

4.1 AESTHETICS

4.1.1 INTRODUCTION

The Aesthetics chapter of the EIR describes existing aesthetic resources in the area of the project site, the Biological Resources Preservation Alternative (BRPA) site, and the broader region, and evaluates the potential aesthetic impacts of the Proposed Project and the BRPA. 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 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 Plan¹ and the City of Davis General Plan EIR.²

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/BRPA site and surrounding area, rather than overall community character.

The CEQA Guidelines 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, the inquiry asks 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 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

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.



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/BRPA site is within an “urbanized area,” as the surrounding populated areas within the City of Davis include 1,000 persons per square mile. The City has, therefore, undertaken the inquiry appropriate for “urbanized areas.”

Additionally, 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 such 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.

Furthermore, pursuant to Public Resources Code (PRC) Section 21061.3 defines an “infill site” as a site in an urbanized area that has not been previously developed for urban uses and is both located immediately adjacent to parcels that are developed with urban uses, or at least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses, and the remaining 25 percent of the site adjoins parcels that have been previously developed with urban uses, and is a site within which parcels have not been created within the past 10 years. Based on the foregoing definition, because the project site/BRPA site is surrounded to the west, south, and east with urban uses, and is bordered to the north by the Davis Paintball and Blue Max Kart Club/former wastewater treatment plant (WWTP) site and former Old Davis Landfill, the site is considered an infill site.

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/BRPA 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 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. 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/BRPA site is State Route (SR) 160, 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/BRPA site and surrounding area in relation to visual character.

Project Site/Biological Resources Preservation Alternative Site

The approximately 497.6-acre project site/BRPA site is located north of East Covell Boulevard, east of F Street, and west of Pole Line Road in a currently unincorporated portion of Yolo County. The site consists of open, agricultural land recently planted with wheat, tomatoes, and corn. The site slopes gently to the southeast at elevations of approximately 35 to 45 feet above mean sea level. One agricultural structure is located in the southern portion of the site. In addition, the project site/BRPA site is bisected by a north-to-south private access road (L Street), which also pivots to proceed in an east-to-west direction through a portion of the site. A City of Davis drainage course (Channel A) also flows east to west through the site. Existing trees within the project site/BRPA site include planted trees located along East Covell Boulevard and along the southern-most west boundary of the site, as well as trees located along both sides of Channel A and those that occur in association with the on-site agricultural structure.

Public views of the project site/BRPA site are afforded from F Street (see Figure 4.1-1 and Figure 4.1-2) and a trail east of and parallel to Cannery Loop (see Figure 4.1-3 and Figure 4.1-4) to the west of the site; from East Covell Boulevard to the south of the site (see Figure 4.1-5); and from Pole Line Road to the east of the site (see Figure 4.1-6, Figure 4.1-7, and Figure 4.1-8). It is noted that the City's Priority Acquisition Areas exhibit indicates that distant views of the Sutter Buttes and the Sierra Nevada Mountains are available from portions of the project site/BRPA site.

