

ATTACHMENT 1

Findings and Conditions of Approval

GENERAL FINDINGS FOR PROJECT APPROVAL

Davis Live Project

1. **Timeliness.** The applicant has committed through the Development Agreement to complete the project in a timely manner. The Development Agreement vests the project approval for 15 years. Improvements necessary to service the new development will be completed or substantially completed prior to the issuance of building permits. (DA Section 208.)

2. **Conformance.** The development, including the creation of a new Residential Very High designation to allow the proposed density, conforms to the General Plan in that it implements several General Plan Visions from Section III of the General Plan, including:
 - *“Value, support and nurture Davis’ individuals, families and youth; their quality of life; and the ethic of lifelong learning and contribution”* (General Plan, p. 41)
 - The project provides housing to support the student population.
 - *“Promote alternative transportation modes such as bicycling, walking, public transit and telecommuting”* (General Plan, p. 43)
 - The project promotes alternative transportation by developing housing immediately adjacent to UC Davis, within walking distance of Davis Downtown Core, and in close proximity to services. In addition, the project provides housing within the MTP/SCS Transit Priority Area on major transit routes. The project reduces vehicle parking and exceeds the City’s bicycle parking requirements, as well as providing car share options on-site.
 - *“Recognize and strengthen the positive synergistic partnership between the City and UC Davis”* (General Plan, p.43)
 - The project provides student-oriented housing immediately adjacent to the UC Davis campus.
 - The General Plan indicates that the Residential Category *“is intended to allow for residential development emphasizing compact clustered development in new areas and infill in existing neighborhoods, together with a mixture of local-serving retail and institutional uses, to meet housing demands, reduce pressure for peripheral growth and facilitate transit and bicycle/pedestrian travel.”* (General Plan, p. 75)

In addition, the General Plan notes *“Intent of "High Density" category. Projects in this category are intended to implement the "Smart Growth Principles" promoted in the Sacramento Area Regional Council of Governments (SACOG) Blueprint program including but not limited to compact development for efficiency of land usage and infrastructure; contribution to the avoidance of sprawl; and reduction of vehicle miles travelled. The projects provide for needed market-rate and affordable housing, and*

alleviate the pressure for rental housing in established low density residential neighborhoods.” (Resolution No. 16-077). The General Plan notes that High Density projects should be in locations that encourage walking, biking and public transit use and separated from low density residential uses. The General Plan also encourages quality site and architectural design, including massing and adequate setbacks.

- The project increases density at the project site, allowing infill within the existing neighborhood.
- The location of the site is within walking and biking distance of the UC Davis campus, and Downtown Davis, as well as convenient shopping and services. The site is also within a Transit Priority Area as defined by SACOG, near several transit lines, and consistent with SACOG’s MTP/SCS.
- The site design minimizes the use of the private vehicle, by reducing on-site parking and increasing bicycle parking on-site. In addition, the proposed project includes an on-site car share, as well as bike share program.
- The proposed project is taller than other buildings in the area, but the height allows the increased density to promote infill development and does not exceed the maximum height allowed by the Code. The adjacency to the UC Davis campus makes the increased height and density appropriate.
- The proposed Planned Development standards reduce setback and open space requirements, as well as increase FAR standards. As noted above, the adjacency to the UC Davis campus makes the reduced setbacks and open space in order to allow the density appropriate. The proposed plans include interior amenities and open space to offset the loss of ground level openspace. In addition, the site is not adjacent to low density residential, but surrounded by other multi-family residential projects primarily serving UC Davis students.
- Policy LU A.1 *“In infill projects, respect setback requirements, preserve existing greenbelts and greenstreets, and respect existing uses and privacy on adjacent parcels.”*
 - The proposed project provides 10-foot setbacks on all four sides. The Zoning Code generally requires a minimum of five-foot sideyards and 10-foot front and rear yards with an increase of one foot for each three feet of building height over 12 feet. This would require 30-foot sideyards and 35- foot front and rear yards for the proposed 85-foot tall building. Meeting the standard on this site would preclude the density of the project, which is otherwise consistent with the General Plan and the Council’s infill development goals. (See Policy LU 2.1 Develop and implement guidelines for infill development and Finding 12 below.) As a result, the project has been designed to meet the base setback requirements of five-foot sideyards and 10-foot front and rear yards, and provides an open amenity plaza starting on the second floor, which is open to the sky and provides interior open space. A stepped planter and informal meeting and gathering spaces at the front of the building also assist in the transition from the building height to the adjacent street.
- Policy HOUSING 1.1 *“Encourage a variety of housing types that meet the housing needs of an economically and socially diverse Davis.”*

- The project will create units of three to five bedrooms with a total of 283 bedrooms and 440 beds. The project includes 66 beds available at reduced rates to low income residents. The beds are integrated throughout the in double-occupancy rooms of the project to ensure little difference in the accommodations or experience offered to other residents.
 - Policy HOUSING 1.2 *“Strive to maintain an adequate supply of rental housing in Davis to meet the needs of all renters, including students.”*
 - The project includes rental units available to all residents but designed to meet the needs of the student population including single and double-occupancy rooms, a study lounge, extensive bike parking, and an amenity plaza.
 - GOAL HOUSING 2 *“Provide housing that is affordable for residents with low paying jobs, fixed incomes and pensions.”*
 - See discussion under Policy Housing 1.1 above.
 - Policy HOUSING 2.1 *“Strive to meet the identified current and projected local need for housing and for housing affordable to extremely low, very low, low, and moderate income household including provision of Davis’ five-year fair share of regional housing needs.”*
 - See discussion under Policy Housing 1.1 above. The project includes 15 percent of the beds (66 beds) in double-occupancy rooms as affordable, with five percent (22 beds) allocated to each category – low income, very low income, and extremely low income.
 - Policy TRANS 1.3 *“Encourage higher intensity residential, commercial, and mixed-use development near existing activity centers and along corridors well served by non-motorized transportation infrastructure and public transportation.”*
 - The proposed project is a high density student-oriented housing project adjacent to UC Davis, and within walking distance of services/amenities and Davis Downtown. The site is located on a high-quality transit corridor and the project de-emphasizes the automobile, providing more than the required secure bicycle parking for residents.
 - Standard TRANS 5.1.a *“Developments which incorporate SACOG Blueprint Principles or include shared parking beyond routine requirements shall have reduced parking requirements”*
 - The proposed project is consistent with SACOG’s MTP/SCS and is considered a Transit Priority Project. The project provides reduced parking and includes an electric vehicle car share and bike share program on-site. In addition, the project includes secured bicycle parking beyond that required by the City’s Code.
3. **Appropriateness.** The proposed project, consisting of a 71-unit, 440 bed student-oriented housing development is appropriate for the site. The site previously housed a fraternity, and the site is proximate to the UC Davis campus, other student housing, transit, and service/amenities. The proposed residential development contributes to the mix of housing types within the district and is appropriate in area, location, and overall planning for the purpose intended and the design and development standards. The development creates an environment of sustained desirability and stability with the character of the surrounding neighborhood. Public facilities and open space are adequate.

4. **Traffic and Access.** Fehr and Peers prepared a study (“traffic study”) to analyze the traffic operations that would result from development of the proposed project. The traffic study considered six intersections in the vicinity of the project, two of which are driveways (Sycamore Lane/University Mall North and Sycamore Lane/University Mall North). The traffic study looked at delay at the remaining four intersections and concluded that the project would not change the level of service at the existing intersections. Further, each intersection operates at an average LOS of between LOS A and LOS C.

The traffic study further considered the project’s impact on bicycle and pedestrian facilities, transit services and facilities, emergency access, and construction traffic. The project can be accommodated by existing bicycle and pedestrian facilities, and will have adequate emergency vehicle access. Construction traffic would not create unacceptable operating conditions. However, because project construction activities could potentially disrupt vehicle, pedestrian, bicycle, and emergency vehicle access to and from adjacent residential uses on Oxford Circle, the project has been conditioned to prepare a construction traffic control plan.

5. **CEQA.** The proposed project is exempt pursuant to Public Resources Code sections 21094.5 (Infill) and 21155.1 (Transit Priority Project) as noted in the Resolution adopting the CEQA exemptions (Attachment #2) and the supporting documentation in Attachments #6 and 7.
6. **Findings for Site Plan and Architectural Review.** Davis Municipal Code section 40.31.085 notes the following finding are required for approval of a site plan and architectural review application
 - **Consistency.** *“The proposed project is consistent with the objectives of the general plan, complies with applicable zoning regulations, and is consistent with any adopted design guidelines for the district within which the project is located”* (Section 40.31.085(a)).
 - The project is consistent with the General Plan objectives. See Finding 2 above.
 - The project is consistent with the proposed Planned Development standards. Deviations from the base zoning regulations are acceptable in order to provide the density of the proposed infill project adjacent to the UC Davis campus and near transit, amenities, and services as noted in Policy LU A.1 above.
 - **Site Suitability and Neighborhood Character.** *“The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site.”* (Section 40.31.085(b))
 - The proposed architecture, site design, and landscape are suitable for the character of the neighborhood and the community because the site is surrounded by residential rental units. The project will include a combination of masonry and stucco to coordinate with the adjacent buildings and the elevation on Russell Boulevard provides a stepped planter and gathering spaces at the building edge to serve as a symbolic as well as functional “front porch” to the project. The existing Cork Oak trees along the Russell Boulevard are a key element in the neighborhood character and will be preserved as part of the proposed project.

- As noted in Policy LU A.1 above, although the proposed project is not of the same exact character of the existing buildings, it is in character with what the City is seeking to encourage in an area across the street from the UC Davis campus and, over time, will help to transition the area. The proposed location is appropriate for increased density consistent with the City's infill goals and regional smart growth principals as outlined in SACOG's MPT/SCS. The City has made comments about the need to increase density and intensity along Russell Boulevard. The proposed project, increases the density/intensity in a manner that is compatible with and respectful of existing development.
- The proposed architecture, site design, and landscape are suitable for the use as student-oriented and multi-family uses because the building is divided into 71 units containing three to five bedrooms, a study lounge, fitness center and club room. The building features various outdoor spaces, including the front porch and an open amenity plaza starting on the second floor, above the parking level, which is open to the sky, providing interior open space.
- To ensure the project is suitable to the site and its use, the project is subject to the condition that the "final elevations, including a material and colors board, shall be reviewed and approved by the Community Development and Sustainability Department prior issuance of building permits. The submittal shall include adequate detailing of application, construction and materials proposed on all exterior architectural enhancements including but not limited to building and window trim, depth of recessed features, grout or reveal width/depth, awning materials, trellis construction, building material application such as tile/brick. Adequate detailing may necessitate the use of cross-sections." (Condition #88)
- **Compatibility.** *"The architectural design of the proposed project is compatible with the existing properties and anticipated future developments within the neighborhood in terms of such elements as height, mass, scale, and proportion."* (Section 40.31.085(c).)
 - The architectural design of the proposed project is compatible with existing, adjacent, residential uses. Although the building is taller than adjacent uses, it is compatible with both the neighborhood, which contains high density residential buildings, and implements the City Council's goals for densification and infill development and discussed above.
- **Circulation.** *"The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation."* (Section 40.31.085(d))
 - Fehr and Peers prepared a study ("traffic study") to analyze the traffic operations that would result from development of the proposed project. The traffic study considered six intersections in the vicinity of the project, two of which are driveways (Sycamore Lane/University Mall North and Sycamore Lane/University Mall North). The traffic study looked at delay at the remaining four intersections and concluded that the project would not change the level of service at the existing intersections. Further, each intersection operates at an average LOS of between LOS A and LOS C. The traffic study further considered the project's impact on bicycle and pedestrian facilities, transit services and facilities, emergency access, and construction traffic. The project can be accommodated by existing bicycle and pedestrian facilities, and will have

adequate emergency vehicle access. Construction traffic would not create unacceptable operating conditions. However, because project construction activities could potentially disrupt vehicle, pedestrian, bicycle, and emergency vehicle access to and from adjacent residential uses on Oxford Circle, the project has been conditioned to prepare a construction traffic control plan.

- **Appropriate Materials/Methods.** *“The location, climate, and environmental conditions of the site are adequately considered in determining the use of appropriate construction materials and methods, in that the project incorporates materials appropriate for the climate and site.”* (Section 40.31.085 (e))
 - As required by the Development Agreement, Exhibit G, the project will be built to LEED Gold standards, exceed California Title 24 energy standards by 15%, and be Cal Green Tier 1 and Green House Gas Reduction compliant. Residential units will be individually metered for electricity and water consumption to encourage residents to conserve. The buildings and landscaping will be designed to achieve 25% less water usage than the average household use in the region. A solar hot-water preheat and central boiler system will be included. Rooftop photovoltaic electrical panels will generate power for house energy demands, with a goal of achieving a net-zero energy profile for the site and common area spaces.

All car parking for the project is completely shaded under the building, eliminating the problem of heat island effects typical for surface parking lots. The building roof cover will be a high-albedo heat reflective “cool-roof” to minimize heat gain. Dedicated electric vehicle charging outlets will be provided in the garage to encourage use of electric vehicles, with conduit provided to all spaces to allow ease of future conversion. A fully-secure bike parking room will ensure this transportation option is fully supported and encouraged. The project’s storm water will be treated on site in surface bioretention planters.

7. **Infill Guidelines.** As substantiated by the following findings, the proposed development complies with the Interim Infill Development Guidelines (Resolution 01-156 in 2001). The project also complies with the City’s proposed Draft Guide to Infill Development Principles and Expectations released February 2017. The draft is an update and replacement of the Interim Infill Development Guidelines, but has not yet been adopted.

