

RESOLUTION NO. 09-132, SERIES 2009

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAVIS AMENDING THE GENERAL PLAN TO RE-DESIGNATE THE “WILDHORSE RANCH” PROPERTY FROM AGRICULTURE TO FIVE LAND USE DESIGNATIONS OF RESIDENTIAL HIGH DENSITY, RESIDENTIAL MEDIUM DENSITY, NEIGHBORHOOD GREENBELT, NATURAL HABITAT AREA, AND URBAN AGRICULTURAL TRANSITION AREA AND ESTABLISH THE BASELINE PROJECT FEATURES SUBJECT TO APPROVAL OF THE VOTERS

WHEREAS, the City of Davis has visions to foster a safe, sustainable, healthy, diverse and stimulating environment for all in the community; maintain Davis as a cohesive, compact, university-oriented city surrounded by and containing farmland, greenbelts, natural habitats and natural resources; and preserve and create an array of distinct neighborhoods so that all residents can identify a neighborhood that is “home” for them.

WHEREAS; the City Council has established goals of providing slow steady additions to the housing stock and providing housing for people who live/work in Davis; and

WHEREAS, the Planning Commission held a public hearing on July 8, 2009 to receive comments and consider the proposed amendment; and

WHEREAS, the City Council held a public hearing on July 28, 2009 to receive comments and consider the proposed amendment; and

WHEREAS, Environmental Impact Report SCH #2007072020 adequately assesses the impacts of this General Plan Amendment; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVIS:

Section 1 – Land Use Map. The City of Davis General Plan Land Use Map (Figures 11a and 11b) are hereby amended with the change of the “Wildhorse Ranch” property from a designation of “Agriculture” to the following land use designations: Residential High Density, Residential Medium Density, Neighborhood Greenbelt, Natural Habitat Area, and Urban Agricultural Transition Area, as shown in the map, Exhibit A, to this resolution.

Section 2 – Baseline Project Features. The Baseline Project Features for the applications, as established by Ordinance 2008, are included as Exhibit B to this Resolution.

Section 3 – Effective Date. This Amendment shall not be effective unless and until the action is ratified by the voters in a “Measure J” election, as specified in City of Davis Ordinance 2008, the Citizen’s Right to Vote on Future Use of Open Space and Agricultural Lands Ordinance.

PASSED AND ADOPTED by the City Council of the City of Davis this 28th day of July, 2009,
by the following vote:

AYES: Heystek, Saylor, Asmundson

NOES: Greenwald, Souza



Ruth Uy Asmundson, Ph. D.
Mayor

ATTEST:

