

## 4.4 LAND USE AND AESTHETICS

### INTRODUCTION

This section of the EIR analyzes land use and aesthetic impacts that would result from the implementation of the proposed project. Through the Initial Study and Scoping meetings, the analysis in this section has been focused specifically on the following areas:

- Impacts from change in intensity of use.
- Impacts from change in type of use.
- Impacts from increased bulk and height of new development.
- Impacts from loss of trees.

### SETTING

#### Physical Environment

##### Development Intensity

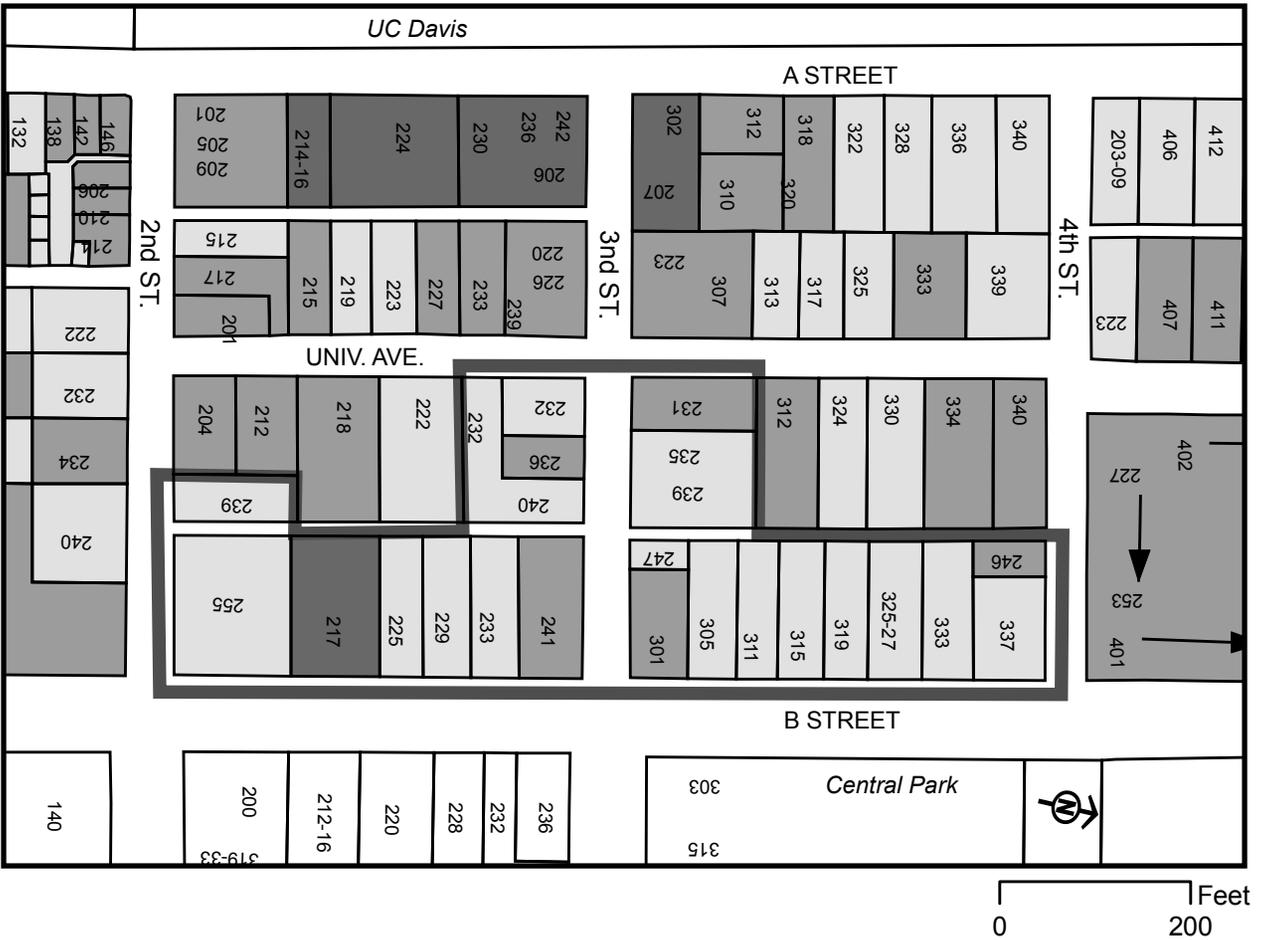
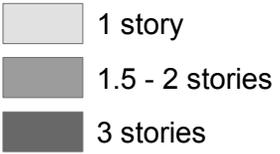
Existing buildings in the project area are primarily small in scale and single story in height (see Figure 4.4-1, Existing Building Heights). Of the 22 parcels, one is a parking lot, 15 are developed with single-story structures, five are developed with 1½ to two story structures, and one is developed with a three-story structure. There are a total of 87 bedrooms and 8,775 square feet of retail and office uses currently.