Interim Infill Development Guidelines (Resolution 01-156)

The following table from the Interim Infill Development Guidelines indicates conformance with each of the Interim Guidelines:

Interim Guideline	Conformance? (Yes, Yes with Conditions, No, Not Applicable)	Notes
General land use, infrastructure and fiscal principles		
<p>1. The project contributes to the development of complete and integrated neighborhoods. Examples include but are not limited to the location of housing in proximity to neighborhood shopping, employment, transit, parks, schools, greenbelts, bikeways, and other public facilities-and services. Note: It is acknowledged that a small project may have a relatively small contribution to the development of a complete and integrated neighborhood.</p>	Yes	<p>The project is the redevelopment of an existing site to locate 440 residents proximate to UC Davis, within walking distance of the Davis Downtown Core and many amenities/ services, and within SACOG MTP/SCS Transit Priority Area. It is within one-quarter mile of various transit lines and within walking distance of grocery and other shopping. For longer excursions, including trips to the San Francisco Bay Area or downtown Sacramento, the Amtrak station is only 1.7 miles from the site. The project itself includes many community-oriented features including on-site bike secure bike storage, an outdoor amenity plaza, study lounge, club room and fitness center.</p>
<p>2. The project contributes to a mix of uses in the neighborhood.</p>	Yes	<p>The project provides residential use in an area that contains both residential and commercial uses.</p>
<p>3. The project contributes to the variety of housing types, densities, prices and rents, and designs in the neighborhood, including but not limited to affordable housing.</p>	Yes	<p>The project provides 71 units, ranging in size from 1,222 to 2,052 square feet. Each unit will contain between three to five, single and double occupancy bedrooms. The beds will be rented at a variety of costs, depending on whether the unit is single or double occupancy, the size of the unit, and whether the bed is defined as an affordable bed pursuant to Exhibit E of the Development Agreement. These</p>

		options fill a need for economically diverse student-oriented housing in the area.
4. The project preserves and protects historic resources.	Yes	The prior building on site was a two-story fraternity house. The Historical Resources Management Commission determined that neither the building nor the site had historic or cultural significance.
5. Open space is integrated with new buildings to enhance living and working areas. Higher density housing is organized around usable common open space. Recreational open space and/or outdoor sitting are provided in retail, office, business park and industrial uses.	Yes	The building features various outdoor spaces, including the stepped entry feature and the open amenity plaza starting on the second floor, above the parking level, which is open to the sky, providing interior open space.
6. Sound walls are avoided where feasible by the use of alternative measures such as the strategic siting of noise sensitive land uses, organization of building and parking areas, and landscape design.	Not Applicable	The project does not include sound walls.
7. The project contributes to the efficient utilization of existing infrastructure and provision of public services.	Yes	The project is an infill site that can be served by existing pedestrian, bicycle, and vehicle transportation infrastructure. It can also be served by existing utilities.
8. The project contributes to the fiscal health of the City. If the project has a net fiscal cost to the City, the project consists of community benefits that outweigh the fiscal impact. Such community benefits may include social, cultural, or other community-serving aspects.	Yes	The project will pay all applicable development impact and connection fees, and in addition, through the Development Agreement, will include a Community Enhancement contribution. A portion of this funding will be allocated towards: roadway/pedestrian/bicycle improvements that facilitate movement of residents across to campus in the vicinity of the project site, park enhancement improvements and renovations at Oxford Circle Park and other

		proximate parks, and other community benefits.
Design with neighborhood and for compatibility		
9. The project design enhances and does not erode the existing neighborhood character. The scale of new structures on all sides is compatible with the scale and mass of existing adjacent structures. For this guideline, "compatible" does not necessarily mean the same size but does mean that appropriate scale transitions are part of the project design. These might include a stepped setback of upper stories or a breaking up large box like forms into smaller masses. Note: The intent of this guideline is to allow for intensification where encouraged and allowed under zoning while also considering the existing neighborhoods. This guideline is usually more relevant in existing residential areas and less relevant in commercial or industrial areas not adjacent to residences.	Yes	The project does not erode the design of the exiting neighborhood. The elevation on Russell Boulevard provides a stepped planter and gathering space at the building edge to serves as a symbolic as well as functional “front porch” to the project. The project includes an open amenity plaza starting on the second floor above the parking. Existing trees along the Russell Boulevard frontage would remain to retain the character of the site. Although the proposed project is not of the same exact height and intensity of the existing buildings, it is in character with what the City is seeking to encourage in an area across the street from the UC Davis campus and, over time, will help to transition the area. The proposed location is appropriate for increased density consistent with the City’s infill goals and regional smart growth principals as outlined in SACOG’s MPT/SCS. The City has made comments about the need to increase density and intensity along Russell Boulevard. The proposed project, increases the density/intensity in a manner that is compatible with and respectful of existing development.
10. The project is designed to be compatible with adjacent uses. Compatibility includes, but is not limited to, provision of privacy and protection from noise. The project should carefully consider the placement of windows, balconies, roof decks, outdoor activity areas,	Yes	The project is designed to be compatible with adjacent uses; including indoor parking, enclosed trash, and recycling. The proposed project does not include residential unit balconies that could be considered disruptive to adjacent residential receptors.

landscaped buffers, parking areas, trash facilities, etc.		
11. The project is compatible with the noise environment. Sound walls are avoided where possible.	Yes	The project does not include sound walls. The project-specific noise study prepared by Saxelby Acoustics (June 15, 2018) determined that the project would meet the City's interior noise level standards, and the central outdoor plaza would meet the City's exterior noise level standards.
Design for pedestrians, cyclists and transit users		
12. Site and building design is human scaled, comfortable, safe and convenient for pedestrians, cyclists and transit users. Access to nearby public facilities is considered, including but not limited to transit stops, neighborhood centers and arks.	Yes	The project contains bicycle transportation supportive infrastructure, including a bike parking room for 441 bikes accessible at grade level from both Russell Boulevard and Oxford Circle. Also included in the bike room is a bike maintenance and repair shop available for residents. The project is located within walking and biking distance to the Davis Downtown Core and is within a MTP/SCS Transit Priority Area. The Davis Transit Priority Area is served by Unitrans and is adjacent to the stop for lines P, Q, K, C. The project also lies within one-quarter mile of a line B stop, and within one-third mile of stops for lines J and G; all of which also offer easy access to the UC Davis campus. Grocery and other shopping at the University Mall is only 1,055 feet from the site, which would not require public transit. However, for longer excursions, the Amtrak station is approximately 1.7 miles from the site and is reachable in about 30 minutes via public transit.
13. The main entrances to buildings are clearly defined with covered	Yes	The proposed main entrance to the building is located on Russell

<p>entrances (such as a porch in a dwelling) or other pronounced architectural forms.</p>		<p>Boulevard and clearly defined. The entrance includes a stepped planter area which will serve as an outdoor gathering space and bring more life directly to the street.</p>
<p>14. Portions of buildings abutting a street or accessway relate to the street frontage through use of transparent elements including windows. Commercial buildings should be located to abut the street or other public accessway with parking located behind unless inappropriate within a contemplated site and project context. <i>Note: The latter guideline is an overall goal but individual project applicability must be considered. For example, impacts to adjacent residential must be considered as well as location and visual impact of service doors.</i></p>	<p>Yes</p>	<p>The building engages the street frontage on Russell Boulevard. The entrance includes a stepped plater area that will also serve as a gathering place to bring more life directly to Russell Boulevard.</p>
<p>15. Higher density and intensity uses are sited in areas which are conducive to alternative forms of transportation (including walking, biking and transit use) and where related facilities are readily available.</p>	<p>Yes</p>	<p>See item 12 above.</p>
<p>Design for energy, water and other resource conservation</p>		
<p>16. The project consists of an overall "green building" approach and measures including but not limited to: land planning to preserve existing features; site development to reduce erosion and minimize impervious surfaces and run-off; water conservation indoors and outdoors; energy efficient heating and cooling systems, appliances and lighting; selection of materials based on recyclability and durability; and waste reduction, re-use and recycling during construction and throughout the life of the building.</p>	<p>Yes</p>	<p>The Development Agreement, Exhibit G outlines the sustainability features of the project, including water conservation and energy efficiency measures, waste reduction, and electrical vehicle charging. Conditions of approval require compliance with current codes related to bioretention planters and other means to prevent run-off and erosion during construction and operations.</p>

<p>17. The site, building and landscape design promotes energy efficiency and alternative energy systems. Efforts to exceed minimum City and State energy efficiency standards are demonstrated. Energy efficient measures include but are not limited to: the orientation of building openings for natural heating, cooling and lighting; site planning which considers the potential shading effects on adjacent properties and buildings; and upgrades in windows and appliances.</p>	<p>Yes</p>	<p>As required by the Development Agreement, Exhibit G, the project will be built to LEED Gold standards, exceed California Title 24 energy standards by 15%, and be Cal Green Tier 1 and Green House Gas Reduction compliant. Residential units will be individually metered for electricity and water consumption to encourage residents to conserve. The buildings and landscaping will be designed to achieve 25% less water usage than the average household use in the region. A solar hot-water preheat and central boiler system will be included. Rooftop photo-voltaic electrical panels will generate power for house energy demands, with a goal of achieving a net-zero energy profile for the site and common area spaces.</p> <p>All car parking for the project is completely shaded under the building, eliminating the problem of heat island effects typical for surface parking lots. The building roof cover will be a high-albedo heat reflective “cool-roof” to minimize heat gain. Dedicated electric vehicle charging outlets will be provided in the garage to encourage use of electric vehicles, with conduit provided to all spaces to allow ease of future conversion. A fully-secure bike parking room will ensure this transportation option is fully supported and encouraged. The project’s storm water will be treated on site in surface bioretention planters.</p>
<p>18. The site, landscape and building design promotes water</p>	<p>Yes</p>	<p>As noted in 17 above, the Development Agreement, Exhibit</p>

<p>conservation. Efforts to exceed minimum city and state water conservation standards are demonstrated. Water conservation measures in landscaping include but are not limited to use of water-conserving plants, grouping plants by water requirements, limitations on turf areas, efficient irrigation, soil improvements, and mulch. Water conservation measures in buildings include but are not limited to water conserving appliances and fixtures.</p>		<p>G, requires the buildings and landscaping will be designed to achieve 25% less water usage than the average household use in the region.</p>
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Principles for the review of proposed changes from non-residential land use to residential land use

<p>19. The proposed residential use has greater feasibility, long term community benefit, and sustainability than the currently planned nonresidential use.</p>	<p>Not Applicable</p>	<p>This Guideline is not directly applicable to the proposed project because the site is not planned for nonresidential use. However, the proposed project has significantly greater feasibility, community benefit, and sustainability as compared to the prior use. The site is currently vacant and was previously a two-story fraternity house built to older code requirements and in disrepair. The prior structure preceded modern concepts of sustainability and green building methods. As described in these findings, the proposed project will incorporate substantive sustainability features. As described in the Development Agreement the project will fund \$1.55 million of new community benefits over and above major project financing fees and connections charges. The proposed project will place residents in close proximity to the university, transit stops, and local commercial opportunities.</p>
<p>20. The residential use is well-served by facilities and services. Such</p>	<p>Not Applicable</p>	<p>Although this Guideline is not applicable to the proposed</p>

<p>facilities and services include neighborhood shopping, employment, transit, parks, schools, greenbelts, bikeways and other public facilities and services. The type and density of the proposed residential use is appropriate given the location of the site in relation to facilities and services. The project contributes to the planning of a residential "neighborhood" with an identity and a complement of facilities and services rather than an isolated housing "island" or "enclave."</p>		<p>project, the project is located within a walking distance to the Davis Downtown Core and is located within a MTP/SCS Transit Priority Area. The Davis Transit Priority Area is served by Unitrans and is adjacent to the stop for lines P, Q, K, C. The project also lies within one-quarter mile of a line B stop, and within one-third mile of stops for lines J and G; all of which also offer easy access to the UC Davis campus. Grocery and other shopping at the University Mall is only 1,055 feet from the site, which would not require public transit. However, for longer excursions, the Amtrak station is approximately 1.7 miles from the site and is reachable in about 30 minutes via public transit.</p> <p>Development of the Project contributes to a high-density housing neighborhood adjacent to UC Davis housing developments now underway, as well as surrounded by existing multi-family development, consistent with requests made to UC Davis to increase densities for on-campus housing and commit to housing students of all incomes. The proposed project is in a multi-family residential neighborhood and is not isolated.</p>
<p>21. The residential use is compatible with the noise environment and air quality. Noise mitigation along major streets and/or highways does not consist of large and unattractive walls "forced in" simply to mitigate incompatible, high levels of noise or to justify use of unsuitable sites. Sound mitigation is integrated into</p>	<p>Not Applicable</p>	<p>Although this Guideline is not applicable, based on the project-specific noise study prepared by Saxelby Acoustics (June 15, 2018), sound walls are not required to ensure that the project meets the City's exterior and interior noise standards. This is due to the overall site planning,</p>

