

## DETERMINATION OF THE PLANNING COMMISSION OF THE AMENDMENT'S CONSISTENCY WITH THE CITY OF DAVIS GENERAL PLAN.

Section 33352 of the CRL requires that this “Report to the Legislative Body” include “The report required by Section 21151 of the Public Resources Code.” This refers to the provisions of the California Environmental Quality Act.

The Amendment would, by design, bring about many positive changes in the environmental quality of Davis by: (1) eliminating physical blight; (2) providing traffic calming and aesthetic improvements to public streets; (3) expanding and/or improving the supply of housing for low- and moderate-income persons and families; (4) strengthening the economic base of the community by stimulating new commercial expansion; and, (5) increasing local employment opportunities.

The following Addendum to the Final Program Environmental Impact Report (EIR) for the City of Davis General Plan Update and Project EIR for Establishment of a New Junior High School (SCH #1999072014) concluded that the projects anticipated under the Amendment were consistent with the impacts of the City of Davis General Plan, adopted in 2001.

**CEQA ADDENDUM** to the  
Final Program Environmental Impact Report  
for the City of Davis General Plan Update  
and Project EIR for Establishment  
of a New Junior High School

(SCH #1999072014)

City of Davis

November 2002

**CEQA ADDENDUM to the  
Final Program Environmental Impact Report  
for the City of Davis General Plan Update  
and Project EIR for Establishment of a New Junior High School  
(SCH #1999072014) (certified June 6, 2000)**

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## **SUMMARY**

The City of Davis has prepared this Addendum to the Final Program Environmental Impact Report for the City of Davis General Plan Update and Project EIR for Establishment of a New Junior High School (SCH #1999072014) (General Plan EIR) certified June 6, 2000, for various proposed amendments to the Redevelopment Plan for the Davis Redevelopment Project (adopted November 25, 1987).

## **CEQA REQUIREMENTS FOR REDEVELOPMENT PROJECTS**

Section 15180 of the CEQA Guidelines speaks to the CEQA requirements for Redevelopment Projects. This Section, though not explicit, suggests that an EIR is required for adoption of a new or amended redevelopment plan.

The proposed amendments to the Redevelopment Plan, including the proposed new project list, are all included in or consistent with the General Plan Update and therefore covered under the General Plan EIR. Thus the City/Agency proposes to utilize the General Plan EIR as the EIR required under Section 15180 for the purposes of providing CEQA clearance for the proposed Redevelopment Plan amendments. The substantial evidence for this determination is provided herein.

## **ADDENDA UNDER CEQA**

This document has been prepared as an Addendum to the General Plan Update EIR in accordance with the CEQA Guidelines Section 15164. Section 15164 provides that the Lead Agency "shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

Pursuant to Section 15164(e) an analysis and explanation is provided herein documenting the City's decision that preparation of a subsequent EIR is not required. The Guidelines go on to state that: 1) the addendum need not be circulated, but can be included in or attached to the Final EIR (Section 15164(c)), and that 2) the City Council must consider the addendum with the Final EIR (Section 15164(d)).

Section 15164 was created in response to Public Resources Code Section 21166 which provides that no subsequent or supplemental EIR shall be required unless "substantial changes" in the project or the circumstances under which the project is being undertaken will necessitate "major revisions" of the EIR, or "new information" which was not known and could not have been known at the time the EIR was certified, becomes available.

The requirements of the Guidelines are described in more detail in Attachment D. For the subject situation, use of an Addendum is not only justified, but also actually required by the PRC (Section 21166).

This document demonstrates that the circumstances, impacts, and mitigation requirements identified in the General Plan Update EIR remain substantively applicable to the amended Redevelopment Plan, and supports the finding that the proposed project does not raise any new issues and does not cause the level of impacts identified in the General Plan Update EIR to be exceeded.

## **OTHER APPLICABLE SECTIONS OF CEQA**

Some of the public improvement projects proposed for consideration in the Redevelopment Plan projects list would be exempt from CEQA under various categorical and statutory exemptions, or require no additional environmental documentation pursuant to Section 16168(c)(2) of the Guidelines. Where this is relevant to a particular project is discussed below.

## **BACKGROUND**

The City adopted the Redevelopment Plan for the Davis Redevelopment Project on November 26, 1987. The primary efforts identified in the 1987 Redevelopment Plan were improving access for South Davis, and both public and private activities to enhance the downtown Core Area. Since the adoption of the Plan, there have been significant investments made in projects within the Project Area. These improvements have contributed to substantive progress in alleviating blighting influences in portions of the Project Area, particularly in South Davis. The Redevelopment Plan included a list of eleven proposed public improvements. To date eight of those have been completed and the remaining three are underway. In addition to the capital projects, the Agency provided substantial assistance to two private development projects downtown: the Fifth and G Project and the First and F Project.

