Appendix A-1

Aesthetics Analysis

1.1 - Aesthetics

1.1.1 - Introduction

This section describes the baseline visual character, views, light, and glare conditions in the project site and nearby areas as well as the relevant regulatory framework. This section also evaluates the possible impacts related to aesthetics that could result from implementation of the proposed Bayer Development Agreement Extension Project (proposed project). Information included in this section is based on site reconnaissance and photo inventory, project-specific visual simulations included in this section and a shadow study, as well as the Berkeley Municipal Code, Berkeley General Plan, and previously prepared Development Agreement Environmental Impact Report (1991 DA EIR) for the project site.

1.1.2 - Environmental Setting

Project Location

The proposed project is located in the City of Berkeley, in Alameda County, California. The 46-acre project site is roughly bounded by the Southern Pacific Railroad right-of-way to the west, Seventh Street to the east, Grayson Street to the south, and Dwight Way to the North together with a separate parking lot, which is located on a portion of the block between Dwight, Seventh, Parker and Sixth streets. There are three contiguous parcels near the corner of Carleton and Seventh Streets which are not owned by Bayer. Surrounding the project site are industrial, commercial, and residential land uses to the north, commercial land uses to the east, and industrial, and commercial land uses to the south. A few single-family homes are located southeast of Seventh and Grayson Streets. Adjacent to the western boundary of the project site is the Union Pacific Railroad right-of-way, a waterfront park, and beyond is Interstate 580 (I-580). Regional access to the project site is provided via the I-580 via the University Avenue exit, located to the north of the project site, and via the Ashby Avenue exit, located to the south of the project site. Local access to the project site is provided via Dwight Way, Parker Street, Carlton Street, Grayson Street, and Seventh Street.

As described in the Project Description chapter of this Draft EIR, the project site includes two primary areas:

- North Properties: 800 Dwight Way, north of Carleton Street, which is the site included in the 1992 Development Agreement, known as the “North Properties,” and
- South Properties: 801 Grayson Street, south of Carleton Street, known as the "South Properties."

The existing Development Agreement (DA) covers only the North Properties. Bayer acquired the South Properties after a major amendment to the 1992 DA was completed in 1999; therefore the South Properties were not included in the original DA project area. The proposed project would combine the North Properties and South Properties into a proposed 2022 amended Development Agreement.

Table 1-1.1 compares the Baseline and Proposed Conditions Development Standards. The proposed project includes a proposed reconfiguration of height zones. A comparison of building heights reflecting these standards is presented in Exhibits 3 and 4 and are represented in visual simulations included within Exhibit 5. Visual impacts, including an analysis of view corridor impacts, are also included below..

Table 1.1-1: Baseline and Proposed Conditions Development Standards

Street	Baseline Setback a (feet)	Proposed Setback b (feet)	Baseline Stepback c (square feet)	Proposed Stepback c (square feet)	Baseline Building to Building Corridor (feet)	Proposed Building to Building Corridor (feet)
Dwight	5 feet/33 feet (west of Fourth Street; 5 feet for buildings </= 45 feet, for less than 40 percent fronts on street or 33 ft for buildings > 45 feet) 20 feet (from Fourth Street to Sixth Street) 60 feet (from Sixth Street to Eighth Street, with some encroachment allowed for special architectural features)	60 feet (entire frontage, from WEST boundary to Eighth Street)	33-foot stepback above 45 feet (west of Fourth Street); per guidelines,[d] conflicting 25-foot stepback for first floor above 45 feet and 15-foot additional setback for additional building envelope above 45 feet	25 feet (west of Fourth Street)	N/A (see setbacks)	N/A (see setbacks)
Cutter (internal street)	0 feet	0 feet	15-foot stepback above 65 feet per DA guidelines[d]	0 feet	60 feet	0 feet
Parker	See corridor requirement.	See corridor requirement	25-foot stepback for first floor above 45 feet; per guidelines,[d] 15-foot additional setback for additional floors above 45 feet	25 feet north and south (west of Fourth Street) 25 feet south (east of Fourth Street, within 80-foot height zone)	90 (from Fourth Street to Seventh Street); 90 feet plus (west of Fourth Street)	90 (from west boundary to Seventh Street)
Carleton	5 feet – north NA – south	3 feet – north 15 feet – south	25-foot stepback above 45 feet; per guidelines, [d] additional 15-foot setback for	25 feet north (west of Fourth Street)	N/A (see setbacks)	90 feet

Street	Baseline Setback a (feet)	Proposed Setback b (feet)	Baseline Stepback c (square feet)	Proposed Stepback c (square feet)	Baseline Building to Building Corridor (feet)	Proposed Building to Building Corridor (feet)
			floors above 65 feet with curved form on upper story.	25 feet south (east of Fourth Street, within 80-foot height zone)		
West property boundary	33 feet (from Dwight to Parker)	33 feet	25-foot stepback above 45 feet	25 feet (Dwight to Carleton)	N/A (see setbacks)	N/A (see setbacks)
Internal private roads	5 feet	0 feet (internal circulation mostly accommodating pedestrian and bicycle traffic)	0 feet[c]	0 feet	None	None
Grayson	0 feet	10 (from west boundary to Seventh Street)	0 feet[c]	0 feet	None (see setbacks)	None (see setbacks)
Fourth	See corridor requirement	See corridor requirement	25-foot stepback above 45 feet to max 65 feet height – west (from Parker to Dwight)	25-foot stepback to max 65 feet height – west (from Parker to Dwight)	60 feet (from Parker to Dwight)	60 feet (from Dwight to Parker); 50 feet (from Parker to Carleton)
Sixth	See corridor requirement	0 feet	0 feet [c]	0 feet	80 feet (from Dwight Way to 200 feet south of Dwight Way)	None required
Seventh	40 feet – west (from Dwight to Parker, measured from original right of way.)	80 feet – west from original right of way (Dwight to Grayson)	25-foot stepback above 35 feet – west (from Parker to Dwight); however, no 25 foot stepback required for northeast corner at Block VII building (distance of 60 feet from Block VII corner south along Seventh	0 feet (see larger setback requirement)	N/A (see setbacks)	N/A (see setbacks)

Street	Baseline Setback a (feet)	Proposed Setback b (feet)	Baseline Stepback c (square feet)	Proposed Stepback c (square feet)	Baseline Building to Building Corridor (feet)	Proposed Building to Building Corridor (feet)
	40 feet – west (from Parker to Carleton, measured from original right of way) 20 feet – east	 20 feet–east	Street, if height used for special architectural features)			
Eighth	5 feet	5 feet	0 feet [c]	0 feet	N/A (see setbacks)	N/A (see setbacks)

Notes:

[a] Existing setbacks measured from existing property line to building except where specified. Pipe racks, service roads, and other minor encroachments permitted.

[b] Minor encroachments permitted for pipe racks, certain architectural features up to 10 feet.

[c] Existing development standards include 15-foot stepback for all stories above 45 feet, regardless of location. Existing volumes higher than 45 feet cannot measure over 250 feet in length on any façade of one continuous building. The combined footprint of all portions of the top floor will not exceed 50 percent of total building footprint. Under proposed modifications, stepbacks listed would be 15 feet stepdown from maximum height. Allowance for mechanical penthouses and other minor appurtenances above bright-line height thresholds are permitted under both existing and modified DA so long as appurtenances meet certain parameters.

[d] Per Development Agreement and 1992 ZAB reports, guidelines in DA Exhibit I to be implemented on a case-by-case basis in contrast to development standards in DA Exhibit D, which are requirements; where a conflict between Exhibit I guidelines and Exhibit D standards, Exhibit D standards shall prevail per DA.

[e] An existing 65-foot tall building has been constructed at this location and it is not foreseen that this structure would be replaced. This structure is identified on site maps as B60.

Scenic Resources

Scenic resources typically involve prominent, unique, and identifiable natural features in the environment (e.g., trees, rock outcroppings, islands, ridgelines, channels of water, and aesthetically appealing open space or corridor) and cultural features or resources (e.g., regional or architecturally distinctive buildings, or structures that serve as a focal point of interest).

City of Berkeley Area

The City of Berkeley contains striking views, especially the silhouette of the hills and the panorama of the San Francisco Bay, and the bright afternoon light culminating in gorgeous sunsets behind the Golden Gate Bridge.[1] The Berkeley General Plan designates aesthetically pleasing corridors as gateways and view corridors. For example, the General Plan designates University Avenue east of the Interstate 580 (I-580) off ramp and Ashby Avenue east of Bay Street as City Gateways. In addition, the General Plan identifies a scenic view corridor from Dwight Way looking east toward the East Bay Hills. Berkeley General Plan goals, policies, and actions aim to preserve these resources and views towards them.

Project Site

The project site is located in an urbanized area in the City of Berkeley. The project site's northern border is adjacent to Dwight Way, a designated view corridor.

Views

Views may be generally described as panoramic views of a large geographic area for which the field of view can be wide and extend into the distance. Associated vantage points provide an orientation from publicly accessible locations. Examples of distinctive views include urban skylines, valleys, mountain ranges, or large bodies of water.

Project Site

As disclosed in the 1991 DA EIR, there are three important view corridors on or adjacent to the site: Dwight Way, Parker Street, and Carleton Street. The project site's northern border is adjacent to Dwight Way, a designated view corridor identified in the General Plan. These view corridors provide views of open sky and of trees that either line the view corridor or which obstruct views. From I-80, views of the project site are largely obstructed by trees and other vegetation that in some cases are 80 feet tall, exceeding the height of existing buildings. Views of the Berkeley Hills are considered significant visual resources.

As disclosed in the 1991 DA EIR, mid-range views from public vantage points are largely non-existent, as the topography in the project vicinity is flat. From other vantage points, such as public roads in the Berkeley Hills (e.g., the intersection of Dwight and Panoramic Way), views of the San Francisco Bay are considered significant visual resources. (See, e.g., 1991 DA EIR, p. 5C-19.)

[1] City of Berkeley. 2001. Urban Design and Preservation Element.

Light, Glare, and Shadow

In the context of California Environmental Quality Act (CEQA) Guidelines, light is nighttime illumination that stimulates sight and makes things visible, and glare is difficulty seeing in the presence of bright light such as direct or reflected sunlight.

Project Site

The primary sources of nighttime light in the surrounding area are from vehicle headlights traveling along Seventh Street, Dwight Way, and Grayson Street as well as exterior lighting associated with the development to the north, east, and south. The project site is entirely developed with baseline structures, such as office buildings and parking lots. Baseline condition lighting on the project site is from the exterior lighting associated with the on-site structures and parking lot lighting.

Shadow Study

FirstCarbon Solutions (FCS) conducted a shadow study to disclose the baseline shadow conditions at the project site and illustrate the new shadows associated with the proposed project. This shadow study and associated computer-generated shadow diagrams are based on information compiled from Computer Aided Design (CAD) data of the proposed structures, available Geographic Information System (GIS) data, Google Earth 2020 satellite imagery, and Google Street View imagery for both the baseline and proposed conditions.

Shading refers to the effect of shadows cast upon adjacent areas by proposed structures. The effects from shadows are dependent upon a number of factors including local topography; height and bulk of the proposed project's structure; sensitivity of adjacent land uses; season; and duration of shadow projection. Generally, the longest shadows are cast in the early morning and late afternoon, when the sun is at its lowest point on the horizon. The shortest shadow is cast at noon, when the sun is directly above. Therefore, shadow conditions are studied in the morning, mid-afternoon, and late afternoon to reflect a range of shadow conditions throughout the day.

For the proposed project, computer-generated shadow conditions were analyzed over four dates from each of the four seasons to analyze the proposed project's potential shade patterns over the course of a year. The dates are:

- Winter and summer solstices in 2021 (December 21 and June 20)
- Spring and fall equinoxes in 2021 (March 19 and September 22)

The winter and summer solstice dates are chosen specifically to demonstrate the extremes of cast shadow lengths. The spring and fall equinox dates are chosen to show shadow lengths that fall in the middle of the winter and summer extremes. During the summer solstice (on or about June 21 in North America) the sun is at the closest point to the Earth resulting in the highest angle. This results in the longest day, shortest night, and shortest shadow lengths. During the winter solstice (on or about December 21 in North America) the sun is at the furthest point from the Earth and the lowest angle. This results in the shortest day, longest night, and longest shadow lengths. During the spring and fall equinoxes (on or about March 21 and September 21) the sun passes directly over the Earth's equator and the length of the daylight and evening hours are equal. Additionally, the sun spends an

equal amount of time above and below the horizon resulting in shadows that are longer than the summer solstice but shorter than the winter solstice.

In order to identify the proposed project's potential shade and shadow-related impacts, computer-generated shadows of the proposed project and surrounding buildings were created for morning (a.m.), noon, and afternoon (p.m.) time periods during each of the four seasons. Pacific Daylight Time is taken into consideration during the spring, summer, and fall dates in order to ensure the same time is modeled throughout all four dates.

Shade/Shadow Diagrams

The shadow diagrams are created using Sketchup Pro, based on a combination of available GIS data and project site plan data. A 3-dimensional (3D) basemap model was created using digital contour lines with elevation information for the terrain and digital footprint data for baseline buildings. Using Google Street View, the buildings were extruded to correct heights. A 3D model of the proposed buildings was creating using CAD data from the applicant and geo-located into the basemap at the precise location of the project site. The model is then set to include the real-world model location, times, and dates, and then the shadow conditions are rendered. The model illustrates the shadow effects of baseline building and new buildings proposed as part of the project application. Dates selected for each season were: summer/winter solstices and the spring/fall equinoxes. For each of those days selected, the time periods were selected 2 hours after sunrise (a.m.), 12:00 p.m., and 2 hours before sunset (p.m.).

1.1.3 - Regulatory Framework

Federal

No federal plans, policies, regulations, or laws related to aesthetics are applicable.

State

California Scenic Highway Program

The State Legislature created the California Scenic Highway Program, maintained by the California Department of Transportation (Caltrans), in 1963. The purpose of the State Scenic Highway Program is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. The State laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been officially designated. The status of a proposed State Scenic Highway changes from eligible to officially designated when the local governing body applies to Caltrans for scenic highway approval, adopts a Corridor Protection Program, and receives notification that the highway has been officially designated a Scenic Highway.

Local

Berkeley General Plan

Open Space and Recreation Element

The project site is subject to a Development Agreement that vests the proposed project into a number of older laws, including General Plan policies, which are expressed in the land use plan included under the Development Agreement and its exhibits. For information-only purposes, policies set forth in the current General Plan are identified below. The Berkeley General Plan Open Space and Recreation Element establishes the following policies and programs related to aesthetics:

Environmental Management Element Policies and Actions

- **Policy EM-36 Energy Conservation.** Continue to implement energy conservation requirements for residential and commercial buildings at the time of sale and at time of major improvements.
  - Actions:
    - Encourage patterns of development, building designs, and construction methods that are energy-efficient and reduce pollution.
    - Encourage the use of lighting that is energy-efficient and non-intrusive.
- **Policy EM-42 Outdoor and Street Lighting.** Outdoor lighting should be chosen to avoid glare and provide an attractive nighttime environment with "fully shielded" fixtures to limit light rays emitted above the horizontal plane.

Open Space and Recreation Element Policies and Actions

- **Policy OS-12 Adjacent Uses.** Ensure that land adjacent to parks is sensitively developed so that shade on the park is minimized, safe access is maintained, and views are not significantly reduced.

Urban Design and Preservation Element

The Berkeley General Plan Urban Design and Preservation Element establishes the following policies and programs related to aesthetics:

Urban Design and Preservation Element Policies and Actions

- **Policy UD-17 Design Elements.** In relating a new design to the surrounding area, the factors to consider should include height, massing, materials, color, and detailing or ornament.
- **Policy UD-23 Design Review**. Ensure that the design review process ensures excellence in design and that new construction and alterations to existing buildings are compatible with the best elements of the character of the area.
  - Actions: A. Review the existing design guidelines, some of which were formulated over a decade ago, for possible improvements.
  - B. Enable and encourage greater citizen input in the design review process.
  - C. Explore revisions to the membership requirements for the Design Review Committee to increase the number of design professionals on the Committee and alter the requirement that certain existing board members such as the chair of the Zoning Adjustments Board sit on the Design Review Committee.