<p>the overall site planning. The proposed type of residential use allows for the provision of a well-designed sound barrier with well-designed landscaping.</p>		<p>whereby the central outdoor amenity plaza would be shielded by the new residential buildings. As demonstrated in the Transit Priority Project and Infill exemptions (see Attachments #6 and 7 to the Staff Report), the proposed project would not be subject to air quality hazards.</p>
<p>22. The proposed residential use (including its arrangement of uses on the site) is compatible with the existing and planned residential and non-residential uses in the area (that is, the characteristics of the proposed use are compatible with the characteristics of the existing uses, and vice versa). Compatibility includes, but is not limited to, the provision of privacy and protection from noise.</p>	<p>Not Applicable</p>	<p>Although this Guideline is not applicable to the proposed project, although the proposed project is not of the same exact character of the existing buildings, it is in character with what the City is seeking to encourage in an area across the street from the UC Davis campus and, over time, will help to transition the area. The proposed location is appropriate for increased density consistent with the City's infill goals and regional smart growth principals as outlined in SACOG's MPT/SCS. The City has made comments about the need to increase density and intensity along Russell Boulevard. The proposed project, increases the density/intensity in a manner that is compatible with and respectful of existing development.</p> <p>The project-specific noise study prepared by Saxelby Acoustics (June 15, 2018) determined that the project would meet the City's interior noise level standards, and the central outdoor plaza would meet the City's exterior noise level standards.</p>
<p>Car Management</p>		
<p>23. The project provides a balance between the need to provide adequate parking with the benefits of reducing automobile travel. The</p>	<p>Yes</p>	<p>The project encourages alternative uses of transportation by providing indoor secure bike parking room with a maintenance</p>

<p>project provides the minimum amount of parking needed for the proposed use. <i>Note: One example is to provide a portion of the required parking in a landscaped reserve area and not convert the area to parking until the need is demonstrated.</i></p>		<p>and repair shop and through its location adjacent to various transit opportunities. The project provides one parking space per unit, which is approximately half of what would be required for this project under the base zoning of Residential High Density. This recognizes decreasing car ownership in light of the availability of car sharing programs and encourages the use of alternative modes of transportation. (See Section V.C of the Staff Report regarding Parking Justification.)</p>
<p>24. The project promotes alternative transportation modes and helps alleviate peak hour congestion.</p>	<p>Yes</p>	<p>The project encourages alternative uses of transportation by providing indoor secure bike parking room with a maintenance and repair shop and through its location adjacent to various transit opportunities. The project provides one parking space per unit, which is approximately half of what would be required for this project under the base zoning of Residential High Density. The traffic study prepared for the proposed project demonstrates that peak hour traffic from the proposed project does not result in a reduction in level of service.</p>
<p>25. The project implements, as appropriate, transportation management plans and related measures to encourage alternative transportation, reduce parking demand and construction, decrease the likelihood of parking spillover onto on-street parking, minimize the parking and traffic impact on the neighborhood, and provide improved services to residents and employees. The following measures or equivalents should be included as</p>	<p>Yes</p>	<p>The project includes many features and commitments that satisfy these criteria.</p> <ul style="list-style-type: none"> i. The project is oriented to UC Davis students who receive free transit service as part of their undergraduate enrollment. ii. The proposed project is exclusively residential. The proposed reduced vehicle parking and the proposed increased bicycle parking are

<p>part of a project proposal (recognizing that the number and extent of measures utilized will be based on factors including the type, size and location of the project):</p> <ul style="list-style-type: none"> i. Free annual transit passes for residents and employees ii. A shared parking agreement between different uses, such as offices and dwellings iii. Shared use of cars or bicycles iv. Vouchers for free cab rides for special emergencies v. Promotion of web-based delivery services to avoid personal vehicle trips vi. Secured, weather-protected bicycle parking vii. Provide parking for residents or employees off-site viii. Provide tandem or elevator parking spaces ix. The mix of units includes smaller units to reduce the impacts of the number of residents and cars, in addition to providing a more diverse mix of housing opportunities. x. A portion, up to 50%, of required parking is placed in a reserve and maintained as landscaping (where such landscaping does not include trees or other semi-permanent plantings) and requires an application prior to any future conversion to active parking. The portion of spaces placed in a reserve is based on factors including the proposed use, location (such as proximity to UCD), on-street parking availability and transit availability. 		<p>structured to support the specific needs and demands of the project.</p> <ul style="list-style-type: none"> iii. The project includes the provision of a minimum of two parking spaces for the electric car sharing service of Envoy. In addition, a bike share service will also be offered. iv. The project does not include free cab vouchers; however, in addition to the car sharing described above, the City is currently served by two app-based ride hailing services which are demand priced and widely available. v. This measure is applicable to commercial projects. vi. 441 secured indoor bicycle parking spaces are provided. vii. Off-site parking is not provided. The reduced vehicle parking and the proposed increased bicycle parking are structured to support the specific needs and demands of the project. viii. Tandem or elevator spaces are not provided and are not appropriate for the proposed project. ix. The proposed project includes units with three to five bedrooms in both single and double occupancy. x. The proposed project provides half the required parking for the development; however, does not hold any in reserve. The reduced parking and the proposed increased bicycle parking are structured to support the specific needs and demands of the project.
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Citizen Involvement		
19. [sic] The applicant has made a good faith effort to obtain input from interested citizens and respond to the concerns.	Yes	The project applicant has had numerous meetings with members of the public and has requested a second hearing before the Planning Commission to address CEQA, parking, affordability, and other concerns raised by members of the public and the Commission.

Draft Guide to Infill Development Principles and Expectations (released February 2017)

The draft Principles for the planning and design of infill development projects are a guide for City review of discretionary planning applications. The Draft Guide notes that projects should be reviewed for consistency with the Principles; however, the City needs to balance the Principles with other factors, and that not all Principles apply to every project, nor does a project need to be consistent with every Principle. The following is a list of the draft Principles and a statement about the project’s consistency.

- *Principle #1: Existing Assets: Value and efficiently use existing buildings, site, neighborhood and other physical assets.*
 - The project utilizes existing infrastructure by locating near existing transportation, shopping, UC Davis, and employment centers. The high-density residential development improves the efficiency of the parcel and the existing infrastructure.
- *Principle #2: Sustainable Design: Use an overall “sustainable” or “green” building and site design approach to be environmentally-responsible and resource efficient.*
 - As required by the Development Agreement, Exhibit G, the project will be built to LEED Gold standards, exceed California Title 24 energy standards by 15%, and be Cal Green Tier 1 and Green House Gas Reduction compliant. Residential units will be individually metered for electricity and water consumption to encourage residents to conserve. The buildings and landscaping will be designed to achieve 25% less water usage than the average household use in the region. A solar hot-water preheat and central boiler system will be included. Rooftop photovoltaic electrical panels will generate power for house energy demands, with a goal of achieving a net-zero energy profile for the site and common area spaces.
- *Principle #3: Open Space: Incorporate open space into site design to conserve resources, improve connections, enhance livability and promote recreation.*
 - The site is a one-acre infill parcel located directly adjacent to Oxford Circle Park. The project will include on-site informal meeting and gathering spaces at the edge fronting Russell Boulevard and an outdoor amenity plaza for group gatherings, outdoor fitness, study and socializing. In addition, the proposed project includes areas for studying and lounging on each floor.
- *Principle #4: Compactness: Create environments that are compact and use space efficiently and aesthetically.*
 - The project would result in a compact, efficient, aesthetically pleasing development in full satisfaction of this criterion. The project is a high-density infill residential apartment building designed to maximize the available area of

the one-acre site on which it is situated. It will provide a 440-bed living space, with indoor bike parking for 441 bikes, together with various community spaces. The project encourages walking, biking and the use of transit through building compacts and efficiently on a major transportation, corridor. In addition, the proposed building design aesthetically and actively engages pedestrians along the Russell Boulevard frontage with a stepped planter that can also serve as a gathering space.

- *Principle #5: Mixed Use: Promote a mix of residential, commercial and industrial land uses to create active, vital neighborhoods in contrast to single use neighborhoods.*
 - The proposed project does not include mixed use; however, the project site is located within an area of mixed uses. The site is immediately adjacent to the UC Davis campus and located within walking, biking, and transit distance to Davis Downtown. Grocery and other shopping at the University Mall is only 1,055 feet from the site.
 - *Principle #6: Diverse Housing: Create a variety of housing opportunities to provide for a variety of needs and incomes.*
 - The project will result in by-the-bed rental housing affordable to a variety of income levels. The project includes different room configurations and sizes and includes a commitment to 15 percent overall affordability in perpetuity. The affordability plan is provided as Exhibit E of the Development Agreement.
 - *Principle #7: Balanced Transportation: Provide for the transportation needs of all people while promoting active transportation, safety, comfort, health, convenience and sustainability.*
 - The project provides one indoor secured bike parking space per bed, in excess of the City's requirements and also reduces the number of vehicle parking spaces to encourage the use of alternative transportation. In addition, the project will include two electric vehicles available for shared use by all residents.
 - *Principle #8: Community Enhancement and Aesthetics: Design for community enhancement and quality aesthetics.*
 - The building will be masonry and stucco building and subject to final review by the Community Development and Sustainability Department. The project will include outdoor spaces including a stepped planter and informal meeting and gathering spaces at the building edge fronting Russell Boulevard and the main City east-west bike path. The project will also include amenity plazas for group gatherings and other activities.
 - *Principle #9: Safety: Promote safety, security and public health through design.*
 - As demonstrated in the Infill and Transit Priority Project analyses (Attachments #6 and #7 to staff report), the project will not expose future residents to adverse noise or air quality effects.
8. **1% Percent Growth Consistency.** The project is consistent with City Council Resolution No. 08-019, which established a target of 1% as an annual growth cap for residential development for the following reasons. First, the City Council finds that this project will provide an extraordinary community benefit, and therefore should not be counted toward the 1% growth cap, as permitted by Resolution No. 08-019. The project

meets these standards because it will provide very high density, student-oriented housing immediately adjacent to the UC Davis campus and in close proximity to transit and other services. This project will help to improve the supply of rental housing in the City, where the current rental vacancy is approximately 0.2%, will provide rental options for individuals seeking housing within the City who do not have family or roommates to offset the cost of renting a single unit, and will do so in a location close to campus that will minimize the impact to existing residential neighborhoods. Second, even if this project were counted toward the 1% growth cap, it would not, when combined with currently approved projects, lead the City to exceed the 1% growth cap, based on anticipated development schedules. Third, in the event that the 1% growth cap has not been exceeded in prior years, the City Council has the discretion to carry forward the number of multifamily units that could have been built in prior years, and accumulate the total allowable number of units. This provision allows the City Council to count the 160 multifamily units projected to be built in the Sterling project toward prior years' allocations, which would result in well below the 1% growth cap for all other pending/approved projects over the next five years, even if the project were counted toward this 1% growth cap.

9. **Affordable Housing.** The City's affordable housing ordinance (Section 18.05.060(b)) gives the City Council the discretion to allow a rental housing development of more than 20 units to provide a minimum of 15 percent affordability based on the number of units, bedrooms or beds. In making its determination on whether to allow a project to provide rental affordable housing in this manner, the City Council will consider certain factors as set forth in Section 18.05.060(b)(1)-(9). The project proposes an affordable housing plan (Davis Live Dream) that is compliant with this requirement and would result in affordability on a per bed basis to the following income categories: 5 percent extremely low, 5 percent very low, and 5 percent low. The project will implement the Davis Live Dream program, which is provided as Exhibit E to the Development Agreement, for the life of the project. In allowing the project to provide affordable housing in this manner, the City considered the following factors which are set forth in Section 18.05.060(b):
 - *Whether the market rate component and/or the affordable component of the proposed development is anticipated to meet a specific housing need as identified in the city's housing element or general plan policies.* This project will provide both affordable and market rate housing to students. Student housing is specifically called out in the City's general plan and housing element as a need in the City.
 - *Whether the market rate units are anticipated to provide housing to low or moderate income households through the incorporation of design components that will encourage greater affordability including reduced unit sizes and reduced utility costs.* The rental by the bed offers an opportunity for individuals to rent living accommodations for less than would be possible if they were seeking to rent a small apartment on their own. This rental structure provides a certain level of "affordability by design", even for the market rate units.

- *The extent to which the proposed development furthers other land use goals of the city, including, but not limited to, reductions in the need for private vehicles and the encouragement of development consistent with the Metropolitan Transportation Plan/Sustainable Communities Strategy adopted for the Sacramento region by the Sacramento Area Council of Governments. This project is a Transit Priority Project that is consistent with the MTP/SCS.*
- *Whether the affordable component is provided on a bed or bedroom basis, that encourages greater integration of the affordable and market rate components of the project. This project provides the affordable housing on a bed basis, with the eligible residents fully integrated into the units with access to the same amenities that are available to the market rate residents.*
- *The affordability mix shall have a target of five percent low, five percent very low and five percent extremely low recognizing that the number of units, bedrooms or beds may be adjusted up or down based on the income and rent levels proposed. The project is consistent with this affordability target.*

10. **General Welfare.** The General Plan Amendment will not adversely impact the general welfare of residents or businesses within the area in that the type and density of the proposed project is consistent with the City's goals for infill development due to the project's proximity of the project to UC Davis, transit, and services/amenities. The proposed project will not adversely impact the health and safety of the residents or business within the area because, as shown in the support for the CEQA exemptions (Attachments #6 and #7 to the staff report), environmental impacts beyond those identified in the General Plan will not occur with the application of conditions of approval, including those related to air quality, noise, and traffic.

