project was submitted pursuant



to Builder's Remedy and without any legislative entitlements, the proposed project is not consistent with the project site's designation as Agriculture in the General Plan or the PD 3-89 zoning district; and the project is not required as part of project approval to demonstrate consistency with standards established by the Agriculture land use designation and PD 3-89 zoning district, including those associated with scenic quality. Therefore, the proposed project would conflict with applicable zoning, creating a potentially significant impact on aesthetics that was not previously addressed in 2009 EIR because the Wildhorse Ranch Project did include a General Plan land use designation and zoning amendment. This impact would be potentially significant despite the fact that the proposed project would involve similar development as the Wildhorse Ranch Project, with a net reduction of 16 residential units. Under Builder's Remedy, the City cannot deny the project based on inconsistency with the General Plan or zoning code. For these reasons, this inconsistency cannot be fully mitigated. Notwithstanding, this inconsistency can be partially mitigated by the implementation of new Mitigation Measure SEIR 4.1-2, which would require that the project comply with conditions of approval imposed by the City on the project's Tentative Map in order to ensure visual consistency with adjacent uses to the north, south, and west of the project site.

Finally, the Village Farms Davis Project is currently proposed for development on a 497.6-acre site north of East Covell Boulevard, east of F Street, and west of Pole Line Road in a currently unincorporated portion of Yolo County. The Village Farms Davis Project site is located adjacent to existing development, including the Cannery development to the west; single- and multi-family residences, the Nugget Fields sports center, Wildhorse Golf Club, and commercial offices to the east; and commercial uses, single- and multi-family residences, and commercial offices to the south. Thus, the Village Farms Davis Project site is considered to be in an urbanized area. The Village Farms Davis Project would result in development of a mixed-use community, including a total of 1,800 dwelling units, neighborhood services; public, semi-public, and educational uses; associated on-site roadway improvements; utility improvements; parks, open space, and greenbelts; and off-site improvements. The project would require annexation into the City limits and Pre-zoning of the site to the City's PD zone. Similar to the proposed project, the Village Farms Davis Project would be required to demonstrate consistency with applicable policies and regulations governing scenic quality, including General Plan Policies UD 2.1, UD 2.2, UD 2.3, and UD 2.5 and Davis Municipal Code Section 40.22.060. The Village Farms Davis Project's compliance with the foregoing policies and regulations will be evaluated further in the EIR being prepared for the project.

Overall, the landscape along Mace Boulevard and East Covell Boulevard could be considered to be significantly changed through cumulative development within the City of Davis. Based on the above discussion, despite the fact that the proposed project would involve similar development as the Wildhorse Ranch Project, the proposed project's incremental contribution to the significant cumulative effect would be cumulatively considerable due to its inconsistency with the site's General Plan land use designation and zoning district related to agricultural uses. Whereas the 2009 EIR identified a significant and unavoidable aesthetic impact, its focus was on changes in visual character of the site and its surroundings, rather than conflicts with scenic regulations. Therefore, this project's contribution to the significant cumulative aesthetic impact is considered a new significant impact.



Applicable Mitigation Measure(s) from the 2009 EIR

None applicable.

Modified Mitigation Measure(s)

None required.

New Mitigation Measure(s)

Even with the imposition of new Mitigation Measure SEIR 4.1-2, development of the project site with the currently proposed uses would be inconsistent with the designation of the site in the General Plan as Agricultural and its PD 3-89 zoning, potentially resulting in a *cumulatively considerable and significant and unavoidable* impact.

SEIR 4.1-4 Implement Mitigation Measure SEIR 4.1-2.

4.1-5 Creation of new sources of light or glare associated with development of the proposed project in combination with future buildout of the City of Davis and present and probable future projects. Based on the analysis below, the currently proposed project would not result in a new significant cumulative impact or substantially more severe significant cumulative impact beyond what was previously identified in the 2009 EIR.

Cumulative effects of lighting are visible over a wide area, due to the potential for lighting from a number of projects to create sky glow. Cumulative development throughout the General Plan planning area, particularly conversion of agricultural or currently vacant sites to urban uses, would increase the sources of light and glare, which would have the potential to contribute to sky glow in the area and result in a significant cumulative impact. Such sources of light would be typical of existing residential development in the project vicinity, such as the residential uses to the north, west, and south of the project site.

The 2009 EIR did not evaluate potential cumulative impacts related to the creation of new sources of light or glare. Nonetheless, cumulative development within the General Plan planning area, including the proposed project and future projects within the project vicinity such as the DiSC 2022, Shriners Property, and Village Farms Davis projects, would be subject to existing regulations and guidelines related to light and glare. For example, all projects proposed for construction within the City's General Plan planning area are required to comply with the applicable requirements established in the City's Outdoor Lighting Control Ordinance (set forth by Davis Municipal Code Article 8.17), which provides standards for outdoor lighting to minimize light pollution, glare, and light trespass. Projects within the cumulative setting would also be subject to General Plan Policy UD 3.2, ensuring shielding fixtures are installed in such a manner as to prevent direct rays from passing property lines or into the public right-of-way. Thus, compliance with the foregoing requirements would ensure that buildout of the City's planning area, as well as present and future probable projects, would not create new sources of substantial light or glare.



In addition, as described under Impact 4.1-3 above, Mitigation Measure 4.7-2(a) from the 2009 EIR requires the project developer to prepare a lighting plan, which would be subject to review and approval by the Chief Building Official of the City of Davis, and Mitigation Measure 4.7-2(b) from the 2009 EIR requires the developer to prepare a street lighting plan, which would be subject to review and approval by the City Engineer. Both the lighting plan and street lighting plan would be required to comply with the Outdoor Lighting Control Ordinance. Therefore, the proposed project would not create new sources of substantial light or glare.

Based on the above, the currently proposed project would not result in a new significant cumulative impact or substantially more severe significant cumulative impact related to the creation of new sources of light or glare beyond what was previously identified in the 2009 EIR.

Applicable Mitigation Measure(s) from the 2009 EIR

None applicable.

Modified Mitigation Measure(s)

None required.

New Mitigation Measure(s)

None required.