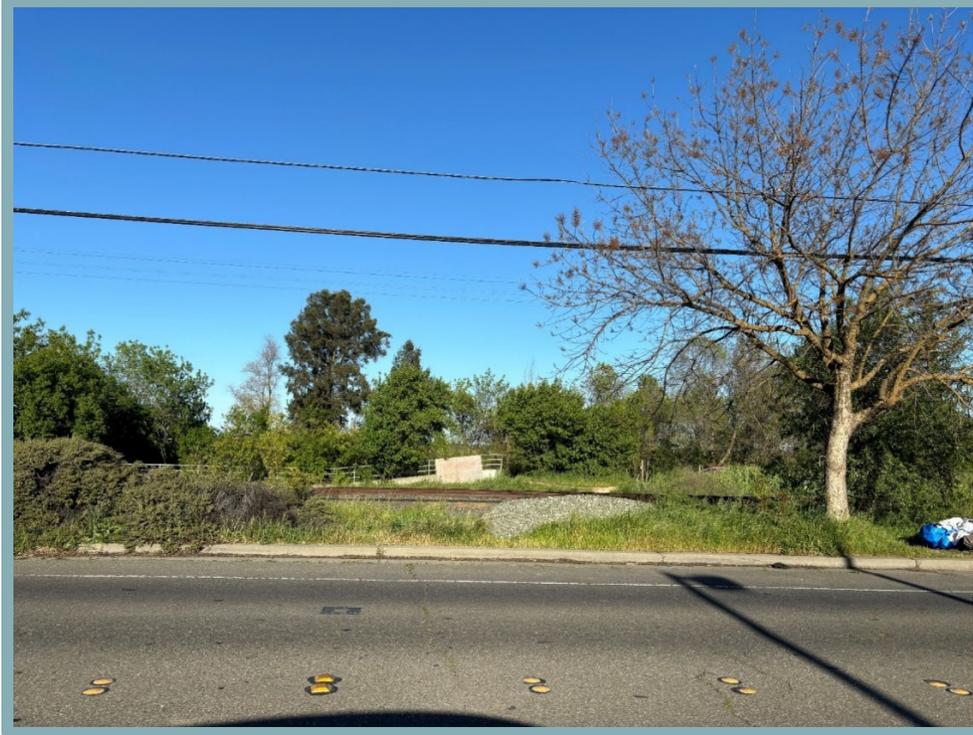
Surrounding Areas

The area immediately north of the project site/BRPA site consists of agricultural land along the northern site boundary's western portion and Davis Paintball, Blue Max Kart Club along the northern site boundary's eastern portion. The Davis Paintball business is located on the City's former WWTP site and the Blue Max Kart Club is located at the site of a former landfill, the Old Davis Landfill.

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 September 2024.



**Figure 4.1-1
Existing Easterly View of the Site from F Street (1 of 2)**



**Figure 4.1-2
Existing Easterly View of the Site from F Street (2 of 2)**



**Figure 4.1-3
Existing Easterly View of the Site from Cannery Loop (1 of 2)**



**Figure 4.1-4
Existing Easterly View of the Site from Cannery Loop (2 of 2)**



**Figure 4.1-5
Existing Northerly View of the Site from East Covell Boulevard**



**Figure 4.1-6
Existing Westerly View of the Site
from Pole Line Road/Donner Avenue Intersection**



**Figure 4.1-7
Existing Westerly View of the Site
from Pole Line Road/Moore Boulevard Intersection**



**Figure 4.1-8
Existing Westerly View of the Site from Pole Line Road**



East of the project site/BRPA site, across Pole Line Road, are single- and multi-family residences, the Nugget Fields sports center, Wildhorse Golf Club, and commercial offices. Commercial uses and single- and multi-family residences occur to the south of the site, across East Covell Boulevard. Single- and multi-family residences, Northstar Park, and an existing Urban Agricultural Transition Area (UATA) associated with the Cannery subdivision are located to the west of the site.

Off-Site Improvement Areas

Off-site improvements associated with both the Proposed Project and the BRPA include new intersection improvements along Pole Line Road, a new north leg at the East Covell Boulevard/L Street intersection, a potential pedestrian/bicycle undercrossing near the Pole Line Road/Moore Boulevard intersection, and off-site water line improvements within three existing roadways in the project vicinity. All of the foregoing off-site improvements would be located within or adjacent to existing roadways. This EIR also evaluates the conceptual landing area for a potential future, grade-separated crossing at the west side of F Street.

Viewer Types

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

- Motorists along Pole Line Road, East Covell Boulevard, Cannery Avenue/Cannery Loop, and F Street have existing views of the project site/BRPA site while driving past the site.
- Pedestrians and bicyclists in the area include nearby residents and visitors that use the public roadways to walk or bike to their destination. Such pedestrians have views of the project site/BRPA site from Pole Line Road, East Covell Boulevard, Cannery Avenue/Cannery Loop, and F Street. In general, views experienced by pedestrians and bicyclists are similar to views experienced by motorists.
- Recreationists include those individuals who are involved in recreational activities and have views of the project site/BRPA site. The group includes individuals visiting Nugget Fields or the Wildhorse Golf Club to the east, Davis Paintball or Blue Max Kart Club to the north, or Northstar Park to the west.