CONDITIONS OF APPROVAL

Davis Live

I. GENERAL CONDITIONS, FEES, AND TIME LIMITS

1. **Approval.** This approval allows improvements that consists of a multi-family residential student-oriented building containing 71 units. The approval allows the development of the subject site with a residential structure of seven stories totaling 85 feet in height, and would include a mix of three to five-bedroom fully-furnished units, each with a floor space ranging from 1,222 square feet (sf) to 2,052 sf. Of the 283 total bedrooms included in the project, 126 bedrooms would be designed as double-occupancy rooms with attached bathrooms; thus, the total beds for the project is 440. The approved project would also include the construction of a leasing and management office, indoor secure bike parking room with a maintenance and repair shop, an “amenity plaza” for group gathering, outdoor projection wall, fitness center and yoga facility, club room, study lounge, and a top-floor interior resident lounge. Parking would be provided for both vehicles and bicycles, with 71 vehicle parking spaces, 441 secure bicycle parking spaces, and 92 short-term bicycle parking spaces.
2. **Development Agreement.** This project is subject to that certain Development Agreement between the City of Davis and 525 Oxford LLC, as approved by the City Council.
3. **Permit Expiration.** The Davis Live project shall become null and void upon expiration of the Development Agreement if substantial construction in good faith reliance on the approval has not commenced.
4. **Applicant’s Responsibility to Inform.** The applicant shall be responsible for informing all subcontractors, consultants engineers, or other business entities providing services related to the project of their responsibilities to comply with all pertinent requirements herein in the City of Davis Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City as well as hours of operation requirements in the City.
5. **Indemnification.** The applicant shall defend, indemnify, and hold harmless the City of Davis, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City of Davis concerning this approval, including but not limited to any approval of condition of approval of the Planning Commission or City Council. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees and agents in the defense of the matter.
6. **Conflicts.** When exhibits and/or written conditions of approval are in conflict, the written conditions shall prevail. In the event of a conflict between the provisions of these conditions of approval and the Development Agreement, the terms of the Development Agreement shall prevail.

7. **Duplicates.** In the event of duplicate conditions of approval and there shall be no issues and one of duplicate conditions of approval may be deleted. However, in the event that the duplicate conditions of approval provisions differ, then, the more restrictive conditions of approval shall prevail.
8. **Run With The Land.** The terms and conditions of this approval shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors, and assignees of the property owner.
9. **Other Applicable Requirements.** The project approval is subject to all applicable requirements of the Federal, State, City of Davis and any other affected governmental agencies, such as the applicable mitigation measures included as conditions below, performance standards, and criteria in SACOG's MTP/SCS EIR and City's General Plan EIR, as indicated in the Infill Checklist Appendix N pursuant to PRC Section 210094.5, the Transit Priority Project pursuant to PRC Section 21155.1 analysis, and analyses prepared for the project. Unless otherwise provided in the Development Agreement, approval of this request shall not waive compliance with all sections of the Municipal Code, all other applicable Federal, State and City Ordinances, and applicable Community or Specific Plans or Design Guidelines in effect at the time of building permit application. The duty of inquiry as to such requirements shall be upon the applicant.
10. **Fees.** The developer shall obtain all appropriate permits, if any, and pay all required fees and fees as specified in the Development Agreement, and other applicable fees not addressed in the Development Agreement.
11. **Development Impact Fees.** The developer shall pay the appropriate fees established in the Major Projects Financing Plan pursuant to the General Plan, except as specified in the Development Agreement. Final fee categories shall be as adopted by the City Council in the Major Project Financing Plan and shall be paid at the time of certificate of occupancy or as otherwise required by law, except as specified in the Development Agreement.
12. **School Impact Fees.** The owner shall pay school facilities fees to the Davis Joint Unified School District (DJUSD), in the current amount adopted by the DJUSD at the time building permits are issued.
13. **Sewer and Water Connection Fees.** Water Connection and Sewer Connection fees shall be paid as specified in the Development Agreement, or as required by law.
14. **Signage.** Project signage shall be reviewed under a separate application. All signage shall comply with the requirements of Zoning Ordinance Section 40.26.020 for signs and shall require review and approval by the Department of Community Development and Sustainability Department, and installation paid for by the applicant. Signage consistent with an approved sign program or the citywide sign design guidelines may be processed as a Minor Improvement.

15. **Fire Safety Requirements.** Plans shall be submitted to the Fire Department for review and approval prior to issuance of building permits. All new development shall comply with the fire safety requirements of the California Fire Code and California Building Code as adopted by the City of Davis.
16. **Police Safety Requirements.** Plans shall be submitted to the Police Department for review and approval prior to issuance of building permits. All new development shall comply with the City Building and Security Ordinance and other safety recommendations and requirements regarding building security, prior to issuance of building permits.
17. **Environmental Sustainability Implementation Plan.** The applicant shall comply with all commitments of Exhibit G of the Development Agreement at the time of building permit, including, but not limited to confirmation that the project as designed will achieve LEED Gold equivalent rating, confirmation that the building is 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations, and confirmation that the building and landscaping are designed to achieve 25 percent less water usage than the average household use in the region.
18. **Contingencies.** This project is contingent upon the adoption of General Plan Amendment Resolution and Rezone/Planned Development Ordinance, which permits the land use change.
19. **Compliance with Conditions of Approval.** Prior to issuance of Certificate of Occupancy, conditions of approval and required improvements deemed necessary for a Certificate of Occupancy shall be completed or secured by the applicant to the satisfaction of the Community Development & Sustainability Department.

II. ZONING STANDARDS

23. **Development Standards.** The project's development standards shall comply with those established for as part of the PD adopted for the Davis Live Project and as may be amended in the future.
24. **Outdoor Amenities.** The use of the various outdoor amenities shall comply with the City's Noise Regulations, Municipal Code Chapter 24.
25. **Affordable Housing.** The project shall comply with Article 18.05 of the Davis Municipal Code by providing affordable beds in accordance with the Affordable Housing Plan set forth as Exhibit E to the Development Agreement.
26. **Security Plan.** Prior to final or occupancy of the project, the applicant shall submit a final security plan for review by the Police Department and Community Development & Sustainability Department.
27. **Property Maintenance.** Property owner(s) is/are responsible for maintaining all building, bike facility, yards, structures, parking areas and other improvements in such a manner, which does not detract from the appearance of the surrounding area. Driveways and parking

areas shall be maintained in an attractive and suitable fashion with any potholes, significantly cracked or uneven paving and any other significant damage repaired in a timely fashion throughout the life of the project. This condition shall be noted on the site plan.

28. **Landscape Maintenance.** The property owner shall be responsible for the installation and maintenance of all landscaping, including street trees, from the back of the curb to their project. All utility lines (water lines), if currently operated by the City, shall be disconnected and patched into the developments irrigation system.

III. DEMOLITION, GRADING, SITE DEVELOPMENT, AND SITE PLAN

Prior to Grading or Site Disturbance for Purposes of Construction

29. **Biological Clearance Application.** Prior to issuance of a grading, building permit, or other improvement activities on the site, a biological clearance application shall be submitted by the applicant for review by the City. The study shall be consistent with City ordinances and shall address whether there are endangered and/or protected species on the site. The applicant shall implement all mitigation measures that are identified as required as a result of the survey. The survey shall be conducted not less than thirty days prior to any grading activity. A discing permit may be required.
30. **Construction Waste Recycling.** Project shall comply with the City's Construction and Demolition Ordinance for diversion of construction and demolition waste from the landfill, through recycling, reuse and or waste reduction. Compliance shall be demonstrated as set forth in section 32.04.080 of the Davis Municipal Code. Prior to issuance of building permit, the applicant shall submit to the City for review and approval a Construction Waste Recycling Program for the project including provisions for participation in the County Wood Waste Reduction program or equivalent. The recycling program should include the recycling and re-use of all construction materials and garbage generated by the construction work, such as shipping boxes and packing materials, beverage containers, metal scraps, etc.
31. **Construction Management Plan.** Prior to issuance of any permit or inception of any construction activity on the site, the developer shall submit a construction impact management plan including a project development schedule and "good neighbor" information for review and approval by the Community Development and Public Works Departments. The plan shall include, but is not limited to, public notice requirements for periods of significant impacts (noise/vibration/street or parking lot closures, etc.), special street posting, construction vehicle parking plan, phone listing for community concerns, names of persons who can be contacted to correct problems, hours of construction activity, noise limits, dust control measures, and security fencing and temporary walkways. Work and/or storage of material or equipment within a City right-of-way shall be reviewed on a case-by-case basis and is subject to review and approval of the City Engineer. Such use of the right-of-way may require a separate Encroachment Permit.
32. **Construction Traffic Control Plan.** Before commencement of any construction activities for the project site, the project applicant shall prepare a detailed Construction Traffic Control

Plan (CTCP) and submit it for review and approval by the City Department of Public Works. The applicant and the City shall consult with local emergency service providers for their input before approving the CTCP. At a minimum, the CTCP shall include:

- The number of truck trips, time, and day of street closures;
- Time of day of arrival and departure of trucks;
- Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting;
- Provision of a truck circulation pattern;
- Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas);
- Maintain safe and efficient access routes for emergency vehicles;
- Manual traffic control when necessary;
- Proper advance warning and posted signage concerning street closures; and
- Provisions for bicycle and pedestrian safety.

A copy of the CTCP shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.

33. **Erosion Control Plan Required.** An Erosion Control plan shall be prepared by a registered Civil Engineer, for review and approval by the City Engineer prior to commencement of construction of improvements. This plan shall incorporate the following requirements:
- a. This plan will include erosion control measures to be applied during the rainy season (the months of October through April, inclusive). These measures may include limitations on earth moving activities in sensitive areas during this time period.
 - b. This plan will include methods of revegetating denuded earth slopes as soon as feasible. Revegetation will be accomplished by a method which reseeds and temporarily protects the ground so that 90% germination is achieved. Future building pads are not subject to this requirement, although measures will be required to contain sediments.
 - c. The developer shall implement wind erosion and dust control measures to be applied on a year-round basis. This shall include an effective watering program to be implemented during earth moving activities. Erosion control measures may include limitations on earth moving activities in sensitive areas during the rainy season.
 - d. All sediments generated by construction activities shall be contained by the use of sediment traps, such as silt fences, settling basins, perimeter ditches, etc.
 - e. When building construction will be delayed beyond the next rainy season, the developer shall provide erosion control measures on each individual lot.

- 33A. **Grading Plan.** The Applicant shall submit a final grading plan for the project prepared by a registered Civil Engineer, concurrent with the improvement plans for review and approval of the City Engineer. The Applicant shall provide information showing where all proposed grading cuts/fills will occur within the canopy of any existing trees to remain to the Urban Forest Manager. All accessibility features and bicycle access routes are to be clearly delineated on the site.

34. **Pre-Construction Meeting.** Prior to the start of any work on-site, the applicant shall request and attend a preconstruction meeting to include project general contractor, owner representative, as well as City representatives including Community Development and Sustainability and Public Works Departments.

Plan Check Review

35. **Exterior Lighting.** All exterior residential lighting shall be directed so as to not adversely impact traffic or adjacent sites. Light standards should generally not exceed 15 feet in total height and shall comply with the provisions of the City’s Outdoor Lighting Control Ordinance as well as the City’s Security Ordinance. A detailed on-site lighting plan, including a photometric diagram and details of all exterior light fixtures shall be reviewed and approved by the Community Development & Sustainability Department and Police Department prior to the issuance of permits.

36. **Perimeter Fencing:** Applicant agrees to construct perimeter fencing or other improvements, subject to the approval of the Parks and Community Services Director, where any lots of this Development abut any existing or proposed public lands, including drainage ponds, drainage channels, greenbelts, and/or parks. Applicant agrees to construct said fencing at the time of building construction on each of the respective lots, and also agrees that City may withhold final occupancy approval on any such abutting lots, until such fencing is constructed.

Applicant agrees to prepare sketches and plans for such perimeter fencing, including proposed location, subject to the review and approval of the Community Development Department prior to issuance of the first building permit.

Applicant further agrees that the fencing shall be installed on private property adjacent to the property line.

Applicant and City agree that the maintenance of the fencing and/or soundwalls is the responsibility of the private property owner on this project and provisions for said such maintenance shall be included in the Covenants, Conditions, and Restrictions (only to the extent that there are CC&R's for a given project).

37. **Cultural Resources.** The following statement shall be included on all construction documents: “If any subsurface historic remains, prehistoric or historic artifacts, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, all work within 100 feet of the find shall cease, the City of Davis Department of Community Development and Sustainability shall be notified, and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the find(s). If tribal resources are found during grading and construction activities, the applicant shall notify the Yocha Dehe Wintun Nation.

The archaeologist shall define the physical extent and the nature of any built features or artifact-bearing deposits. The investigation shall proceed immediately into a formal evaluation to determine the eligibility of the feature(s) for inclusion in the California Register of Historical Resources. The formal evaluation shall include, at a minimum, additional exposure of the feature(s), photo-documentation and recordation, and analysis of the artifact assemblage(s). If the evaluation determines that the feature(s) and artifact(s) do not have sufficient data potential to be eligible for the California Register, additional work shall not be required. However, if data potential exists (e.g., an intact feature is identified with a large and varied artifact assemblage), further mitigation would be necessary, which might include avoidance of further disturbance to the resource(s) through project redesign. If avoidance is determined to be infeasible, additional data recovery excavations shall be conducted for the resource(s), to collect enough information to exhaust the data potential of those resources.

Pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Data recovery efforts can range from rapid photographic documentation to extensive excavation depending upon the physical nature of the resource. The degree of effort shall be determined at the discretion of a qualified archaeologist and should be sufficient to recover data considered important to the area's history and/or prehistory.