There is currently a mix of 17 multi-family and 21 single family units in the project area. All 17 of the multi-family units are located in the apartment building at 217 B Street. The project assumes that up to 17 of the single family units may be replaced with up to 96 new multi-family units and 25,770 square feet of new retail and office space.

##### Aesthetics

The presence of the University of California, Davis to the west and the Downtown to the east are important factors in the evolution of the land use pattern and condition of the project area. The existing conditions on these portions of B Street and 3rd Street reflect their designation as a transition area. B Street remains predominately residential. The block between 3<sup>rd</sup> Street and 4<sup>th</sup> Street opposite Central Park is made up of smaller single family homes and cottages that are rental units in varying states of repair. An historic resource, the McDonald house, is located at the northern end and a Craftsman style home that has been converted into a café (Ciocolat) is at the southern end. Conditions along the alley are generally poor with informal unpaved parking and several poorly maintained garage structures. The west block of B Street between 2<sup>nd</sup> Street and 3<sup>rd</sup> Street includes the Baker's Square restaurant at the south end, a 1960's three-story apartment building, several smaller residential buildings, and a home at the southwest corner of B Street and 3<sup>rd</sup> Street that has been modified for mixed office/residential use.

Figure 4.4-1  
Existing Building Heights



B and 3rd Streets  
Visioning

The condition of the alley behind these properties is also poor, with the southern half bordered by surface parking lots for adjoining commercial or apartment uses.

Third Street, between A Street and University Avenue, is a mix of commercial uses, primarily restaurants, with a bookstore at the southeast corner of 3<sup>rd</sup> Street and A Street. Third Street between University Avenue and B Street is a mix of small single family rentals, several in poor condition, with one mixed-use project and a restaurant on the north side. The house located at the south east corner of 3<sup>rd</sup> Street and University Avenue (the Eggleston home at 232 3<sup>rd</sup> Street) is designated as an historic resource.

Street sections along B Street and 3<sup>rd</sup> Street are consistent with others in the neighborhood and provide a planting strip between the sidewalk and the street. Front yard setbacks along B Street for remaining residential structures are comparatively large and landscaped. Trees along B Street and 3<sup>rd</sup> Street are valuable to the streetscape but vary in condition and do not present a consistent pattern. Mature trees are located on many of the parcels under study with several identified in the CASP as “Trees Worth Saving” (229, 241 and 315 B Street, 240 3<sup>rd</sup> Street). Many of these trees are located along property lines or the rear alleys.

## Regulatory Environment

There are several documents that contain planning policies and regulations that govern the land use and design for the B Street and 3<sup>rd</sup> Street area. The General Plan provides the overall blueprint for the City’s growth. The other documents establish policies and guidelines for development and redevelopment of the properties within the project subject area. They include the Core Area Specific Plan (CASP), the Core Area Strategy Report, the Planned Development (PD) 2-86A zoning, and the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines (Design Guidelines). Historical preservation regulations are discussed in Section 4.3. The following is a summary of the key policies from these documents:

**Land Use:** Downtown should include a mix of uses that extends activities throughout the day.

**Circulation:** Pedestrian, bicycle and automobile circulation systems should be coordinated and efficient.

**Urban Design:** Streets and places should encourage pedestrian activity.

**Conservation:** Buildings of historic value and other structures that contribute to the traditional character of Davis should be maintained in active service, whenever feasible.

## General Plan

The General Plan was updated in May of 2001. Within the General Plan the City of Davis has made a long term commitment to preserve the character of its neighborhoods. The City is also committed to addressing the increasing demand for housing, supporting the

vitality of the downtown and reducing reliance on cars by pursuing higher density, pedestrian and transit-oriented infill development. Facilitating continued investment in the community with quality development is another high priority. These goals and priorities are reflected in the City's General Plan.

With respect specifically to the Core Area Specific Plan, the General Plan contains the following intent language (p. 74):

**Intent:** To provide for mixed-use development of a variety of types in downtown Davis, in keeping with the downtown's role as the commercial and social center of Davis.

There is a reference to the CASP land use diagram on page 75. Other relevant policies and goals are as follows:

**Policy UD 1.1g**

Designs that are urban in character are encouraged around the core area and at neighborhood activity nodes. Such designs include, but are not limited to, buildings that extend to the front and side property lines, buildings which provide feelings of permanence and durability, and buildings with outdoor cafes and plazas.

**Policy UD 5.1**

Develop and implement new design guidelines that are reviewed periodically.

**Policy HIS 1.4**

Preserve historic features of the Core area and historic districts.

