City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: August 17, 2006

AGENDA DATE: August 24, 2006

PROJECT ADDRESS: 900-1100 Las Positas Road (MST99-00608)
"Veronica Meadows"

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner
Allison De Busk, Associate Planner

I. PROJECT HISTORY / DESCRIPTION

A. PROJECT HISTORY

The project before the Commission today is a revised version of the Veronica Meadows Residential Specific Plan reviewed by the Planning Commission on several prior occasions. Most recently, on December 1, 2005, the Commission certified the Final EIR and forwarded the project to the City Council for a decision, as the Planning Commission was deadlocked (3-3) on the proposal. Generally, that project included annexation of land into the City and a subdivision to construct 23 homes with vehicular and pedestrian access from Las Positas Road. For a more complete discussion of previous project review and history, please refer to the December 1, 2005 Planning Commission Staff Report (Exhibit F).

The City Council reviewed the project on March 8 and March 21, 2006, and referred the project back to the Planning Commission, Creeks Advisory Committee, Park and Recreation Commission and Architectural Board of Review for recommendations in accordance with Council's comments (refer to Exhibit G - City Council Finished Agendas). In summary, the Council directed the applicant to reduce the number of residential lots, provide all vehicular access via Alan Road, and have a bridge across Arroyo Burro Creek for pedestrian/bicycle access only. Council encouraged a rural road design approach and acknowledged that the reduction in density might result in reduced creek restoration.

B. CURRENT PROJECT PROPOSAL

Project Site

The project site is located within the unincorporated area of the Las Positas Valley, between Arroyo Burro Creek (on the eastern boundary of site) and Campanil Hill (to the west). The current City/County jurisdictional boundary runs along the southern property line of the project area. The site is currently undeveloped, and access is taken from the end of Alan Road.

Existing single-family development along Alan Road is located immediately south of the project site, and the Stone Creek Condominiums are located to the north.

Proposal

The revised project (hereinafter referred to as "the project") involves the annexation of approximately 50.5 acres from an unincorporated portion of Santa Barbara County to the City. Approximately 35.7 acres would be dedicated open space and 14.8 acres would be developed for residential uses. General Plan, Local Coastal Plan and Zoning designations would be applied to each parcel that is annexed, as described in Section IV below. A lot line adjustment is also requested.

The proposed Specific Plan (zoning) for the site would permit up to 15 homes with access from Alan Road. A 50-foot buffer between future parcels and the Top-of-Bank of Arroyo Burro Creek would be established with minimal development between 50 and 100 feet from the Top of Bank, and creek stabilization and restoration along both banks of Arroyo Burro Creek would be required.

Future Development

The applicant has prepared a conceptual proposal and map to show one potential layout for the future subdivision, although it is not specifically under review at this time. Nevertheless, feedback from the Commission on the conceptual plan would be appreciated. All future development would be guided by the Specific Plan.

The applicant has shown a development consisting of 15 residential lots, three of which are located near the current terminus of Alan Road. A 50-foot setback from the top of bank is shown, with development envelopes for the homes located 100 feet from the top of bank. A public road would connect the development to Alan Road. The applicant has proposed creek restoration and stabilization and to grant the City an easement for the purposes of constructing a pedestrian and bike bridge at the southern portion of the parcel, spanning Arroyo Burro Creek.

There are several active and dormant landslides on the property that would be stabilized through the use of concrete caissons and earthen embankments placed at the toe of the landslide. Specific information on this aspect of future development of the site would be analyzed at the time of the subdivision review.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

Items for Consideration, Discussion and Comment by the Planning Commission:

1. Annexation of the subject parcels (APNs 047-010-011, 047-010-016, 047-061-026 and the 4.49-acre portion of 047-010-053) to the City of Santa Barbara;
2. A Lot Line Adjustment to remove a 4.49-acre portion from APN 047-010-053 and attach it to APN 047-010-016 (Gov. Code §66412);
3. Adoption of Specific Plan (SP-9) – Veronica Meadows Specific Plan;

4. General Plan Amendment, upon annexation, to add the subject parcels to the City's General Plan Map with the following designations: APNs 047-010-016, 047-061-026, and the 4.49-acre portion of 047-010-053 would have a General Plan Land Use Designation of Residential, Two Dwelling Units per Acre, Buffer/Stream, and Pedestrian/Equestrian Trail; APN 047-010-011 would be designated Major Hillside, Open Space, Buffer/Stream, and Pedestrian/Equestrian Trail;
5. Zoning Map Amendment, upon annexation, to designate APNs 047-010-011, 047-010-016, 047-061-026 and the 4.49-acre portion of 047-010-053 as SP-9, Veronica Meadows Specific Plan. Any portion of the involved properties located within the Coastal Zone would also be designated as SD-3, Coastal Overlay Zone;
6. Hillside Design District Map Amendment, upon annexation, to add the subject parcels to the Hillside Design District (SBMC §22.68.110); and
7. Local Coastal Plan Amendment, upon annexation, to add the portion of APNs 047-061-026 and 047-010-016 located within the Coastal Zone boundary to the City's Local Coastal Plan.