- **Policy UD-24 Area Character.** Regulate new construction and alterations to ensure that they are truly compatible with and, where feasible, reinforce the desirable design characteristics of the particular area they are in.
  - Actions: A. In reviewing the design guidelines, give special attention to their adequacy in making projects harmonize with their particular surrounding area.
  - B. Consider preparing special sets of design guidelines for selected districts that now lack special area guidelines.
- **Policy UD-25 Facades and Exterior Features.** Buildings should have significant exterior features and facades that stimulate the eye and invite interested perusal.
- **Policy UD-31 Views.** Construction should avoid blocking significant views, especially ones toward the Bay, the hills, and significant landmarks such as the Campanile, Golden Gate Bridge, and Alcatraz Island. Whenever possible, new buildings should enhance a vista or punctuate or clarify the urban pattern.
- **Policy UD-32 Shadows.** New buildings should be designed to minimize impacts on solar access and minimize detrimental shadows.
  - Action: A. In appropriate cases where a project could have significant impact on views or access to sunlight, require evaluation of those potential impacts.

Berkeley Municipal Code

The City of Berkeley Municipal Code defines "Views" as a distant vista or panoramic range of sight of Berkeley, neighboring areas or the San Francisco Bay. Views include but are not limited to skylines, bridges, distant cities, geologic features, hillside terrains, and wooded canyons or ridges.

1.1.4 - Impacts and Mitigation Measures

Significance Criteria

According to 2019 CEQA Guidelines Appendix G, to determine whether impacts related to aesthetics are significant environmental effects, the following questions are analyzed and evaluated. Would the proposed plan:

a) Have a substantial adverse effect on a scenic vista?

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?

c) In a non-urbanized area, substantially degrade the existing visual character or quality of the site and its surroundings? If in an urbanized area, conflict with applicable zoning and other regulations governing scenic quality?

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Approach to Analysis

Scenic Vistas and Resources

This analysis evaluates the potential impacts associated with development of the proposed project on designated scenic vistas and resources. The City of Berkeley designates several gateways and scenic view corridors as they afford publicly available views. If the proposed project would alter or block views of these identified scenic resources, then an impact would occur. Relevant Berkeley General Plan and Municipal Code policies are used to provide conclusions with regard to the significance of the proposed project and cumulative level impacts.

Caltrans designates highways and roadways throughout the State as eligible or designated State Scenic Highways. If the proposed plan would alter or block views of or from these designated or eligible highways an impact may occur. Relevant State regulations are used to provide conclusions with regard to significance of the proposed plan and cumulative level impacts.

Visual Character and Views

This analysis discusses the visual impacts associated with the development of the proposed project. Exhibit 1 summarizes the different viewpoints that were analyzed as part of this visual analysis, which reflect viewpoints adopted in the 1991 DA EIR. Exhibits 2a through 2h show the existing views at each of the 15 viewpoints. Exhibit 3 shows the proposed conditions site plan and Exhibit 4 shows the baseline project site conditions, including a depiction of building heights under each buildout scenario. Exhibits 5a-5o show the computer-simulated conditions of the proposed scenario and baseline scenario from each of the 15 viewpoints. Please note that buildings depicted are conceptual; the simulations are designed to portray building massing only. The final design of any building would be determined when the applicant seeks to implement the proposed project's land use plan.

Several variables affect the degree of visibility, visual contrast, and ultimately project impacts: (1) scale and size of structures, (2) viewer types and activities, (3) distance and viewing angle, and (4) influences of adjacent scenery or land uses. Viewer response and sensitivity vary depending on viewer attitudes and expectations. Viewer sensitivity is distinguished among viewers in identified scenic corridors and from publicly accessible recreational and plaza areas. Recreational areas and scenic corridors are considered to have relatively high sensitivity. In order to determine if a significant impact would occur, the visual simulations were analyzed to determine the proposed condition changes to the baseline conditions.

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Exhibit 1
Visual Simulation Vantage Points

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Existing View 1 from Dwight & Seventh looking West

Existing View 2 from Dwight looking East

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Exhibit 2a
Vantage Point Existing Views 1 and 2

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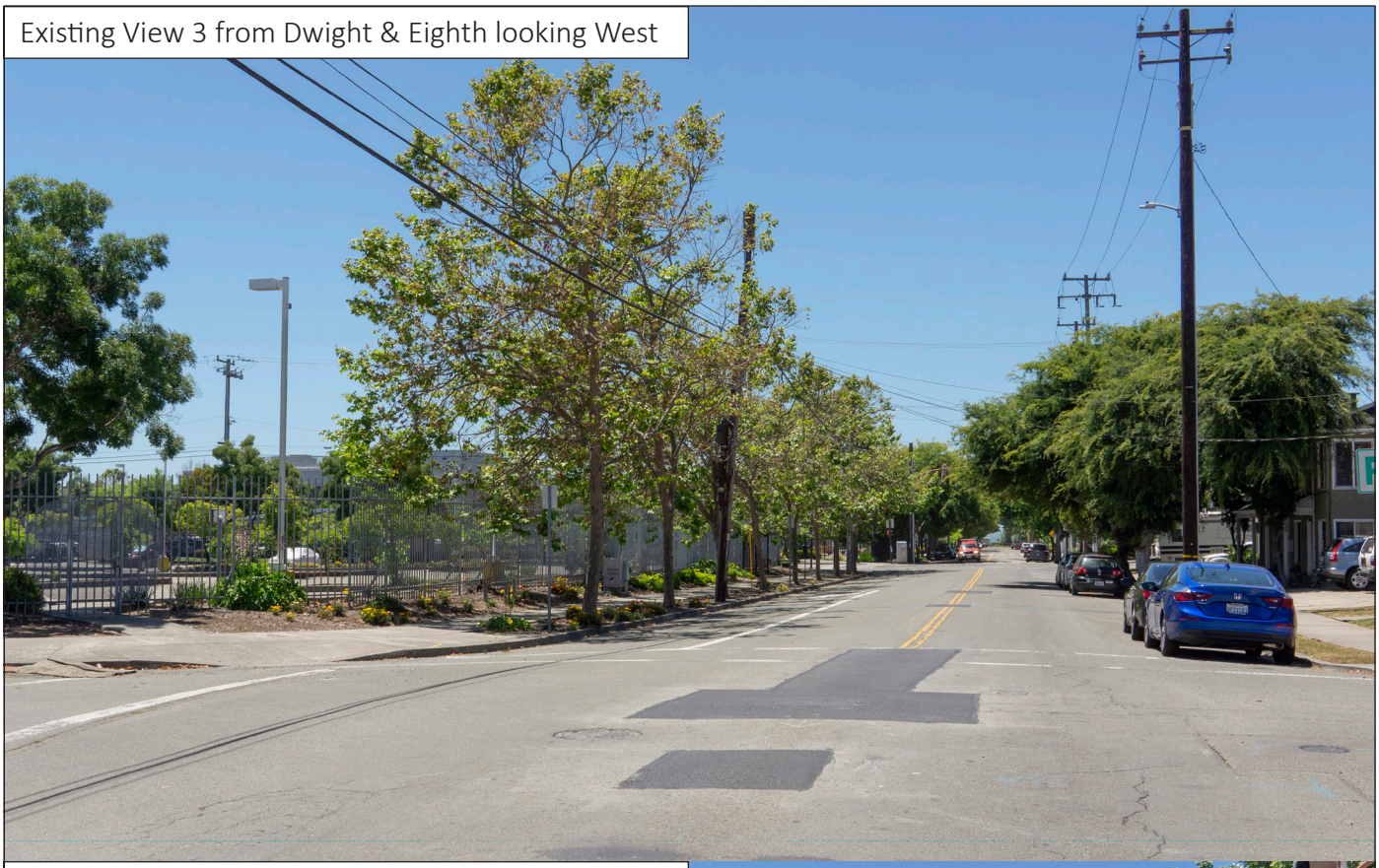
Existing View 3 from Dwight & Eighth looking West



Existing View 4 from Parker & Seventh looking West

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Exhibit 2b
Vantage Point Existing Views 3 & 4

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Existing View 5 from Carleton & Seventh looking West

Existing View 6 from Grayson & Seventh looking West

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Exhibit 2c
Vantage Point Existing Views 5 & 6

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Existing View 7 from Grayson & west boundary looking East

Existing View 8 from Dwight & west boundary looking east

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Exhibit 2d
Vantage Point Existing Views 7 & 8

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Existing View 9 from Dwight & Fourth looking south

Existing View 10 from Aquatic Park (east side trails) looking East

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Exhibit 2e
Vantage Point Existing Views 9 & 10

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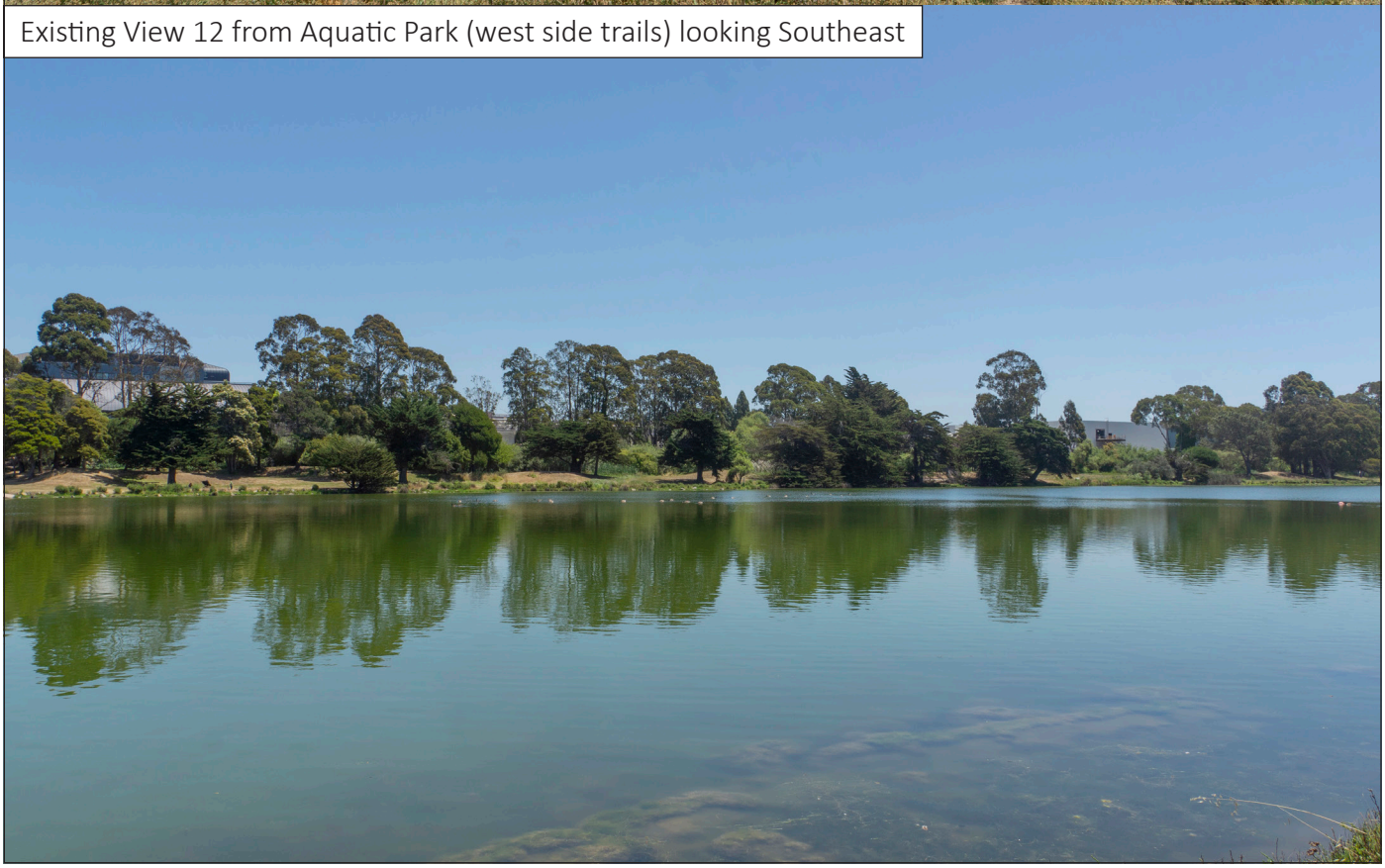
Existing View 11 from Aquatic Park (west side trails) looking Northeast

Existing View 12 from Aquatic Park (west side trails) looking Southeast



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Existing View 13 from Aquatic Park (west side trails) looking East

Existing View 14 from Aquatic Park (east side trails) looking Southeast

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Exhibit 2g
Vantage Point Existing Views 13 & 14

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Existing View 15 from Berkeley Hills

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Exhibit 2h
Vantage Point Existing View 15

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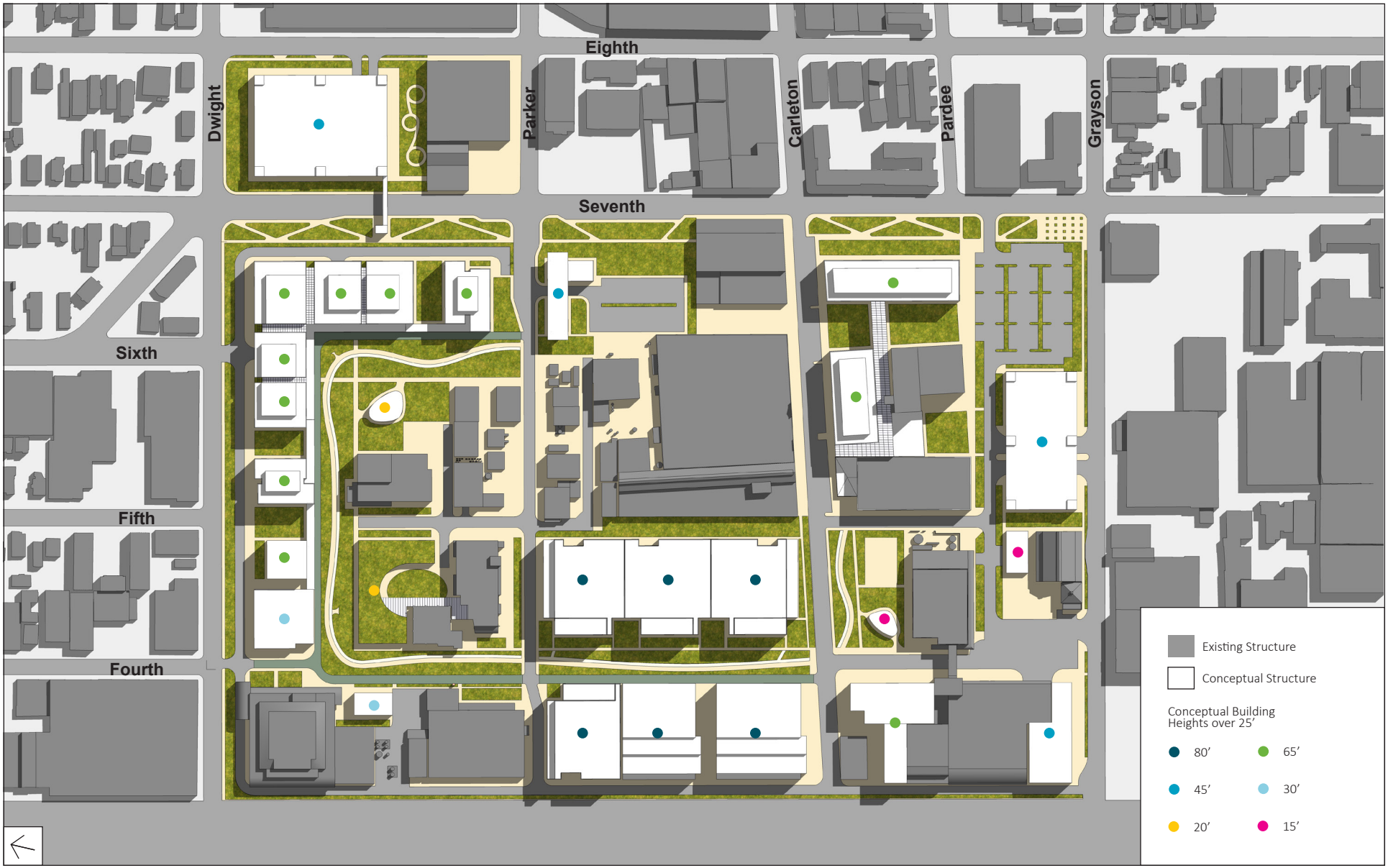

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Exhibit 3
Proposed Conceptual Site Plan