Significance determinations for tribal cultural resources shall be measured in terms of criteria for inclusion on the California Register of Historical Resources (Title 14 CCR, §4852[a]), and the definition of tribal cultural resources set forth in Public Resources Code Section 21074 and 5020.1 (k). The evaluation of the tribal cultural resource(s) shall include culturally appropriate temporary and permanent treatment, which may include avoidance of tribal cultural resources, in-place preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. Any re-burial shall occur at a location predetermined between the landowner and the Yocha Dehe Wintun Nation. The landowner shall relinquish ownership of all sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Yocha Dehe Wintun Nation for proper treatment and disposition. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.”

38. **Trash Enclosures.** Trash enclosures shall comply with the City's Stormwater Management and Discharge Control Ordinance (Ordinance) as amended over time. In addition, all required trash enclosure areas shall be constructed with a minimum 6' high wall and shall have a self-closing gate constructed of solid metal materials and attached to posts embedded in concrete. Stormwater runoff shall not be permitted to run on into the trash area. The trash enclosure shall have a solid roof cover. The enclosure area shall be constructed to drain to the sanitary sewer. Details of trash enclosure design shall be submitted for review and approval by the Community Development & Sustainability Department and Public Works Department prior to the issuance of building permits. Trash enclosure and recycling areas shall be adequately screened from public view and shall be architecturally compatible with proposed building design by utilizing consistent materials and colors.

39. **Recology.** Documentation of approval from Recology for the quantity, location and size of proposed project trash and recycling enclosures shall be submitted with the building permit application. Times and locations for garbage and green waste storage adjacent to streets may be limited through the use of signage or other means. Provisions for such limitations shall be submitted with the improvement plans and shall be subject to review and approval of the City Engineer. If signage is used to limit storage, Applicant shall pay for installation of signs.
40. **Water Capacity Study.** The applicant shall provide a water supply study to ensure that the water supply infrastructure is adequate to serve the project needs to City standards. To the extent modified infrastructure is needed, the modifications are the responsibility of the applicant. The water supply study shall be submitted for the review and approval of the City Engineer.
41. **Sewer Capacity Study.** The applicant shall provide a sewer capacity study to ensure that the sewer infrastructure is adequate to serve the project needs to City standards. To the extent modified infrastructure is needed, the modifications are the responsibility of the applicant. The sewer capacity study shall be submitted for the review and approval of the City Engineer.
42. **Utility Plan.** A utility plan shall be approved by all applicable utility providers prior to the issuance of permits for any building. The applicant shall prepare a final site plan and elevations of all on-site mechanical equipment (including HVAC condensers, transformers, switch boxes, backflow devices, PG&E transformers, etc.) and specifics of how such equipment shall be screened from public view. This plan, with an approval stamp from the City of Davis Community Development & Sustainability Department, shall be submitted by the applicant to the utility provider for review. Any necessary changes or deviations from the approved utility location and/or screening shall be reviewed by the Community Development & Sustainability Department prior to installation and may be subject to discretionary Design Review processing and fees by the Community Development & Sustainability Department.
43. **Size and Locations** All sizes, locations and grades of the utilities, including private common utilities to serve this project shall be subject to the review and approval of the City Engineer. Concurrent with submission of the improvement plans, Applicant shall submit improvement plans for the public improvements subject to review and approval of the City Engineer.
44. **Easements** Utilities located within common access areas shall be privately owned and maintained. Provisions shall be made for easements for common access, drainage, utilities, and provisions for maintenance and repair of any shared utilities, driveways, or walkways. These provisions shall be subject to the review and approval of the Public Works Director and/or the City Attorney, and recordation of grant deeds and reservations shall be completed prior to the issuance of certificate of occupancy.
45. **Equipment Screening.** All ground mounted utility appurtenances such as transformers, AC condensers, backflow devices, etc., shall be located out of public view and adequately screened in such a manner as to minimize the visual and acoustical impact. To the extent

possible, equipment shall be located behind the building setback, on the side of the building or outside public view. Equipment within public view shall be screened to the satisfaction of the Community Development and Sustainability Director and may include a combination of landscaping and/or masonry or lattice walls or berms. All gas and electrical meters shall be concealed and/or painted to match the building.

46. **Textured/Colored Pavement.** Textured/colored pavement may be provided across all driveways' entrances. They could be of brick/tile pavers, exposed aggregate, integral color concrete, colored asphalt, or any combination thereof. Full samples shall be submitted to the Community Development & Sustainability Department for review and approval prior to the issuance of building permits.
47. **Encroachment Permit Required.** All work within the public right-of-way (ROW), including but not limited to utilities and grading, shall be explicitly noted with the building plans. The applicant shall obtain all necessary encroachment permits from the City of Davis Public Works Department prior to issuance of building permits for all work and construction that encroach within or over the public right-of-way, including, but not limited to: balconies, fire ladders, outdoor restaurant seating, bike racks, water meters, backflow devices, signs and curb/gutter/sidewalk improvements.
48. **Soils Report.** Applicant shall provide soils report concurrent with submission of improvement plans. Prior to the issuance of permits, the applicant shall have a soils investigation report prepared and the applicant shall comply with all recommendations contained within the report.
49. **Backflow Prevention Equipment.** Backflow prevention devices may be required. Prior to issuance of building permits for any activities within the project site, plumbing plans shall be submitted subject to the review and approval of the City Engineer.
50. **Grading Plan Review.** Prior to approval of grading plans for this project, the applicant shall satisfy the City Engineer that the proposed grading will not adversely affect adjacent properties. In addition, retaining walls shall be provided by the developer wherever the grade differential between adjacent lots is 0.5 feet or greater. Masonry retaining walls shall be provided when such grade differential is 1.0 feet or greater.
51. **Project Identification and Street Addresses.** Applicant shall provide address numbers subject to the review and approval of the City Engineer in consultation with the City's Emergency Services Department at the time of submittal of the improvement plans.
52. **Street Lighting.** Final street lighting design, including location and number of fixtures, are subject to the review and approval of the City Engineer.
53. **Bicycle Parking.** The following shall be incorporated into the interior secured bicycle parking area to the satisfaction of the City's Bicycle/Pedestrian Coordinator:
 - a. The internal circulation shall provide adequate maneuvering and ease of access for users.

- b. Access shall be provided to the bicycle room on the west side of the building with two entry doors along a lighted, paved path.
- c. Space for 8 to 10 larger bicycles shall be provided within the secured bicycle parking area.

During Construction

54. **Construction Times and Noise Impacts.** The developer/applicant shall be responsible for informing all subcontractors and construction crews about construction start and finish times including appropriate ambient noise impacts consistent with City Code and of all applicable mitigation measures.
55. **Air Quality/Ozone Precursors/TACs During Construction.** The following actions shall be taken during construction to minimize temporary air quality impacts:
- a. An effective dust control program should be implemented whenever earth-moving activities occur on the project site. In addition, all dirt loads exiting a construction site within the project area should be well watered and/or covered after loading. (YSAQMD Handbook)
 - b. Apply water or dust palliatives on exposed earth surfaces as necessary to control dust emissions. Construction contracts shall include dust control treatment in late morning and at the end of the day, of all earth surfaces during clearing, grading, earth moving, and other site preparation activities. Non-potable water shall be used, where feasible. Existing wells shall be used for all construction purposes where feasible. Excessive watering will be avoided to minimize tracking of mud from the project onto streets. (YSAQMD Handbook)
 - c. Grading operations on the site shall be suspended during periods of high winds (i.e. winds greater than 15 miles per hour).
 - d. Outdoor storage of fine particulate matter on construction sites shall be prohibited.
 - e. Contractors shall cover any stockpiles of soil, sand and similar materials. (YSAQMD Handbook)
 - f. Construction-related trucks shall be covered and installed with liners and on the project site shall be swept at the end of the day. (YSAQMD Handbook)
 - g. Revegetation or stabilization of exposed earth surfaces shall be required in all inactive areas in the project. (YSAQMD Handbook)
 - h. Vehicle speeds shall not exceed 15 miles per hour on unpaved surfaces.
 - i. The contractor shall ensure that all off-road diesel-powered equipment over 25 horsepower to be used in the construction of the project (including owned, leased, and subcontractor equipment) shall meet California Air Resources Board (CARB) Tier 4 emissions standards or cleaner. (YSAQMD Handbook)
 - j. Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB. (YSAQMD Rule 3.3)
 - k. Construction equipment and engines shall be properly maintained in proper working condition according to manufacturer's specifications.
 - l. Vehicle idling, including diesel equipment, shall be kept below 5 minutes. (YSAQMD Handbook)

- m. Construction activities shall utilize new technologies to control ozone precursor emissions, as they become available and feasible. (YSAQMD Handbook)
- n. To the extent possible, construction equipment shall be equipped with catalysts and filtration (diesel particulate filters). Where an option exists between two similar pieces of equipment, the newer and/or more controlled piece of equipment shall be used.
- o. During smog season (May through October), the construction period shall be lengthened so as to minimize the number of vehicles and equipment operating at the same time.
- p. Comply with all applicable air quality regulations including 17 CCR 93105. (17 CCR 93105)

56. Noise and Vibration Reduction Practices. The applicant shall employ noise-reducing construction practices. The following measures shall be incorporated into contract specifications to reduce the impact of construction noise:

- a. All equipment shall have sound-control devices no less effective than those provided on the original equipment. No equipment shall have an un-muffled exhaust.
- b. As directed by the City, the developer shall implement appropriate additional noise mitigation measures in order to meet the 86 dBA threshold including, but not limited to:
 - o Use of electric construction equipment as an alternative to diesel-powered equipment to the extent feasible;
 - Changing the location of stationary construction equipment;
 - Shutting off idling equipment;
 - Rescheduling construction activity;
 - Notifying adjacent residents in advance of construction work;
 - Installing acoustic barriers around stationary construction noise sources;
 - Installing temporary barriers between the project site and adjacent sensitive receptors
- c. Any compaction required less than 26 feet from the adjacent structures shall be accomplished by using static drum rollers which use weight instead of vibrations to achieve soil compaction.
- d. Additionally, the project would use drilled piles for foundation construction instead of impact pile driving. The project is prohibited from using impact pile driving.

57. Trash Maintenance. The entire site shall be kept free of trash or debris at all times.

Prior to Final/Completion

58. Record Drawings. The Applicant's engineer shall prepare Record Drawings that accurately indicate the completed grades. A pad certification letter shall be provided after completion of grading operations. Reproducible mylar copies of the Record Drawings shall be provided to the City after completion of all improvements.

On-Going

59. Backflow Equipment. Backflow prevent valve wheels and stems shall be maintained in a manner that enables inspection in order to determine whether or not the valve is open.

60. Undeveloped Site Maintenance. The applicant shall be responsible for the ongoing maintenance and upkeep of undeveloped portions of the project site in accordance with the

City of Davis Municipal Code. The applicant shall consult with Public Works for use of Best Management Practices to manage erosion control on the site.

IV. STORM WATER AND DRAINAGE

61. **Storm Water Drainage.** The proposed development and project applicant shall comply with the City's Stormwater Management and Discharge Control Ordinance.
62. **Storm Water Pollution Prevention Plan.** This project may be subject to State requirements for a Storm Water Pollution Prevention Plan (SWPPP). If the project disturbs 1 acre or more of soil, the developer shall file a Notice of Intent (NOI) with the State. The SWPPP shall be prepared by a State Certified Qualified SWPPP Developer (QSD). A copy of the SWPPP, NOI and WDID number shall be submitted subject to the review and approval of the City Engineer prior to disturbance of soil or the issuance of the first permit, whichever occurs first. In the event of a SWPPP not being required, the applicant and developer shall provide a full erosion and sediment control plan which shall include management of construction and demolition debris, materials and trash management, street frontage cleaning, downstream drainage inlet protection, stabilized entrance, and spill response control.
63. **Storm Water System Sizing.** The storm water design calculations for detention and water quality require review at the full design level. These systems may increase in size pending full review of the design at time of construction documents.
64. **Storm Water Quality Plan.** The applicant and developer shall provide prior the issuance of building permits subject to the review and approval of the City Engineer a complete SW Quality Diagram the provides all of the following:
 - a. The total area of the project site.
 - b. The total amount of impervious surface proposed versus that which is existing on the site.
 - c. All site design measures as outlined in Section E.12.b. and E.12.e.(ii)(d) used to reduce runoff from the site for the 85th percentile 24 hour storm event.
 - d. All drainage shed boundaries (DMA) and corresponding methods for treatment of runoff (treatment control methods).
 - e. Direction of all drainage on the site within each DMA.
 - f. Calculations which demonstrate that treatment control methods are appropriately sized for either volumetric or flow based treatment for each drainage shed the measures are proposed to treat.
 - g. All bioretention areas for each DMA shall be shown on the plan along with cross sections of the subsurface soils appropriately engineered to accommodate retention of the remaining runoff after site design measures have been implemented.
 - h. Calculations and design features which demonstrate that the hydromodification requirements of Section E.12.f. of the Phase II Small MS4 General Permit have been met.
65. **Stormwater Calculations.** The storm water quality design calculations for retention shall need to be confirmed to be consistent with the standards of Section E.12.f. of the Phase II Small MS4 General Permit. The developer/applicant shall provide calculations with the submittal of the construction plans with the application for a building permit to demonstrate consistency with this standard. The developer/applicant may be required to go through additional discretionary permits if the proposed retention systems are required to be modified in order to comply with standards of the Phase II Small MS4 General Permit. The applicant

and developer shall assume all risk and responsibility for all associated costs and time with redesign and obtaining additional discretionary permits.