City Council Actions:

1. Request to Santa Barbara County Local Agency Formation Commission (LAFCO) for Annexation of the properties to the City of Santa Barbara;
2. A Lot Line Adjustment to remove a 4.49-acre portion from APN 047-010-053 and attach it to APN 047-010-016 (Gov. Code §66412) effective upon LAFCO approval of the annexation;
3. Adoption of Specific Plan 9, effective upon annexation , as described above;
4. General Plan Amendment, effective upon annexation, as described above;
5. Zoning Map Amendments, effective upon annexation, as described above; and
6. Local Coastal Plan Amendment, effective upon annexation, as described above.

Actions by the Planning Commission following approval of the above actions by the City Council:

7. A Tentative Subdivision Map to divide the land in a manner consistent with Specific Plan #9 (SBMC §27.07). Up to fifteen (15) of the lots could be developed with single-family homes. The balance of the land would be held by the homeowner's association as common area.
8. A Coastal Development Permit for the subdivision and development (residences, roads, creek bank repair, landscaping, grading, etc.) of the portion of the project within the appealable and non-appealable jurisdictions of the Coastal Zone (SBMC §28.45.009); and
9. Neighborhood Preservation Ordinance findings to allow grading in excess of 500 cubic yards outside of a building footprint, and to allow the total aggregate floor area of all structures to exceed 6,500 sq. ft., within the Hillside Design District (SBMC §22.68.070).

Actions of the Architectural Board of Review (ABR):

10. Design Review by the Architectural Board of Review (SBMC §22.68.040).

Other Permits/Actions Required at a Later Date:

11. LAFCO approval of the annexation to the City of Santa Barbara, and detachment from special

districts.

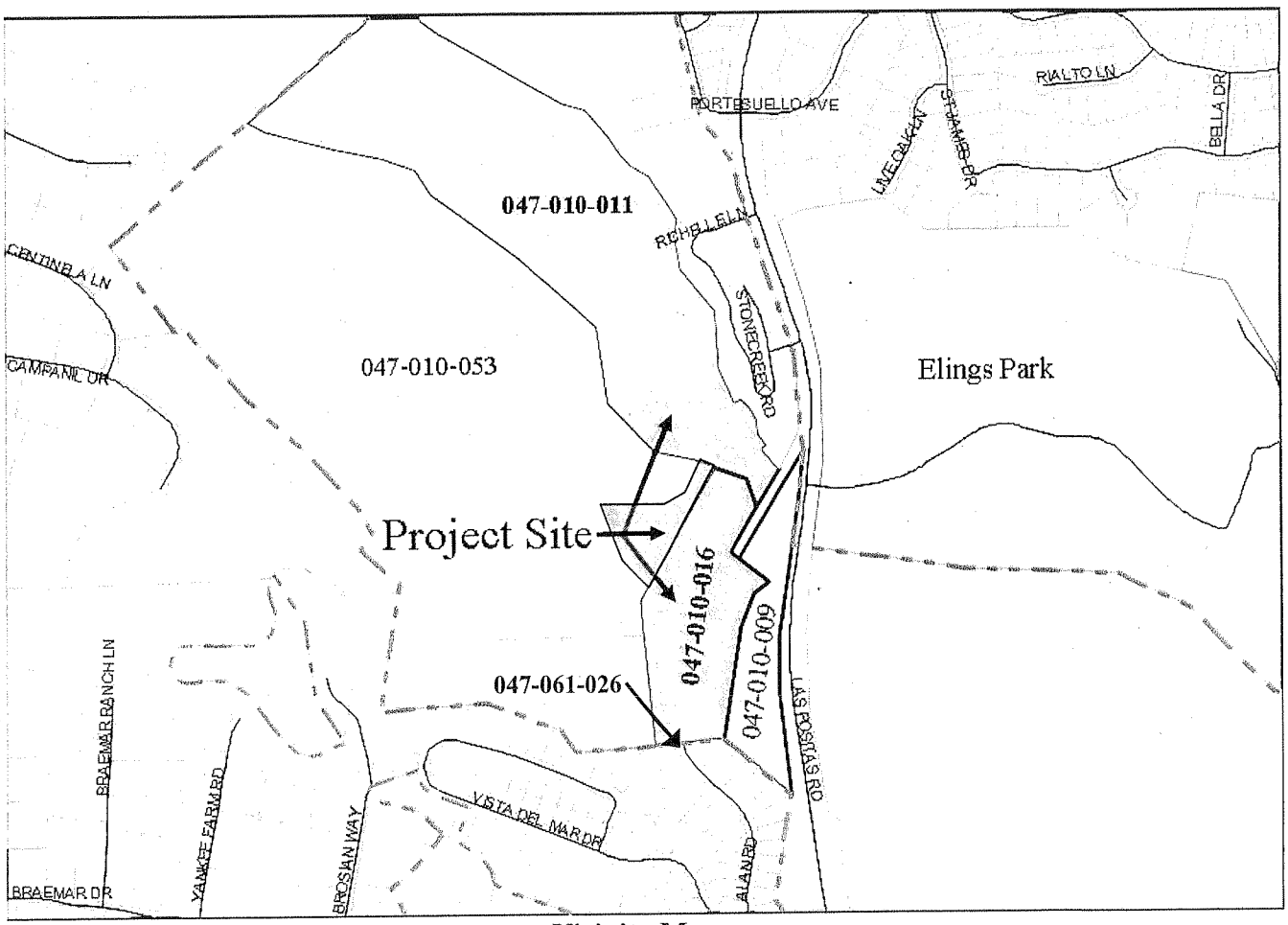
12. California Coastal Commission approval of amendments to the City's Local Coastal Program.
13. Approval of revised public easement locations for City water and sewer lines.
14. Army Corps of Engineers Permit for activities within waters of the U.S. (33 CFR 330).
15. Central Coast Regional Water Quality Control Board Section 401 Water Quality Certification.
16. Santa Barbara County Flood Control District Letter of Map Revision (LOMAR).
17. California Department of Fish and Game Streambed Alteration Agreement (Section 1601 of the California Fish and Game Code).
18. City of Santa Barbara Building and Public Works Permits.