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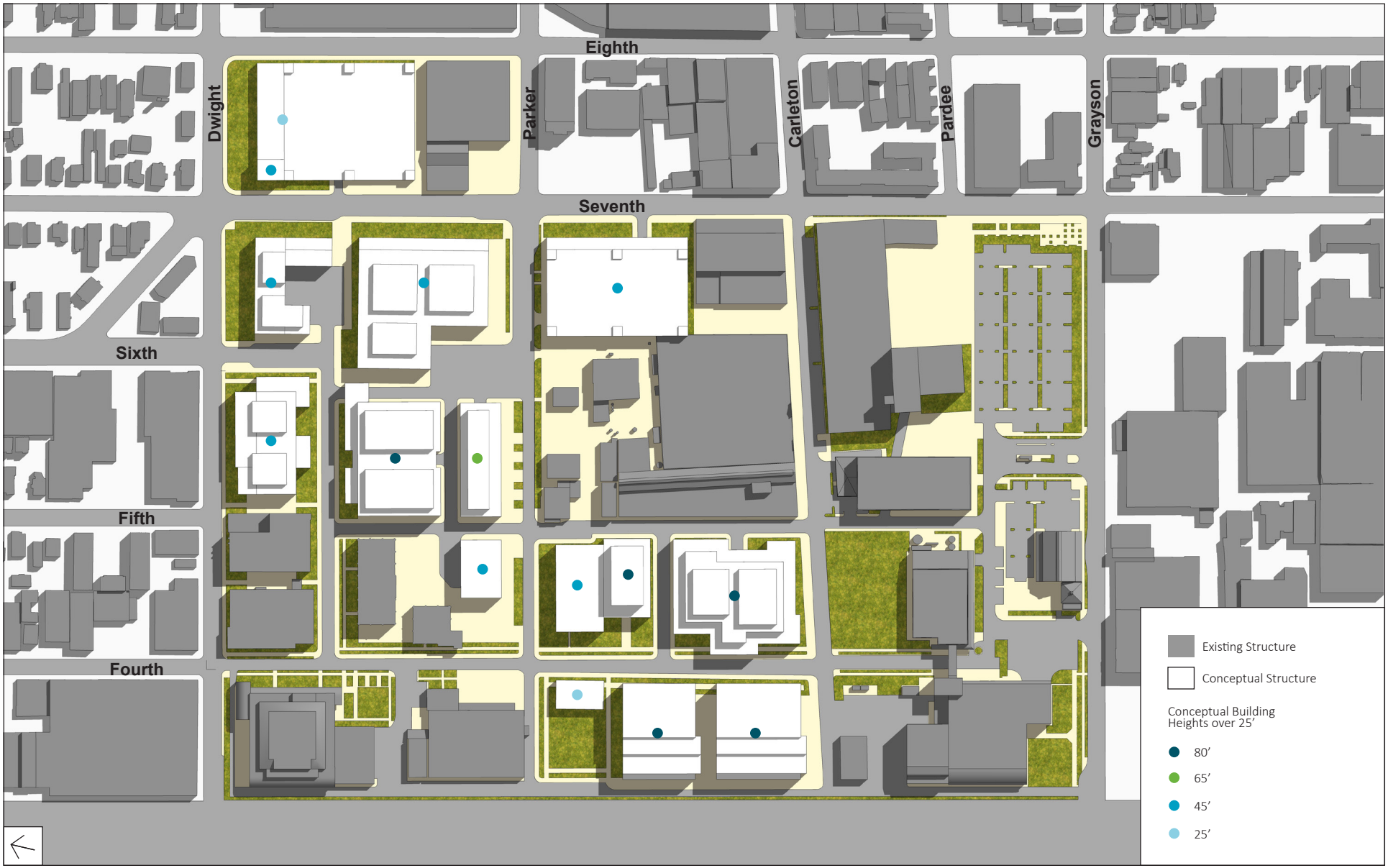

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Exhibit 4
Baseline Conceptual Site Plan

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Light, Glare, and Shadow

The analysis of light and glare impacts in this section focuses on the nature and magnitude of changes in light and glare conditions associated with the development of the proposed project and its surroundings. If the light and glare conditions of the proposed project and the existing environment are similar, then the visual compatibility would be high. If the light and glare conditions of the proposed project strongly contrast with the existing light and glare or applicable policies and guidelines, then light and glare compatibility would be low and significant impacts may result.

FCS analyzed the Shadow Diagrams (Exhibits 6a-6f, 7a-7f, 8a-8f, and 9a-9f) to compare baseline shadow conditions to proposed shadow conditions. Adopted urban design policies and guidelines are applied to determine the significance of potential cumulative-level light, glare, and shadow impacts associated with the development of the proposed project.

Impact Evaluation

Scenic Vistas

Impact AES-1:	**The proposed project would not have a substantial adverse effect on a scenic vista.**

A significant impact would occur if the implementation of the proposed project would result in a substantial adverse effect on a scenic vista as defined and identified in the Berkeley General Plan.

Dwight Way is located adjacent to the project site's northern boundary. Baseline views from Dwight Way toward the Berkeley Hills are partially blocked by street trees and development. As shown in Exhibit 1, the visual simulation viewpoints 8 and 2 evaluate the impact of the proposed increase in building height on views of the Berkeley Hills from Dwight Way. As shown in Exhibits 5b and 5h, these changes do not affect views of the Berkeley Hills from Dwight Way, which remain partially obscured by intervening trees and development.

Viewpoint 13 shows the baseline and proposed views from Aquatic Park looking east toward the Berkeley Hills. As shown in Exhibit 5m, the view from this vantage point largely consists of water within Aquatic Park, as well as trees located near the park's border with the railroad tracks, and pocket views between the trees. There is a partially obstructed, pocket view of the Berkeley Hills that is visible and would be obstructed by the proposed project, but the quality of the view is considered poor and obstruction by the proposed development is not considered significant. Viewpoint 15 shows the baseline views of the San Francisco Bay and skyline from trails in the Berkeley Hills. As shown in Exhibit 5o, the proposed project is visible from this distance but would have no significant impact on views of the San Francisco Bay or Golden Gate Bridge.

Views from the project area towards surrounding hillsides or mountains, including the Berkeley Hills, are currently partially obstructed due to trees and development. The proposed building heights and setbacks for all uses would be consistent with the Baseline conditions. As such, scenic vistas from gateways, key streets, scenic corridors, and scenic routes would not be obstructed or degraded as a result of the implementation of the proposed project. Therefore, overall impacts related to scenic vistas would be less than significant.

Level of Significance

Less Than Significant

Scenic Resources within State Scenic Highways

Impact AES-2: **The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State scenic highway.**

A significant impact would occur if the implementation of the proposed project would result in new development that would substantially damage scenic resources as seen from a designated State Scenic Highway.

The closest designated State Scenic Highway is I-580 east of the Highway 24/I-580 interchange. No officially designated State Scenic Highways traverse the project site, and no scenic resources (i.e., ridgelines, hillsides, rock outcroppings) are located within the project area, of which a view would be available from a State Scenic Highway. In addition, the project site is surrounded by suburban and recreational land use development. Visual simulations shown in Exhibits 5k, 5l, and 5m are generally representative of views from the nearby highway.

Given the absence of State Scenic Highways proximate to the project site, the lack of designated scenic resources within the project site, and the presence of intervening development between the project site and more distant scenic highways, the implementation of the proposed project would not adversely affect views of scenic resources from any State Scenic Highway. Thus, no impact would occur due to implementation of the proposed project related to scenic resources within a State Scenic Highway.

Level of Significance

No Impact

Visual Character and Views

Impact AES-3: **In non-urbanized areas, the proposed project would not substantially degrade the baseline visual character or quality of public views of the site and its surroundings or conflict with applicable zoning and other regulations governing scenic quality.[2]**

The project site and adjacent area is fully urbanized, aside from the Aquatic Park. Public views of the project site are primarily seen from Seventh Street, Dwight Way, Grayson Street, and I-580. Views of the project site from Aquatic Park Trail are partially obstructed by vegetation and trees with only the upper half of buildings visible.

Exhibit 1 illustrates the location of 15 viewpoints that were analyzed as part of this visual analysis to best determine the potential impacts on different areas surrounding the project site. As shown in Exhibit 1, viewpoints include views from Aquatic Park, Dwight Way, Seventh Street, Grayson Street, and a trail in the Berkeley Hills. Exhibits 2a through 2h show the baseline views at each of the 15

[2] For the purposes of this analysis, the project site is considered a not fully urbanized area. Therefore, out of an abundance of caution, this analysis evaluates publicly accessible views of the site and its surroundings.

viewpoints. Exhibit 3 shows the proposed conditions site plan and Exhibit 4 shows the baseline project site conditions.

Visual Character and Quality of Public Views

Exhibits 5a through 5o show the baseline views of the project area from different viewpoints and the proposed changes from the proposed conditions.

View 1

View 1 looks southwest toward the project site from the north corner of the Seventh Street and Dwight Way Intersection. As shown in Exhibit 5a, the proposed conditions would increase building height compared to the baseline conditions on the project site, increase setbacks from Seventh Street, and add a vertical, iron fence around the perimeter of the site. The proposed conditions would be consistent with baseline conditions because the building height increase would generally be within the same building footprint and fit in with the baseline urban character of the project site; and in fact, the building footprint would be set back an addition 20 feet from Seventh Street when compared to baseline conditions (80 feet under the proposed project versus 60 feet under baseline conditions). To the extent height is increased, the sky from this view is generally obstructed by trees, utility wires, utility poles, and traffic lights.

View 2

View 2 looks east toward the Berkeley Hills from Dwight Way between Sixth and Seventh Street. This particular view is a protected scenic corridor in the General Plan. As shown in Exhibit 5b, the structure within the project site would be less visible with iron, transparent fencing partially blocking views of the project site. Proposed conditions would be consistent with baseline visual character and not result in new structures or buildings that would block views of the Berkeley Hills from Dwight Way. As shown in Exhibit 5b, proposed conditions would not alter views of a scenic corridor and would fit in with the baseline project site development.

View 3

View 3 looks west from the Dwight Way and Eighth Street intersection. As shown in Exhibit 5c, the proposed conditions would result in increased building heights within the same building footprint, though much of the proposed development would be obstructed by street trees. The proposed conditions would be consistent with baseline development and retain the same urban character. In addition, proposed conditions would not result in any changes to scenic corridor views.

View 4

View 4 looks west from the Seventh Street and Parker Street intersection toward the project site. As shown in Exhibit 5d, proposed conditions would barely change views of the project site compared to baseline conditions. In addition, the proposed conditions would still retain the same urban character as the baseline conditions. The proposed project would establish a 90-foot view corridor along Parker Street, ensuring the east-west view corridor from the street level would be preserved.

View 5

View 5 looks west from the Seventh Street and Carleton Street intersection. As shown in Exhibit 5e, proposed conditions would increase building height compared to baseline conditions and result in

two new buildings further west within the project site. Proposed conditions would retain the baseline urban character and proposed buildings would not block views of the project site. In fact, the proposed project would establish a 90-foot view corridor along Carleton Street where none previously existed, ensuring the east-west view corridor from the street level would be preserved.

View 6

View 6 looks west from the Seventh Street and Grayson Street intersection. As shown in Exhibit 5f, proposed conditions would barely change the baseline project site character. New structures would scarcely be visible through baseline landscaping and trees and would not block baseline views of the project site.

View 7

View 7 looks east from Grayson Street to the Berkeley Hills. As shown in Exhibit 5g, the proposed conditions would result in increased building heights on the project site. Views from Grayson Street are not designated as a scenic corridor by the Berkeley General Plan and views of the Berkeley Hills would be retained. In addition, the surrounding urban character would remain the same under proposed conditions.

View 8

View 8 looks east from Dwight Way closest to Aquatic Park toward the Berkeley Hills. As described previously, this roadway is a designated scenic corridor. As shown in Exhibit 5h, proposed conditions would raise building heights within the same building footprint but would not negatively affect views. Views of the Berkeley Hills would remain obscured by baseline trees and intervening development. The area would retain the urban character consistent with baseline conditions.

View 9

View 9 looks south toward the project site from the Dwight Way and Fourth Street intersection. As shown in Exhibit 5i, proposed conditions would be very similar to baseline conditions and would retain the same office and urban character. Consistent with baseline conditions, proposed conditions would fit in with the baseline office uses of the project site and have building exteriors that would have unique design appearances.

View 10

View 10 looks east from the Aquatic Park Trail toward the project site and Carleton Street. As shown in Exhibit 5j, proposed conditions would result in a new building visible from the Aquatic Trail (right side of photo, through tree cover), however this building would be barely visible due to baseline trees and vegetation. In addition, views from View 10 are of the sky and a baseline building on the project site. The proposed conditions would be consistent with baseline conditions because land adjacent to parks would be sensitively developed and views would not be significantly reduced because trees and vegetation would still block views of the project site. Moreover, the new building would be of the same size, scale, and materials as the baseline buildings on the project site.

View 11

View 11 looks northeast toward the project site across Aquatic Park near I-580. As shown in Exhibit 5k, the proposed conditions would be nearly indistinguishable from the baseline conditions, with the

new buildings just barely visible above the treeline. The proposed conditions would be consistent with baseline conditions because land adjacent to parks would be sensitively developed and views would not be significantly reduced because trees and vegetation would still block views of the project site. Moreover, the new building would be of the same size, scale, and materials as the baseline buildings on the project site.

View 12

View 12 looks southeast toward the project site across Aquatic Park near I-580. As shown in Exhibit 5l, the proposed conditions would be nearly indistinguishable from the baseline conditions, with the new buildings just barely visible above the existing tree line. The proposed conditions would be consistent with baseline conditions because land adjacent to parks would be sensitively developed and views would not be significantly reduced because trees and vegetation would still block views of the project site. Moreover, the proposed project would be of the same size, scale, and materials as the baseline buildings on the project site.

View 13

View 13 looks east toward the project site across Aquatic Park near I-80. As shown in Exhibit 5m, the proposed conditions would be nearly indistinguishable from the baseline conditions, with the new buildings just barely visible above the existing tree line. As shown in Exhibit 5m, the view from this vantage point largely consists of water within Aquatic Park, trees located near the park's border with the railroad tracks, and pocket views between the trees. There is an partially obstructed pocket view of the Berkeley Hills that is visible and would be obstructed by the proposed project, but the quality of the view is considered poor, and obstruction by the proposed development is not considered significant. The proposed conditions would be consistent with baseline conditions because land adjacent to parks would be sensitively developed and views would not be significantly reduced because trees and vegetation would still block views of the project site. Moreover, the new building would be of the same size, scale, and materials as the baseline buildings on the project site.

View 14

View 14 looks southeast toward the project site across Aquatic Park. As shown in Exhibit 5n, the proposed conditions would be nearly indistinguishable from the baseline conditions, with the new buildings just barely visible above the existing tree line. The proposed conditions would be consistent with baseline conditions because land adjacent to parks would be sensitively developed and views would not be significantly reduced because trees and vegetation would still block views of the project site. Moreover, the new building would be of the same size, scale, and materials as the baseline buildings on the project site.

View 15

View 15 looks west toward the Golden Gate Bridge from a trail in the Berkeley Hills. Views of the Golden Gate Bridge and San Francisco Bay from the Berkeley Hills are important and protected scenic resources. As shown in Exhibit 5o, the baseline and proposed conditions of the project site blend in with baseline development in West Berkeley. The proposed condition changes would not be distinguishable from the baseline conditions and the proposed project would not block or impair views of the Golden Gate Bridge or San Francisco Bay. As indicated above, the trees at the westerly

border of the project site reach as tall as 80 feet, which are the same height or taller than the proposed project's buildings along its western frontage.

View Corridor Analysis

The proposed project entails a reconfiguration of height zones within the project site when compared to existing baseline conditions. Generally, the proposed project would concentrate 80-foot buildings in B-North, as depicted in the image below, whereas baseline conditions contemplated 80-foot buildings in the areas labeled B-North and A-North. The proposed project also would allow for taller heights in portions labeled A-North and A-South; for instance, various portions of the site that contemplated 45-foot buildings in these areas would contemplate, under the proposed project, 65-foot buildings.

In A-North, along its east-west axis, views below 65 feet were already obstructed because the existing Development Agreement allowed for 65-foot buildings west of Fourth Street, and in fact at least one of the two buildings along the project site's westerly frontage in this block, known as B60, is already 65-feet high. In fact, and as identified above, a portion of A-North's east-west axis contemplated 80-foot buildings, and therefore the proposed project would improve view corridors in this portion of the project site.

Moving south, the view corridor along Parker Street would be retained,, as the proposed project involves establishment of a 90-foot view corridor along this roadway.

B-North already contemplated 80-foot buildings in the bottom two-thirds of that block under baseline conditions. In the northerly third of the block, 45-foot buildings were contemplated. Under the proposed project, the 80-foot height zone would be extended about 100 feet to the 90-foot corridor along Parker Street.