66. **Stormwater Quality Maintenance.** A stormwater maintenance plan shall be provided subject to the review and approval of the City Engineer prior to the issuance of the building permits. The maintenance plan shall contain details for how the treatment control measures and bioretention areas shall be maintained for the life of the project. The maintenance plan shall also include annual inspections of the treatment control and bioretention areas. The maintenance plan shall be required to be included with the title documents for the property and run with the land and subsequent title holders. If CC&Rs are developed for the properties, the maintenance plan shall also be included with the CC&Rs for all title holders on the project. Occupancy is contingent upon the approval of the maintenance plan.
67. **Drainage Plan Required.** An on-site drainage plan to serve the subdivision shall be submitted for review and approval of the City Engineer concurrent with the subdivision improvement plans. On-site drainage improvements shall be designed to collect and convey the 10% storm flows. Final calculations for the 10% and 1% storm events shall be provided.
68. **Supporting Plantings.** All supporting plantings and supporting supplementary irrigation for all bioretention areas and treatment control measures shall be included in a landscape plan set subject to review and approval of the City Engineer prior to the issuance of building permits. No plant species identified on the California Invasive Plant Inventory Database shall be permitted on site.

V. FIRE SAFETY

69. **Fire Department Requirements.** Prior to the issuance of permits, the owner/developer shall obtain approval from the fire department that:
 - a. All necessary public services, including water service and fire hydrants, meet fire department standards; and
 - b. Vehicle access is sufficient to accommodate fire department equipment and fire sprinklers are provided in any building over 5,000 square feet.
 - c. Buildings exceeding 3 stories or 30 feet in height require two means of fire apparatus access.
 - d. Where the vertical distance exceeds 30 feet, approved aerial fire apparatus access roads shall be provided.
 - e. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders.
 - f. Provide required hydrants on the plans.
 - g. Buildings which are 5 stories will require NFPA 13 system.
 - h. Indicated stairwells on plans to have roof fire access
70. **Fire Access.** All Fire Department access and fire lanes shall be posted as “No Parking, Fire Lane.” Signage, paint and location are subject to review and approval by the Fire Department.

71. **EVA.** Bollards, entry gates and other obstructions shall be subject to review and approval of the Fire Department.

72. **Fire Access During Construction.** Prior to completion of streets, building permits may be issued, provided fire vehicle access is maintained to all hydrants and from hydrants to all structures prior to commencing wood construction.
- a. Details of Fire Department access to hydrants and structures shall be approved by the Fire Department.
 - b. Where structures are built or under construction, all adjacent streets shall be paved or graveled.

VI. PUBLIC IMPROVEMENTS

73. **Improvements.** Developer shall implement recommended improvements contained in the Development Agreement and mitigation measures, subject to the review and approval of the City Engineer.

74. **Roadway Improvements.** Developer shall provide roadway improvement plans, and detailing proposed grind and overlay roadway rehabilitation, intersection improvements at Wake Forest Drive, and Oxford Circle, striping plans, subject to the review and approval of the City Engineer. Roadway Improvements shall be complete after private improvement are complete, and prior to the issuance of certificate of occupancy.

75. **Bike Path, and Sidewalk.** Developer shall modify/replace any sidewalk or bike path adjacent to the parcel that does not meet the American Disabilities Act (ADA) requirements

76. **Driveway Exit Arrows.** Driveway exit lanes will require Right Turn/Left Turn arrows to be placed on private property.

VII. LANDSCAPING AND TREES

77. **Tree Modification Permit.** A Tree Modification Permit is required prior to removal of the trees or pruning of any protected trees.

- a. 1 Fig, 28 Italian Cypress, and 8 Chinese Hackberry Trees, as shown in Attachment #9, may be removed subject to the following:
 - The applicant shall comply with the City’s Tree Preservation Ordinance to mitigate for the removal of trees of significance (5” or greater dbh) or other protected trees on the property. Mitigation may include replanting the equivalent dbh of the removed trees on-site or off-site, or an in- lieu fee payment to the Tree Preservation Fund prior to issuance of building permits, as determined by the Urban Forest Manager and Community Development and Sustainability Department. Replacement trees shall be shown and included in the construction documents.
- b. 4 Cork Oaks and 2 Chinese Hackberry Trees, as shown in Attachment #9, shall be preserved by implementing the following:

- Indicate surveyed trunk locations and tree protection zones (TPZ's) on all construction plans for trees to be preserved. Note, where infrastructure is located within protection zones, indicate a modified tree protection zone (MTPZ) as close to infrastructure as possible (minimize overbuild).
- Engage the Consulting Arborist to revise development impact assessment (as needed) for trees to be preserved once construction plans are drafted.
- Tree preservation measures should be indicated on all construction plans.
- Avoid grading, compaction, trenching, rototilling, vehicle traffic, material storage, spoil, waste or washout or any other disturbance within tree protection zones (TPZ's or MTPZ's).
- Conduct a meeting to discuss tree preservation guidelines with the Consulting Arborist and all contractors, subcontractors and project managers prior to the initiation of demolition and construction.
- Prior to any construction activity on site, identify (tagged) trees to be preserved and install tree protection fencing in a circle centered at the tree trunk with a radius equal to the defined tree protection zone (see table) or as indicated on the construction plans for MTPZ's. Tree protection fences should be made of chain link with posts sunk into the ground. These fences should not be removed or moved until construction is complete. Avoid soil or above ground disturbances within the fenced area.
- Any pruning required for construction or recommended in the arborist report should be performed by an ISA Certified Arborist or Tree Worker. Pruning for necessary clearance should be the minimum required to build the project and performed prior to demolition.
- Any work that is to occur within the protection zones of the trees should be monitored by the Consulting Arborist.
- If roots larger than 1.5 inches or limbs larger than 3 inches in diameter are cut or damaged during construction, contact Consulting Arborist as soon as possible to inspect and recommend appropriate remedial treatments.
- All trees to be preserved should be irrigated once every two weeks during non-Winter months to uniformly wet the soil to a depth of at least 18 inches under and beyond their canopies.

78. Landscape Plan Required. Detailed landscape and irrigation plans shall be submitted and approved by the Community Development and Sustainability and Parks and Community Services Departments prior to the issuance of building permits. Landscape plans shall specify the following:

- a. Location, size and quantity of all plant materials;
- b. A plant legend specifying species type (botanical and common names), container size, maximum growth habit, and quantity of all plant materials;
- c. Location of all pavements, fencing, buildings, accessory structures, parking lot light poles, property lines, and other pertinent site plan features;
- d. Planting and installation details and notes including soil amendments;
- e. Existing trees on site shall be identified. Identification shall include species type, trunk diameter at 4'-6" above adjacent grade, and location on site. Trees planned for removal or relocation shall be marked on the plans, methodology to preserve trees in place shall be provided on the plans;

- f. Details of all irrigation (drip and sprinkler) as well as all equipment such as backflow, controller and meter devices identified;
- g. Two deep watering tubes per tree planted in an isolated parking lot planter island.
- h. Two large shade trees shall be planted, one at the southeast and another at the southwest corner of the building.

79. **Maintenance Statement.** The following statement shall be included on the final landscape plan set: “All landscaped areas shall be maintained in perpetuity upon completion and kept free from weeds and debris and maintained in a healthy, growing condition and shall receive regular pruning, fertilizing, mowing and trimming. Any damaged, dead, diseased, or decaying plant material shall be replaced within 30 days. Significant trimming or pruning will not be permitted without prior City approval.

80. **No Thorny Plants Near Paths.** No plants with thorns or barbs shall be planted within 5 feet of a walking path or the public right-of-way.

81. **Tree Planting.** All trees shall be a minimum of 15 gallons in size. All trees shall be planted and staked in accordance with Parks and Community Services Department standards. All parking lot trees shall be irrigated with a minimum of two deep watering tubes.

82. **Landscaping Standards.** Shrubs shall be a minimum of 5 gallons in size. Ground cover may be 1 gallon or less in size. Ground cover areas shall be supplemented with additional larger size materials to provide variation and texture.

83. **Accent Landscaping.** Bark and other surface materials may be utilized in planter areas as a mulch or accent material. Large areas that utilize only bark, decomposed granite, or other surface/mulch material are not acceptable and shall include shrubs, trees and groundcover to provide variation, texture and shade.

84. **Water Efficient Landscaping Requirements.** The project shall comply with the Water Efficient Landscape requirements of the City as required by the State. Verification of compliance with this ordinance shall be to the satisfaction of the Community Development & Sustainability Department and shown on the building permit plans set with the irrigation plan.

85. **Irrigation Systems.** All plant materials, including ground cover shall be serviced with an automatic irrigation system. All irrigation systems shall be subject to review and approval by the Community Development & Sustainability Department and the Public Works Department prior to issuance of permits.

86. **Landscaping Inspection.** Landscaping shall be installed consistent with the approved landscape plan prior to final certificate of occupancy and inspected by Planning staff. All trees shall be planted and staked in accordance with Parks and Community Services Department standards.

IX. BUILDING DESIGN AND SUSTAINABILITY

87. **Approved Building Design.** The final elevations, including a material and colors board, shall be reviewed and approved by the Community Development and Sustainability Department prior issuance of building permits. The submittal shall include adequate detailing of application, construction and materials proposed on all exterior architectural enhancements including but not limited to building and window trim, depth of recessed features, grout or reveal width/depth, awning materials, trellis construction, building material application such as tile/brick. Adequate detailing may necessitate the use of cross-sections.
88. **Approval Letter.** The applicant shall attach a full copy of the approved project letter to the Building Application Submittal.
89. **Water Submetering.** The applicant shall install separate smart water submeters for all units and applicable spaces. Smart water meters will help tenants understand in real time when, where, and how much water (in gallons) they are consuming on a daily basis.
90. **EV Charging.** Electric Vehicle (EV) charging: As per Davis Electric Vehicle Charging Plan requirements, approved by City Council by resolution on February 23, 2017 (<R:\City Clerk\Resolutions\Approved Resolutions\2017\17-023 - EV Charging Plan.pdf>), this project is required to provide:
- Level 1 charging at 5% of all spaces (min 2 spaces): 5% of 71 total spaces = 3.55 spaces or 4 spaces Level 1 (multiple spaces can be served by a single charger).
 - Level 2 charging at 1% of all spaces (min 1 parking space): minimum = 1 space.
 - Conduit adequate for 25% Level 2 spaces: 25% of 71 spaces = 17.75 total spaces minus one above = minimum Level 2 conduit to 17 additional spaces.
 - Room in panels and capacity to serve 20% of all spaces with Level 1 (14 spaces total) and 5% of Level 2 (4 spaces total).
91. **Light Fixtures.** All wall mounted building lighting shall be submitted for review and approval by the Community Development & Sustainability Department prior to issuance of permits. All lighting fixtures shall be complementary to the building architecture. Outdoor lighting shall be low wattage, the minimum necessary to light the intended area, and fully shielded to minimize off-site glare.
92. **Roof Mounted Equipment.** All roof appurtenances, including air conditioners and other roof mounted equipment and/or projections (excluding photovoltaic systems) shall be screened from view and the sound buffered from adjacent properties and streets. Such screening shall be architecturally integrated with the building design to the satisfaction of the Community Development & Sustainability Department prior to the issuance of building permits.
93. **Water and Energy Conservation Plan.** The applicant shall prepare and implement a resident Information and Incentive Plan for Water and Energy Conservation subject to review and approval of the Director of Community Development and Sustainability, as set forth in the Development Agreement.

X. CEQA MITIGATION MEASURES FROM MTP/SCS EIR AND GENERAL PLAN EIR

Applicable MTP/SCS EIR Mitigation Measures

94. Design structures to avoid or reduce impacts resulting from glare.

The implementing agency shall require measures that would minimize and control glare from land use and transportation projects through the adoption of project design features that reduce glare. These features include:

- limiting the use of reflective materials, such as metal;
- using non-reflective material, such as paint, vegetative screening, matte finish coatings, and masonry;
- screening parking areas by using vegetation or trees;
- using low-reflective glass; and
- complying with applicable general plan policies or local controls related to glare. **(MTP/SCS EIR Mitigation Measure AES-2)**

95. Design lighting to minimize light trespass and glare.

The implementing agency shall require measures that would impose lighting standards that ensure that minimum safety and security needs are addressed and minimize light trespass and glare. These standards include the following:

- minimizing incidental spillover of light onto adjacent private properties and undeveloped open space;
- directing luminaries away from habitat and open space areas adjacent to the project site;
- installing luminaries that provide good color rendering and natural light qualities; and
- minimizing the potential for back scatter into the nighttime sky and for incidental spillover of light onto adjacent private properties and undeveloped open space. **(MTP/SCS EIR Mitigation Measure AES-3)**

96. Design projects to be visually compatible with surrounding areas.

The implementing agency shall require measures that minimize contrasts in scale and massing between the project and surrounding natural forms and developments. Strategies to achieve this include:

- avoiding large cuts and fills when the visual environment (natural or urban) would be substantially disrupted;
- siting or designing projects to minimize their intrusion into important viewsheds;
- using contour grading to match surrounding terrain;
- developing transportation systems to be compatible with the surrounding environments (e.g., colors and materials of construction material; scale of improvements);

- avoiding the use of non-native landscaping; if exotic vegetation is used, it should be used as screening and landscaping that blends in and complements the natural landscape;
- protecting or replacing trees in the project area;
- using grading that blends with the adjacent landforms and topography;
- landscaping new slopes and embankments with compatible grasses, shrubs, and trees to soften cuts and edges; and
- designing new structures to be compatible in scale, mass, character, and architecture with existing structures. **(MTP/SCS EIR Mitigation Measure AES-6)**