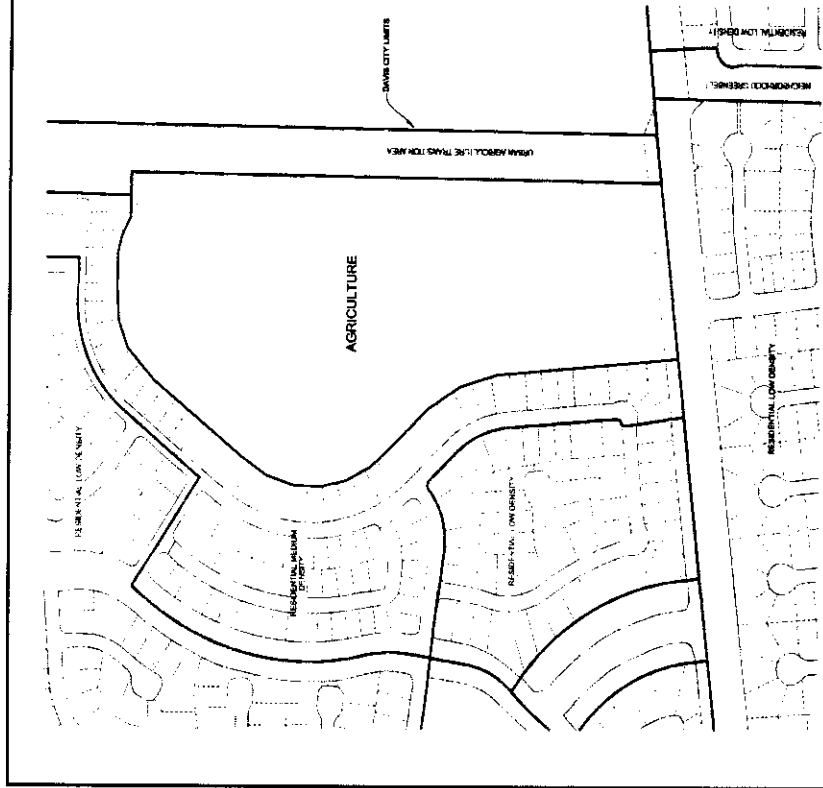


Zoe S. Mirabile, CMC
City Clerk

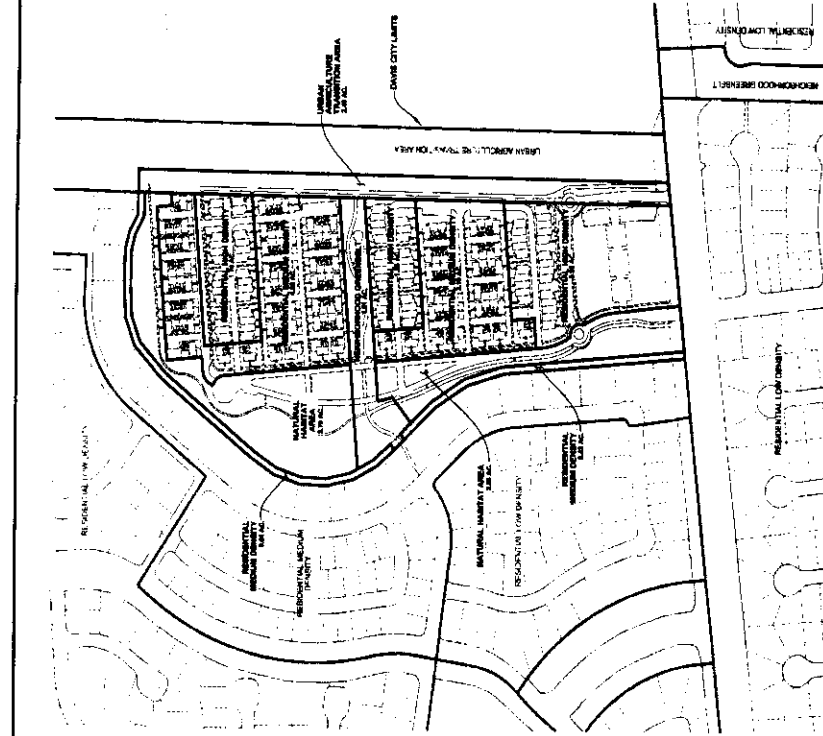
Exhibits

- A. General Plan Land Use Map
- B. Measure J Features

EXHIBIT A - General Plan Land Use Designations



EXISTING LAND USE



PROPOSED LAND USE

GPA LAND USE SUMMARY

EXISTING LAND USE	AREA	PROPOSED LAND USE	AREA
AGRICULTURE	28.79 AC.	RESIDENTIAL (MEDIUM DENSITY)	8.912 AC.
		RESIDENTIAL (HIGH DENSITY)	7.082 AC.
		NEIGHBORHOOD GREENBELT	1.812 AC.
		NATURAL HABITAT AREA	8.738 AC.
		URBAN AGRICULTURE TRANSITION AREA	2.482 AC.
TOTAL AREA:	28.79 AC.	TOTAL AREA:	28.79 AC.

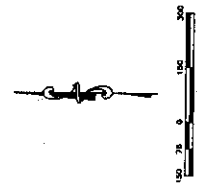


EXHIBIT B
Wildhorse Ranch
Base Line Measure J Project Features

Wildhorse Ranch is a 25.8 acre development site, inside the city limits, designed with a mix of housing types and affordability levels to meet the housing needs of the local Davis workforce. The community is designed with housing that is blended together so that families of all incomes and social structure will mix and interact in the common greenways, or paseos that form the front yards and community open space for all to enjoy. The community plan provides for more than 37% of the site, dedicated by the developer, to be set aside as permanent open space, including an addition to the City's Agricultural Buffer, and a 4.4 acre open space area for passive recreation that is to be planted with trees and ground cover and will become the focal point for the community. The street pattern in the community is designed at a human scale that puts the pedestrian first and the automobile second. Roadways are narrow and sized to meet the minimum needs for traffic, thus lessening the amount of paved surface leaving more area for landscaping and natural site drainage and absorption of rain and lessening site runoff. Most importantly the community is designed to set a new standard in sustainable building and community design for Davis as well as the region.