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/BRPA site is primarily characterized by an undeveloped, unlit landscape, the only exception being the agricultural structure located in the southern portion of the site. As such, significant sources of light and glare do not currently occur on-site. However, the project site/BRPA site is located within the vicinity of existing commercial and residential uses surrounding the site. Lighting associated with such development, as well as street lighting along Pole Line Road, East Covell Boulevard, Cannery Avenue/Cannery Loop, and F Street 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 aesthetics do not exist. The existing State and local laws and regulations applicable to the Proposed Project and the BRPA 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 and BRPA.

City of Davis General Plan

The City of Davis General Plan urban design goals and policies that are applicable to the Proposed Project and BRPA 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.

- 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.
- Goal UD 6 Strengthen the city's neighborhoods to retain desirable characteristics while allowing for change and evolution, promoting public and private investments, and encouraging citizen involvement in neighborhood planning.
- Policy UD 6.1 Recognize the existence of individual neighborhoods with general boundaries and facilitate the development of neighborhood strategies in partnership with residents and property owners. The strategies should recognize the unique characteristics of the individual neighborhood and the potential for change, within the context of a well-planned city. The strategies should be directed toward solving unique neighborhood problems and implementing neighborhood priorities and enhancing livability.

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, and security and preserving the night sky as a natural resource, 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 potential impacts of the Proposed Project and BRPA related to aesthetics. A discussion of the 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 or the BRPA 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 section below gives full consideration to the development of the Proposed Project and the BRPA and acknowledges physical changes to the existing setting. The standards of significance listed above are used to delineate the significance of any visual alterations of the site. As previously discussed, consistent with CEQA Guidelines Section 15387 and CEQA case law, the project site/BRPA site is identified as being within an “urbanized area,” given that the site and surrounding properties include 1,000 persons per square mile. In addition, pursuant to PRC Section 21061.3, the site qualifies as an “infill site” because at least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses, and the remaining 25 percent of the site adjoins parcels that have been previously developed with urban uses. Therefore, the appropriate inquiry to apply to the Proposed Project and BRPA is for “urbanized areas” and if the Proposed Project or BRPA would include alterations that would be inconsistent with the applicable zoning requirements for the project site/BRPA site, or other regulations established by the City governing scenic quality.

Project-Specific Impacts and Mitigation Measures

The following discussion of impacts related to aesthetics is based on implementation of the Proposed Project or the BRPA in comparison to existing conditions and the standards of significance presented above.

4.1-1 Have a substantial adverse effect on a scenic vista. Based on the analysis below, the impact would be *significant and unavoidable*.

The following discussion evaluates the potential for the Proposed Project and BRPA to have a substantial adverse effect on a scenic vista. Because the components of the Proposed Project and the BRPA would be developed within the same overall site boundaries, the following evaluation applies to both development scenarios.

Proposed Project, Biological Resources Preservation Alternative

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.

As previously discussed, the City's General Plan does not designate scenic vistas within the City's planning area. The City's General Plan EIR addresses potential impacts related to changes in views that would result from buildout of the General Plan, and specifically addresses the project site, then known as the Covell Center site. In discussing the Covell Center site, the General Plan EIR acknowledges the panoramic setting of the site area and the availability of open space/agricultural views before concluding that development of the Covell Center site would result in a significant and unavoidable impact related to changes in views. In addition, the City has identified the project site/BRPA site as a priority acquisition area for the protection of land providing views of the distant Sutter Buttes and the Sierra Nevada Mountains available from the site. The panoramic open space/agricultural views available on the project site/BRPA site, while not officially designated by the City as a scenic vista, can nevertheless be considered as such for purposes of CEQA analysis and in recognition of the General Plan EIR's treatment of the issue.

Similar to the site conditions when the General Plan EIR was prepared, the site consists almost entirely of uninterrupted active agricultural land. As development along the City's boundaries continues in the future, such areas will become increasingly lost due to conversion to urban uses. Views of the existing scenic vista of the site, as well as the surrounding agricultural area to the northwest, would be substantially affected by the Proposed Project and BRPA. While incorporation of the 118.4-acre UATA would preserve a portion of the currently available on-site scenic agricultural vista, the majority of the current scenic vista would be permanently altered by buildout of the Proposed Project and the BRPA. With respect to the BRPA, the incorporation of the 47.1-acre Natural Habitat Area would further minimize the effect on the existing scenic vista. Nonetheless, based on the above, the Proposed Project and BRPA could have a substantial adverse effect on a scenic vista, and a **significant** impact could occur.