Along Carleton Street, view corridor protections would be preserved and enhanced through the project's establishment of a 90-foot view corridor.

South of Carleton Street, in A-South, height limitations of 45 feet would be raised to 60 feet, but most of this view corridor is already blocked by the 100-foot Colgate Tower.

Finally:

- No changes are proposed to building heights in the area labeled C-South.
- Heights in D-North are permitted at 45 feet under existing zoning, and 25 feet with 45-foot portions under baseline conditions. The proposed project would entail buildout at 45-foot building heights on this block.

From a street-level view, the only view corridors are along Dwight Way, Parker Street, and Carleton Way, and the proposed project would not impact these corridors, as shown the visual simulation referenced above. Similarly, long-range views from the Berkeley hills under proposed development would be virtually indistinguishable from baseline conditions. To the extent there are changes, they are largely theoretical and would not be observable by the public. The differences in viewscapes along east-west corridors are depicted from this vantage point in Exhibit 6 and Exhibit 7. The baseline DA conditions massing footprint along an east-west axis is shown in Exhibit 6; while the proposed DA massing footprint along an east-west axis is shown in Exhibit 7.

Conclusion

Implementation of the proposed conditions would involve increasing building height as well as constructing new buildings. The baseline visual character of the project site and adjacent areas is a mixed urban area with office, commercial, and residential uses as well as Aquatic Park. The proposed conditions would not change the visual character of the project site or surrounding areas and would retain an urban look. As described previously and shown in Views 1 through 15, the proposed conditions would not significantly block or impair views of a protected scenic corridors. Proposed conditions under the project would retain the baseline visual character by renovating baseline buildings, improving project frontages, and constructing new buildings that better utilize the proposed project for office and commercial uses and use exterior materials that ensure buildings are visually interesting and fit in with the urban environment.

Impacts related to visual quality and character of public views to and from the project site would be less than significant, as the implementation of the proposed conditions would not substantially degrade the baseline urban character of the surrounding area or substantially alter baseline views of the Berkeley Hills, Golden Gate Bridge, or scenic corridors.

Level of Significance

Less Than Significant

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Exhibit 5a
View 1 Visual Simulation (Proposed & Baseline)

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Baseline

Proposed

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Exhibit 5b
View 2 Visual Simulation (Proposed & Baseline)

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Exhibit 5c
View 3 Visual Simulation (Proposed & Baseline)

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Exhibit 5d
View 4 Visual Simulation (Proposed & Baseline)

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Exhibit 5e
View 5 Visual Simulation (Proposed & Baseline)

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Exhibit 5f
View 6 Visual Simulation (Proposed & Baseline)

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Exhibit 5g
View 7 Visual Simulation (Proposed & Baseline)

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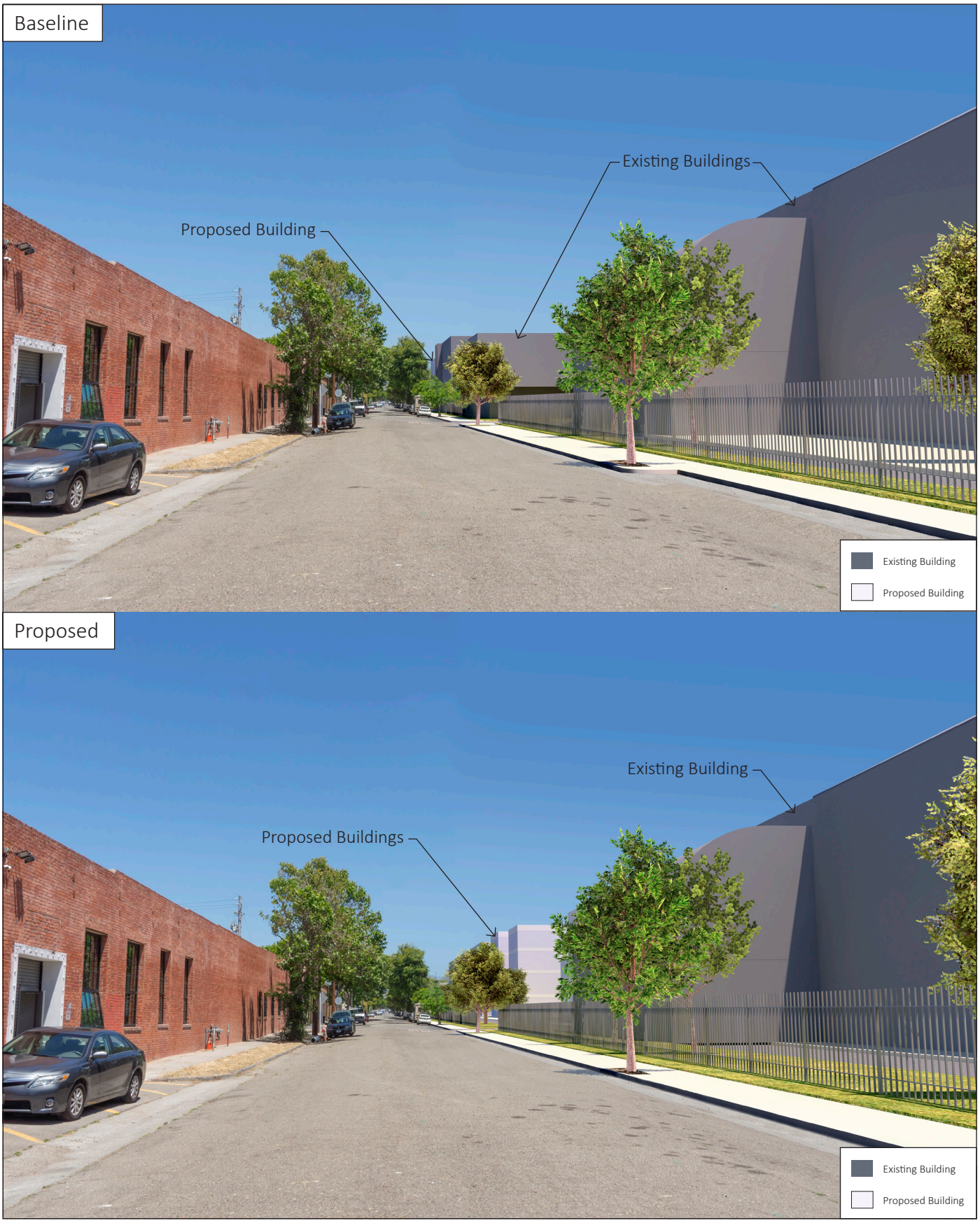

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Exhibit 5h
View 8 Visual Simulation (Proposed & Baseline)

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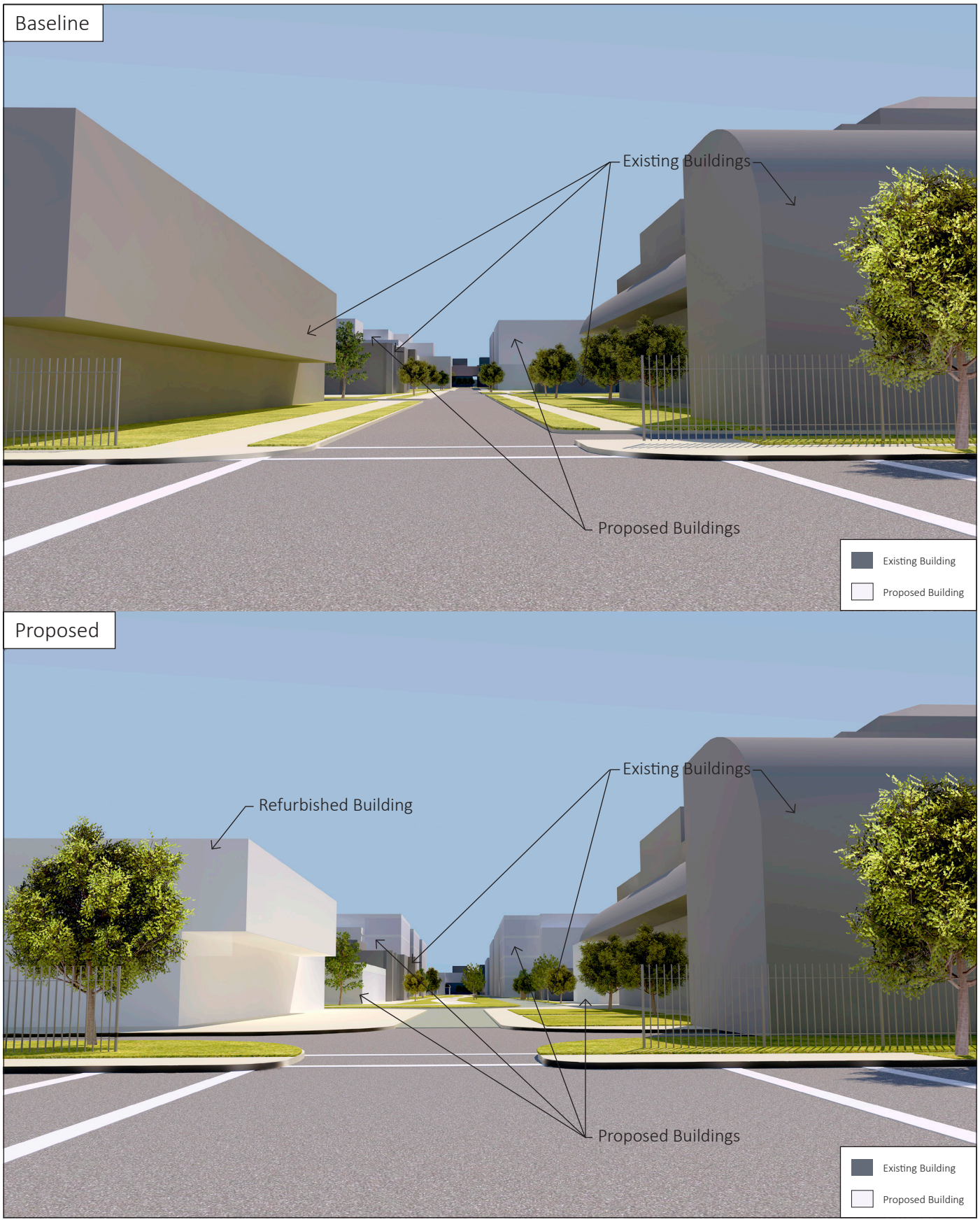

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Exhibit 5i
View 9 Visual Simulation (Proposed & Baseline)

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Exhibit 5j
View 10 Visual Simulation (Proposed & Baseline)

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Baseline

Proposed

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Exhibit 5k
View 11 Visual Simulation (Proposed & Baseline)

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Exhibit 5l
View 12 Visual Simulation (Proposed & Baseline)

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Exhibit 5m
View 13 Visual Simulation (Proposed & Baseline)

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Exhibit 5n
View 14 Visual Simulation (Proposed & Baseline)

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Exhibit 5o
View 15 Visual Simulation (Proposed & Baseline)

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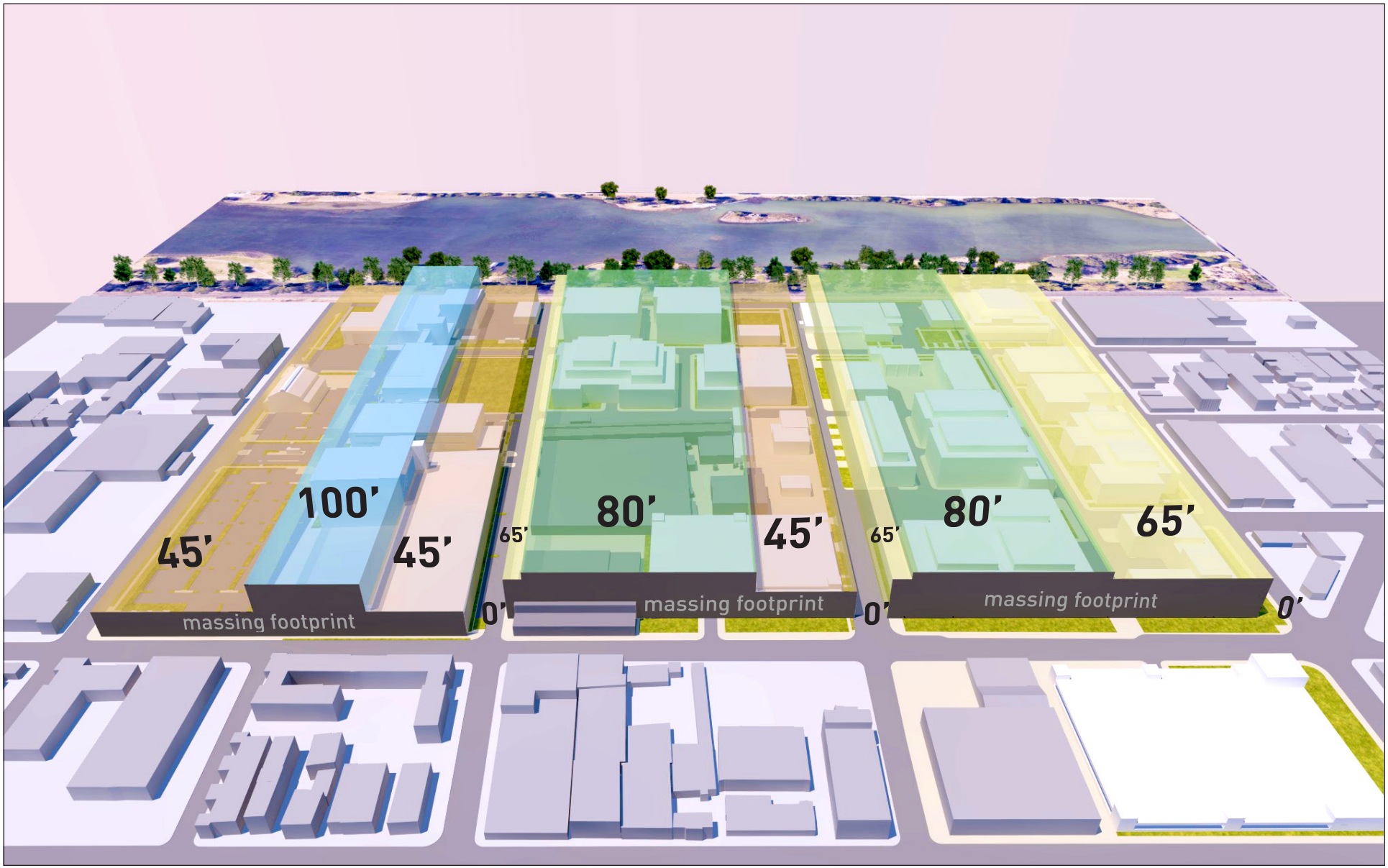

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Exhibit 6
Baseline Massing Footprint Along East-West Axis

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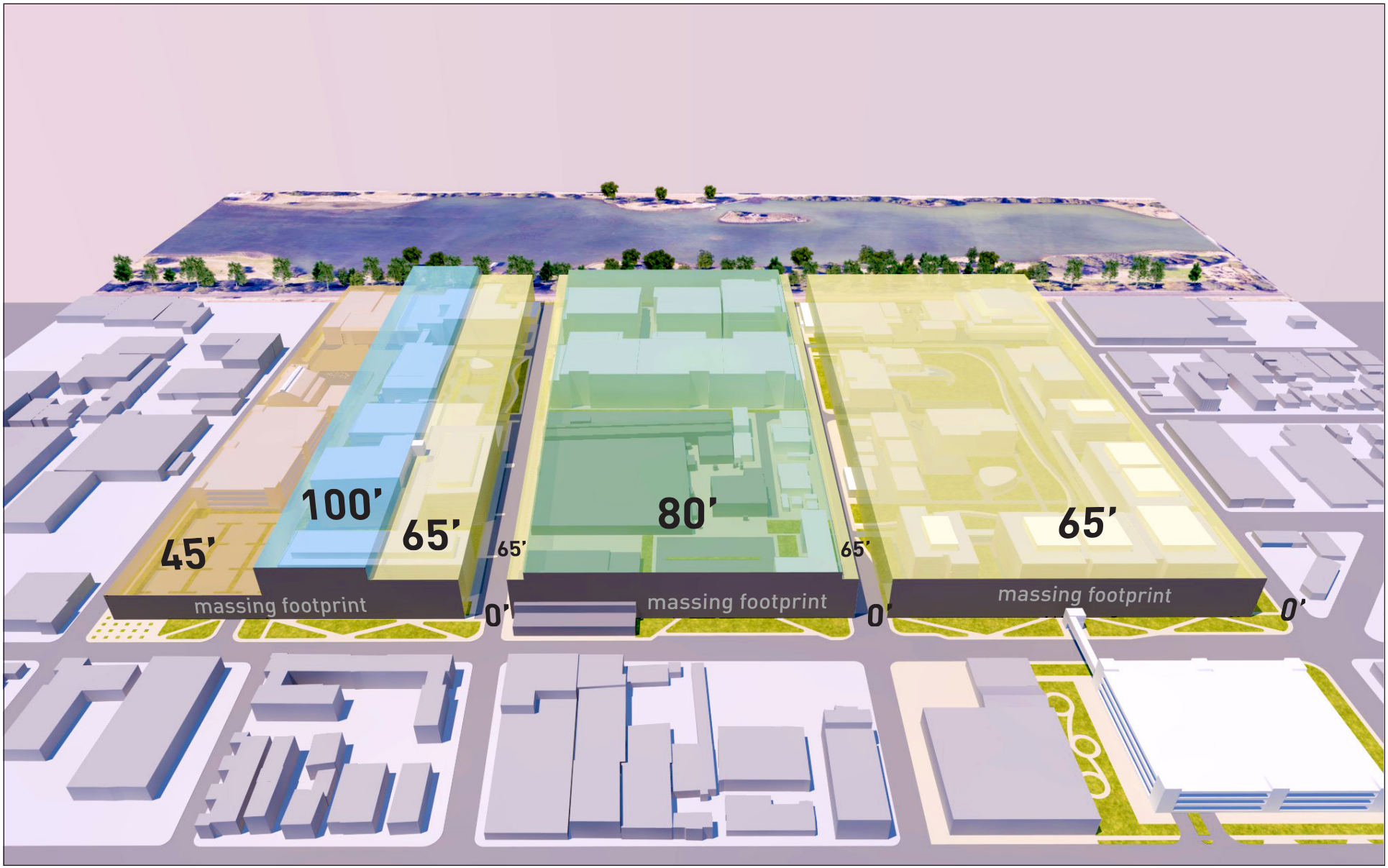

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Exhibit 7
Proposed Massing Footprint Along East-West Axis

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Light, Glare, and Shadow

Impact AES-4: The proposed project would not create a new source of substantial light, glare, or shadow which would adversely affect day or nighttime views in the area.