On May 23, 2001, the City adopted a new General Plan (Resolution No. 01-72). The General Plan made no modifications to either the Pass-Through Agreement or the Redevelopment Plan. The General Plan defers to the Core Area Specific Plan and the Gateway/Olive Drive Specific Plan for land use and specific policy affecting land within the boundaries of those two areas. The General Plan EIR relied upon prior certified EIR analysis for those two specific plans as well. Where this is applicable to the subject analysis, it is disclosed and discussed below.

On November 20, 2001 the City and Yolo County executed an “amended and restated” Pass-Through Agreement governing distribution of the Redevelopment Agency’s tax increment. This amendment resolved a long-standing dispute over the pass-through calculations.

The Pass-Through Agreement was originally signed in November 1987 in response to the City's adoption of the Redevelopment Plan. The Agreement ensures that the City will "pass through" specified property tax increments to the County. The pass-through of the tax increment is intended to alleviate any financial burdens or detriments to the County which may have to increase the amount of services it provides to future development in the Redevelopment Plan area. The pass-through of the tax increment is conditioned upon the County not approving any "urban" development within the City's Planning Area without City approval, thereby avoiding "leap frog" growth or growth that is difficult to serve. The Agreement establishes that the Redevelopment Agency may cease making its payments to the County (\$1.2 million for 2001/02 fiscal year) if the County approves urban development within the Davis Planning Area. If the Redevelopment Plan amendments are not adopted by May 2003 these important land use protections will stay in effect until approximately 2009, the year the Agency is expected to receive a cumulative total of \$72 million of tax increments. If the Redevelopment Plan amendments are adopted prior to May 2003 these land use protections will continue until 2025.

A Preliminary Report for the proposed Plan amendments was prepared and released in October 2002. This report is required by Section 33344.5 of California Redevelopment Law. The general purpose of the report is to provide the City Council and other taxing entities potentially affected by the proposed amendments with information and documentation which may be used in the consideration of the proposed Plan amendments and in making determinations necessary for its adoption. The purpose of the report is three-fold: 1) to document blight in the Project Area; 2) to identify capital projects intended to alleviate the blight; and 3) to provide an analysis of the financial feasibility of the amended Plan. The Preliminary Report was approved by the City Council on October 1, 2002 (Resolution No. \_\_\_\_\_) and staff was directed to transmit it to the other taxing jurisdictions.

## **DESCRIPTION OF PROPOSED AMENDMENTS TO THE REDEVELOPMENT PLAN**

The Redevelopment Agency of the City of Davis is proposing to adopt the following amendments to the Redevelopment Plan:

*1) Text amendments (Attachment A) to:*

- a) Update map references and dates;
- b) Make minor text corrections and clarifications;
- c) Increase the total tax increment to be collected; and
- d) Restore the lapsed eminent domain authority of the Agency.

*2) Amendment of the Redevelopment Plan Map (Attachment B) to:*

- a) Redesignate land consistent with adopted General Plan land uses.

- 3) Addition of a new list of public projects and programs to be undertaken by the Agency (Attachment C) comprised of the following:
- a) Richards/Gateway Corridor Improvements;
  - b) Pedestrian/Bike Railroad Crossing(s);
  - c) East Olive Drive Right-Of-Way Improvements;
  - d) Fifth Street Corridor Improvements;
  - e) H Street Alley and Multi-Modal Center Enhancements;
  - f) Commercial reuse of City-Owned/Leased Buildings;
  - g) Pedestrian Amenities;
  - h) Additional Public Parking;
  - i) Richards Bike Overcrossing;
  - j) Corridor Plans and Improvements;
  - k) Affordable Housing;
  - l) Economic Incentive Programs; and
  - m) Rehabilitation/Building Code Upgrades.

## ANALYSIS

In order to assess whether additional CEQA review is required for the City to approve the Redevelopment Plan amendments, an analysis of the applicability of Section 15162 of the CEQA Guidelines is relevant. The following analytical steps were taken:

- Identify whether the proposed Plan amendments were anticipated/assumed in General Plan or other prior adopted plans.
- Determine whether the impacts of the proposed Plan Amendments would fall within the framework of prior EIR analysis.
- Determine whether the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred.

The text below examines each of these items. In cases where the project would be exempt from CEQA or where additional environmental review would not be required pursuant to Section 15168(c)(2), this is also identified.

### Identification of Whether Proposed Plan Amendments Are Included in General Plan

Text Amendments – These revisions update the text, make minor corrections and clarifications. Revisions serve primarily to clarify, amplify, and make insignificant modifications. No land use changes are made. No physical projects are modified. In and of themselves, these clarifying text changes would not trigger CEQA.

Map Amendments – These revisions serve to update the land use map to be consistent with the General Plan land use map. The General Plan land use map modifications have all been subject to environmental review prior to the approval of the amendments to the General Plan.

Richards Boulevard/Gateway Corridor Improvements – This improvement includes the “tight diamond” interchange improvements at the I-80 ramp and other intersection enhancements at Richards Boulevard and Olive Drive intersection including reconfiguring and reconstruction of the sidewalks, driveways, bike lanes, bus stops, and traffic signals in order to improve traffic circulation, bike/pedestrian safety, and intersection aesthetics.