Mitigation Measure(s)

The Proposed Project and BRPA would both result in permanent conversion of a currently open expanse of farmland. Feasible mitigation does not exist to reduce the above potential impact to a less-than-significant level. Therefore, the impact would remain *significant and unavoidable*.

4.1-2 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 impact would be *less than significant*.

The following discussion evaluates the potential for the Proposed Project and BRPA to substantially damage scenic resources within a State scenic highway. Because the components of the Proposed Project and the BRPA would be developed within the same overall site boundaries, the following evaluation applies to both development scenarios.



Proposed Project, Biological Resources Preservation Alternative

According to the Caltrans State Scenic Highway Map, the nearest officially designated State scenic highway to the project site/BRPA site is SR 160, approximately 11.5 miles southeast of the City limits.⁴ Therefore, the Proposed Project and BRPA would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a State Scenic Highway, and a **less-than-significant** impact would occur.

Mitigation Measure(s)

None required.

4.1-3 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, the impact is less than significant.

The project site/BRPA site is located within an urbanized area; therefore, the relevant threshold is whether the Proposed Project or BRPA would conflict with applicable zoning and other regulations governing scenic quality. Because the components of the Proposed Project and the BRPA would be developed within the same overall site boundaries, the following evaluation applies to both development scenarios.

Proposed Project, Biological Resources Preservation Alternative

The project site/BRPA site is currently zoned by Yolo County as Specific Plan (S-P) (Assessor's Parcel Number [APN] 035-970-033) and Agricultural Intensive (A-N) (APN 042-110-029). As discussed in Chapter 3, Project Description, of this EIR, following annexation into the City limits, the project site/BRPA site would be pre-zoned to the City's Planned Development (P-D) zone. The P-D zoning designation is intended to allow for greater flexibility from the development standards established for the City's conventional zoning districts.

As part of approval of the Pre-zoning to P-D, the Proposed Project or the BRPA would be required to adhere to the development standards set forth by the Preliminary Planned Development (PPD). As established by Section 40.22.060 of the Davis Municipal Code, the PPD for the Proposed Project or the BRPA would be required to contain basic information, such as land uses proposed for the zone, location of parks and trails, proposed street layout, and a preliminary study of facilities required, such as drainage, sewage, and public utilities. According to the PPD prepared for the Proposed Project and BRPA, the development standards for each proposed use within the P-D zone would substantially correspond with those established for permitted,

⁴ 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 September 2024.



accessory, and conditional uses in the Davis Municipal Code for the comparable zoning districts identified in the PPD, with limited exceptions provided therein.

In general, both the Proposed Project and the BRPA would consist of a mixed-use development community, including a total of 1,800 dwelling units, comprised of both affordable and market-rate single- and multi-family residences, as well as Neighborhood Mixed-Use services and public, semi-public, and educational uses across various residential neighborhoods. The BRPA would also include a 47.1-acre Natural Habitat Area that would preserve existing on-site alkali playa land cover and habitats. The proposed residential units would be developed across the nine villages within the project site/BRPA site. Under the Proposed Project, the villages would consist of Residential Low Density (RLD), Residential Medium Density (RMD), Residential Medium High Density (RMHD), and Residential High Density (RHD) neighborhoods, as summarized in Table 3-1 in the Project Description chapter of this EIR. As shown in Table 3-3 of this EIR, the villages under the BRPA would consist of RLD, RMD, and RHD neighborhoods.

As detailed in the proposed PPD, permitted, accessory, and conditional uses within the RLD neighborhoods would be those allowed in the Residential One-Family (R-1) zoning district, as set forth by Davis Municipal Code Article 40.03. Uses within the RMD neighborhoods would be those allowed in the Residential One- and Two-Family (R-2) zoning district, as set forth by Municipal Code Article 40.04. Uses within the RMHD neighborhood under the Proposed Project would be those allowed in the Residential High Density Apartment (R-HD) zoning district, as set forth by Municipal Code Article 40.09. Uses within the RHD neighborhoods would be those allowed in the R-HD zoning district, as set forth by Municipal Code Section 40.09.020. As established by the PPD, the new residential units would be constructed in accordance with the applicable development standards established in the Davis Municipal Code for each relevant zoning designation, including, but not limited to, those related to building height, lot area and width, setbacks, open space, and yard requirements.