**Goal ED 1**

Maintain and enhance the Core Area as a vibrant, healthy downtown that serves as the city's social, cultural and entertainment center and principal, but not exclusive, retail and business district.

**Policy ED 1.1**

Increase attractions and amenities that bring people to the Core, including local shopping, services, modest tourism, specialty retail, restaurants, festivals/special events, farmer's market and entertainment.

Core Area Specific Plan (CASP)

The Core Area Specific Plan (CASP) was adopted November 13, 1996 and subsequently amended March 3, 1997 and July 12, 2005. The CASP establishes development policies for City's Downtown core area. The objectives of the plan were to "guide growth in the core area so that it remained the pedestrian-oriented economic and social center of the City". The plan "strives to create a sense of place" and intends to "enhance the identity of the Downtown by increasing commercial and residential opportunities and creating a streetscape with unifying features."

Relevant policies and goals are as follows:

**CASP 2.6 Land Use Policies:**

**Policy 1**

A mix of uses (retail stores, restaurants, cultural centers, entertainment, services, upstairs offices and dwelling units) is now and shall remain characteristic of the Core Area.

**Policy 1 (C)**

Pedestrian and customer intensive retail businesses shall be encouraged to locate on the ground floor level in the Downtown Core area.

**Policy 1 (F)**

Protect residential neighborhoods and their residential character.

**Policy 1 (G)**

Where feasible, encourage the adaptive reuse, renovation and/or rehabilitation of existing residential facilities.

**Policy 1 (I)**

The development of dwelling units, including senior housing, shall be encouraged in the Core Area.

**Policy 4**

The first floor of Core Area buildings shall either be at the same elevation as the sidewalk or designed such that pedestrians are encouraged to enter the building. There also needs to be a concentration of uses with a clear identity and short walking distances between uses.

**Policy 7 (B)**

The area along 3rd Street shall be treated with sensitivity because of potential impacts on adjacent land uses. Development along this corridor shall be of an appropriate scale and character in relation to the surrounding and adjacent land uses.

The CASP outlines the importance and recognition of the parcels along B Street and 3rd Street as “special character areas”. They are identified as mixed-use transition areas between the Downtown, a traditional residential neighborhood, and the University. B Street is a major arterial and important Gateway to the City and borders Central Park which is a major community facility. Third Street is recognized as a primary and secondary shopping street, with several redevelopment “opportunity sites.” Both 3<sup>rd</sup> Street and B Street function as “principal” pedestrian connections in the City and are planned for corridor improvements in the Redevelopment Agency’s Five Year Implementation Plan. The CASP states that no new curb cuts should be placed on B Street and that vehicle access should be from the rear alleys.

Preservation of Davis’s historical heritage and traditional forms through adaptive reuse of existing historic structures and new infill development that is of compatible scale and site design, reflective of existing traditional building forms and careful, sensitive transitions to existing single family residences are core principles of the CASP.

The University Avenue/Rice Lane neighborhood is the only traditional neighborhood contained in the CASP. The CASP calls for intensification of the area to be concentrated first in the area bounded by 1<sup>st</sup> Street, 4<sup>th</sup> Street, D Street, and the railroad tracks (Policy 6, p. 31). It also calls for larger developments on the edges of the core to stimulate business, and suggests a new retail cluster near the Central Park expansion to “strengthen the 3<sup>rd</sup> Street link between the University and Core Area and to encourage use of the new park facilities including the Teen Center”. This policy also calls for provision of on-site parking unless an acceptable Transportation Management Measures program is adopted and monitored (Policy 7, p.33). Small developments in the Core are encouraged to pay in-lieu fees instead of providing all parking on-site in order to eliminate the need for driveways interrupting pedestrian areas (Parking Policy 7, p. 47). Miscellaneous Policy 2 (p. 48) calls for improved pedestrian access between UC Davis and the Core Area.

### Core Area Strategy Report and Five-Year Action Plan

The Core Area Strategy Report adopted in February of 2000 establishes policies and strategies to strengthen the vitality of the Downtown core area. A specific goal of the Core Area Strategy Report is to “enhance 3rd Street between A and H Streets as a bicycle and pedestrian way, including consideration of installation of a gateway/welcoming treatment between the campus and the Core Area” (p.6).

Key high priority action items include:

#### **Economic Vitality**

Streamline the permit process for projects in the Core Area that comply with city visions, goals and design standards for downtown.

#### **Urban Design**

Examine the significance of and solutions for the lack of a central space and retail focal point in the Downtown Core.

Encourage sensitive adaptive reuse and protect existing historic buildings from demolition or insensitive remodeling.

#### **Community Enrichment**

Analyze incentive options for encouraging infill housing on the second and third floors of existing buildings in the downtown.

#### **Transportation, Parking and Circulation**

Create more long term parking for employees, mid-week shoppers, diners, movie-goers and visitors.