Sources of daytime glare include direct beam sunlight and reflections from windows, architectural coatings, glass, and other reflective surfaces. Nighttime illumination and associated glare are generally divided into two sources: stationary and mobile. Stationary sources include structure lighting and decorative landscaping, lighted signs, solar panels, and streetlights. Mobile sources are primarily headlights from motor vehicles.

Light

The project site contains existing lighting from street lights, building lights, and landscaping lights. In addition, the project site is surrounded by urban development to the north, east, and south, which contain light sources.

As discussed in the Project Description, the proposed project's exterior lighting would be architecturally integrated with the character of proposed structures. Lighting would also be energy-efficient and fully-shielded or recessed, and must completely turn off or be significantly dimmed at the close of business hours when the exterior lighting is not essential for security and safety. Any permanent lighting shall not blink, flash or be of unusually high intensity or brightness. Lighting fixtures, including any pole lighting, would be appropriate in height, intensity, and scale to the use they are serving. All outdoor lighting fixtures would be designed and installed so that light rays are not emitted across property lines, to the extent possible. At the perimeter of the project site, there are roads and railroad tracks of substantial widths that would ensure no light would trespass onto private property or Aquatic Park. Individual building light would be verified by the City of Berkeley Planning and Development staff during the Design Review of project plans. Consistency with these elements and practices would ensure new sources of light would be reduced to the maximum extent practicable.

Glare

Implementation of the proposed project would have a significant impact if substantial glare would adversely affect nighttime or daytime views, respectively, within the vicinity of the project site. The project site is currently developed with sources of glare from buildings, windows, parked car windows, and traffic headlights on adjacent roadways. The surrounding area is highly urbanized with sources of glare. The proposed project could introduce new sources of glare such as windows and more structures with reflective surfaces. However, the project site and surrounding areas are already impacted by glare from urban development and, compared to baseline conditions, the proposed project would not introduce a new significant source of glare. It bears mention that, along the project site's perimeter, there are a number of street trees, and the proposed project's land use plan contemplates a deeper setback vis-à-vis Seventh Street with additional trees planted, which would obstruct sightlines to and from windows and reduce glare. Therefore, impacts to light and glare would be less than significant.

Shadow

Facilities that are considered "sensitive" to the effects of shading are those where sunlight is important to its function, such as public parks and plazas, routinely usable outdoor spaces associated with residential or recreational land uses, pedestrian-oriented commercial spaces such as outdoor eating areas, and solar facilities. The following list describes uses that are adjacent to the project site.

- North— single-family homes on the north side of Dwight Way between Seventh Street and Eighth Street
- West— Aquatic Park and trail
- South— Industrial uses
- East— Ecole Bilingue de Berkeley - Middle School Campus located at 901 Grayson Street

Shade and Shadow Conditions

Currently the project site is entirely developed with structures, paved surfaces, and minimal vegetation.

Spring Equinox

Morning Conditions

Under Baseline conditions, at 9:13 a.m. the buildings on the project site cast shadows to the northwest. As shown in Exhibits 8a and 8b, during baseline conditions the baseline structures on the project site cast shadows within the project site, on the railroad line to the west, onto Dwight Way to the north, and onto tree cover in Aquatic Park in discrete locations. The proposed DA conditions show that potential shadows from the proposed project would expand compared to baseline conditions with shadows extending into Aquatic Park and across the railroad. However, the proposed DA conditions would not extend shadows on to trails in Aquatic Park, adjacent structures, or sensitive uses, but rather onto tree cover that already provides shade, and only with in a discrete area as shown in Exhibits 8a and 8b. As noted previously, the project site parking lots, adjacent roadways, and railroads are not considered shadow-sensitive land uses. Therefore, no significant impact would occur.

Noon Conditions

Under Baseline conditions at 12:00 p.m. the buildings on the project site cast shadows almost entirely within the project site. As shown in Exhibits 8c and 8d, some shadows are cast on to Dwight Way but do not extend on to adjacent properties or land uses. The proposed DA conditions do not cast shadows on to adjacent uses and would marginally increase the amount of shadows cast. As noted previously, the project site parking lots and adjacent roadways are not considered shadow-sensitive land uses. Therefore, no impact would occur.

Evening Conditions

Under Baseline conditions at 5:20 p.m. the buildings on the project site cast shadows within the project site, on to Seventh Street, and Eighth Street. As shown in Exhibits 8e and 8f, some shadows

are cast on to Seventh Street and Eighth Street but do not extend on to adjacent properties or land uses. The proposed DA conditions do not cast shadows on to adjacent uses, but only upon sidewalk areas that are already shaded by street trees, and thus, the proposed project would only marginally increase the amount of shadows cast. As noted previously, the project site parking lots and adjacent roadways are not considered shadow-sensitive land uses. Therefore, no significant impact would occur.

Summer Solstice

Morning Conditions

Under Baseline conditions at 7:47 a.m. the buildings on the project site cast shadows to the west. As shown in Exhibits 9a and 9b, during baseline conditions the baseline structures on the project site cast shadows within the project site, on the railroad line to the west, Seventh Street, and on to some trees in Aquatic Park. The proposed DA conditions show that potential shadows from the proposed project would expand compared to baseline conditions with shadows extending into Aquatic Park and across the railroad. However, the proposed DA conditions would not extend shadows on to trails in Aquatic Park or sensitive uses, but rather onto tree cover that already provides shade, as shown in Exhibits 9a and 9b. Therefore, no significant impact would occur.

Noon Conditions

Under Baseline conditions at 12:00 p.m. the buildings on the project site cast shadows entirely within the project site. As shown in Exhibits 9c and 9d, the proposed DA conditions do not cast shadows on to adjacent uses and would marginally increase the amount of shadows cast within the project site. The buildings on the project site are not sensitive uses and as a result, proposed DA conditions would not result in shadows impacting sensitive uses. Therefore, no impact would occur.

Evening Conditions

Under Baseline conditions at 5:20 p.m. the buildings on the project site cast shadows within the project site, on to Seventh Street, and Eighth Street to the east. As shown in Exhibits 9e and 9f, under proposed DA conditions shadows would similarly be cast on to Seventh Street and Eighth Street but would not extend on to adjacent properties or land uses, but rather partially onto tree cover that already provides shade, as shown in Exhibits 9e and 9f. The proposed DA conditions do not cast shadows on to sensitive uses. Therefore, no significant impact would occur.

Fall Equinox

Morning Conditions

Under Baseline conditions at 8:57 a.m., shadows generated by baseline structures would be cast northwest on to structures within the project site, Seventh Street, and Dwight Way. As shown in Exhibits 10a and 10b, proposed DA conditions would cast additional shadows to the northwest on to the project site, Seventh Street, Dwight Way, and Aquatic Park. However, the proposed DA conditions would not cast shadows onto sensitive uses. As noted previously, the areas where shadows would be cast include portions of a roadway, the project site, and trees in Aquatic Park, none of which are considered shadow-sensitive land uses. Rather, the new buildings would cast shadows onto tree cover that already provides shade, as shown in Exhibits 10a and 10b. Therefore, no significant impact would occur.

Noon Conditions

Under Baseline conditions at 12:00 p.m. on September 22 the buildings on the project site cast shadows entirely within the project site and partially on to Dwight Way. As shown in Exhibits 10c and 10d, the proposed DA conditions do not cast shadows on to adjacent uses and would marginally increase the amount of shadows cast within the project site. As noted previously, portions of a roadway and the project site are not considered shadow-sensitive land uses. Therefore, no impact would occur. Therefore, no impact would occur.

Evening Conditions

Under Baseline conditions at 5:05 p.m. the buildings on the project site cast shadows to the east and northeast within the project site, on to Seventh Street, and Eighth Street. As shown in Exhibits 10e and 10f, under proposed DA conditions, shadows would similarly be cast on to Seventh Street and Eighth Street but would not extend on to adjacent properties or sensitive land uses, but rather partially onto tree cover that already provides shade as shown in Exhibits 10e and 10f. Therefore, no impact would occur.

Winter Solstice

Morning Conditions

Under Baseline conditions at 9:21 a.m. the structures on the project site cast shadows on to Dwight Way, adjacent commercial/industrial properties across Dwight Way, the railroad line to the northwest, and Seventh Street. As shown in Exhibits 11a and 11b, under proposed DA conditions shadows would similarly be cast on to Dwight Way, adjacent properties across Dwight Way, the railroad line, and Seventh Street. In addition, the proposed DA conditions would cast shadows onto sensitive uses, the front yards of two residential homes on the north side of Dwight Way, 905 and 911 Dwight Way. The project buildings would not cast shadows onto rooftops or windows. It bears mention that street trees along the southerly and northerly sides of Dwight Way already cast shadows on the yards of 905 and 911 Dwight Way, and shadows from proposed project buildings would not be expected to measurably increase shading in these locations, nor would they impede potential solar energy use. As noted previously, portions of a roadway, railroad lines, the properties across Dwight Way, and the project site are not considered shadow-sensitive land uses. Therefore, impacts would be less than significant.

Noon Conditions

Under Baseline conditions at 12:00 p.m. the buildings on the project site cast shadows almost entirely within the project site and partially on to Dwight Way and Seventh Street. As shown in Exhibits 11c and 11d, the proposed DA conditions cast shadows on to adjacent uses and would marginally increase the amount of shadows cast within the project site, Dwight Way, and Seventh Street. As noted previously, portions of a roadway, adjacent properties to the north of Dwight Way and south of Seventh Street, and the project site are not considered shadow-sensitive land uses. Therefore, no impact would occur.

Evening Conditions

Under Baseline conditions at 2:53 p.m. the buildings on the project site cast shadows to the east and northeast within the project site, on to Dwight Way, Seventh Street, and Eighth Street. As shown in Exhibits 11e and 11f, under proposed DA conditions shadows would similarly be cast on to Seventh

Street and Eighth Street and would extend on to adjacent properties north of Dwight Way, and Carleton Street. The shadows cast onto 905 Dwight Way would only be onto the very southwest portion of the front yard and would not obscure the roof or windows, but would fall partially onto existing tree cover on that property that already provides shade. Additionally, these shadows would be cast for up to two additional hours until the sun sets. The proposed buildings would not cast shadows onto the roof of a residential home, which is considered a sensitive use, and prevent the potential use of solar photovoltaic panels. As noted previously, portions of a roadway, adjacent properties to the north of Dwight Way that are not residential homes, and the project site are not considered shadow-sensitive land uses. Therefore, no significant impact would occur.

Conclusion

The proposed DA conditions would marginally increase the amount of shadows cast. Most of the proposed condition increases in shadows would be contained within the project site or onto adjacent roadways, the railroad line, and other non-sensitive uses. The only shadows cast on to sensitive uses would be on eastern most portions of Aquatic Park and two residential homes. With respect to Aquatic Park, only discrete portions would be shadowed, and such areas are already shadowed by existing tree cover and vegetation. With regard to the two homes identified, they would experience shadows on discrete portions of their front yards, and only during morning and evening time periods on December 21 during the Winter Solstice, though existing street trees already shade these areas, and project-related shadows would not be noticeable from a practical standpoint. At no other times during the year would the proposed project cast shadows onto sensitive uses. In addition, the proposed project would not cast shadows onto the residential home roofs or windows and would not inhibit potential solar photovoltaic electricity generation. Therefore, impacts related to shadows and shade would be less than significant.

Level of Significance

Less than Significant

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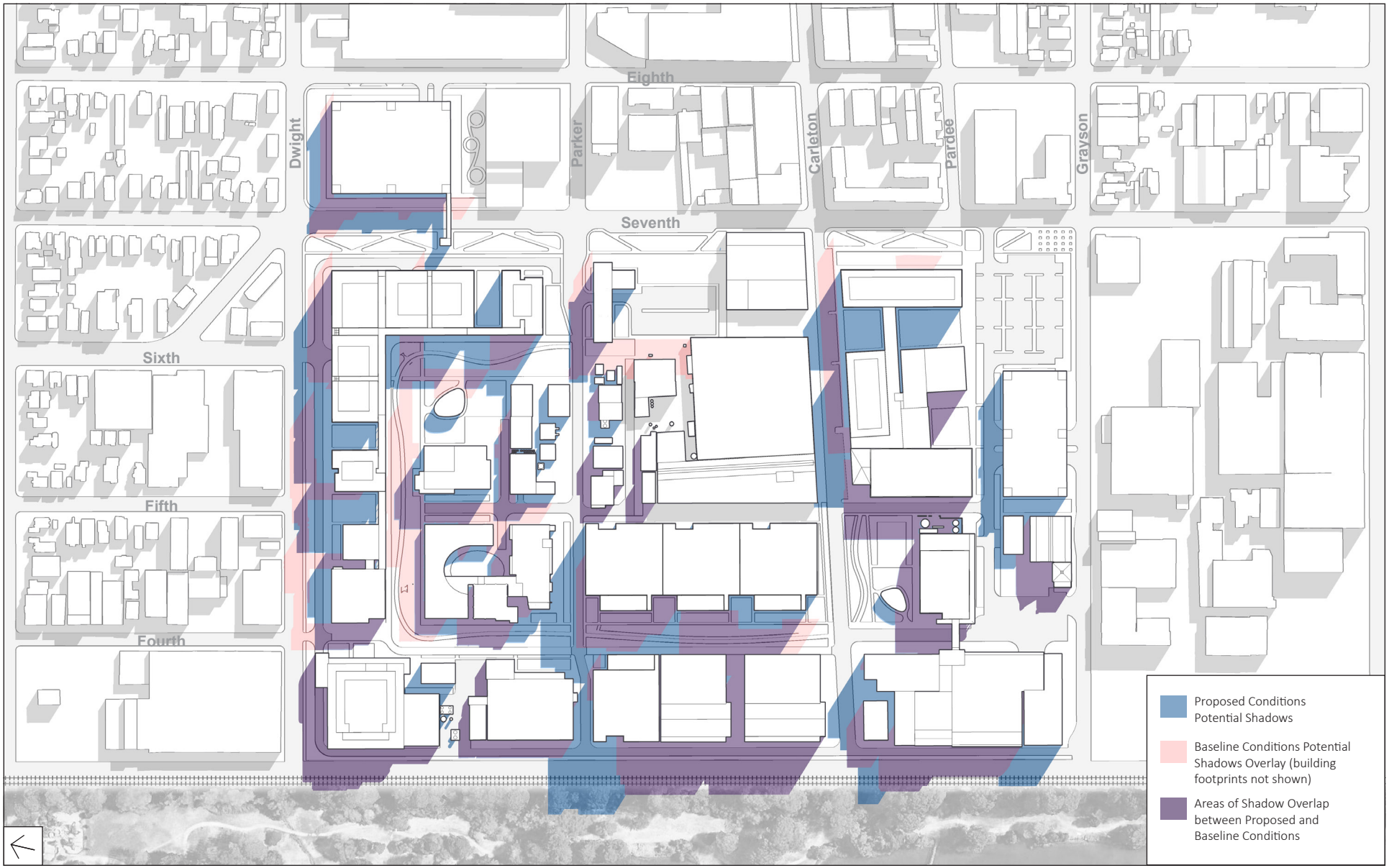

