

**NISHI DEVELOPMENT PROJECT**  
**PRELIMINARY PLANNED DEVELOPMENT ZONING ORDINANCE**  
**REVISED ADMINISTRATIVE DRAFT | December 8, 2015**

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ORDINANCE NO. **TBD**

AMENDING SECTION 40.01.090 OF CHAPTER 40 OF THE CITY OF DAVIS MUNICIPAL CODE BY PREZONING THE NISHI PROPERTY (APN #036-170-018) LOCATED SOUTHEAST OF THE UNION PACIFIC RAILROAD (UPRR) TRACKS AND UNIVERSITY OF CALIFORNIA DAVIS CAMPUS, SOUTHWEST OF PUTAH CREEK, AND NORTH/NORTHWEST OF INTERSTATE 80 (I-80), OF APPROXIMATELY 46.9± ACRES, TO PLANNED DEVELOPMENT (PD) #6-14 UPON ANNEXATION TO THE CITY OF DAVIS AS OUTLINED IN SECTION 40.01.110 OF CHAPTER 40.

THE CITY COUNCIL OF THE CITY OF DAVIS DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1. PROPERTY AREA.**

The Nishi Property consists of one parcel located southeast of the UPRR and UC Davis campus, southwest of Putah Creek, and north/northwest of I-80, totaling approximately 46.9± acres generally described and referenced to as APN 036-170-018 which is shown on Exhibit A and described in Exhibit B.

**SECTION 2. ZONING MAP CHANGE.**

Section 40.01.090 (Zoning Map) of Chapter 40 of the City of Davis Municipal Code, as amended, is hereby amended by changing the land use designation of the parcels containing approximately 46.9± acres as shown on Exhibit A, to Planned Development #6-14 (PD #6-14) for the Nishi Development Project, as shown on Exhibit B.

**SECTION 3. PURPOSE OF PRELIMINARY PLANNED DEVELOPMENT AREA.**

The purpose of this preliminary planned development is to:

- A. Optimize an underutilized infill location within and adjacent to the City of Davis;
- B. Contribute to the overall character and livability of the surrounding neighborhood and UC Davis by facilitating the reuse of property in a manner that enhances the visibility and aesthetic appeal of the city from Richards Boulevard, UPRR, and I-80 and that enhances circulation within the city and to UC Davis;
- C. Develop a mixed-use project with an array of dense, efficient, urban housing types, as well as land for business opportunities;
- D. Provide additional housing near existing mobility infrastructure (i.e., pedestrian and bicycle facilities and transit) to reduce vehicle trips, vehicle miles travelled, and parking demand;
- E. Provide housing density adjacent to the downtown area of the City of Davis and UC Davis to reduce vehicle trips, vehicle miles travelled, and parking demand within the downtown area;
- F. Provide alternative access to UC Davis to minimize congestion along Richards Boulevard at the UPRR undercrossing and at the intersection of Richards Boulevard and 1st Street;
- G. Minimize impacts to on-site environmental resources, including on-site vegetation, potentially historic structures along West Olive Drive, and Putah Creek;
- H. Accommodate high-skilled technology-related jobs that allow a greater number of Davis residents to live and work in the community;
- I. Provide energy-efficient building design, low-water use indoor and outdoor design, and high-quality construction by incorporating national and/or local sustainable design practices;

- J. Promote flexibility in project design and implementation to respond to market demand, through phasing of construction, and offering a variety of building types; and
- K.** Collaborate with UC Davis and others to capture startup businesses and growing mid-to-large size companies, reducing the loss of intellectual capital and revenue through out-migration.

#### SECTION 4. USES.

Specified uses for each Sub Area within PD #6-14, as depicted on Exhibit B, are provided in this section.

##### A) Sub Area A of PD-#6-14.

The subsection pertains to Sub Area A (Residential: Multi-family For Sale and Rental) as shown on Exhibit B.

##### 1. Purpose.

The purposes of Sub Area A (Residential: Multi-family For Sale and Rental) are as follows: to implement the policies and objectives of the Nishi Gateway Project Sustainability Implementation Plan; to support high density multi-family for sale and rental housing near UC Davis and Downtown Davis; and to enhance opportunities for multi-modal connectivity and improved quality of life for local residents.