### Zoning Regulations (PD 2-86A)

The CASP contains the following description of PD 2-86 (p. 20):

The purposes of Planned Development District No. 2-86, (the area bounded by A and B Streets and 1st and 5th Streets) are to stabilize and protect the residential character of the area while allowing limited commercial uses combined with higher residential densities along 3rd Street; retain and renovate existing homes wherever possible; and retain Landmark Trees, Trees Worth Saving, and all other significant trees whenever possible.

PD 2-86 was amended (revised to PD 2-86A) in July of 2002 for the University Avenue/Rice Lane traditional neighborhood conservation district to implement the policies of the CASP and Design Guidelines. The neighborhood was divided into subareas with specific zoning regulations.

### Design Guidelines

Aesthetic impacts on surrounding land uses as a result of possible infill and intensification of the Core Area were analyzed in the CASP EIR. Impact 4.2-7 identified that increased intensity of development on particular blocks and sites substantially in excess of what then existed could result from implementation of the CASP. This impact was categorized as “potentially significant”. Adopted Mitigation Measure 4.2-7a required the development of Design Standards specific to the Core Area. In August of 2001 the Downtown Davis and Traditional Residential Neighborhoods Overlay District was adopted and design guidelines established for the district. The University Avenue/Rice Lane neighborhood was identified in these guidelines as a distinct neighborhood in the conservation district. B Street around Central Park and 3<sup>rd</sup> Street were identified as “special character areas.” The Design Guidelines were intended to ensure that “new investment in the center of Davis would enhance rather than erode its valued character.”

## **IMPACTS AND MITIGATION MEASURES**

The standards for significance, impact analysis, and recommended mitigation measures for land use and aesthetic impacts are provided below. Impacts related specifically to loss of historic resources and increases in traffic are addressed in other sections of this chapter.

### **Standards of Significance**

For the purposes of this analysis, land use and aesthetic impacts are considered to be significant if implementation of the project would result in the following:

- Conflict with applicable plans, policies, or regulations.
- Conflict with existing or planned adjoining land uses.
- Substantially degrade the existing visual character or quality of the site and/or surroundings.

## Project-Specific Analysis

### Impact 4.4-1

**The project requires amendments to various adopted plans. This is considered a *less-than-significant* impact.**

The purpose of the project is to clarify city development policies for the project area. The project implements the City's goals for reinvestment and infill development that activates the edge around the Central Park; supports the downtown and strengthens the pedestrian connection between the downtown and University with higher density, pedestrian oriented mixed-use and more compact residential uses. Amendments include CASP specific plan land use designations; increases in permitted General Plan and CASP residential densities; CASP land use and zoning designation changes and modified development regulations.

These changes are consistent with the majority of existing land use goals and development guidelines. However, there are two important areas of policy change: 1) increase in the scale and density of development; and 2) likely removal of the existing single family structures on sections of B Street and 3<sup>rd</sup> Street. Current policy is to strongly encourage their retention and adaptive reuse and to maintain the current smaller scale bungalow character on B Street. Yet it is also to encourage mixed-use and enhanced pedestrian environment. The proposed amendments will resolve the "tension" between these competing policies in favor of taller, denser development that may in some cases necessitate demolition of existing structures. The potential for impacts to historic resources is analyzed in Section 4.3. From a land use perspective, this tightening up of existing policies to reflect the current policy balance of the City is not a significant impact.

The project land use and zoning district changes are intended to increase consistency between planning policies and zoning regulations. The proposed land use designations are consistent with the General Plan and CASP policies to increase housing and mixed residential/commercial uses in the Downtown and will continue to provide a transition between the Downtown and the residential neighborhood.

The permitted uses in the proposed zoning will be compatible with the established land uses and objectives to facilitate mixed-use development consistent with the nature of the residential land uses in the vicinity. Action on the proposed amendments will clarify policy intentions related to promoting higher density infill development in the Downtown and historic preservation/conservation in this specific location.

Overall, because the necessary plan amendments that form part of the project are to implement existing policies, the growth projected to result from the project is considered a less-than-significant impact.