In addition, the Proposed Project and BRPA would include a Development Agreement between the applicant and the City of Davis, which would allow the City and the applicant to enter into an agreement to assure the City that the Proposed Project or BRPA is completed in compliance with the plans submitted by the applicant and assure the applicant of vested rights to develop the project. Adherence to the Development Agreement would ensure that, consistent with General Plan Policy UD 2.3, the proposed structures are aesthetically consistent with the existing development in the vicinity of the project site/BRPA, such as the single- and multi-family residences to the east and west of the site. Furthermore, the Development Agreement between the applicant and the City would ensure that on-site signage would be attractive and functional, consistent with General Plan Policy UD 2.5, and that trash receptacle locations associated with the new multi-family residences are appropriately sited.

With respect to the new non-residential uses, according to the PPD, additional details for the proposed Neighborhood Mixed-Use services would be drafted for inclusion in the P-D zone for both the Proposed Project and the BRPA through consultation with City leadership, interested neighbors, and the business community. The proposed public, semi-public, and educational uses would be designated Public/Semi-Public (P/SP) and designed consistent with the uses and standards established for the



Public/Semi-Public (P-SP) zoning district by Municipal Code Article 40.20A. As established by the PPD, the new public, semi-public, and educational uses would be constructed in accordance with applicable development standards established in the Davis Municipal Code, including, but not limited to, those related to building height, setback distances, landscaping, and trash receptacle location. Similar to the new residential uses discussed above, approval of the Development Agreement between the City and applicant would ensure that the proposed non-residential uses are designed to be aesthetically consistent with surrounding existing development, and would comply with applicable General Plan policies, including, but not limited to, Policies UD 2.3 and UD 2.5. The Proposed Project and the BRPA would additionally comply with General Plan Policy UD 2.2, which requires maintenance of and an increase in greenery. The Proposed Project and the BRPA would include new plantings of native, drought-tolerant trees, shrubs, and seasonal grasses within the proposed Heritage Oak Park and Village Trails Park, as well as within the greenbelts that would occur along portions of all the site's boundaries, as well as adjacent to and/or within the proposed residential villages.

Inclusion of the proposed UATA would be consistent with the requirements established by Section 40A.01.050 of the City's Municipal Code. As discussed further under Impact 4.2-3 in the Agricultural Resources chapter of this EIR, agricultural operations exist within the project vicinity, specifically to the north of the project site/BRPA site. The proposed UATA in the northernmost portion of the site would serve as a 118.4-acre buffer between the agricultural land to the north and the areas developed as part of the Proposed Project or BRPA. Davis Municipal Code Section 40A.01.050 requires a 150-foot-wide agricultural buffer, comprised of a 50-foot-wide agricultural transition area and a contiguous 100-foot-wide buffer. Within the 50-foot-wide agricultural transition area, the City allows public access and various recreational uses, including bike paths, community gardens, organic agriculture, native plants, tree and hedge rows, benches, lights, trash enclosures, fencing, and any other use determined by the Davis Planning Commission to be of the same general character. The contiguous 100-foot-wide agricultural buffer is permitted to include the following: native plants, tree or hedge rows, drainage channels, stormwater retention ponds, natural areas such as creeks or drainage swales, railroad tracks or other utility corridors, and any other use determined by the Davis Planning Commission to be consistent with the use of the property as an agricultural buffer. Public access is prohibited within the 100-foot-wide portion of the buffer, unless otherwise permitted due to the nature of the area (i.e., railroad tracks). The proposed UATA would feature a width of approximately 2,150 feet and would not include any uses within the UATA prohibited by Davis Municipal Code Article 40A.01. Thus, inclusion of the UATA would be consistent with Davis Municipal Code Section 40A.01.050.