The site plan was prepared with the intent of maximizing the energy efficiency and opportunities to generate solar power. Continuing the long tradition in Davis of approving high-quality, environmentally progressive development on a scale consistent with the intent of the City of Davis General Plan policies, Smart Growth principles, and the desires of the community, Wildhorse Ranch sets the bar at a new level of energy efficiency and Green House Gas emission reduction. The project will reduce operational Green House Gas emissions by 90%. To achieve this, the project will use a combination of methods to reduce energy demand or replace carbon generated electricity with clean solar power from onsite photovoltaic systems, and the homes will be designed to exceed the California Energy Standards for 2005 (2005 Title 24) through the use of high efficiency heating and cooling systems, demand hot water systems including solar hot water, passive solar features, energy efficient appliances and improved insulation. All of these features will result in a reduction in GHG emissions of below a traditional single family neighborhood, and exceed the current city goals for new homes.

Wildhorse Ranch will provide up to 151 new town homes and single family homes to meet housing needs for families and the local workforce population as well as 40 rental apartment homes (with 15 units affordable to very low income, 23 affordable to low income and 2 non-income specific). The human scale and protection of the planet are the key drivers to creating the sense of place to be found at Wildhorse Ranch. Most homes will face one another, as opposed to roads, orientation to maximize solar

efficiency, all within an a site already within the city limits will serve to create the next step in sustainable design and development that will take real steps to addressing the human impact of growth, while providing a real world example of how sustainability and GHG reduction can be designed into a community without compromising comfort of livability.

Project Description:

Wildhorse Ranch is 25.8 acres and will contain up to 191 homes. The project will be developed in substantial compliance with the attached master plan and entitlements approved by the City Council. The following mix of housing is to be developed on the site:

- Up to 73 Single Family Homes.
- Up to 78 Town Homes.
- Up to 40 Apartment Homes of which 38 will be affordable to very low and low income households.

The total number of units, 191, cannot be exceeded. The number of units within the Single Family Homes category and the Town Homes category may vary up to ten percent (10%) provided however that any increase in one category must accompany a corresponding decrease in the other category. A reduction in one category may occur without the requirement to increase the total units in the other category. Such an event would result in a decrease in the total units within the project. Notwithstanding the forgoing the total market rate units for the project shall not be less than 136.

The focal point of the Wildhorse Ranch community will be the common area open space that is to be planted with trees and native plants. This open space area is to remain in permanent open space under the ownership of the future Home Owners Association.

Sustainable Design & Energy Efficiency

- The project shall reduce its Green House Gas emissions by 90% below the base line established by the City of Davis in its Resolution #09-043 regarding Green House Gas reductions. The entire 90% reduction shall be accomplished on site. Examples of methods that could be employed to meet this GHG reduction level include:
 - ❖ The use of photovoltaic systems (solar panels) on the roofs of homes, and other structures within the community.

- ❖ Design building and homes within the community to exceed the 2005 California Energy Standards, Title 24, by an average of 50% throughout the project.
- To improve the quality of storm water leaving the site, the project shall employ bio-swales and periodic settling basins to allow sediments to be filtered or settle out of storm water runoff before it leaves the site.

Greenbelt and Open Space

The following greenbelt and open space features will be included with the Project:

- An approximately 2.26 acre addition to the existing Urban Agricultural Transition Area bringing the total width of this area to 200' thus creating a definable edge to the City. This area is to be dedicated to the City for ownership and maintenance.
- An approximately 1.61 acres of greenbelt providing connection from the existing neighborhood to the west through the property to the agricultural buffer on the east side of the property. This property is to be dedicated to the City for ownership and maintenance.
- An approximately 4.4 acre open space area to be planted with trees and ground cover to provide a location for passive enjoyment of open space. Walking paths and bike paths will provide access to the internal pathway system as well as to the citywide bike trail system. This property will be deeded to the future Home Owners Association for ownership and maintenance.
- The project shall secure a Conservation Easement on approximately 51 acres of active agricultural land to ensure the preservation of farmland in perpetuity.