The Gateway Olive Drive Specific Plan (adopted July 10, 1996) and the Richards Boulevard Corridor Transportation Demand Management (TDM) Measures Alternative (adopted April 9, 1997) both include improvements to traffic circulation, bike/pedestrian safety, and the aesthetics among planned intersection enhancements for Richards Boulevard and East Olive Drive.

The Olive Drive Apartments project included implementation of various intersection enhancements at Richards Boulevard and Olive Drive as required project mitigation, including traffic calming along East Olive Drive, a bus stop on Richards Boulevard, and a pedestrian/bicycle connection through the project to the bus stop to coordinate with the tight diamond interchange project. The apartment project included an amendment of the General Plan to accommodate the apartments, and was covered by a Negative Declaration approved by the City on May 1, 2002.

Action “a.10” of Policy MOB 1.7 of the General Plan specifically identifies the development of a corridor plan for Richards Boulevard. Action “b” of Policy MOB 1.7 identifies Richards Boulevard and Olive Drive as “entrances” to the City for which corridor plan improvements are appropriate for aesthetic improvements. Action “a” of Policy MOB 1.8 specifically requires the development of a variety of measures to relieve congestion and improve safety at the Richards Boulevard underpass. Action “c” of Policy MOB 1.8 specifically refers to investigating the feasibility of the “tight diamond” interchange. Action “b” of Policy MOB 3.1 requires that the safety, accessibility, and coverage of the existing bicycle network be enhanced, especially in the vicinity of UCD. Action “c” of Policy MOB 3.4 requires maintenance and repair of sidewalks for pedestrian safety. Actions “c”, “f”, “g”, and “h” of Policy MOB 4.1 require bus stops and transit coordination.

The corridor improvements proposed in the Redevelopment Plan amendment are identified in the City’s Capital Improvement Program (CIP) as Project A.21/8529.

Notwithstanding the inclusion of these items specifically and/or generically in the General Plan and General Plan EIR, or other prior approved plans and CEQA documents, all of the improvements contemplated in this project (tight diamond interchange and intersection enhancements) would be categorically exempt from CEQA under: 1) Section 15301c (Existing Facilities) – repair, maintenance, or minor alteration

of existing public facilities including existing streets, sidewalks, gutters, bicycle and pedestrian trails, and similar features; 2) Section 15302c (Replacement or Reconstruction) – replacement or reconstruction of existing facilities involving negligible or no expansion of capacity; 3) Section 15304 (Minor Alterations to Land) – creation of bicycle lanes on existing rights-of-way; and/or 4) Section 15061(b)(3) (General Rule) – no possibility that the activity will cause a significant effect.

*Pedestrian/Bike Railroad Crossing(s)* – This improvement includes a below-grade or at-grade bike/pedestrian connection from Hickory Lane to the Depot. This Hickory Lane facility is a long-planned alternative bicycle/pedestrian route in the City.

The Southern Pacific Depot Report adopted by the City Council on June 8, 1994 included a below-grade pedestrian/bicycle crossing of the railroad tracks at Hickory Lane. The Gateway/Olive Drive Specific Plan and Richards Boulevard Corridor Update TDM Measures Alternative both include a pedestrian/bicycle crossing of Hickory Lane. The Olive Drive Apartments project included mitigation measures requiring the applicant to pay fair share funding for the crossing and requiring the City to include the project in the City's CIP.

Action "a" of Policy MOB 1.8 of the General Plan adopted May 23, 2001 allows for "alternate routes" (which would include the Hickory Lane crossing) as one of many TDM measures that should be implemented to reduce demand at the Richards Boulevard underpass.

This project is identified for inclusion in the City's Capital Improvement Program (CIP), however no project number has been assigned.

This crossing already physically exists and has been in use informally for many years. The purpose of including it as a project in the Redevelopment Plan would be to secure funding to install the crossing formally with appropriate signage and safety features. Notwithstanding the inclusion of this project specifically and/or generically in the General Plan and General Plan EIR, or other prior approved plans and CEQA documents, if this improvement is constructed at-grade, it would be exempt from CEQA under: 1) Section 15301c (Existing Facilities) – repair, maintenance, or minor alteration of existing public facilities including existing streets, sidewalks, gutters, bicycle and pedestrian trails, and similar features; 2) Section 15302c (Replacement or Reconstruction) – replacement or reconstruction of existing facilities involving negligible or no expansion of capacity; 3) Section 15304 (Minor Alterations to Land) – creation of bicycle lanes on existing rights-of-way; and/or 4) Section 15061(b)(3) (General Rule) – no possibility that the activity will cause a significant effect.

If the crossing is constructed as a grade-separated crossing it would be statutorily exempt from CEQA under Section 15282(h) (Railroad Grade Separation Project).