Consistent with Section 40.22.110 of the Davis Municipal Code, the PPD shall be required to be submitted for review and approval by the Planning Commission and/or City Council; Section 40.22.110 establishes the findings required for approval of a Final Planned Development (FPD). For example, pursuant to Section 40.22.110(c), the FPD shall be reviewed to ensure that any residential development shall constitute a residential environment of sustained desirability and stability in harmony with the character of the surrounding neighborhood, that sites for public facilities are adequate to serve the anticipated population, and that standards for open space are at least equivalent to standards otherwise specified in the Davis Municipal Code. Compliance



with the requirements of Section 40.22.110 would ensure that the FPD for the Proposed Project/BRPA would include specifications related to requiring development of the Proposed Project or the BRPA to be consistent with all applicable plans and ordinances, and to be compatible with surrounding existing uses.

Furthermore, when submitting individual development applications and site plans for future development within the project site/BRPA site, all such future development would be required to undergo Site Plan and Architectural approval. Pursuant to Section 40.31.085 of the Davis Municipal Code, all future development within the site shall be required to submit a site plan and architectural application to the Community Development and Sustainability Director for approval, contingent on the proposed development's consistency with the approved FPD, as well as 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. Compliance with the requirements of Section 40.31.085 of the Davis Municipal Code would ensure that future development within the project site/BRPA site would be designed to be compatible with neighboring uses.

Based on the above, the Proposed Project and BRPA would adhere to the design standards of the P-D zoning district. Therefore, the Proposed Project and BRPA would not conflict with applicable zoning and other regulations governing scenic quality, and a **less-than-significant** impact would occur.

Mitigation Measure(s)

None required.

4.1-4 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 impact is less than significant.

As noted previously, the project site/BRPA site is primarily characterized by an undeveloped, unlit landscape. Development of the site with residential, Neighborhood Mixed-Use, and P/SP uses would introduce additional sources of light and/or glare to a site where minimal sources currently exist. The following discussions include an analysis of potential impacts related to new sources of substantial light or glare associated with the development of the Proposed Project and the BRPA.

Proposed Project

The Proposed Project would consist of a mixed-use development community, including a total of 1,800 dwelling units; neighborhood services; public, semi-public, and educational uses; and parks, open space, and greenbelts. The change from an undeveloped agricultural property to a mixed-use development would generate new sources of light and glare. New sources of light would include exterior light sources associated with the new uses, such as lights installed within porches, patios, and parking lots; architectural accent lighting; motion-activated security lighting; driveway lighting; landscape lighting; and interior lighting visible through windows. New sources of glare would occur primarily from the windshields of vehicles travelling within the



project site/BRPA 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 Proposed Project does not result in new sources of substantial light. Furthermore, the Proposed Project would include 50-foot-wide greenbelts, which would occur along portions of all the site's boundaries and adjacent to or within the proposed residential villages. The greenbelts would include new landscaping vegetation, which would serve to reduce new sources of glare from project-generated traffic and new reflective surfaces at surrounding existing uses.

However, because the types of lighting and the specific locations have not yet been finalized, compliance with General Plan Policy UD 3.2 and the City's Outdoor Lighting Control Ordinance cannot be ensured without providing for additional enforcement mechanisms after project approval and at the time of construction. Therefore, the Proposed Project could increase the amount of light and glare generated on-site, which could be visible from the surrounding residential neighborhoods and roadways in the project vicinity, including contributions to nighttime sky glow that deteriorate the "dark sky" setting of the site and surrounding environs.

Biological Resources Preservation Alternative

Similar to the Proposed Project, the BRPA would consist of a mixed-use development community, including a total of 1,800 dwelling units; neighborhood services; public, semi-public, and educational uses; and parks, open space, and greenbelts. Under the BRPA, the change from an undeveloped agricultural property to a mixed-use development would generate new sources of light and glare, consistent with what is discussed above for the Proposed Project. Similar to the Proposed Project, development of the BRPA would be subject to General Plan Policy UD 3.2 and the City's Outdoor Lighting Control Ordinance, which would ensure that development of the BRPA does not result in new sources of substantial light. The BRPA would also include 50-foot-wide greenbelts, which, as discussed above, would serve to reduce new sources of light and glare from project-generated traffic and new reflective surfaces at surrounding existing uses.