The developer shall improve these areas, as required, and dedicate to the City the approximately 1.61 acres of Greenbelt and the approximately 2.26 acre addition to the Urban Agricultural Transition Area. The remaining areas shall be owned and maintained by the Home Owners Association to be formed for the community.

Developer Contributions, Dedications & Obligations:

Wildhorse Ranch will provide land dedications, sustainable and climate improving technology, fees and housing for low and very low income households. These contributions will benefit much of the community as well as the region and are as follows:

- The project shall reduce its Green House Gas emissions by 90% below the base line established by the City of Davis in its Resolution #09-043 regarding Green House Gas reductions. Examples of methods that could be employed to meet this GHG reduction level include:
 - ❖ The use of photovoltaic systems (solar panels) on the roofs of homes, other structures within the community.
 - ❖ Design building and homes within the community to exceed the 2005 California Energy Standards, Title 24, by an average of 50% throughout the project.
- Dedicate to the City the approximately 2.26 acre parcel to be added to the existing city agricultural buffer adjacent to the property.
- Dedicate to the future Home Owners Association, for permanent open space, the approximately 4.4 acre to buffer the adjacent neighborhood.

The Developer shall also comply with City requirements, standards, policies and mitigation measures by providing the following:

- Dedicate to the City the approximately 1.61 acre parcel for continuation of the City greenbelt
- Dedicate to the City permanent conservation easements on approximately 50 acres of active agricultural land.
- Provide approximately 15.5 acres of Swainson Hawk foraging habitat through the purchase of a Conservation Easement, or payment of mitigation fees to the Yolo County Habitat Joint Powers Agency.
- Dedicate to the City a 1.92 acre site for the production of up to 40 apartment style homes. 38 of the apartment homes shall be affordable in perpetuity to very low and low income households, income households pursuant to an approved Project Individualized Plan. The 38 units shall be fully ADA accessible.
- Agree to the formation of a community facilities district or other public financing mechanism prior to the recordation of the first final map for the Project to provide for an annual fee or tax on each market rate unit of \$300 per year (in 2009 dollars) plus 3% per year thereafter to be used by the City for police services and fire prevention, suppression and emergency medical services.
- Pay to the City of Davis an in-lieu Parkland Dedication fee.
- The project shall also pay fees to the City, the Davis Joint Unified School District or Yolo County as part of the development fees for the project. The actual amounts to be paid will be the amount of the fee then in force at the time the fees

are paid consistent with the Development Agreement between the Developer and the City. These fees presently are:

- ❖ Davis Joint Unified School District Capital Facilities Fee.
- ❖ Yolo County for Public Facilities.
- ❖ City of Davis for Road fees.
- ❖ City of Davis for Park Improvement fees.
- ❖ City of Davis for Open Space fees.
- ❖ City of Davis for Public Safety capital purposes.
- ❖ City of Davis for General Facilities.
- ❖ City of Davis for Water Connection fees.
- ❖ City of Davis for Sewer Connection fees.
- ❖ City of Davis for Stormwater facilities.
- ❖ City of Davis for Construction Tax and miscellaneous fees for operations.
- ❖ City of Davis for Long Range Planning efforts.

Baseline Project Features: Implementation

The Wildhorse Ranch project is required to develop in a manner consistent with these Base Line Features. As provided for in Measure J, the Base Line Features may not be changed without approval by the voters of the City. There are other additional requirements for the Wildhorse Ranch project, including but not limited to, the mitigation measures set forth in the Final Environmental Impact Report, and the Development Agreement that, while important to the Project, are not Base Line Project Features and may be modified with the approval of the City, after the appropriate public process. In addition, minor changes to the Project can be anticipated during the course of this multiple year build out. Such changes, often the result of detailed engineering or changing conditions, may be changed without voter approval, if they are substantially consistent with the Base Line Features and they do not materially alter the character of the project.

Measure J Expiration and Extension

Measure J will be submitted to the voters of the City prior to December 31, 2010 for renewal. If this project has been presented to the voters and the voters approve the project, then the project shall build out as substantially compliant, in the determination of the city, with the features and description contained herein. The term "substantially compliant" shall have the same meaning as the discretion provided for in the State Subdivision Map Act in allowing determination that a final map is in substantial conformance to an approved tentative map. The voter approval requirements of this Wildhorse Ranch measure shall continue until the full build out of the project,

thereafter any proposed changes in use shall comply with the City zoning, General Plan designation, policies and processes.