East Olive Drive Right-Of-Way Improvements – This improvement includes traffic calming, street resurfacing, sidewalk improvements, and street lighting.

The Gateway Olive Drive Specific Plan (adopted July 10, 1996) and the Richards Boulevard Corridor Transportation Demand Management (TDM) Measures Alternative (adopted April 9, 1997) both include improvements to traffic circulation, bike/pedestrian safety, and the aesthetics along East Olive Drive, and at the intersection of Olive Drive and Richards Boulevard.

The Olive Drive Apartments project included implementation of various intersection enhancements at Richards Boulevard and Olive Drive as required project mitigation, including traffic calming along East Olive Drive, a bus stop on Richards Boulevard, and a pedestrian/bicycle connection through the project to the bus stop to coordinate with the tight diamond interchange project.

Action “b” of Policy MOB 1.7 identifies Olive Drive as an “entrance” to the City for which corridor plan improvements are appropriate for aesthetic improvements. Action “a” of Policy MOB 1.8 specifically requires the development of a variety of measures to relieve congestion and improve safety at the Richards Boulevard underpass. Action “c” of Policy MOB 3.4 requires maintenance and repair of sidewalks for pedestrian safety. Action “b” of Policy MOB 3.1 requires that the safety, accessibility, and coverage of the existing bicycle network be enhanced, especially in the vicinity of UCD. Actions “c”, “f”, “g”, and “h” of Policy MOB 4.1 require bus stops and transit coordination.

Notwithstanding the inclusion of these items specifically and/or generically in the General Plan and General Plan EIR, or other prior approved plans and CEQA documents, all of the improvements contemplated in this project (traffic calming, street resurfacing, sidewalk improvements, and street lighting) would be statutorily or categorically exempt from CEQA under: 1) Section 15282(k) (Restriping of Streets) – restriping streets to relieve congestion; 2) Section 15301c (Existing Facilities) – repair, maintenance, or minor alteration of existing public facilities including existing streets, sidewalks, gutters, bicycle and pedestrian trails, and similar features; 3) Section 15302c (Replacement or Reconstruction) – replacement or reconstruction of existing facilities involving negligible or no expansion of capacity; and/or 4) Section 15061(b)(3) (General Rule) – no possibility that the activity will cause a significant effect.

Fifth Street Corridor Improvements -- This project includes a variety of improvements to lower traffic speeds, improve bicycle facilities, and improve the aesthetics of the corridor. This project does not include widening of Fifth Street, which would result in the elimination of existing mow strips and over 100 mature street trees, and is precluded under the Core Area Specific Plan (p.39).

Action “e” of Policy MOB 1.1 of the General Plan requires Class II bicycle lanes along all collectors and arterials. Action “a.1” of Policy MOB 1.7 identifies Fifth Street as the number one priority street to consider for participation in a corridor plan process. Action “a” of Policy MOB 1.9 specifically refers to a study of reconfiguring Fifth Street between B

Street and L Street as two-traffic lanes (rather than four currently), with a center turn lane and on-street bike lanes.

A new signal at Fifth Street and D or E Streets is programmed in the City's CIP as Project A.48

Notwithstanding the inclusion of this improvement in the General Plan and General Plan EIR, the improvements contemplated in this project (restriping) may be statutorily exempt from CEQA under Section 15282(k) (Restriping of Streets) – restriping streets to relieve congestion. They may also qualify for a categorical exemption under Section 15304 (Minor Alterations to Land) – creation of bicycle lanes on existing rights-of-way.

*H Street Alley and Multi-Modal Center Enhancements* – This project includes realigning the H Street Alley within existing right-of-way to allow for a new bus stop, create new parking spaces, improve pedestrian and bicycle circulation, improve access for existing adjoining land uses, increased safety and improved circulation for all modes.

The Core Area Specific Plan (p. 44) Parking Policy 3.4.1.D encourages increasing the on-street parking supply. Parking Policy 3.4.3 supports increasing the availability of on-street parking. Parking Policy 3.4.8 requires full utilization of curbside parking potential in the Core Area.

General Plan Policy MOB 1.3 encourages the use of alternative transportation modes. Action “d” of Policy MOB 1.4 requires traffic calming and other street modifications that would include all of the listed items. Policy MOB 1.5 allows for traffic calming to slow speeds. Action “b” of Policy MOB 3.1 requires that the safety, accessibility, and coverage of the existing bicycle network be enhanced. Action “b” of Policy MOB 3.1 requires that the safety, accessibility, and coverage of the existing bicycle network be enhanced, especially in the vicinity of UCD. Policy MOB 3.4 requires the provision of safe and convenient pedestrian access citywide. Actions “c”, “f”, “g”, and “h” of Policy MOB 4.1 require bus stops and transit coordination.