##### 2. Permitted Uses.

The principal permitted uses within Sub Areas A shall be High Density For-Sale Condominiums and Apartments. Up to 90 dwelling units per acre is allowed within this subarea.

##### 3. Accessory Uses.

The accessory uses within Sub Area A shall be consistent with the accessory uses in section 40.09.040 (Accessory Uses: Residential High Density Apartment District) of the Zoning Ordinance, as amended from time to time. The permitted accessory uses within Sub Area A shall also include the following:

- a. Ground Floor Podium or Below-Grade Parking.
- b. Structured Parking.
- c. Home occupations, subject to the provisions of Section 40.26.150.
- d. Bicycle Storage and Bicycle Rental.
- e. Bicycle and Car Share Services.
- f. Farm Stand/Outdoor Market.
- g. Smaller scale ground floor retail commercial uses (e.g., less than 2,500 total gross square feet) that primarily serve the day-to-day needs of on-site residents and employees, rather than destinations that compete with downtown Davis businesses. These uses may include the following:
  - i. Restaurants, cafes, bakeries (including indoor and outdoor seating areas), which may include sale and service of beer and wine;
  - ii. Neighborhood-serving or employee-oriented retail and service establishments (i.e., printing and copying shops, drycleaners, bicycle sales and repair, beauty salons);
  - iii. Daycare;
  - iv. Nursery school;
  - v. Health and fitness studios; and
  - vi. Other appropriate supporting uses.
- h. Outdoor Entertainment, associated with Permitted Uses.
- i. Indoor and outdoor exercise areas and gymnasiums (commercial or non-commercial).
- j. Power Generating Facilities (solar and wind).

- k. Urban Agriculture.
- l. Small family and group day care homes, subject to the requirements of Section 40.26.270.
- m. Other accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the requirements of Section 40.26.10.

4. Conditional Uses.

The conditional uses within Sub Area A shall be permitted consistent with section 40.09.040 (Conditional Uses) of Article 40.09 Residential High Density Apartment (R-HD) District of the Zoning Ordinance, as amended from time to time.

Conditional uses in the Sub Area may also include:

- a. Ground-floor retail commercial uses listed above exceeding 2,500 square feet but not exceeding 5,000 square feet.
- b. Restaurants where liquor is provided.
- c. Hotel and extended-stay hotel, subject to market analysis.
- d. Buildings exceeding the height limits of Section 5.

C) Sub Area B of PD-#6-14.

This subsection pertains to Sub Area B (Research & Development) as shown on Exhibit B.

1. Purpose.

The purpose of Sub Area B (Research & Development) is as follows: to provide employment-generating uses near Downtown Davis and the UC Davis that can provide jobs, boost the local economy and help drive innovation for the region, within an area that has good access to local and regional transit, the local bicycle network and Downtown Davis. These uses are intended to be complementary to UC Davis research facilities, and can serve as incubator space for local start-ups, technology-related, or other R&D-related businesses.

2. Permitted Uses.

The principal permitted uses within Sub Area B are as follows:

- a. High-technology offices (e.g., small incubation spaces, mid-size offices, corporate headquarters).
- b. Flexible spaces that include large floor plate buildings to house large research equipment.
- c. Research laboratories and classrooms.
- d. Support service offices, such as paralegal services, financial investor offices.
- e. Professional and administrative offices.
- f. Administrative, executive and financial offices.
- g. Laboratories (experimental, film or testing).
- h. Manufacture of electric and electronic instruments and devices, such as computers, television, radio and medical devices.
- i. Public utility installations.
- j. Any other research or light manufacturing use determined by the planning commission to be of the same general character as the permitted uses.

3. Accessory Uses.

The accessory uses within Sub Area B shall be consistent with the accessory uses in section 40.19.030 (Accessory Uses: Industrial Administration And Research (I-R) District) of the Zoning Ordinance, as amended from time to time. The permitted accessory uses within Sub Area C shall also include the following:

- a. Ground Floor Podium or Below-Grade Parking.