Whereas the Proposed Project would include the development of the majority of the project site with urban uses, the BRPA would include a preserved Natural Habitat Area, comprised of 47.1 acres, which would remain undeveloped. As such, the BRPA would result in the generation of less light and glare as compared to the Proposed Project. Specifically, the Natural Habitat Area would be situated adjacent to the existing Cannery Subdivision and, thus, the BRPA would result in a reduced impact related to light and glare to residents of the foregoing area. Nonetheless, similar to the Proposed Project, because the types of lighting and the specific locations have not yet been finalized, compliance with General Plan Policy UD 3.2 and the City's Outdoor



Lighting Control Ordinance cannot be ensured without providing additional enforcement mechanisms after project approval and at the time of construction. Therefore, the BRPA could increase the amount of light and glare generated on-site, which could be visible from the surrounding residential neighborhoods and roadways in the project vicinity, including contributions to nighttime sky glow that deteriorate the “dark sky” setting of the site and surrounding environs.

Conclusion

Compliance with applicable requirements related to lighting shall be addressed through Site Plan and Architectural review, as discussed above. Nonetheless, based on the above, the Proposed Project and the BRPA could be considered to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area, and a **significant** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure is applicable to both the Proposed Project and the BRPA and would reduce the above potential impact to a *less-than-significant* level.

Proposed Project, Biological Resources Preservation Alternative

4.1-4 *In conjunction with submittal of the first tentative subdivision map for the Proposed Project or Biological Resources Preservation Alternative (BRPA), 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 address limiting light trespass and glare on the project site/BRPA site through the use of shielding and directional lighting methods, which may include, but is not limited to, fixture location and height. The lighting plan shall comply with Chapter 6 of the Davis Municipal Code- Article VIII: Outdoor Lighting Control.*

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 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 incremental contribution to night sky lighting and changes in visual character by the Proposed Project and BRPA 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 6, Statutorily Required Sections, of this EIR.

4.1-5 Have a substantial adverse effect on a scenic vista associated with development of the Proposed Project or Biological Resources Preservation Alternative in combination with future buildout of the City of Davis. Based on the analysis below, the incremental contribution of the Proposed Project and Biological Resources Preservation Alternative to the significant cumulative impact is *cumulatively considerable and significant and unavoidable*.

Because the components of the Proposed Project and the BRPA would be developed within the same overall site boundaries, the following evaluation applies to both the Proposed Project and the BRPA.

Proposed Project, Biological Resources Preservation Alternative

Due to the location of the project site/BRPA site, the geographic setting for analysis of long-term cumulative effects on scenic vistas is cumulative buildout of the project site/BRPA site in conjunction with future buildout of the City's General Plan and reasonably foreseeable development along the Mace Boulevard/East Covell Boulevard corridor. Other planned development projects in the cumulative setting for the Proposed Project and the BRPA include the Shriners Property Project, the Davis Innovation Sustainability Campus (DiSC) 2022 Project, and the Palomino Place 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, whereas the Palomino Place project site is also east of the project site, but within the City limits. 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. The Palomino Place project site consists of 25.8 acres located north of East Covell Boulevard on an existing property known as the Wildhorse Ranch and/or Duffel Horse Ranch.



Similar to the Proposed Project and BRPA, development of the Shriners Property and DiSC 2022 projects would convert existing farmland to urban uses, which would cumulatively contribute to the elimination of open expanses of farmland in the area. As discussed above under Impact 4.1-1, although such panoramic open space/agricultural views are not technically considered a scenic vista, such views are addressed as such due to their inherent qualities. As such, the loss of the aforementioned panoramic open space/agricultural views could be a significant impact. Additionally, the General Plan EIR evaluated potential impacts that could occur to the existing visual character of the planning area through development facilitated by the buildout of the City's General Plan, noting in particular that development of the project site/BRPA site, which was formerly called the Covell Center site, would alter the open space views of surrounding visible areas and contrast with the surrounding open space/agricultural environment. According to the General Plan EIR, significant views exist to the north of the site, and development within the viewshed would be considered a significant and unavoidable impact. Thus, development of the Proposed Project or BRPA, in conjunction with future development in the cumulative setting, would result in a cumulative significant impact.

Based on the above, the Proposed Project and the BRPA's incremental contribution to the cumulative significant impact related to having a substantial adverse effect on a scenic vista would be ***cumulatively considerable***.