*Mitigation Measure: None required.*

**Impact 4.4-2**

**The project requires amendments to various adopted regulations. This is considered a *less-than-significant* impact.**

Modifications to the allowed density and required setbacks, and possible demolition or relocation of existing structures are necessary to accommodate desired infill development. Maximum proposed change in any given development regulation is as follows:

**B Street Transitional District:**

- Increase density from 12 units per net acre to a range of 22-40 units per net acre, depending on parcel size and project type (density bonus for owner-occupied senior condominiums up to 50 units per net acre maximum)
- Eliminate minimum lot size of 2,400 square feet.
- Institute FAR of up to 1:1 plus various added bonus amounts as incentives.
- Increase building height by development type: for detached/attached townhomes -- three-story (38-foot maximum) with two stories (24-foot maximum) on alley; for stacked flat condominiums -- three-story (45-foot maximum) with 30-foot maximum height on B Street and alley.
- Decrease front yard setbacks to 15-feet for first and second stories and 20-foot minimum average for third stories, with 8-foot maximum encroachment allowed for porches.
- Side yard setbacks of 5-foot minimum for townhomes and stacked flat condominiums, with a 4-foot minimum allowed for townhomes with greater wall variation.
- Rear yard/alley setbacks at first and second story of 10-foot minimum, and 20-foot minimum for third story with five-foot maximum encroachment allowed for townhome porches on the alley.
- Modifications to yard coverage requirements.
- Changes in parking requirements to increase required parking based on number of bedrooms: one space for one-bedroom units; two spaces for two- to three-bedroom units; one additional space for each bedroom over three.

**Retail with Office District:**

- Increase density from 12 units per gross acre to a range of 30-40 units per net acre.
- Eliminate minimum lot size of 2,400 square feet.
- Establish base FAR of 1:1 for commercial projects and 1.5:1 for mixed use projects with various FAR bonus incentives allowing a maximum FAR of up to 2:1.
- Increase building height from two stories with a maximum height of 30 feet and three stories with a maximum height of 45 feet to three stories with maximum height of 45-feet with limited fourth stories allowed up to 56-feet.
- Modifications to yard coverage requirements.
- Decrease front yard (street) setbacks to 5-foot average for first and second stories and 10-foot average for third and limited fourth stories.

- Minimum side yard and Alley setbacks of 5-feet for first and second stories and 10-foot minimum average for third and limited fourth stories.
- Rear yard setbacks at first and second story of 5-foot minimum, and 10-foot minimum average for third and limited fourth stories. For parcels adjoining single family residential on Low-Density sites, rear yard setbacks of 15-foot minimum at first and second story, and 25-foot minimum for third and limited fourth stories.
- Changes in parking requirements to require 1 space per 500 square feet of non-residential space with payment of parking in-lieu fees allowed. Residential parking to be based on number of bedrooms: one space for studio/one-bedroom units; 1.5 spaces for two-bedroom units, and one space per bedroom for units with 3 bedrooms or more. A minimum of one on-site parking space required per residential unit with additional residential parking allowed to be provided through payment of parking in-lieu fees.

These modifications will result in taller, denser development that may in some cases occupy more land area of a given parcel than under existing conditions. From a land use perspective this results in a more efficient use of existing land resources dedicated to urban uses and is therefore considered beneficial. It allows for more people to occupy less space enabling greater affordability, improved sustainability, wiser use of land resources, and avoidance of sprawl. This also promotes mobility alternatives and improved air quality.

Overall, because the necessary regulatory amendments for the proposed growth are included as a part of the project, this is considered a less-than-significant impact.

*Mitigation Measure: None required.*

### **Impact 4.4-3**

**Implementation of the project would result in changes in land use within the project area. This is considered a *less-than-significant* impact.**

The current zoning provisions on B Street allow only single family uses, offices that do not add square footage, and/or live-work space where the residential portion is more than 50 percent of the total square footage. This does not reinforce the Special Character Area as described in the Design Guidelines or support the Design Guidelines goal of making the area bordering Central Park activate and frame the park, nor does it effectively provide for new residential development necessary to enhance the area around the park.

Five parcels in the project area are zoned Low-Density Residential where commercial, retail and office uses are not permitted. This zoning does not allow development that is consistent with the policies and objectives of the CASP or the Design Guidelines to enhance this Special Character Area as a primary and secondary retail street. At the time that PD2-86A was adopted the City Council acknowledged that this inconsistency existed and directed staff to return at a later time to resolve it.

The proposed amendments will allow an increase in development potential in the form of infill development and a greater mix of housing types. Continuous mixed use will result along 3<sup>rd</sup> Street, strengthening the pedestrian and economic connection between the University and Downtown. The predominant character of the project area will change from traditional single-family to townhouse, multi-family and mixed-use.

Zoning objectives for the project area include promotion of professional and commercial uses that serve the pedestrian and bicycle traffic on the 3<sup>rd</sup> Street corridor, and expansion of office options for the B Street corridor that do not rely on high auto accessibility for their success. The traffic analysis in this EIR conservatively assumes standard commercial trip generation rates though use modifications to reduce potential vehicle trips are proposed.

Within the new B Street Transitional District, the following permitted land uses would be added to the single family, office/residential, and limited office uses that are allowed by right in that zone:

- Townhouses, row houses, and condominiums
- Offices, if they generate low volumes of vehicle traffic

Incidental sales or gallery space associated with live/work would be added as a conditional use. Medical and dental clinics, a previous conditionally allowed use, would not be allowed in the zone. High vehicle traffic generating office uses would also be prohibited.