97. Reduce the visibility of construction-related activities.

The implementing agency shall reduce the visibility of construction-related activities by taking the following (or equivalent) actions:

- restricting construction activities to permitted hours in accordance with local jurisdiction regulations;
- locating materials and stationary equipment such as generators, compressors, rock crushers, cement mixers, etc. as far from sensitive receptors as possible;
- locating materials and stationary equipment in such a way as to prevent glare, light, or shadow from impacting surrounding uses and minimize blockage of scenic resources; and
- reducing the visibility of construction staging areas by fencing or screening these areas with low-contrast materials consistent with the surrounding environment. **(MTP/SCS EIR Mitigation Measure AES-8)**

98. Re-vegetate exposed earth surfaces.

The implementing agency shall minimize short-term visual impacts of construction by requiring project sponsors to re-vegetate slopes and exposed earth surfaces at the earliest opportunity during construction. **(MTP/SCS EIR Mitigation Measure AES-11)**

99. Minimize contrasts between the project and surrounding areas.

The implementing agency shall ensure that projects use natural landscaping to minimize contrasts between the projects and surrounding areas. Wherever possible, the implementing agency shall develop interchanges and transit lines at the grade of the surrounding land to limit view blockage. Project designs shall contour the edges of major cut-and-fill slopes to provide a more natural-looking finished profile. **(MTP/SCS EIR Mitigation Measure AES-12)**

100. Replace and renew landscaping along roadway corridors and development sites.

The implementing agency shall ensure that project sponsors replace and renew landscaping to the greatest extent possible along corridors with transportation improvements and at development sites. The implementing agency shall ensure that landscaping is planned in new corridors and developments to respect existing natural and man-made features and to

complement the dominant landscaping of surrounding areas. **(MTP/SCS EIR Mitigation Measure AES-13)**

101. Adhere to ARB Handbook siting guidance to the maximum extent possible.

Where sensitive land uses or TAC sources would be sited within the minimum ARB-recommended distances, a screening-level HRA, and, if warranted, a site-specific HRA shall be conducted to determine, based on site-specific and project-specific characteristics, all feasible mitigation and best practices. Identified feasible mitigations and best practices shall be implemented. The HRA protocols of the applicable local air districts shall be followed or, where a district/office does not have adopted protocols, the protocol of SMAQMD or CAPCOA shall be followed. Best practices shall be applied as recommended and applicable, to reduce the impact to a less-than-significant level where feasible. The HRA should give particular attention to the nature of the receptor, recognizing that some receptors are particularly sensitive (e.g., schools, day care centers, assisted living and senior centers, and hospitals) and may require special measures. Examples of best practices that studies have suggested to be effective include:

- install, operate, and maintain in good working order a central heating, ventilation, and air conditioning (HVAC) system or other air intake system in the building, or in each individual unit, that meets or exceeds a minimum efficiency reporting value (MERV) of 13 and includes either high efficiency particulate air (HEPA) filters or American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE) certified 85 percent or higher;
- install passive (drop-in) electrostatic filtering systems, especially those with low air velocities (i.e., 1 mile per hour [MPH]) as a part of the HVAC project HVAC system(s);
- maintain, repair, and/or replace the HVAC system on an ongoing and as needed basis or shall prepare an operation and maintenance manual for the HVAC system and the filter, for inclusion in the Covenants, Conditions and Restrictions (CC&Rs) for residential projects and a separate homeowners manual;
- orient air intakes away from TAC sources or provide shields or buffers to the maximum extent possible; maintain a vegetative barrier between new residential units consisting of tree species with year-round foliage and a porosity of 20 or 40 percent wherever feasible; and
- use tiered tree planting between roadways and sensitive receptors wherever feasible, using native, needed (coniferous) species, ensure a permanent irrigation source, and provide permanent funding to maintain and care for the trees.

Additionally, implementing agencies should contact SMAQMD and/or CAPCOA for the most current list of best practices for limiting exposure of sensitive receptors to substantial TAC concentrations consistent with the ARB Handbook. **(MTP/SCS EIR Mitigation Measure AIR-1)**

102. Avoid, minimize, and mitigate impacts on special-status wildlife species.

Measures that shall be implemented, where feasible and necessary to avoid site-specific impacts, to reduce the impacts to special-status wildlife species include but are not limited to:

- Projects covered by conservation plans or that are able to utilize take permits under such plans shall abide by the terms of the plan/permit. For all other projects and for non-covered species the following shall apply, dependent on the findings of the project specific biological resources assessment.
- A biological resources assessment for specific project proposed will be prepared in areas containing, or likely to contain, habitat for special-status species in areas where potentially suitable habitat would be removed or disturbed by project activities.
- Where federally or stated listed species will be affected by construction activities, the project applicant will adhere to regulatory guidelines and policies that identify specific avoidance and minimization measures to insure that these actions do not result in the take of a listed species, except as authorized under a USFWS Biological Opinion or Incidental Take Permit or a CDFG Incidental Take Permit.
- If special-status species or their habitat are found and cannot be avoided during construction, the project applicant will consult with CDFW, USFWS, and/or NMFS, as appropriate depending on species status, to determine the appropriate avoidance, minimization and mitigation measures for direct and indirect impacts that could occur as a result of project construction and will implement the measures to minimize the impact. Minimization and mitigation measures may include implementation of seasonal work windows to avoid or minimize impacts to wildlife species, implementation of a workers environmental awareness training, implementation of buffer areas to minimize disturbance, biological construction monitoring, and preservation, restoration, or creation of special-status wildlife habitat, where appropriate and feasible. If habitat compensation is required, mitigation will occur at an agency approved mitigation bank or through individual mitigation locations as approved by USFWS and/or CDFW. Examples of representative minimum replacement ratios are presented below in Table 1 [Table 6.12 of the MTP/SCS EIR]. A mitigation and monitoring plan will be developed describing how unavoidable losses of special status wildlife will be compensated. The mitigation and monitoring plan will include how the site will be monitored and the duration of monitoring until the mitigation is considered to be successful.
- All mitigation areas should be preserved in perpetuity through either fee ownership or a conservation easement held by a qualified conservation organization or agency, establishment of a preserve management plan, and guaranteed long-term funding for site preservation through the establishment of a management endowment.

The implementing agency would require applicants to mitigate at the above ratios or greater depending on habitat quality, other impacts to the species, and other factors deemed important by the agencies.

The following are species specific mitigation measures typically implemented and implementation will be dependent on the findings of project-specific biological resources assessment.

<p>Table 1 Examples of Minimum Replacement Ratios and Typical Mitigation for Wildlife Habitat</p>
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Species	Creation/Restoration Mitigation Component
Vernal pool fairy shrimp and vernal pool tadpole (would mitigate for other vernal pool species) ¹	<p>Preservation: 2:1 (for direct or indirect impacts) in approved banks, 3:1 in non-bank.*</p> <p>Creation/ Restoration: 1:1 (2:1 if based on Service evaluation of site-specific conservation values) in approved banks, 2:1 in non-bank.*</p> <p>*Mitigation ratios for non-bank mitigation may be adjusted to approach those for banks based on Service evaluation.</p>
Valley elderberry longhorn beetle ²	<p>Transplant directly affected shrubs to a USFWS approved conservation bank and purchase conservation credits depending on stem size and shrub location</p> <p>Plant seedlings and associated riparian at stem placement ratios from 1:1 to 8:1, depending on stem size and shrub location.</p>
California tiger salamander	No net loss of habitat through restoration, preservation, or compensation.
California red-legged frog	No net loss of habitat through restoration, preservation, or compensation.
Sierra Nevada yellow-legged frog	No net loss of habitat through restoration, preservation, or compensation.
Giant garter snake ³	<p>Preservation: All replacement habitat must include both upland and aquatic habitat at a ratio of 2:1 upland acres to aquatic acres</p> <p>Creation/Restoration: From 1:1 to 3:1 depending on nature of impact.</p>
Burrowing owl ⁴	<p>Varies depending on site conditions, consultation with CDFW is required.</p> <p>Create artificial burrows if necessary. Prepare a mitigation management plan and vegetation management goals in consultation with CDFW.</p>
Swainson's hawk ⁵	Depending on nest location with respect to project (typically 0.5:1 to 1.5:1), or participate in County sponsored Swainson's Hawk Mitigation Program if developed.

¹ Mitigation ratios are based on the Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans Within the Jurisdiction of the Sacramento Field Office, California (Service file number 1-1-96-F-1) (USFWS, 1996).

² Conservation Guidelines for Valley Elderberry Longhorn Beetle (USFWS, 1999).

³ Programmatic Consultation with the U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake within Butte, Colusa, Glenn, Fresno, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter and Yolo Counties, California (Service file number 1-1-F-97-149) (USFWS, 1997).

⁴ Staff Report on Burrowing Owl Mitigation (CDFG, 2012).

⁵ Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG, 1994).
Source: Compiled by Ascent Environmental in 2015.

Birds

If the proposed project identifies potential for burrowing owl or identifies burrowing owl burrows to be affected by project activities, the following measures will be implemented where feasible and necessary to address site-specific impacts:

- Pre-construction surveys for burrowing owls will be conducted in areas supporting potentially suitable habitat and within 30 days prior to the start of construction activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site will be resurveyed. The project Biologist will conduct surveys for burrowing owls in accordance with protocols established in the Staff Report on Burrowing Owl Mitigation (CDFG, 2012).
- If burrowing owls are detected, disturbance to burrows will be avoided during the nesting season (February 1 through August 31). Buffers will be established around occupied burrows in accordance with guidance provided in the Staff Report on Burrowing Owl Mitigation. Buffers around occupied burrows will be a minimum of 656 feet (200 meters) during the nesting season, and 160 feet (100 meters) during the non-breeding season.
- Outside of the nesting season (February 1 through August 31), passive owl relocation techniques will be implemented if approved by CDFW. Owls would be excluded from burrows in the immediate impact zone within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors will be in place at least 48 hours prior to excavation to insure the owls have departed.
- The work area will be monitored daily for one week to confirm owl departure from burrows prior to any ground-disturbing activities.
- Where possible, burrows will be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe will be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.

Swainson's hawk minimization measures:

If the proposed project identifies potential for Swainson's hawk or identifies Swainson's hawk nest(s) to be affected by project activities, the following measures will be implemented where feasible and necessary to address site-specific impacts:

- If construction activities occur between February 1 and August 31, the implementing agencies will conduct surveys for Swainson's hawk in accordance with the Swainson's Hawk Technical Advisory Committee 2000 guidelines (SHTAC, 2000), or current guidance. Surveys will cover a minimum of a 0.5-mile radius around the construction area. If nesting Swainson's hawks are detected, a 0.5-mile no disturbance buffer will be established. Buffers will be maintained until a qualified Biologist has determined that the young have fledged and are no longer reliant upon the nest or parental care for survival.

- If potential nesting trees are to be removed during construction activities, removal will take place outside of Swainson’s hawk nesting season and the implementing agencies will develop a plan, in consultation with CDFW, to replace known nest trees at a ratio of 3:1. If replacement planting is implemented, monitoring will be conducted annually for five years to assess the mitigation’s effectiveness. The plan will include a performance standard for the mitigation that results in a no net loss of nesting habitat.
 - If available, the implementing agencies will participate in a Swainson’s Hawk Mitigation Program to compensate for loss of foraging habitat. If no such program exist, the implementing agencies will consult with CDFW so that affected foraging habitat is replaced at a ratio that results in a no net loss of foraging habitat.

Other raptors (e.g., white-tailed kite, northern harrier, owls), minimization measures:

In order to eliminate or reduce impacts to nesting raptor the following mitigation measures are required where feasible and necessary to address site-specific impacts:

- Conduct construction related activities near suitable raptor nesting habitat in the non-breeding season (August 16 to February 14) to the extent practicable.
- If project construction activities, including ground disturbing activities, vegetation trimming or tree removal are scheduled to occur between February 15 and August 15, a pre-construction survey will be conducted within a 500-foot radius of the site to survey for nesting raptors, including ground-nesting raptors (i.e., northern harrier). The survey(s) will occur within seven days of start of construction. If no nesting raptors are found, then no further mitigation is required. If nesting raptors are found the following measures will be implemented:
 - If nesting raptors are found, the nests and nest trees will be protected with a no construction buffer determined by the project Biologist so that “no take” occurs. The no construction buffer will remain until the young have fledged and are no longer reliant on the nest site or parental care or until the project Biologist determines that the nest is no longer in use.
 - If MBTA protected species are found nesting, the nests and nest tree/shrub/structure will be protected by a no-construction buffer as determined by the project Biologist so that “no take” occurs and/or until young have fledge and are no longer reliant on the nest site or parental care.