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Exhibit 8a
Spring Equinox Proposed Shadow Conditions: March 19 - 9:13 AM *(2 hours after sunrise)*

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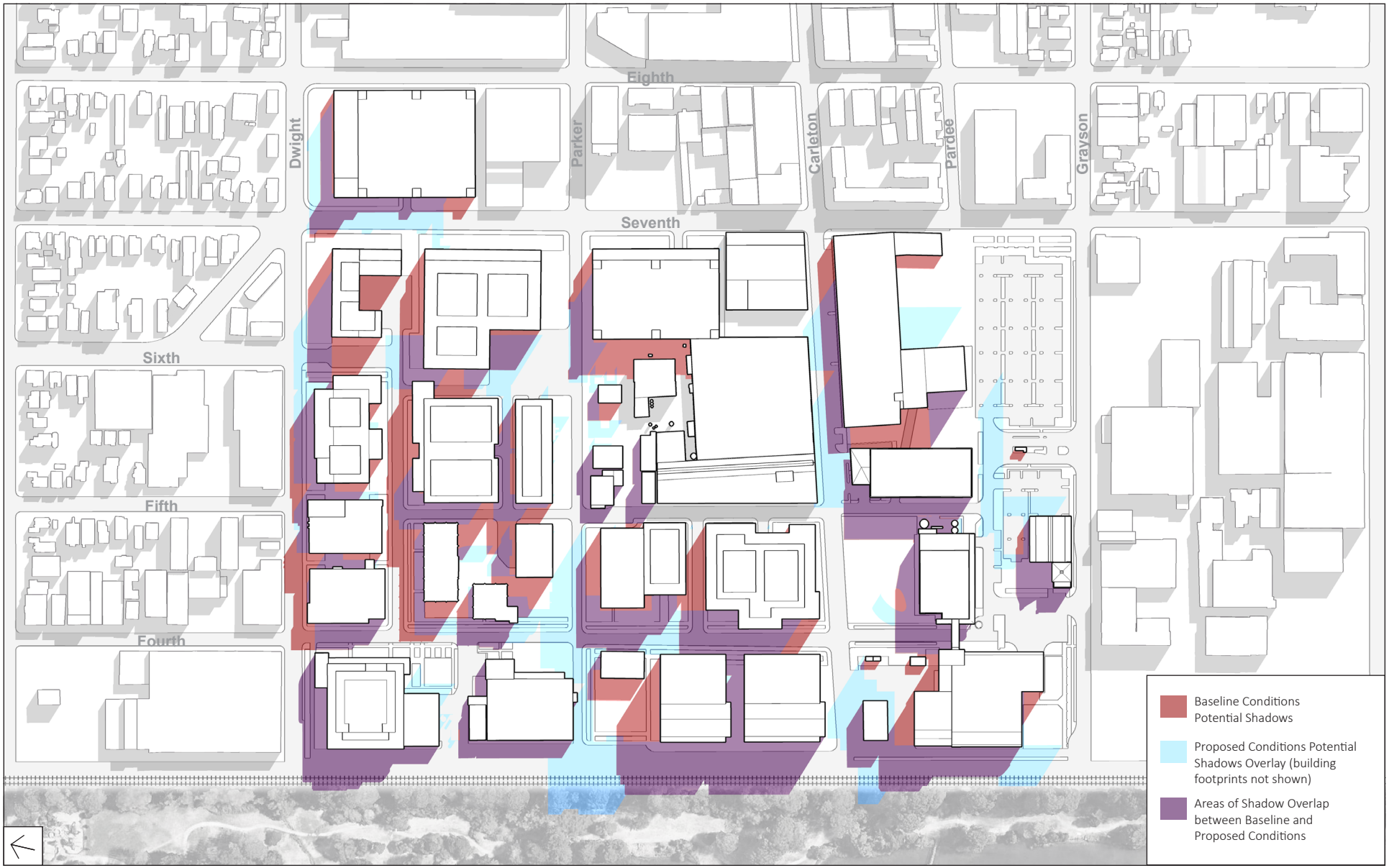

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Exhibit 8b

Spring Equinox Baseline Shadow Conditions: March 19 - 9:13 AM *(2 hours after sunrise)*

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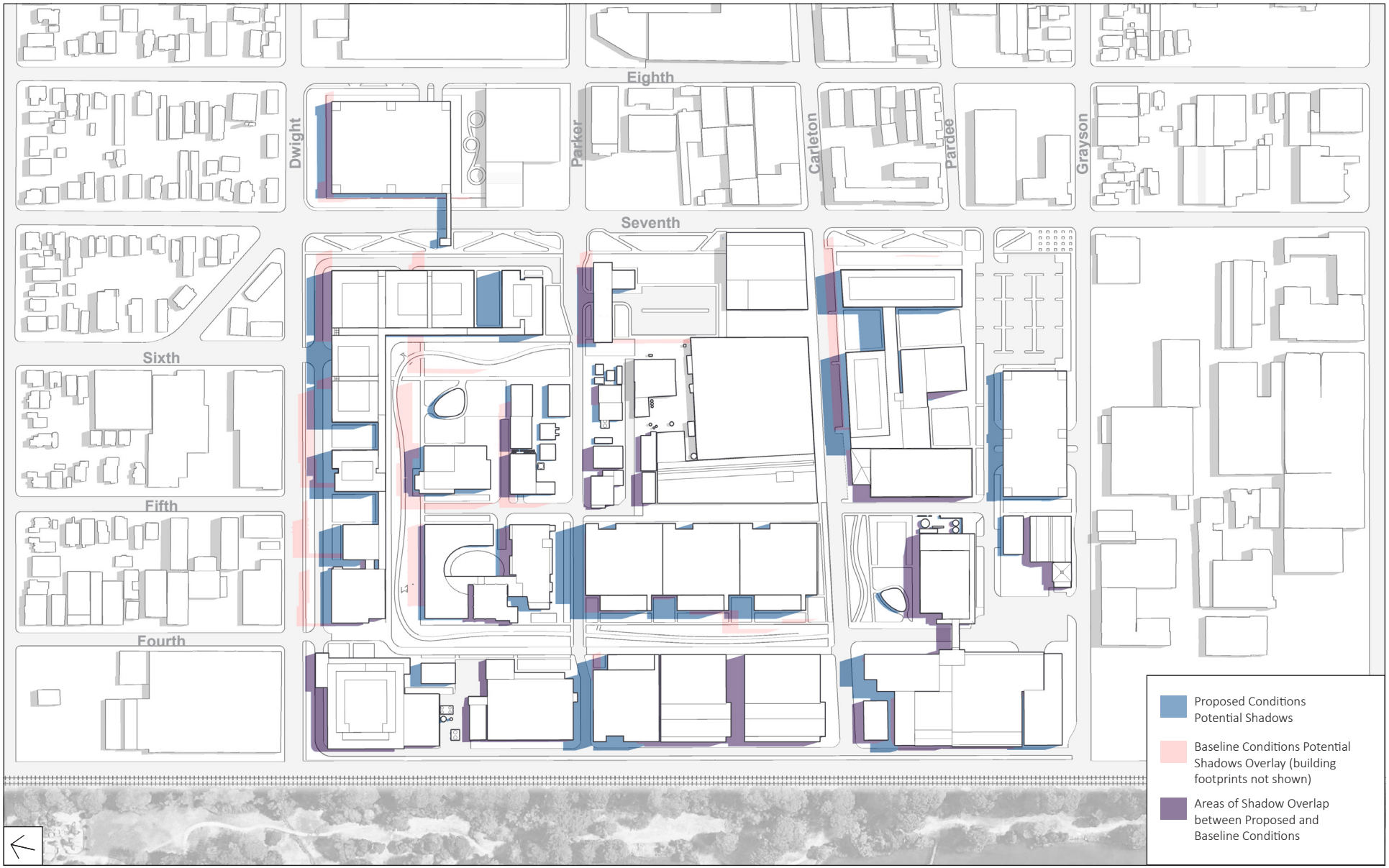

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Exhibit 8c
Spring Equinox Proposed Shadow Conditions: March 19 - 12:00 PM

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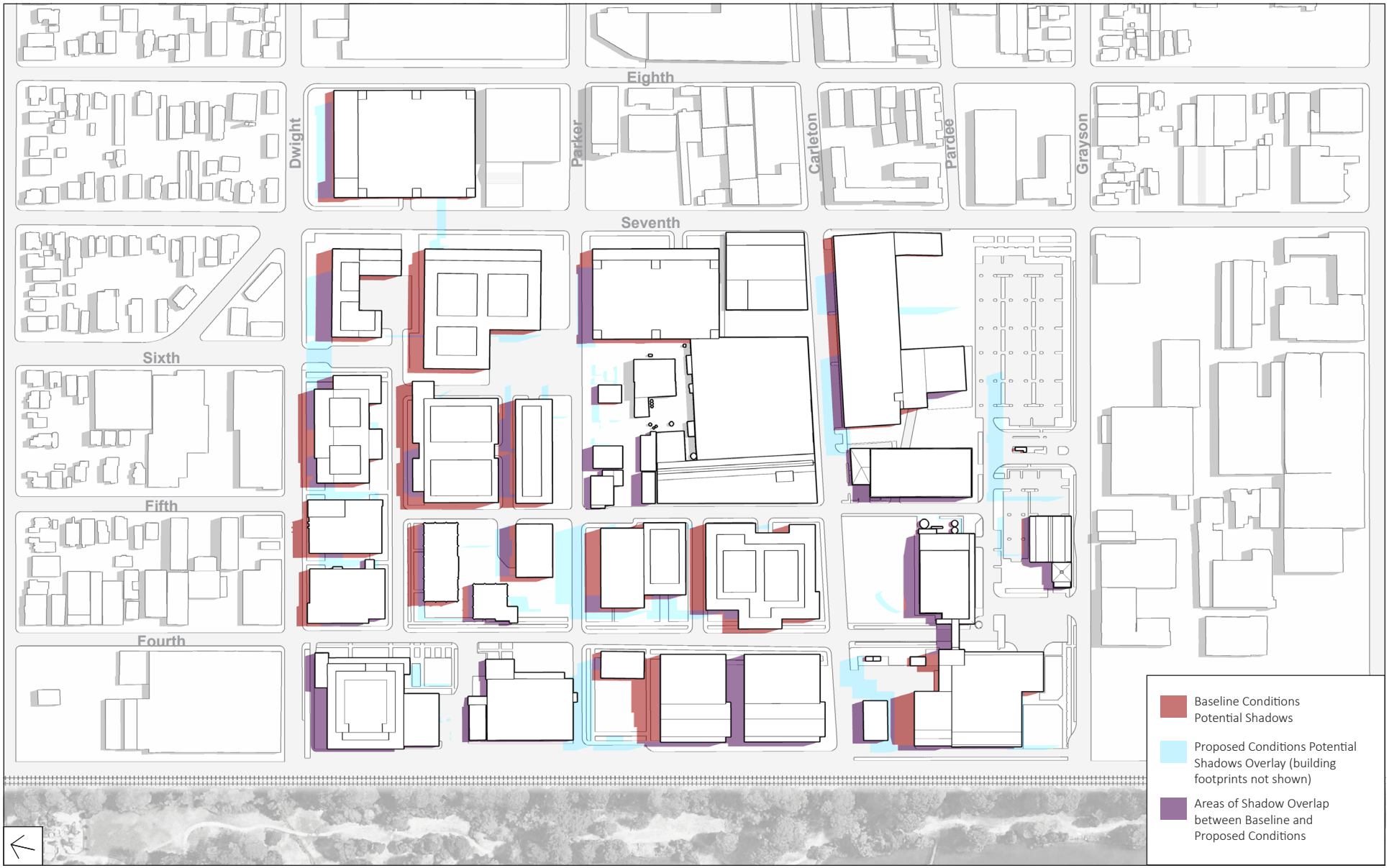

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Exhibit 8d
Spring Equinox Baseline Shadow Conditions: March 19 - 12:00 PM

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Exhibit 8e

Spring Equinox Proposed Shadow Conditions: March 19 - 5:20 PM (*2 hours before sunset)*

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Exhibit 8f

Spring Equinox Baseline Shadow Conditions: March 19 - 5:20 PM (*2 hours before sunset)*

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Exhibit 9a

Summer Solstice Proposed Shadow Conditions: June 20 - 7:47 AM *(2 hours after sunrise)*

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Exhibit 9b

Summer Solstice Baseline Shadow Conditions: June 20 - 7:47 AM *(2 hours after sunrise)*

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Exhibit 9c
Summer Solstice Proposed Shadow Conditions: June 20 - 12:00 PM

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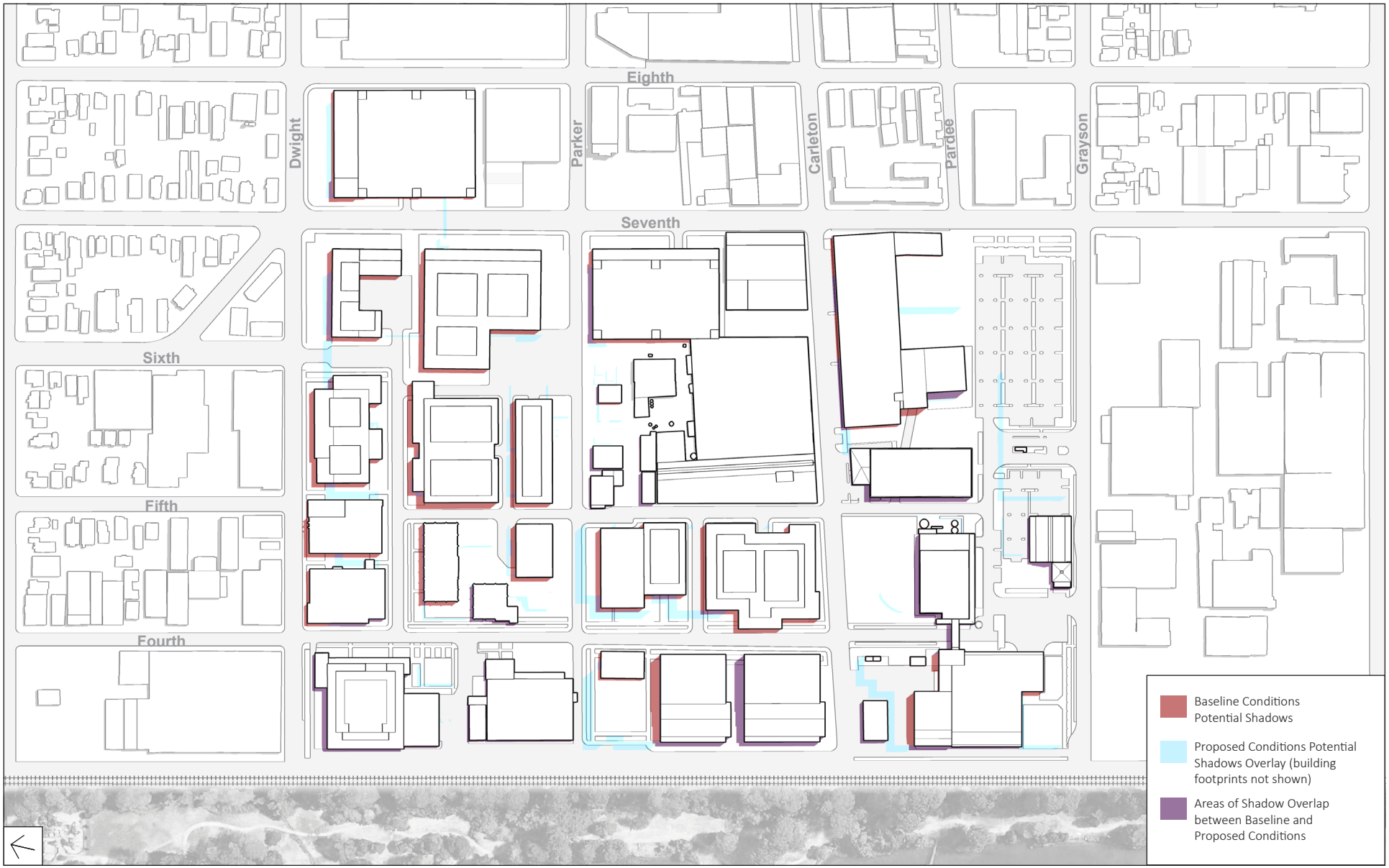