Notwithstanding the inclusion of this improvement specifically and/or generically in the General Plan and General Plan EIR, or other prior approved plans and CEQA documents, the improvements contemplated in this project (change lane configuration and create on-street parking) would be categorically exempt from CEQA under: 1) Section 15301c (Existing Facilities) – repair, maintenance, or minor alteration of existing public facilities including existing streets, sidewalks, gutters, bicycle and pedestrian trails, and similar features; 2) Section 15302c (Replacement or Reconstruction) – replacement or reconstruction of existing facilities involving negligible or no expansion of capacity; 3) Section 15304 (Minor Alterations to Land) – creation of bicycle lanes on existing rights-of-way; and/or 4) Section 15061(b)(3) (General Rule) – no possibility that the activity will cause a significant effect.

*Commercial Reuse of City-Owned/Leased Buildings* – This project involves funding capital improvements to these primarily historic City owned or leased facilities to allow for commercial reuse.

Chapter 16 (Historic and Archeological Resources) of the General Plan reflects a clear expectation that historic structures can and should be reused so long as their historic character is preserved and enhanced. Action “c” of Policy HIS1.2 requires standards, rules, and regulations for preservation, restoration, remodeling, and redevelopment of historic resources. Policy HIS 1.3 requires the City to assist and encourage the restoration and reuse of historic resources. Action “a” of Policy HIS 1.3 specifically requires the City to preserve, restore, and reuse City-owned historic resources here feasible. Other actions in the Policy require the development of incentives, the preparation of a “how to” guide, and the provision of design assistance.

Notwithstanding the inclusion of this improvement specifically and/or generically in the General Plan and General Plan EIR, or other prior approved plans and CEQA documents, the improvements contemplated in this project (reuse of an historic structure) would be categorically exempt from CEQA under Section 15301c (Existing Facilities) – interior or exterior alterations.

Section 15300.2(f) indicates that a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of an historical resource. However, Section 15064.5(b)(3) states that generally a project that follows the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings “...shall be considered as mitigated to a level of less than a significant impact on the historic resources.” Standard “a” of General Plan Policy HIS 1.2 requires the City to utilize these Standards when reviewing proposed alteration to City-designated historic resources and improvements within historic districts; therefore, the use of the categorical exemption(s) would remain appropriate for this project.

*Pedestrian Amenities* – This project includes a variety of amenities to serve pedestrians, transit users, and bicyclists in the downtown such as bike racks, news racks, benches, trees, bus shelters, enhanced sidewalk paving, direction signage, and bulb-out crossings at intersections.

Section IV (Streetscape) of the Core Area Specific Plan specifically encourages and establishes design guidelines for the improvements included in this project.

Notwithstanding the inclusion of this improvement specifically and/or generically in the General Plan and General Plan EIR, or other prior approved plans and CEQA documents, the improvements contemplated in this project (streetscape furniture and amenities, and pedestrian crossings) would be categorically exempt from CEQA under: 1) Section 15301c (Existing Facilities) – repair, maintenance, or minor alteration of existing public facilities including existing streets, sidewalks, gutters, bicycle and pedestrian trails, and similar features; 2) Section 15302c (Replacement or Reconstruction) – replacement or reconstruction of existing facilities involving negligible or no expansion of capacity; and/or 3) Section 15061(b)(3) (General Rule) – no possibility that the activity will cause a significant effect.

Additional Public Parking -- This project includes three components: 1) construction of a third parking structure downtown, possibly on the existing public parking lot between E and F Streets, and Third and Fourth Streets; 2) funding assistance to develop underground parking downtown; and 3) public purchase of the private parking structure at Fifth and G Streets.

*The Core Area Specific Plan defines the downtown core as the area bounded by First Street, Third Street, D Street, and the railroad tracks. This is also identified as the core retail area. Parking Policy 3.4.2 specifically identifies that future large-scale parking structures shall be built “at the periphery” of the downtown core area, if it is determined through a downtown parking study that additional structures are necessary. The 1996 Downtown Parking Study concluded (p. 9-1) that an additional 1,000 parking spaces are needed to serve the downtown by 2010, and that more than half of those spaces should be provided in public facilities.*

The Richards Boulevard Corridor Update TDM Measures Alternative included a new parking structure outside of the downtown core.

Action “c” of General Plan Policy MOB 2.1 requires use of the 1996 Downtown Parking Study and subsequent updates as the basis for parking improvements in the Core Area.

CIP Project AE.01 funds the development of an additional parking structure at an unspecified location “north of First Street”.

Richards Bike Overcrossing – This project involves the construction of a bicycle bridge over Richards Boulevard adjoining the north side of the tunnel, between the Davis Commons commercial site and the Boy Scout cabin parcel.

The Richards Boulevard Corridor TDM Measures Alternative as originally analyzed included improved bicycle access and circulation near the Richards Boulevard corridor.

Action “a.10” of Policy MOB 1.7 of the General Plan specifically identifies the development of a corridor plan for Richards Boulevard. Action “a” of Policy MOB 1.8 specifically requires the development of a variety of measures to relieve congestion and improve safety at the Richards Boulevard underpass, including “alternate routes”. Action “b” of Policy MOB 3.1 requires that the safety, accessibility, and coverage of the existing bicycle network be enhanced, especially in the vicinity of UCD.