- b. Structured Parking.
- c. Bicycle Storage and Bicycle Rental.
- d. Bicycle and Car Share Services.
- e. Farm Stand/Outdoor Market.
- f. Smaller scale ground floor retail commercial uses not exceeding 2,500 square feet that primarily serve the day-to-day needs of on-site residents and employees, rather than destinations that compete with downtown Davis businesses. These uses may include, but are not limited to the following:
  - i. Restaurants, cafes, bakeries (including indoor and outdoor seating areas);
  - ii. Coffee shops;
  - iii. Neighborhood-serving or employee-oriented retail and service establishments (i.e., printing and copying shops, drycleaners, bicycle sales and repair, beauty salons);
  - iv. Daycare;
  - v. Nursery school;
  - vi. Health and fitness studios; and
  - vii. Other appropriate supporting uses.
- g. Outdoor Entertainment, associated with Permitted Uses.
- h. Indoor and outdoor exercise areas and gymnasiums (non-commercial).
- i. Power Generating Facilities (solar and wind).
- j. Urban Agriculture.

4. Conditional Uses.

The conditional uses within Sub Area B are as follows:

- a. Hotel and extended stay hotel, subject to market analysis.
- b. Day care facility exceeding 2,500 square feet.
- c. Communication services. Uses may include but are not limited to television and radio studios. Cell towers are subject to performance standards contained in Ordinance 1995.
- d. Surface parking lots.
- e. Buildings exceeding the height limits of Section 5.

D) Sub Area C of PD-#6-14.

This subsection pertains to Sub Area C (Surface Parking) as shown on Exhibit B.

1. Purpose.

The purpose of Sub Area C (Surface Parking) is as follows: to provide areas where surface parking can be accommodated in coordination with solar energy production.

2. Permitted Uses.

The principal permitted uses within Sub Areas C are as follows:

- a. Surface Parking.
- b. Power Generating Facilities (solar and wind).

1. Accessory Uses.

The accessory uses within Sub Area C are as follows:

- a. Outdoor Entertainment associated with Permitted Uses in other Sub Areas.
- b. Outdoor exercise areas associated with Permitted Uses in other Sub Areas.
- c. Temporary uses subject to the requirements of Article 40.30A.

E) Sub Area D of PD-#6-14.

This subsection pertains to Sub Area D (Open Space, Public Parks and Detention) as shown on Exhibit B.

1. Purpose.

The purposes of Sub Area D (Open Space, Public Parks and Detention) are as follows: to provide areas for low-intensity active-recreational and ancillary needs which could be compatible with residential land uses; to provide areas that serve the recreational and social interaction needs of the City residents of all ages, economic situations, and physical conditions; to accommodate the Nishi project's need for stormwater collection and detention in an environmentally sustainable manner; and to provide additional uses that are complementary to, and can exist in harmony with, the open space-recreation land use and surrounding land uses.

2. Permitted Uses.

The principal permitted uses within Sub Area D are as follows:

- a. Habitat Restoration.
- b. Botanical gardens.
- c. Urban farm and local food production
- d. Par or running course.
- e. Public parks.
- f. Stormwater collection, pre-treatment, and detention facilities.
- g. Power Generating Facilities (solar and wind).
- h. Other open space-recreational uses that the Planning Commission or the Recreation and Park Commission may determine to be similar in nature to the above uses

3. Accessory Uses.

The accessory uses within Sub Area D are as follows:

- d. Surface parking underneath the PG&E easement.

4. Conditional Uses.

The conditional uses within Sub Area D are as follows:

- i. Lawn bowling (public or private).
- j. Turf play fields.

5. Temporary Uses.

Temporary uses within Sub Area D are as follows:

- a. Special outdoor events.
- b. Amplified sound.

## SECTION 5. HEIGHT REGULATIONS

No principal or accessory building shall exceed the maximum height identified in the following table, except as listed in the Conditional Uses section of the applicable Sub Area.