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Exhibit 9d
Summer Solstice Baseline Shadow Conditions: June 20 - 12:00 PM

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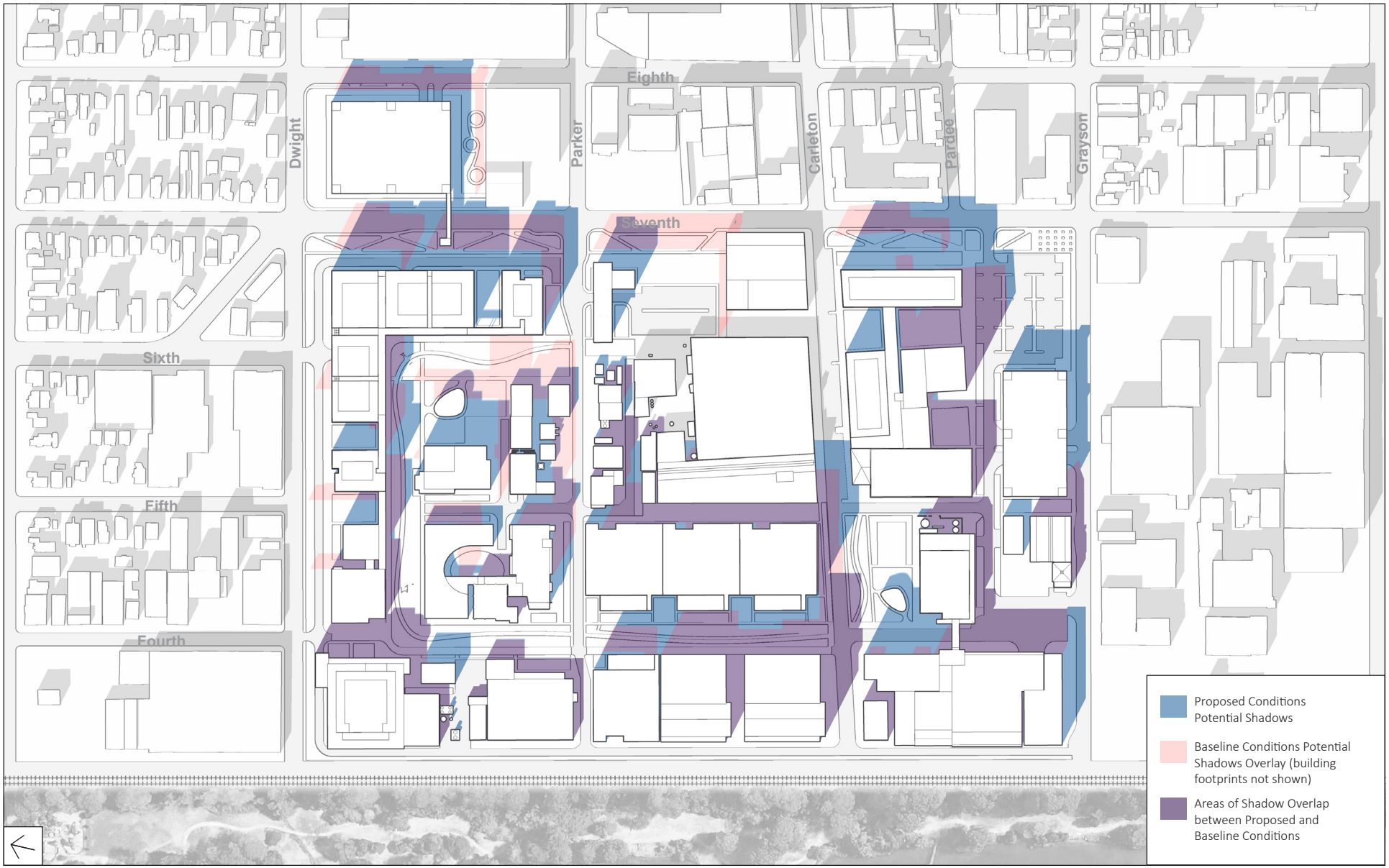

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Exhibit 9e

Summer Solstice Proposed Shadow Conditions: June 20 - 6:34 PM (*2 hours before sunset)*

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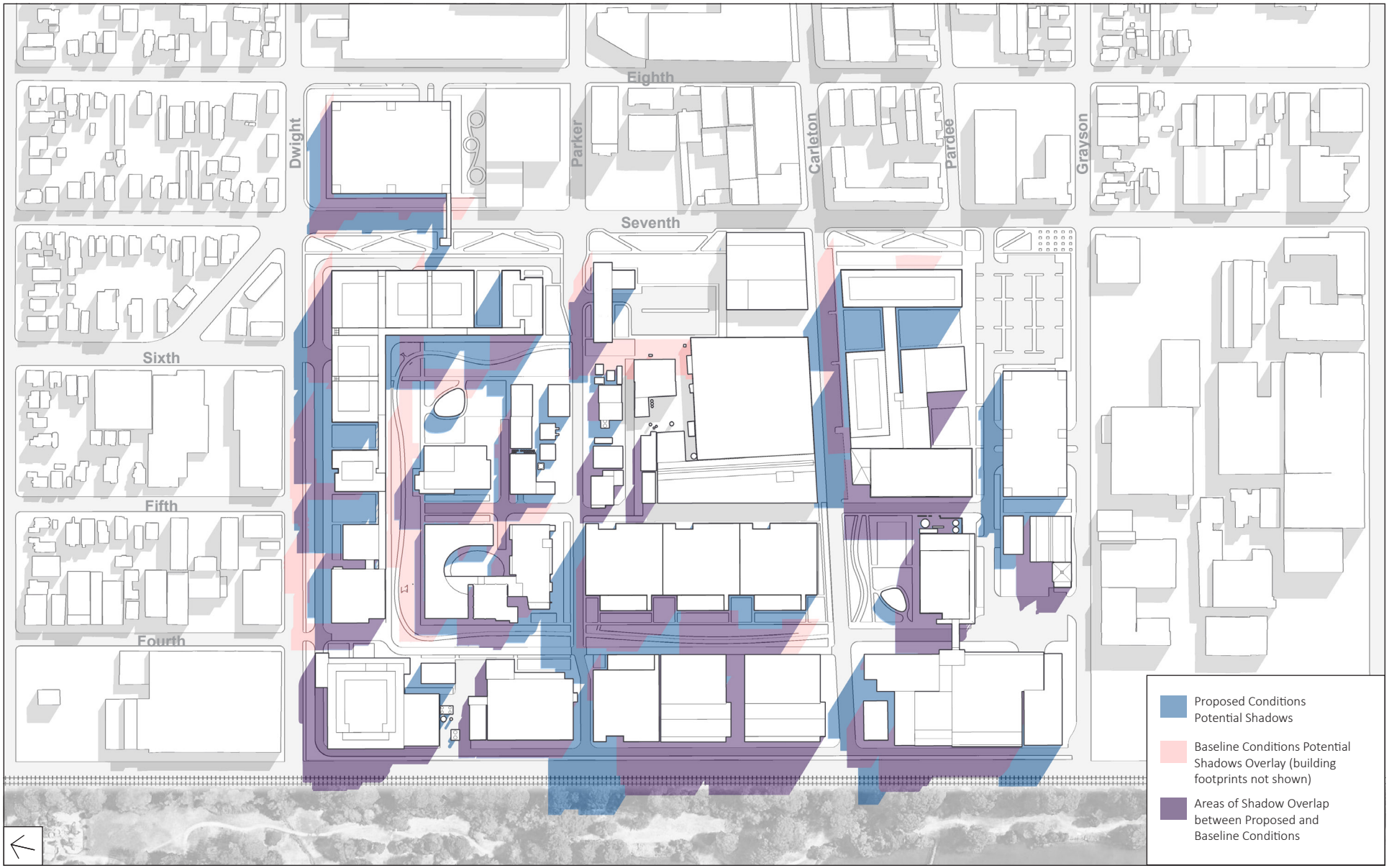

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Exhibit 10a

Fall Equinox Proposed Shadow Conditions: September 22 - 8:57 AM *(2 hours after sunrise)*

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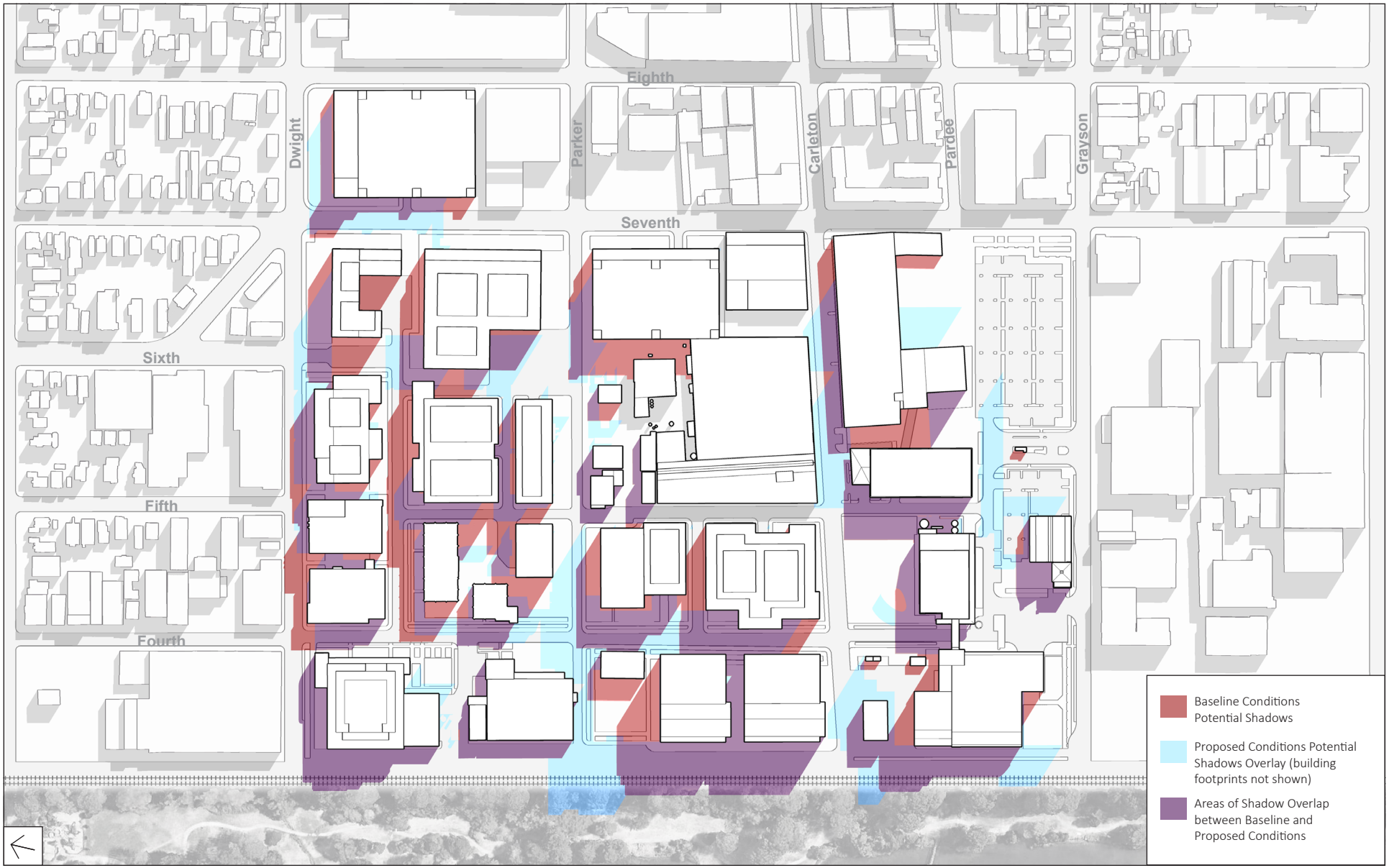

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Exhibit 10b

Fall Equinox Baseline Shadow Conditions: September 22 - 8:57 AM *(2 hours after sunrise)*

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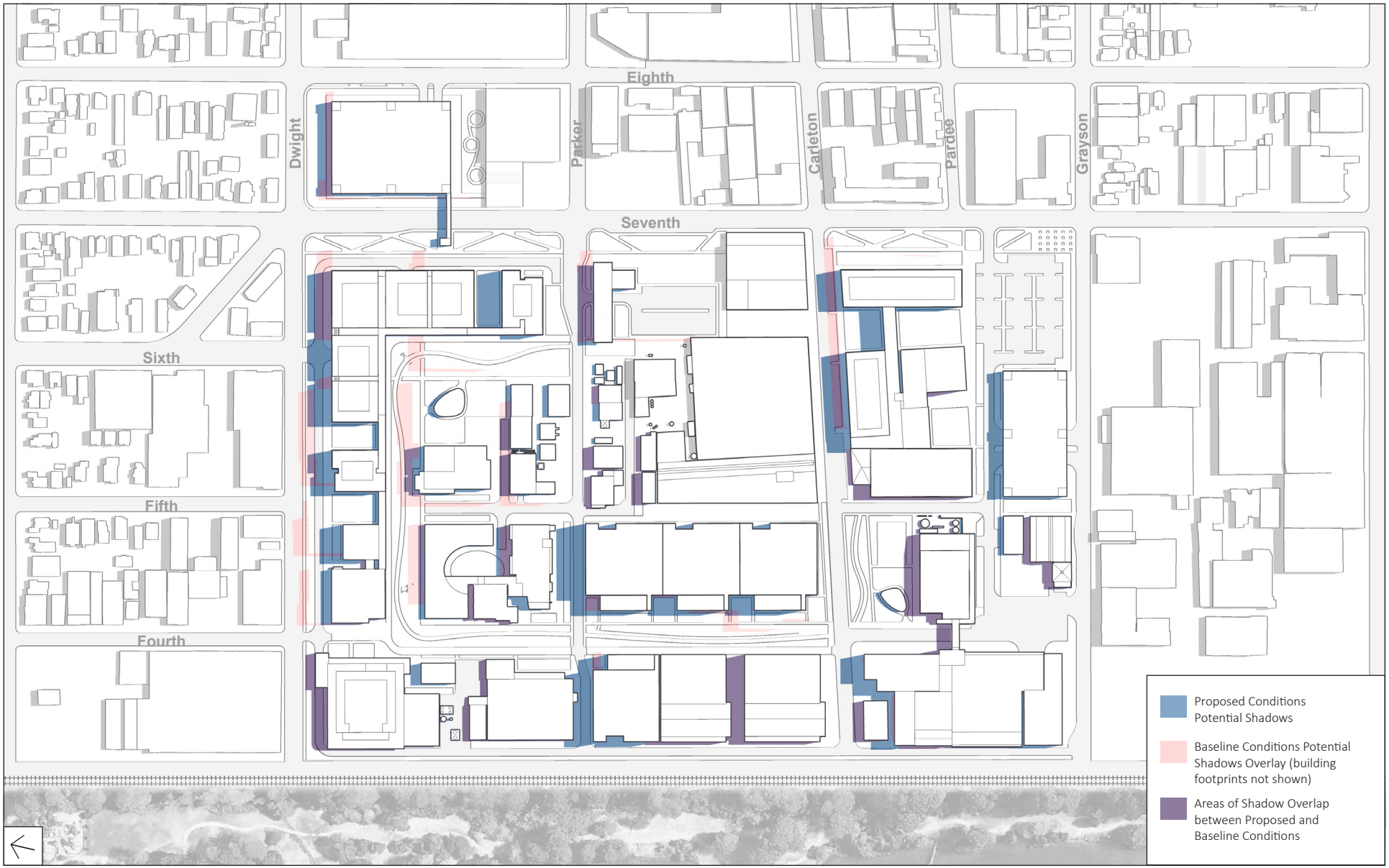