Within the proposed new Retail With Office District, townhouses, row houses and condominiums would be added as permitted uses, and apartments would be conditionally permitted. Commercial uses permitted in this zone would be modified for the 3<sup>rd</sup> Street blocks located east of University Avenue and immediately west of the alley to the rear of B Street as follows:

- Personal and business services: allowed if they generate low volumes of vehicle traffic; prohibited if they generate high volumes of vehicle traffic
- Professional offices allowed if they generate low volumes of vehicle traffic; prohibited if they generate high volumes of vehicle traffic
- Restaurants and cafes: prohibited

Because the area is already developed, and has been transitioning for some time into land uses very similar to those proposed as a part of the project, these specific changes and clarifications are not considered to be significant. Rather they create certainty regarding the nature of future projects and institute greater regulatory control over future redevelopment in this evolving neighborhood. The City considers this to be a beneficial result that furthers the policy goals applicable in the area for many years.

*Mitigation Measure: None required.*

**Impact 4.4-4**

**Implementation of the project would result in increased density and intensity of development within the project area. This is considered a *significant* impact.**

The added growth and incremental development that would result from the project is not considered a substantial amount of growth overall and falls within the levels of overall growth identified in the Core Area Specific Plan 2010 land use projections used in the City's Traffic Model. It is expected that many of the new residents may already be part of the day time population that currently work or live in the community. As noted above planning policies call for additional development within the project area. The Davis Downtown and Traditional Neighborhoods Design Guidelines recognize B Street as a transition area and 3<sup>rd</sup> Street as a primary and secondary retail area, and encourage additional housing and mixed commercial/residential uses that are now not permitted or practically feasible under existing zoning and land use designations.

The change in land use and zoning designations and development standards will allow a broader range of commercial uses and higher housing densities and will create an incentive for reinvestment and redevelopment. This redevelopment is expected to occur incrementally over time and could eventually result in removal of up to 18 primary structures with possible displacement of existing residents/tenants. Though the specific tenant ratio is not known, many of the existing homes are leased for rental by University students who are likely to be a more transient population, and more readily able to relocate.

The specific rents of the units are not known. The cost of the new housing is expected to be higher on a per bedroom basis than existing, but any proposed project would be required to comply with the City's Affordable Housing Ordinance that requires that ownership projects with five units or more must meet a 25 percent affordability requirement. Rental projects with five to 19 units must meet a 25 percent affordability requirement, and those with 20 or more units must meet a 35 percent affordability requirement. Housing projects in the Core Area with 15 units or less may fulfill this requirement through payment of in-lieu fees. Projects with 16 or more units must provide the affordable units on-site.

The redevelopment housing and mixed-use projects will respond to the existing need for housing city-wide and are expected to increase the supply of housing units in the Downtown area. These new units will not substantially increase population pressure and will help meet the goal of maintaining the viability of Downtown. However, due to the small area involved, less than four acres, and the substantial level of interest by residents and property owners, it has become clear that these changes are perceived by some as significant for the area.

There are currently 38 dwelling units and 8,225 square feet of commercial uses in the project area. As proposed, the number of dwelling units would increase to 117 and the amount of commercial use would increase to 33,995 square feet. This is a 200 percent

increase in the number of dwelling units and a 300 percent increase in the square footage of office and retail development in the four acre project area. Additionally, the change in parking policies will allow for in-lieu payment of fees rather than on-site provision of parking. As a result 76 out of 249 parking spaces (30 percent of the total) that would otherwise be required for the project build-out will be allowed to be paid as in-lieu fees instead. Because parking required by new commercial uses would be allowed to pay in-lieu fees for 100 percent of the requirement, this effect may be felt disproportionately along 3<sup>rd</sup> Street where the bulk of the non-residential uses would be likely to occur. This is discussed further in Section 4.2, Circulation and Parking

In recognition of the existing context, qualities, and history of the neighborhood, and the subjective nature of this particular area of impact, for the purposes of this environmental review this impact is conservatively considered significant and unavoidable.

*Mitigation Measure: None available.*

*This impact would remain significant and unavoidable. Increased density and intensity of development is actually the desired outcome of the project. This change can be avoided by implementing one of the project alternatives. However, to do so would fail to satisfy this fundamental project objective.*

#### **Impact 4.4-5**

**Implementation of the project would result in a change in the existing visual character and quality of the project area. This is considered a *significant* impact.**

Implementation of the plan, zoning, and design guideline amendments proposed as a part of the project will allow the properties within the project boundaries to be developed to greater heights and densities/intensities than under existing regulations. Lot coverage will also increase and proximity between structures will decrease under the proposed project. Additionally, the changes proposed as a part of the project will remove barriers to redevelopment that will likely result in the removal of existing older structures, thus resulting in a substantial change in the appearance of this portion of the Downtown. Historic resources impacts are addressed in Section 4.3 of this EIR.