Planned Development Sub Area	Planned Development (PD) Designation	Maximum Height
A	Residential: Multi-family For-Sale and Rental	75 feet
B	Research & Development	45 feet
C	Surface Parking	15 feet
D	Open Space Public Parks, and	15 feet

	Stormwater Detention	
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**SECTION 6. PRELIMINARY PLANNED DEVELOPMENT AREAS**

The estimated land use areas for the Nishi Development, along with residential unit and square footage allocations for each of the areas, are as follows and as shown on Exhibit A:

Planned Development Sub Area	Planned Development (PD) Designation	Net Acres	Units	Square Footage (R&D)	Square Footage (Retail)
A	Residential: Multi-family For Sale and Rental	9.8	650	-	- 20,000
B	Research & Development	5.0	-	325,000	
C	Surface Parking	5.9	-	-	-
D	Open Space, Public Parks and Detention	23.2	-	-	-
	Roads	3.0	-	-	-
<b>Totals</b>		<b>46.9</b>	<b>650</b>	<b>345,000</b>	<b>20,000</b>

Actual determination of Sub Area boundaries and acreages shall be established by the Planning Commission through the Final Planned Development.

**SECTION 7. FINAL PLANNED DEVELOPMENT (FPD)**

A Final Planned Development (FPD) approval shall be required prior to the development of the site. The FPD shall be consistent with the Nishi Development Project.

The development standards and design guidelines for development for the Nishi Development Project, including setbacks, parking requirements, and sign regulations, shall be contained in the Final Planned Development (FPD). The Final Planned Development shall include typical development standards for each Residential and Research & Development Sub Area. Actual determination of Sub Area boundaries and acreages shall be established by the Planning Commission through the Final Planned Development. Parking standards are anticipated to be significantly lower than those in the City of Davis Municipal Code, consistent with the provisions of the Sustainability Implementation Plan.

**SECTION 8. CONFLICTS**

For provisions not covered by this ordinance, the provisions of Chapter 40 of the Davis Municipal Code, as amended, shall apply. Where there is a conflict between the provisions of Chapter 40 and this ordinance, the provisions of this ordinance shall apply.

**SECTION 9. ENVIRONMENTAL IMPACT REPORT MITIGATION MEASURES.**

This amendment to the Zoning Chapter of the Municipal Code to the Planned Development District shall be subject to the mitigation measures in Nishi Gateway Project Environmental Impact Report (EIR).

**SECTION 10. SPECIAL CONDITIONS**

This preliminary planned development is subject to the following development obligations:

1. **TBD**
2. **Compliance with the Sustainability Implementation Plan as established by Resolution \_\_\_\_**

**SECTION 11. FINDINGS.**

- A) The City Council of the City of Davis hereby finds that the criteria for the approval of the preliminary planned development have been fulfilled:

1. The planned development is in conformity with the General Plan.
  2. The Nishi Development Project Planned Development is in conformity with the intent of the Planned Development District of the Zoning Chapter (Article 40.22).
  3. The Nishi Development Project Planned Development is consistent with the Zoning Ordinance, as the purpose of the Planned Development District is to allow for diversification in the relationship of various buildings and structures and provide relief from the rigid standards of conventional zoning. The proposed Planned Development is intended to provide an integrated and sustainable neighborhood.
  4. The property is suitable for the proposed development.
- B) The City Council further finds that the public necessity and convenience and general welfare requires the adoption of re-zoning set forth in Section 1.
- C) The City Council further finds that it has reviewed and considered the Nishi Gateway Project Environmental Impact Report (EIR) and has determined that the document adequately addresses the environmental effects of the zoning/preliminary planned development.

**SECTION 12. CONTINGENCIES AND EFFECTIVE DATE.**

The ordinance shall become effective on and after the **TBD** day following its adoption. This project is contingent upon the approval of General Plan Amendment #8-14 and ratification by the voters pursuant to Chapter 41 of the Davis Municipal Code, the Citizens' Right to Vote on Future Use of Open Space and Agricultural Lands Ordinance.

INTRODUCED on the **TBD** day of **TBD** and adopted by the City Council of the City of Davis this **TBD** day of **TBD** by the following vote:

AYES: **TBD**

NOES: **TBD**