FIRSTCARBON SOLUTIONS™

Exhibit 10c
Fall Equinox Proposed Shadow Conditions: September 22 - 12:00 PM

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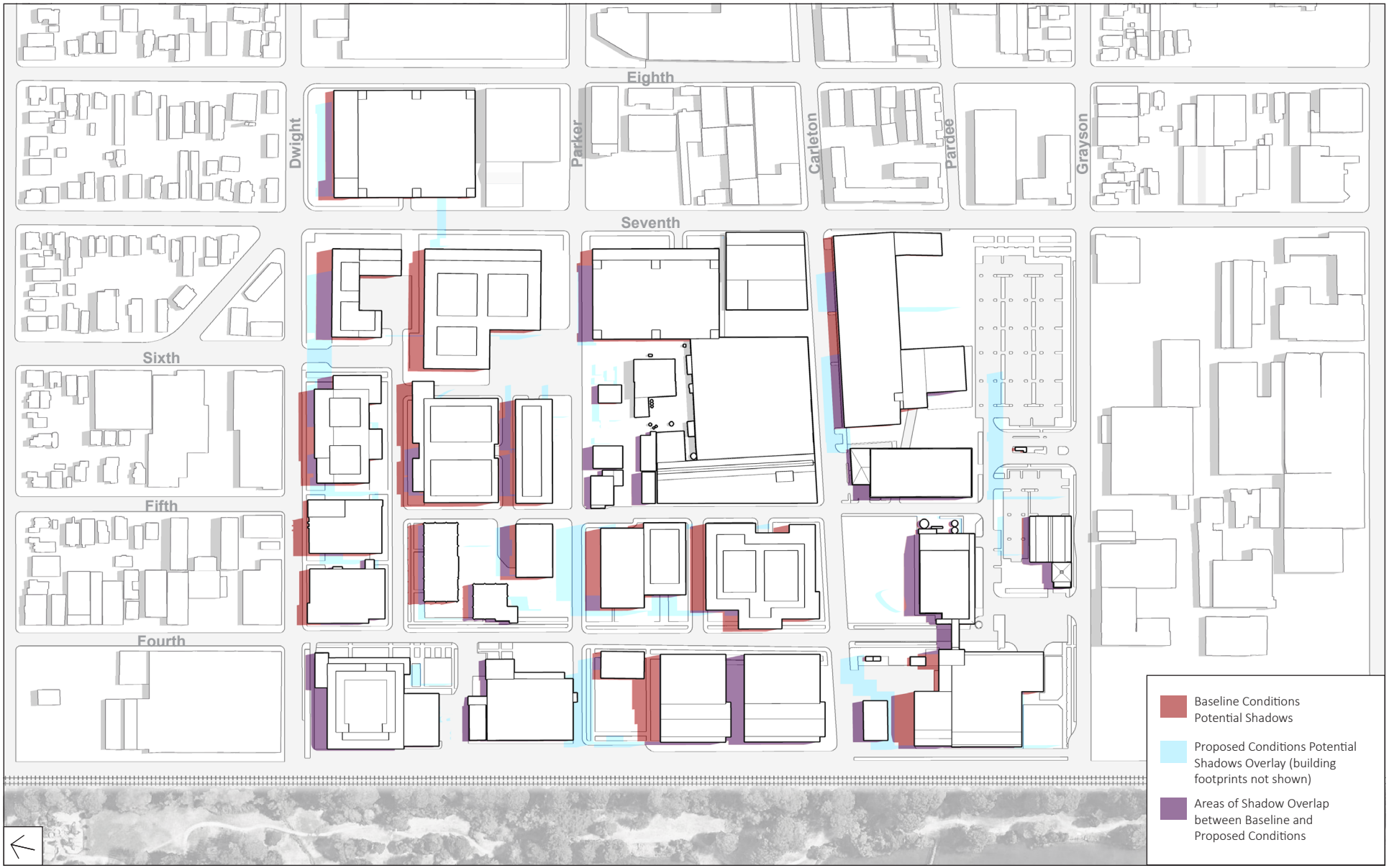

FIRSTCARBON SOLUTIONS™

Exhibit 10d
Fall Equinox Proposed Shadow Conditions: September 22 - 12:00 PM

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FIRSTCARBON SOLUTIONS™

Exhibit 10e

Fall Equinox Proposed Shadow Conditions: September 22 - 5:05 PM (*2 hours before sunset)*

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FIRSTCARBON SOLUTIONS™

Exhibit 10f

Fall Equinox Baseline Shadow Conditions: September 22 - 5:05 PM (*2 hours before sunset)*

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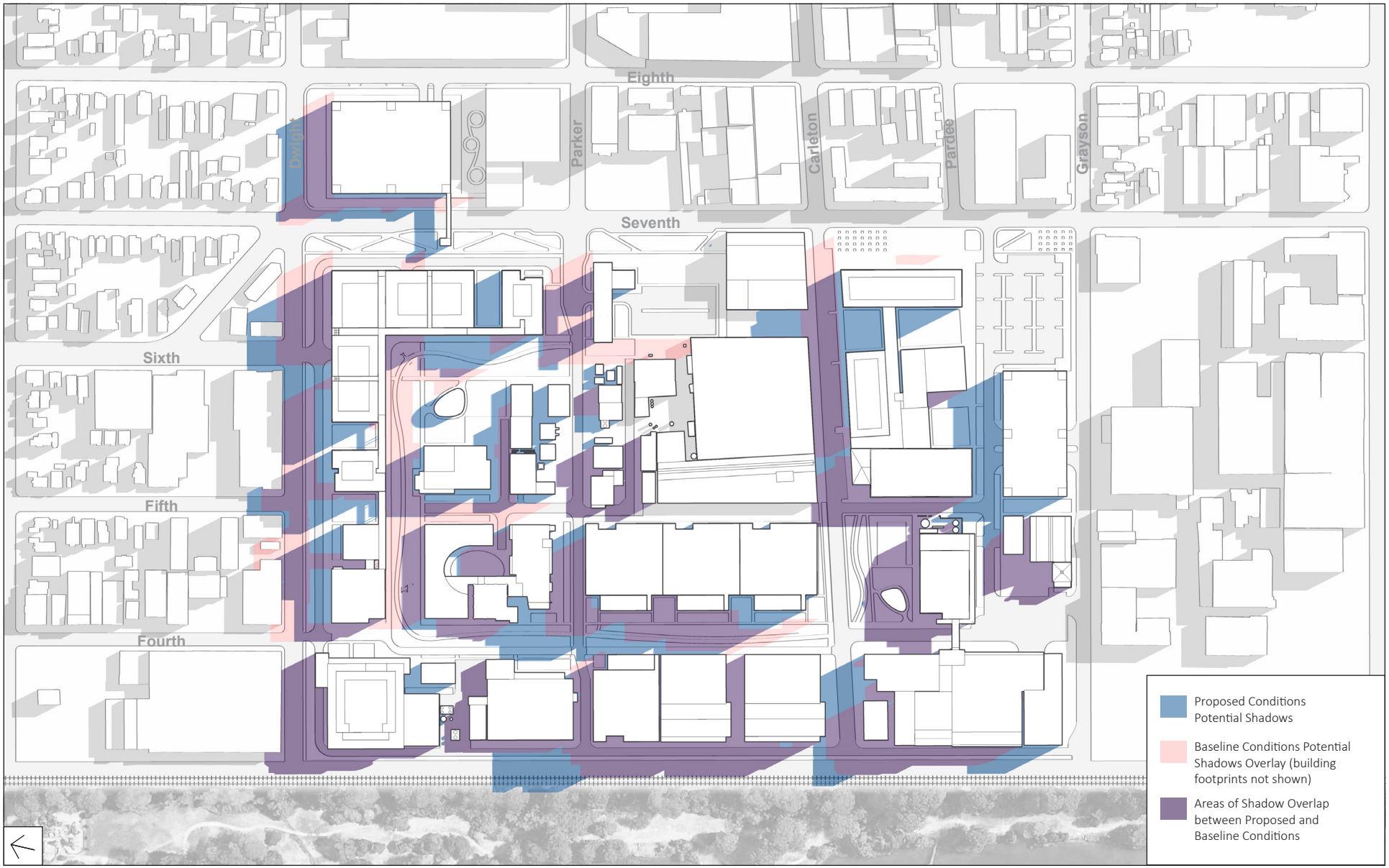

FIRSTCARBON SOLUTIONS™

Exhibit 11a

Winter Solstice Proposed Shadow Conditions: December 21 - 9:21 AM *(2 hours after sunrise)*

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FIRSTCARBON SOLUTIONS™

Exhibit 11b

Winter Solstice Baseline Shadow Conditions: December 21 - 9:21 AM *(2 hours after sunrise)*

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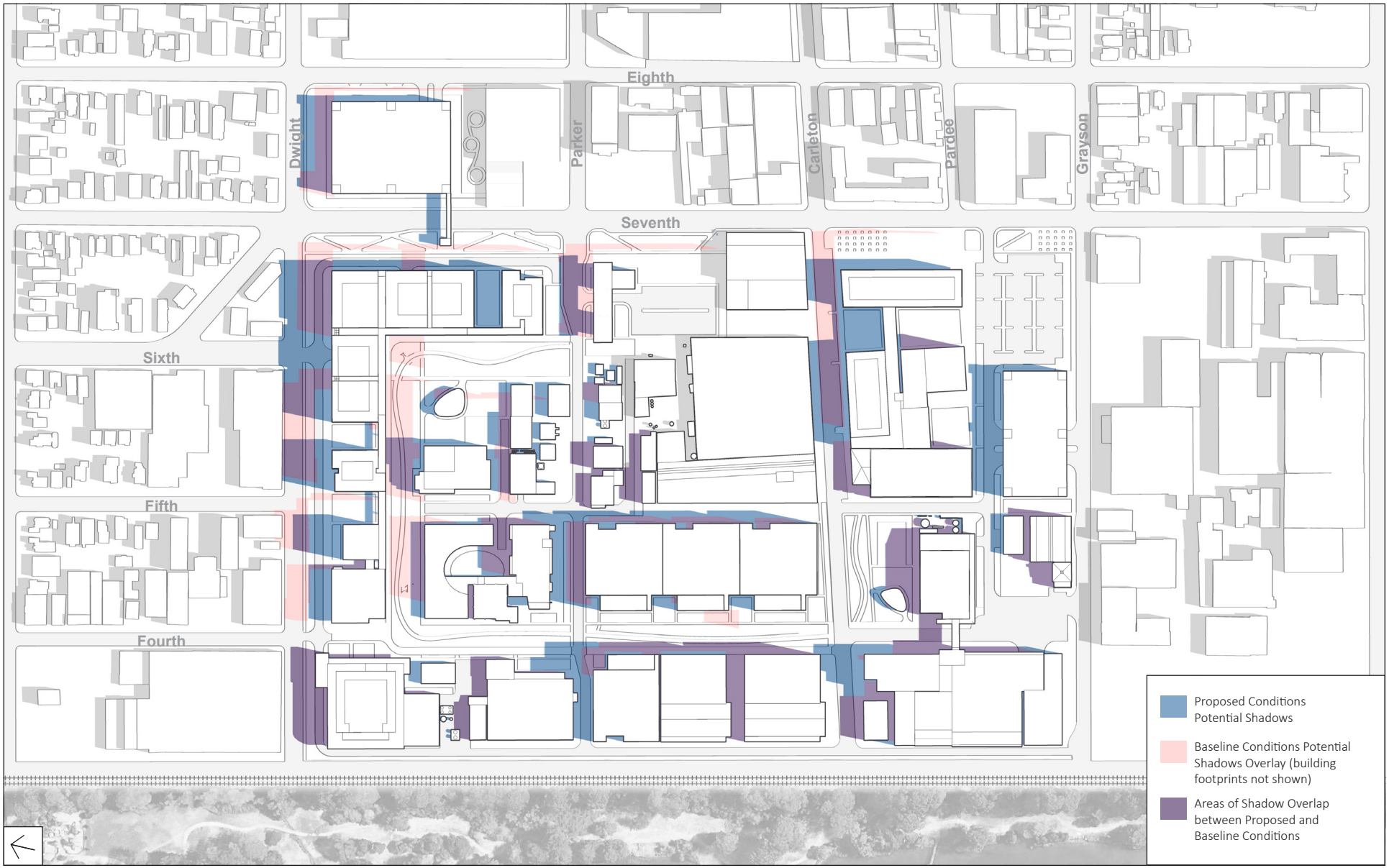

FIRSTCARBON SOLUTIONS™

Exhibit 11c
Winter Solstice Proposed Shadow Conditions: December 21 - 12:00 PM

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FIRSTCARBON SOLUTIONS™

Exhibit 11d
Winter Solstice Baseline Shadow Conditions: December 21 - 12:00 PM

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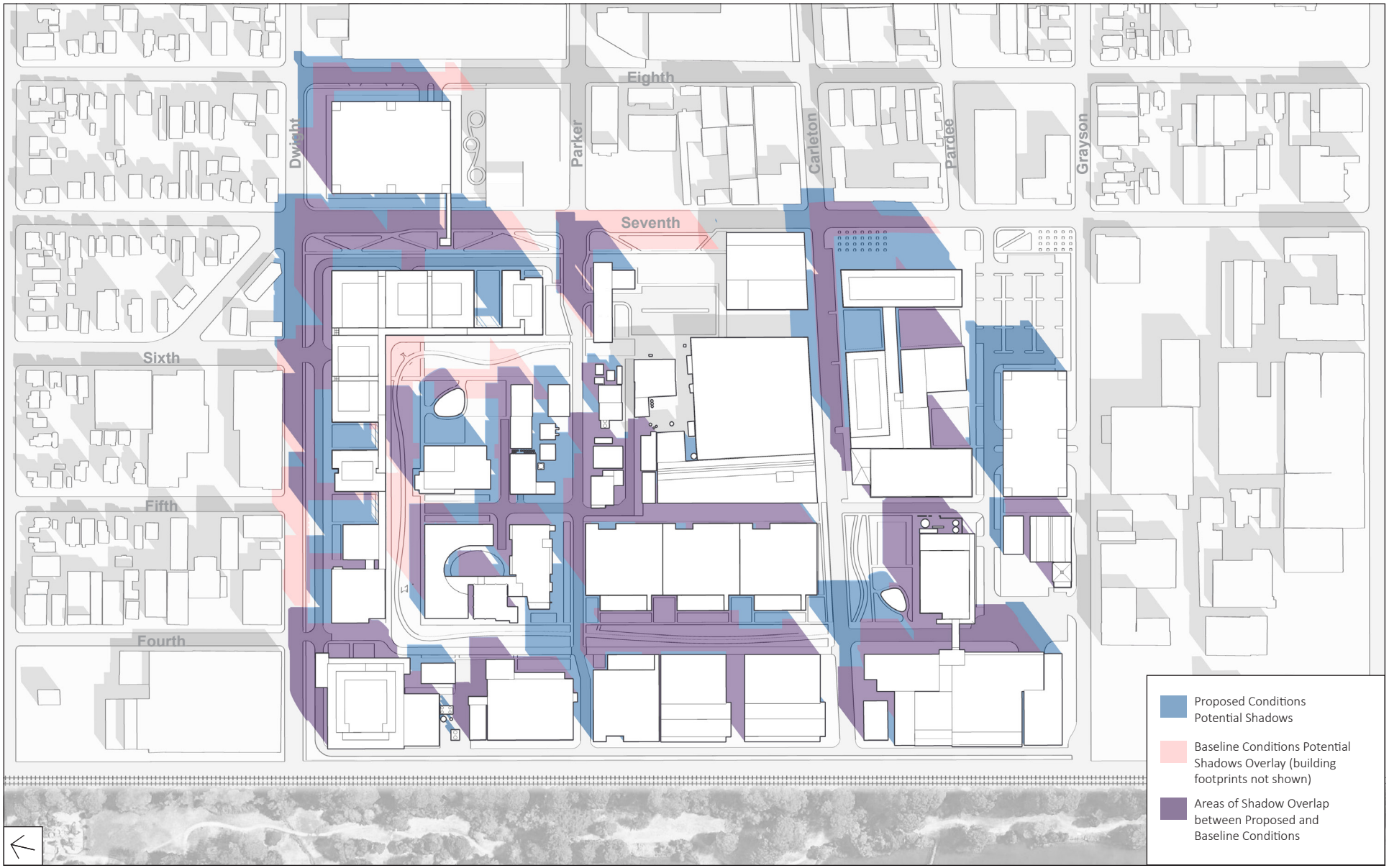

FIRSTCARBON SOLUTIONS™

Exhibit 11e

Winter Solstice Proposed Shadow Conditions: December 21 - 2:53 PM (*2 hours before sunset)*

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FIRSTCARBON SOLUTIONS™

Exhibit 11f

Winter Solstice Baseline Shadow Conditions: December 21 - 2:53 PM (*2 hours before sunset)*

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