Mitigation Measure(s)

The Proposed Project and BRPA would both result in permanent conversion of a currently open expanse of farmland to urban uses, which would be a significant incremental contribution to the cumulative impact. Feasible mitigation does not exist to reduce the above potential impact to a less than cumulatively considerable level. Therefore, the contribution of the Proposed Project and BRPA to the significant impact would remain *cumulatively considerable* and *significant and unavoidable*.

4.1-6 Conflict with applicable zoning and other regulations governing scenic quality associated with development of the Proposed Project or Biological Resources Preservation Alternative in combination with future buildout of the City of Davis. Based on the analysis below, the cumulative impact is less than significant.

Because the components of the Proposed Project and the BRPA would be developed within the same overall site boundaries, the following evaluation applies to both the Proposed Project and the BRPA.

Proposed Project, Biological Resources Preservation Alternative

As discussed above, due to the location of the project site/BRPA site, the geographic setting for analysis of long-term cumulative effects related to conflicting with zoning and other regulations governing scenic quality is cumulative buildout of the project site/BRPA site in conjunction with future buildout of the City's General Plan and reasonably foreseeable development along the Mace Boulevard/East Covell



Boulevard corridor. Other planned development projects in the cumulative setting for the Proposed Project and the BRPA include the Shriners Property Project, the DiSC 2022 Project, and the Palomino Place Project.

Similar to the Proposed Project and BRPA, the foregoing projects 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. Compliance with the foregoing policies and regulations would be ensured through the City's review and approval of the respective Planned Developments for each of the foregoing projects, consistent with Section 40.22.110 of the Davis Municipal Code. Compliance with the requirements of Section 40.22.110 would ensure that the FPDs for the aforementioned projects would include specifications related to requiring development of the projects to be consistent with all applicable plans and ordinances, and to be compatible with surrounding existing uses.

Based on the above, the Proposed Project and the BRPA, in combination with other reasonably foreseeable development, would have a **less than significant** cumulative impact related to conflicting with zoning and other regulations governing scenic quality.

Mitigation Measure(s)

None required.

4.1-7 Creation of new sources of light or glare associated with development of the Proposed Project or Biological Resources Preservation Alternative in combination with future buildout of the City of Davis. Based on the analysis below and with implementation of mitigation, the incremental contribution of the Proposed Project and Biological Resources Preservation Alternative to the significant cumulative impact is *less than cumulatively considerable*.

Because the Proposed Project and BRPA would be developed within the same overall site boundaries and the difference in light and glare generation under the Proposed Project versus the BRPA would be negligible in the cumulative context, the following evaluation applies to both the Proposed Project and the BRPA.

Proposed Project, Biological Resources Preservation Alternative

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 east and west of the project site/BRPA site.

However, cumulative development within the General Plan planning area, including the Proposed Project or the BRPA and future projects with the project vicinity, such as



Palomino Place, DiSC 2022, and Shriners Property, 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.

Additionally, as discussed under Impact 4.1-3, to ensure the Proposed Project or BRPA complies with General Plan Policy UD 3.2 and the City's Outdoor Lighting Control Ordinance, Mitigation Measure 4.1-3 of this EIR requires the developer to prepare a lighting plan, which would be subject to review and approval by the Chief Building Official and the Community Development Director and would address limiting light trespass and glare on the project site/BRPA site through the use of shielding and directional lighting methods.

Based on the above, development of the Proposed Project and BRPA, in conjunction with buildout of the Davis General Plan planning area and present and probable future projects, would be subject to the applicable requirements of the General Plan Policy UD 3.2 and the City's Outdoor Lighting Control Ordinance. However, without the implementation of Mitigation Measures 4.1-3 at the time of construction, the Proposed Project and BRPA could create a new source of substantial light or glare that would adversely affect day or nighttime views in the cumulative setting, and the contribution of the Proposed Project and BRPA to the cumulative significant impact could be ***cumulatively considerable***.

Mitigation Measure(s)

Implementation of the following mitigation measure is applicable to both development scenarios and would reduce the contribution of the Proposed Project and BRPA to the significant cumulative impact to a *less than cumulatively considerable* level.

Proposed Project, Biological Resources Preservation Alternative
4.1-7 *Implement Mitigation Measure 4.1-4.*