This overcrossing is included in the City’s Capital Improvement Program (CIP) as Project A.21/8529.

Corridor Plans and Improvements – This project contemplates the development of corridor plans and the construction of various improvement to address traffic speed, improve bicycle and pedestrian safety, and improve aesthetics on the following streets: Fifth Street, Third Street, B Street, F Street, Cowell Boulevard, Lillard Boulevard, and Mace Boulevard.

Fifth Street is addressed above. Automobile Circulation Policy 3.1.D in the Core Area Specific Plan identifies Fifth, B, and F Streets as primary automobile routes. Bicycle Policy

3.3.2 in the Core Area Specific Plan requires east-west bicycle travel to be routed to Third (and Eighth) Street. Bicycle Policy 3.3.3.A requires the City to examine linking the existing terminus of the F Street bike lane at Third Street with the proposed bike lane at First and F Streets, and extending the A Street bike lane south from Third to First Streets.

Action “a.1” of General Plan Policy MOB 1.7 identifies F Street as the number two priority street to consider for participation in a corridor plan process. Cowell Street, Lillard Boulevard, and Mace Boulevard are listed as priority 8, 9, and 10 respectively. Policy MOB 1.5 requires the development of a traffic calming program for collectors and minor arterials to slow speeds. This policy applies to all of the identified streets. Action “c” of Policy MOB 3.2 calls for a strengthening of the “campus-to-core” bike linkage along Third Street.

CIP Project A.37 is for signage, striping, and emergency vehicle detection equipment along B Street from First to Fifth Streets. Signal modification at Third Street is included.

CIP Project A.40 is for a new signal at F and Fourth Streets. CIP Project A.47 is for a new signal at First and B Streets. CIP Project A.48 is for a new signal at Fifth and D or F Streets. CIP Project A.49 is for a new signal at Second and F Streets. CIP Project A.50 is for a new signal at First and F Streets. CIP Project A.52 is for a new signal at Second and B Streets.

Notwithstanding the inclusion of this improvement specifically and/or generically in the General Plan and General Plan EIR, or other prior approved plans and CEQA documents, the improvements contemplated in this project (traffic calming, unspecified bike and pedestrian improvements, and aesthetic improvements) would be categorically exempt from CEQA under: 1) Section 15301c (Existing Facilities) – repair, maintenance, or minor alteration of existing public facilities including existing streets, sidewalks, gutters, bicycle and pedestrian trails, and similar features; 2) Section 15302c (Replacement or Reconstruction) – replacement or reconstruction of existing facilities involving negligible or no expansion of capacity; and/or 3) Section 15061(b)(3) (General Rule) – no possibility that the activity will cause a significant effect.

*Affordable Housing* – This includes programs and projects that increase, maintain, or enhance the supply of affordable housing in the City.

Davis has a long history of successfully meeting affordable housing needs in the City. State law has certain requirements for affordable housing within the Redevelopment Project Area. The General Plan Housing Element (Chapter 4) also has extensive requirements for affordable housing. In particular, Policy HOUSING 3.1 generally requires 25 percent of new for-sale units to be affordable and 35 percent of all rental units.

The provision of affordable housing is statutorily exempt from CEQA under: Section 15279 (Housing for Agricultural Employees); Section 15280 (Lower-Income Housing Projects); 15181 and 15282(e) (Construction of Housing In an Urbanized Area); Section 15182 (Residential Projects Pursuant to a Specific Plan); and Section 15183 (Projects Consistent With a Community Plan, General Plan, or Zoning). Other categorical

exemptions that may apply include: Section 15326 (Acquisition of Housing for Housing Assistance Programs); and Section 15332 (In-fill Development Projects).

*Economic Incentive Programs* – This includes programs and projects that assist private property owners in maintaining and improving land and buildings in the Redevelopment Plan area.

Chapter 5 of the General Plan addresses Economic and Business Development. Action “e” of Policy ED 3.1 requires the maintenance of a revolving Redevelopment Agency loan program to encourage the retention of existing businesses.

The improvements contemplated in this project (e.g. facade improvements, interior and exterior maintenance) would be categorically exempt from CEQA under: 1) Section 15301 (Existing Facilities); 2) Section 15302 (Replacement or Reconstruction); and/or 3) Section 15061(b)(3) (General Rule).

*Rehabilitation/Building Code Upgrades* – This includes replacement or installation of new public utilities or service lines; replacement of windows; adding insulation; upgrading appliances; addition of central heat or air; and replacement of roofing, siding, or foundations.

General Plan Policy HOUSING 4.1 requires that housing stock be maintained in sound condition and up to code requirements.

The improvements contemplated in this project would be categorically exempt from CEQA under: 1) Section 15301 (Existing Facilities); 2) Section 15302 (Replacement or Reconstruction); and/or 3) Section 15061(b)(3) (General Rule).