There are currently 23 existing primary structures in the area and 14 existing accessory structures (garages and sheds). The project would allow and assumes that all of the accessory structures and all but five of the primary structures will be removed and replaced with new construction. Although the new structures will be subject to the Design Guidelines, the potential for various neighborhood impacts remain. These include the following discussed in no particular order:

Removal and replacement of the existing structures will change the existing character of the neighborhood. Existing smaller primarily pre-1945 residential structures located on individual lots with surrounding private yard space may be substantially replaced by larger, taller new buildings that are likely to be placed on the lot in a manner that

maximizes buildable area and minimizes remaining private yard area. The architectural style of the new structures may or may not replicate the small, primarily bungalow style of the existing structures that generally tie together thematically and aesthetically.

The new structures may individually and collectively block natural sunlight into yard areas and existing adjoining structures outside of the project area, where it is not currently blocked. Pathways for natural light can be protected by various means. The zoning regulations address setbacks from property lines and between structures. The Design Guidelines address massing and articulation. Furthermore, each new or modified structure will have a requirement for design review. Together these tools can be used to protect natural light on a project-specific basis, but generally sunlight exposure is expected to change significantly.

Removal of trees and loss of tree canopy will also affect the neighborhood. There are approximately 155 trees within the project area, of which 60 are street trees and the other 95 are trees distributed amongst the 22 parcels. The majority of these are a variety of species with many dating from the time of the original construction of the houses. Although the health of these trees varies, they provide a broad tree canopy for project area and provide shade, aesthetic and recreational value, historic context, and refuge for urban wildlife.

It is estimated that the redevelopment of the project area will result in removal of approximately 40-50 trees of varying size, type and condition as the parcels over time. Many of these trees are located within the primary building area of each lot or feasible locations for parking or access from the alley.

The City of Davis has a Community Forest Management Plan (2002) that is directed at improving and protecting the "Community Forest." The plan establishes goals and standards for preservation of community trees. The City also has a Tree Planting, Preservation and Protection Ordinance (Chapter 37 of Municipal Code) that defines trees of significance within the city. It establishes a review process and mitigations for removal of such trees, and sets standards for protection of trees during the construction. These standards and conditions are applied during the City's design and construction review processes, which require submittal of an arborist report and tree protection plan and are directed at preserving as many of the mature site trees as feasible.

A tree of significance for a small tree specie is one that has a trunk diameter of five inches or more at breast height (DBH). Large tree species are considered significant if they have a DBH of ten inches or greater. Based on an informal field survey the majority of trees to be removed would require mitigation. Tree mitigations are to provide replacement trees that combined, equal the total diameter of trees to be removed (e.g. one 30" DBH tree replaced by ten 3" DBH trees). These trees can either be provided on-site if there is sufficient room, or on another site owned by the property owner or on City open space, if authorized by the City Arborist. Another mitigation option if sufficient site area isn't available for the full number of replacement trees to be required is to pay an in-lieu fee to the City's Tree Preservation Fund. The in-lieu fee amount is determined by an appraisal by a qualified arborist applying the International Society of Arboriculture (ISA) appraisal

guidelines. Mitigation for removal of large mature trees can require substantial in-lieu payments. The in-lieu tree mitigation funds are used to implement the goals of Community Forest Management Plan. The appraised value of existing trees is also used as a basis for establishing bond requirements to assure adherence to tree protection measures during construction.

The CASP includes an appendix that identifies Landmark Trees, and “Trees Worth Saving.” The project area has no Landmark Trees but does have four remaining “Trees Worth Saving.” These include a Parodox Walnut at 232 3<sup>rd</sup> Street , a Coast Redwood and Deodar Cedar at 241 B Street, and an Incense Cedar at 240 3<sup>rd</sup> Street. It is expected that all but the Incense Cedar at 240 3<sup>rd</sup> Street could be retained. The central location of the Incense Cedar makes redevelopment of 240 3<sup>rd</sup> Street practically infeasible without its removal. However, other mature trees on this block located around the perimeter of the parcel, including the other Landmark Walnut could be saved.

The new structures may intrude on privacy currently enjoyed by adjoining parcels. This may occur due to increased height of structures and due to changes in setback requirements that allow structures generally to fall closer to property lines and to other adjoining structures. Control over the placement of windows and types of window glazing are among the design review tools available in the Design Guidelines to address this issue.