If nests are detected, the implementing agencies will establish buffers around nests that are sufficient to ensure that breeding is not likely to be disrupted or adversely impacted by construction. No-disturbance buffers around active nests will be a minimum of 250 feet, unless a qualified Biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered for determining buffer size will include: the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until a qualified Biologist has determined that young have fledged and are no longer reliant upon the nest or parental care for survival. **(MTP/SCS EIR Mitigation Measure BIO-1b)**

103. Avoid, minimize, and mitigate impacts to wildlife corridors or native wildlife nursery sites.

Measures that shall be implemented at a project-level, where feasible and necessary to address site-specific impacts to wildlife corridors or native wildlife nursery sites include but are not limited to:

- Projects covered by conservation plans or that are able to utilize take permits under such plans shall abide by the terms of the plan/permit. For all other projects and for non-covered species the following shall apply.
- Implementing agencies will design projects such that they avoid and minimize direct and indirect impacts to wildlife corridors and/or native wildlife nursery sites. Design considerations may include but would not be limited to the following:
 - constructing wildlife friendly overpasses, underpasses, bridges and/or culverts that are integrated with appropriate roadside fencing that maintains animals off the road and direct them towards crossing structures;
 - using wildlife friendly fences that allow larger wildlife such as deer to get over, and smaller wildlife to go under;
 - limiting wildland conversions in identified wildlife corridors or native wildlife nursery sites; and
 - retaining wildlife friendly vegetation in and around developments,
 - avoid the nursery season during construction.
- For projects that cannot avoid significant impacts to wildlife movement corridors or wildlife nursery areas, implementing agencies will consult with CDFW to determine appropriate measures to minimize direct and indirect impacts that could occur as a result of the proposed project and will implement measures to mitigate impacts to wildlife corridors or native wildlife nursery sites.
- For projects that require the placement of stream culverts in a fish spawning stream, the implementing agencies will follow the USACE, NMFS, USFWS and CDFW permit conditions and design requirements to allow fish passage through the culverts.
- For projects in or adjacent to riparian corridors, project design will maximize distance of lighting from riparian corridors and direct light sources away from the riparian corridor. Night lighting of trails along riparian corridors should be avoided. **(MTP/SCS EIR Mitigation Measure BIO-2)**

104. Avoid, minimize, and mitigate for impacts on protected trees and other biological resources protected by local ordinances.

Measures that shall be implemented, where feasible and necessary to address site-specific impacts, to ensure that the proposed project is consistent with local ordinances protecting trees and other biological resources include but are not limited to:

- Projects covered by conservation plans or that are able to utilize take permits under such plans shall abide by the terms of the plan/permit. For all other projects and for non-covered species the following shall apply.
- A biological resources assessment for specific projects proposed will be prepared in areas containing, or likely to contain, protected trees or other locally protected biological resources (e.g., streams, wetlands, and sensitive natural communities).

- Implementing agencies should design projects such that they avoid and minimize direct and indirect impacts to protected trees and other locally protected resources where feasible, as defined in Section 15364 of the CEQA Guidelines.
- At a minimum, qualifying protected trees (or other resources) will be replaced at ratios included in the local general plan, local policies, city or county codes in locally approved mitigation sites.
- As part of project-level environmental review, implementing agencies will ensure that projects comply with the most recent general plans, policies, and ordinances, and conservation plans. Review of these documents and compliance with their requirements will be demonstrated in project-level environmental documentation.

Review of these documents and compliance with their requirements should be demonstrated in project-level environmental documentation. **(MTP/SCS EIR Mitigation Measure BIO-3)**

105. Reduce soil erosion and loss of topsoil through erosion control mitigation and SWPPP.

The implementing agency shall require the development and implementation of detailed erosion control measures, consistent with the CBC and UBC regulations and guidelines and/or local NPDES, to address erosion control specific to the project site; revegetate sites to minimize soil loss and prevent significant soil erosion; avoid construction on unstable slopes and other areas subject to soil erosion where possible; require management techniques that minimize soil loss and erosion; manage grading to maximize the capture and retention of water runoff through ditches, trenches, siltation ponds, or similar measures; and minimize erosion through adopted protocols and standards in the industry. The implementing agency should also require land use and transportation projects to comply with locally adopted grading, erosion, and/or sediment control ordinances beginning when any preconstruction or construction-related grading or soil storage first occurs, until all final improvements are completed.

If a local grading, erosion, and/or sediment control ordinance or other applicable plans or regulations do not exist, the jurisdiction should adopt ordinances substantially addressing the foregoing features and apply those ordinances to new development projects. **(MTP/SCS EIR Mitigation Measure GEO-1)**

106. Require new development to provide necessary infrastructure to charge electric vehicles.

To address this impact, where feasible and necessary to address site-specific impacts, the lead agency shall (1.) require all new single-family residential developments to install conduit necessary for the installation of charging infrastructure for electric vehicles for the use and charging of electric vehicles at the place of residence; and, (2.) require all new multi-family residential developments to install both necessary conduit and charging equipment for electric vehicles. All charging infrastructure and equipment shall be sufficient to meet or exceed electric vehicle supply equipment (EVSE) installation requirements of CALGreen Tier 1. **(MTP/SCS EIR Mitigation Measure ENE-1)**

107. Require new development to comply with local GHG reduction plans that contain measures identified in the Scoping Plan.

The implementing agency should require development and transportation projects to comply with locally-adopted GHG reduction plans that, at a minimum, specifically address measures in the Scoping Plan aimed at reducing GHG emissions. Local plans should include local targets to help the state achieve the AB 32 goal of reducing 5 MMtCO₂e from cities and counties, which also will result in reduced reliance on oil and natural gas from residential, commercial, industrial, and public land uses, as well as transportation.

If a local GHG reduction plan does not exist, the jurisdiction should adopt a plan with the foregoing features and apply such plan to new development projects. **(MTP/SCS EIR Mitigation Measure ENE-2)**

108. Manage stormwater runoff and other surface drainage.

Measures that shall be implemented at a project-level, where feasible and necessary to address site-specific impacts, to reduce the impacts to hydrological resources, include but are not limited to:

- The implementing agency should require projects to direct stormwater run-off and other surface drainage into an adequate on-site system or into a municipal system with capacity to accept the project drainage. This should be demonstrated by requiring consistency with local stormwater drainage master plans or a project-specific drainage analysis satisfactory to the jurisdiction's engineer of record.

The implementing agency should develop and implement best management practices (BMPs) for control of stormwater associated with rural residential development not otherwise subject to other runoff and water quality control requirements. **(MTP/SCS EIR Mitigation Measure HYD-1)**

109. Use best management practices to treat water quality.

The implementing agency should require the use of BMPs or equivalent measures to treat water quality on-site, prior to leaving the project site, and/or at the municipal system as necessary to achieve local or other applicable standards. This should be demonstrated by requiring consistency with local standards and practices for water quality control and management of erosion and sedimentation, and/or other applicable standards, including the CBC and UBC regulations and guidelines and/or local NPDES. Implementation of Mitigation Measure GEO-1 will also help mitigate this impact. **(MTP/SCS EIR Mitigation Measure HYD-2)**

110. Implement Mitigation Measure GEO-1 (Reduce soil erosion and loss of topsoil through erosion control mitigation and SWPPP). **(MTP/SCS EIR Mitigation Measure HYD-3)**

111. Employ measures to reduce noise from new land uses and transportation projects.

For projects that have not undergone previous noise study and that exceed acceptable noise thresholds, the implementing agency should conduct a project-level evaluation of noise impacts in accordance with applicable federal, state, and local noise standards. Where significant impacts are identified, applicable mitigation measures shall be implemented, to reduce noise to be in compliance with applicable noise standards. Measurements that shall be

implemented, where feasible and necessary to address site-specific impacts, include but are not limited to:

- constructing barriers in the form of sound walls, buildings, or earth berms to attenuate noise at adjacent residences;
- using land use planning measures, such as zoning, restrictions on development, site design, and buffers to ensure that future development is compatible with adjacent transportation facilities and land uses;
- constructing roadways so that they are depressed below-grade of the existing sensitive land uses to create an effective barrier between new roadway lanes, roadways, rail lines, transit centers, park-n-ride lots, and other new noise generating facilities;
- maximizing the distance between noise-sensitive land uses and new noise-generating facilities and transportation systems;
- improving the acoustical insulation of dwelling units where setbacks and sound barriers do not sufficiently reduce noise; and
- using rubberized asphalt or “quiet pavement” to reduce road noise for new roadway segments, roadways in which widening or other modifications require re-pavement, or normal reconstruction of roadways where re-pavement is planned. **(MTP/SCS EIR Mitigation Measure NOI-1)**

112. Reduce noise, vibrations, and groundborne noise generated by construction activities.

Measures that shall be implemented to reduce noise, vibration, and groundborne noise generated by construction activities, where feasible and necessary to address site-specific considerations, include but are not limited to:

- restrict construction activities to permitted hours in accordance with local jurisdiction regulations;
- properly maintain construction equipment and outfit construction equipment with the best available noise suppression devices (e.g., mufflers, silencers, wraps);
- prohibit idling of construction equipment for extended periods of time in the vicinity of sensitive receptors;
- locate stationary equipment such as generators, compressors, rock crushers, and cement mixers as far from sensitive receptors as possible; and
- predrill pile holes to the maximum feasible depth, provided that pile driving is necessary for construction. **(MTP/SCS EIR Mitigation Measure NOI-3)**

113. Ensure adequate public services and utilities will be available to satisfy applicable service levels.

The implementing agency shall ensure that public services and utilities will be available to meet or satisfy applicable service levels. This shall be documented in the form of a capacity analysis or provider will-serve letter. **(MTP/SCS EIR Mitigation Measure PS-1)**

114. Apply best practice strategies to reduce the localized impact from construction activities on the transportation system.

Implementing agencies shall require implementation of best practice strategies regarding construction activities on the transportation system impacts and apply recommended applicable mitigation measures as defined by state and federal agencies. Examples of mitigation measures should include, but are not limited to, the following:

- Apply special construction techniques to minimize impacts to traffic flow and provide adequate access to important destinations in the area.
- Develop circulation and detour plans to minimize impacts to local street impacts from construction activity on nearby major arterials. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.
- Establish truck “usage” routes that minimize truck traffic on local roadways to the extent possible.
- Schedule truck trips outside of peak morning and evening commute hours.
- Route truck trips to avoid roadway segments with at risk or failed pavement conditions.
- Limit the number of lane closures during peak hours to the extent possible.
- Identify detours for bicycles and pedestrians in all areas potentially affected by project construction and provide adequate signage to mark these routes.
- Install traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones.
- Develop and implement access plans for potentially impacted local services such as police and fire stations, transit stations, hospitals, schools and parks. The access plans should be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions should be asked to identify detours for emergency vehicles, which will then be posted by the contractor.
- Store construction materials only in designated areas that minimize impacts to nearby roadways.
- Coordinate with local transit agencies for temporary relocation of routes or bus stops in works zones, as necessary.
- Conduct a public information campaign about how to use transit and other methods to reduce single-occupant vehicle use. **(MTP/SCS EIR Mitigation Measure TRN-2)**

115. Ensure adequate public services and utilities will be available to satisfy applicable service levels.

The implementing agency shall ensure that public services and utilities will be available to meet or satisfy applicable service levels. This shall be documented in the form of a capacity analysis or provider will-serve letter. **(MTP/SCS EIR Mitigation Measure PS-1)**

116. Perform project-level CEQA environmental review for new wastewater treatment plants, landfills, and similar large utility facilities.

The implementing agency shall undertake project-level review, where feasible and as necessary to address site-specific impacts, in order to provide CEQA clearance for new wastewater treatment plants, landfills, and similar large utility facilities. **(MTP/SCS EIR Mitigation Measure USS-3)**

117. Implement Mitigation Measure PS-1. (MTP/SCS EIR Mitigation Measure USS-2)

Applicable Yolo HCP/NCCP AMMs

118. Establish Buffers.

Project proponents will design projects to avoid and minimize direct and indirect effects of permanent development on the sensitive natural communities specified in Table 4-1 [of the HCP/NCCP] (herein referred to as *sensitive natural communities*) and covered species habitat specified in Table 4-1 by providing buffers, as stipulated in the relevant sensitive natural community AMMs (Section 4.3.3 [of the HCP/NCCP]) and covered species AMMs (Section 4.3.4 [of the HCP/NCCP]). On lands owned by the project proponent, the project proponent will establish a conservation easement, consistent with Section 6.4.1.3, *Land Protection Mechanisms* [of the HCP/NCCP], to protect the buffer permanently if that land is being offered in lieu of development fees, as described in Section 4.2.2.6, Item 6: *HCP/NCCP Fees or Equivalent Mitigation* [of the HCP/NCCP].

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

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

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

A lesser buffer than is stipulated in the AMMs may be approved by the Conservancy, USFWS, and CDFW if they determine that the sensitive natural community or covered species is avoided to an extent that is consistent with the project purpose (e.g., if the purpose of the project is to provide a stream crossing or replace a bridge, the project may encroach into the buffer and the natural community or species habitat to the extent that is necessary to fulfill the project purpose). (**Yolo HCP/NCCP AMM1**)

119. Control Fugitive Dust.

Workers will minimize the spread of dust from work sites to natural communities or covered species habitats on adjacent lands. (**Yolo HCP/NCCP AMM5**)

120. Conduct Worker Training.

All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by the project proponent. The training will provide education regarding sensitive natural communities and covered species

and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the FESA and NCCPA Permits. The training may be accomplished through the distribution of informational materials with descriptions of sensitive biological resources, photographs of covered species, and regulatory protections to construction personnel prior to initiation of construction work. **(Yolo HCP/NCCP AMM6)**

121. Control Night-Time Lighting of Project Construction Sites.

Workers will direct all lights for night-time lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area. **(Yolo HCP/NCCP AMM7)**

122. Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite,

The project proponent will retain a qualified biologist to conduct planning-level surveys and identify any nesting habitat present within 1,320 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, the project proponent will retain a qualified biologist to conduct preconstruction surveys for active nests consistent, with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000) within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with the project proponent, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated onsite biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. Up to 20 Swainson's hawk nest trees (documented nesting within the last 5 years) may be removed during the permit term, but they must be removed when not occupied by Swainson's hawks. For covered operations and maintenance activities that involve pruning or removal of a potential Swainson's hawk nest tree, the project proponent will conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active. **(Yolo HCP/NCCP AMM15)**