### **Applicability of General Plan EIR to Proposed Plan Amendments**

The information provided above demonstrates that the proposed amendments to the Redevelopment Plan fall within the scope of the adopted General Plan, or Gateway/Olive Drive Specific Plan and Core Area Specific Plan both of which are incorporated into the General Plan. The General Plan was subject to an extensive Program EIR analysis which was certified June 6, 2000. The two specific plans were also subject to prior certified environmental analyses from 1996, which were incorporated into the General Plan environmental analysis. As such, the potential environmental effects of the proposed Plan amendments fit within the range of impact analysis of the General Plan EIR. The proposed Plan amendments provide more specificity regarding the implementation of the particular programs and projects already anticipated and/or required under the General Plan, and thus already fully analyzed for environmental impact and given CEQA clearance under the prior EIR(s).

Section 15168(c) addresses the use of a Program EIR with later activities. This section requires that later activities, such as the subject amendment of the Redevelopment Plan, must be evaluated in light of the Program EIR to determine whether additional environmental documentation must be prepared. If the agency finds pursuant to

Section 15162, that no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the Program EIR, and no new environmental document would be required. The analysis below examines the thresholds established by Section 15162.

### **Section 15162 Thresholds**

Attachment D provides verbatim wording from the State CEQA Guidelines and an analysis of the applicability of the particular language to the proposed amendments of the Redevelopment Plan. The evidence supports, and the analysis concludes, that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred, and thus an Addendum is appropriate.

### **REFERENCES**

Resolution to Amend the General Plan of the City of Davis Land Use Map and text as related to the Cantrill Apartments Project Southwest of Fifth Street and Cantrill Drive and related subjects, and Negative Declaration, approved/adopted September 18, 2002 (Resolution No. 02-143).

Core Area Specific Plan and Final EIR, adopted/certified November 13, 1996.

Davis General Plan, adopted May 23, 2001 (Resolution No. 01-72).

Final Program Environmental Impact Report for the City of Davis General Plan Update and Project EIR for Establishment of a New Junior High School (SCH #1999072014) (General Plan Update EIR), certified June 6, 2000 (Resolution No. 00-80).

Gateway/Olive Drive Specific Plan and Final EIR, adopted/certified July 10, 1996 (Resolution No. 7919).

Olive Drive Apartments Project and Resolution of the City Council of the City of Davis Finalizing and Approving the Negative Declaration for the Olive Drive Apartments Project, approved/adopted May 1, 2002 (Resolution No. 02-57 and 02-58).

Richards Boulevard Corridor Transportation Demand Management Alternative, adopted April 9, 1997 (Resolution No. 8077).

Richards Boulevard Corridor Upgrade Project EIR, certified August 1, 1996 (Resolution No. 7948).

Southern Pacific Depot Report, adopted June 8, 1994.

## **ATTACHMENTS**

- Attachment A – Proposed Text Amendments to the Redevelopment Plan
- Attachment B – Proposed Land Use map Amendments to the Redevelopment Plan Map
- Attachment C – Proposed Redevelopment Plan Public Improvements List
- Attachment D – Section 15162 Comparison Table

## ATTACHMENT D – Comparison of 15162 CEQA Requirements and Project

<b>TABLE 10 COMPARISON OF 15162 CEQA REQUIREMENTS AND PROJECT</b>	
<b>CEQA Requirement (Section 15162)</b>	<b>Relationship to Request</b>
<p>(a) <i>When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:</i></p>	<p>The Final Program Environmental Impact Report for the City of Davis General Plan Update and Project EIR for Establishment of a New Junior High School (SCH #1999072014) (General Plan EIR) was certified June 6, 2000 (Resolution No. 00-80). Section 15090 findings were made at that time. Section 15091, 15092, and 15093 findings were subsequently made on May 23, 2001 in conjunction with adoption of the General Plan (Resolution No. 01-72).</p> <p>The information provided in this Addendum identifies the substantial evidence in support of the City's determination that the preparation of a subsequent EIR is not required for the subject project and that the preparation of an Addendum is appropriate.</p>
<p>(1) <i>Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;</i></p>	<p>The proposed amendments to the Redevelopment Plan are described within the body of this Addendum document. These changes are not substantial. They involve: 1) text amendments to update, correct, and clarify the Redevelopment Plan; 2) map amendments to redesignate land uses on the Redevelopment Plan Map to be consistent with the General Plan land uses; and 3) adoption of a new list of projects and programs to be undertaken by the Agency. The proposed projects and programs have all been contemplated in the General Plan and (with two exceptions) fall within the scope of analysis included in the General Plan EIR.</p> <p>With the exception of the Core Area parking structure and the Richards Boulevard Bicycle Overpass, all other project proposed for addition to the Redevelopment Plan are either individually exempt from CEQA, or have been previously analyzed and approved. No revisions of the General Plan EIR are required regarding these projects. No new environmental effects will result. The severity of previously identified impacts would not substantially increase.</p>