Build-out of the project will result in increased site coverage due primarily to the larger floorplates allowed for new buildings. Site coverage may also increase due to new or added sidewalk and patio space. The proposal to allow for payment of in-lieu parking fees, however, should be recognized as precluding a certain amount of pavement that would otherwise be necessary to park cars. In effect the in-lieu parking program establishes housing of humans as a priority over housing of automobiles within a given available space.

The project may contribute to a loss of sense of openness related to the increased site coverage and increased building density and intensity. However, the fact that the project boundary borders on Central Park is relevant as the park provides expansive public open space opportunities to replace the private open space that may no longer be as abundant on each parcel within the project area. Furthermore, the new development parameters established by this project will allow private property owners facing the park to maximize the views and interaction with that important public open space, and as a result contribute positively to the pedestrian activity and security in the area.

The project will open up and rely on the alley between B Street and University Avenue for secondary north/south circulation and access in a way not currently experienced. This will introduce mid-block activity and noise where minimal use currently exists along the alley. Surrounding property owners, particularly those outside of and west of the project area, may perceive this as adverse due to concerns about security, privacy, and noise. However this investment in the alley as a better developed secondary public corridor adds value to all adjoining lots, makes better use of an existing public asset, and

provides more control along a space that is already public but not correspondingly well appointed.

The project will result in reconstruction within the project area at a scale likely not experienced in this neighborhood since the time of development of the larger two and three story apartments. The intensity of the construction period is difficult to predict but could conceivably involve many parcels within the same or overlapping period of time. New construction involves a variety of activities that may cause temporary nuisance impacts. Examples include parking for workers; noise from equipment and tools; loading and unloading of materials and debris; dirt, mud, dust, and clutter; and a generally distracting atmosphere. The City regulates the hours of construction and has other regulatory protections for unreasonable noise and behavior. A construction management plan, including measures to control construction dust and air and storm water pollution are part of the City's standard development conditions. However, this period is for the most part an unavoidable temporary effect of a project of this nature. One way to prolong the "life span" of this proposed redevelopment, thus avoiding or postponing future periods of major reconstruction, is to encourage the use of sustainable site design; high quality "long-lived" construction materials, techniques, and finishes; and timeless architectural styles that will last generations with minimized risk of becoming anachronistic or out-moded.

Overall, the project will result in a general change in the neighborhood character, and increase in the scale of development, lighting and noise, and activity of all forms. It is important to recognize that although these are subjectively impacts of the project, they also realistically achieve the goals of the project and may be looked upon favorably or not favorably.

*Mitigation Measure 4.4-5(a): The following items shall be incorporated into the design review for individual projects that move forward consistent with the Visioning Process:*

*1) Proposed massing, modulation, and setbacks shall be reviewed on a project basis with the goal of minimizing the appearance of bulk and mass of the new structures and impacts to sunlight and privacy on neighboring lots to the extent feasible;*

*2) An arborist report prepared by a qualified arborist documenting the location, species, size, and condition of trees on-site, accompanied with a mitigation plan for removal of any site trees, and plan to protect trees during construction activities, consistent with the provisions of the City's Tree Planting, Preservation and Protection Ordinance.*

*3) Replacement trees shall be approved species that have majestic canopies as maturity occurs and that can grow and mature successfully in the specific locations identified with minimized concerns regarding impacts to structures and foundations, and maintenance;*

*4) A pattern of evenly spaced street trees of the same or alternating canopy species shall be reinstated as trees are replaced, with the goal of replicating the sidewalk environment typical to the traditional shaded neighborhood streets;*

5) *Design shall reflect the “traditional neighborhood feel” of the area. Site design, architecture, and materials of new development shall be reviewed to assure sustainability, high quality, and timelessness of their design and construction to enhance the visual quality of the street. Proposed building designs and elevations shall be reviewed for compatibility with existing development. Character defining features of the project area should be identified and used to direct new design as far as material, form and scale.*

6) *Window placement and glazing shall be reviewed to minimize privacy impacts on adjoining properties, particularly those outside of but adjoining the project area. Proposed yard treatment shall be reviewed with the goal of minimizing impermeable yard coverage – e.g. permeable treatments of yard space shall be encouraged over non-permeable;*

7) *Improvements to the pedestrian and public environment including sidewalks, landscape strips/tree grates, lighting, curb/gutter reconstruction, and alley improvements can enhance the aesthetic quality and function of the pedestrian environment within the project area. These improvements shall be completed as soon as possible as one cohesive, singular public project that allows for the pedestrian framework to be in place early and avoids piecemeal completion of these improvements as would occur if each property owner was responsible based on their own investment timetable. If phasing of these improvements is necessary, the phasing shall be minimized to the greatest feasible extent.*

*Implementation of this mitigation measure would reduce this impact but not to a less-than-significant level; therefore the impact remains significant and unavoidable.*