<b>TABLE 10 COMPARISON OF 15162 CEQA REQUIREMENTS AND PROJECT</b>	
<b>CEQA Requirement (Section 15162)</b>	<b>Relationship to Request</b>
	<p>The Core Area parking structure and the Richards Boulevard Bicycle Overpass have the potential to result in new significant environmental effects, however not enough is known about the components of these projects to be able to provide meaningful environmental assessment at this time (see Section 15145). Therefore, pursuant to the requirements of CEQA, additional project-specific environmental analysis will be required prior to proceeding with either project (see Section 15168.c.1).</p>
<p>(2) <i>Substantial changes will occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or</i></p>	<p>The circumstances under which the Redevelopment Plan will be implemented remain unchanged from the time of adoption of the General Plan. The proposed amendments ensure consistency with the General Plan, allow an increase in the total tax increment to be collected, and restore the lapsed eminent domain authority of the Redevelopment Agency.</p> <p>There are no new significant environmental effects associated with the proposed revisions. There is no change in the severity of previously identified significant effects. With two exceptions, the potential impacts from the proposed amendments fall within the range of impacts analyzed in the General Plan EIR, and are individually less than significant.</p> <p>The Core Area parking structure and the Richards Boulevard Bicycle Overpass have the potential to result in new significant environmental effects, however not enough is known about the components of these projects to be able to provide meaningful environmental assessment at this time (see Section 15145). Therefore, pursuant to the requirements of CEQA, additional project-specific environmental analysis will be required prior to proceeding with either project (see Section 15168.c.1).</p>
<p>(3) <i>New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:</i></p>	<p>No new information has been identified. These changes involve amendment of the Plan to be consistent with the General Plan, to allow an increase in the total tax increment to be collected, and to restore the lapsed eminent domain authority of the Redevelopment Agency.</p>

<b>TABLE 10 COMPARISON OF 15162 CEQA REQUIREMENTS AND PROJECT</b>	
<b>CEQA Requirement (Section 15162)</b>	<b>Relationship to Request</b>
<p>(A) <i>The project will have one or more significant effects not discussed in the previous EIR or negative declaration;</i></p>	<p>All impacts were analyzed in the certified General Plan EIR or preceding specific plan EIR. With two exceptions, the potential impacts from the proposed amendments fall within the range of impacts analyzed in the General Plan EIR, and are individually less than significant.</p> <p>The Core Area parking structure and the Richards Boulevard Bicycle Overpass have the potential to result in new significant environmental effects, however not enough is known about the components of these projects to be able to provide meaningful environmental assessment at this time (see Section 15145). Therefore, pursuant to the requirements of CEQA, additional project-specific environmental analysis will be required prior to proceeding with either project (see Section 15168.c.1).</p>
<p>(B) <i>Significant effects previously examined will be substantially more severe than shown in the previous EIR;</i></p>	<p>The revised project will not result in the significance level of any impacts previously identified, being more severe than initially described in the EIR.</p>
<p>(C) <i>Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or</i></p>	<p>No mitigation measures or alternatives were determined to be infeasible. No new mitigation measures have been identified that would substantially reduce one or more significant effects of the project.</p>
<p>(D) <i>Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.</i></p>	<p>No new or different mitigation measures or alternatives have been identified beyond those analyzed in the EIR.</p> <p>Neither the City nor the Agency have declined to adopt relevant mitigation measures or alternatives.</p>
<p>b) <i>If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, and addendum, or no further documentation.</i></p>	<p>A negative declaration was not prepared or adopted for the project, therefore, this section does not apply.</p>

<b>TABLE 10 COMPARISON OF 15162 CEQA REQUIREMENTS AND PROJECT</b>	
<b>CEQA Requirement (Section 15162)</b>	<b>Relationship to Request</b>
<p>c) <i>Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in Subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.</i></p>	<p>The General Plan was approved May 23, 2001. The adoption of these proposed amendments to the Redevelopment Plan are subsequent discretionary actions for which a CEQA determination must be made. However, as noted herein, none of the conditions described in Subsection (a) have been triggered, hence a subsequent EIR is not required. Rather, the City has concluded that an Addendum is appropriate.</p> <p>The Core Area parking structure and the Richards Boulevard Bicycle Overpass have the potential to result in new significant environmental effects, however not enough is known about the components of these projects to be able to provide meaningful environmental assessment at this time (see Section 15145). Therefore, pursuant to the requirements of CEQA, additional project-specific environmental analysis will be required prior to proceeding with either project (see Section 15168.c.1).</p>
<p>d) <i>A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.</i></p>	<p>A subsequent EIR has been determined not to be required for the Redevelopment Plan amendments; therefore, this section is not applicable. This section may be applicable in the future when the Core Area parking structure and the Richards Boulevard Bicycle Overpass are subject to subsequent project-level environmental review.</p>