III. RECOMMENDATION

Staff believes that the annexation of the subject parcels is appropriate to ensure logical and consistent land use planning, efficient public services, and orderly development in the Las Positas Valley, and that the proposed overall density is appropriate for the site.

Staff recommends that the Planning Commission recommend that the City Council annex the subject properties to the City of Santa Barbara and take the following actions subject to LAFCO approval of the proposed annexation and the applicable findings identified in Exhibit B: (1) adopt Specific Plan 9, (2) amend the General Plan Map, the Zoning Ordinance and Map, and Hillside Design District Map, (3) amend the Local Coastal Plan, and (4) approve the Lot Line Adjustment.

Staff also believes that the applicant has proposed a conceptual site layout that responds to the City Council's direction. Staff has proposed a Specific Plan that is generally consistent with the applicant's proposal, but it also has a number of changes to reflect staff's positions and that of other City Boards on key issues such as the bridge location, pedestrian path location and creek maintenance. Comments from the Planning Commission regarding the applicant's conceptual subdivision proposal would be appreciated by the City Council, staff and the applicant.



Vicinity Map

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant/Property Owner: Peak-Las Positas Properties	
Parcel Numbers: 047-010-011, -016, 047-010-053, 047-061-026	Lot Area: 50.52 acres
Existing Use: vacant, creek	Topography: Varies – Nearly flat to in excess of 30%
Adjacent Land Uses: North – Open Space/Creek/Residential South – Residential	East – Creek/Public Park/Open Space West – Residential

B. PROPOSED DESIGNATIONS

Parcel Number	Size (ac.)	Existing County Land Use Designation	Proposed City Land Use Designation
047-010-016	10.28	Residential, 4.6 units/acre & Public or Private Open Space (for Arroyo Burro Creek)	Residential, 2 units/acre & Stream/Buffer & Pedestrian/Equestrian Trail (along Arroyo Burro Creek)
047-010-053	4.49	Residential Ranchette, 1 unit/20 acres	Residential, 2 units/acre
	82.29	Residential Ranchette, 1 unit/20 acres	Not to be annexed
047-061-026	0.04	N/A	Residential, 2 units/acre
047-010-011	35.71	Residential Ranchette, 1 unit/20 acres	Recreation and Open Space - Major Hillside, Open Space, Buffer/ Stream, Pedestrian/Equestrian Trail
047-010-009	5.89	Residential 4 units/acre	Recreation and Open Space - Open Space, Buffer/Stream

Parcel Number	Size (ac.)	Existing County Zoning	Proposed City Zoning
047-010-016	10.28	8-R-1, Single-Family Residential (8,000 sq. ft. minimum lot size)	SP-9, Specific Plan/SD-3, Coastal Overlay Zone
047-010-053	4.49	RR-20, Rural Residential (20 acre minimum lot size)	SP-9, Specific Plan
	82.29	RR-20, Rural Residential (20 acre minimum lot size)	N/A (Not to be annexed)
047-061-026	0.04	N/A	SP-9, Specific Plan/SD-3, Coastal Overlay Zone
047-010-011	35.71	RR-20, Rural Residential (20 acre minimum lot size)	SP-9, Specific Plan
047-010-009	5.89	8-R-1, Single-Family Residential (8,000 sq. ft. minimum lot size)	PR (undeveloped Park) / SP-9, Specific Plan / S-D-3, Coastal Overlay

V. RECENT APPLICATION/PROJECT REVIEW PROCESS

In response to Council's action on the project in March of this year, the applicant has returned to several advisory boards for comments on a revised project. A summary of these reviews are provided below.

A. ARCHITECTURAL BOARD OF REVIEW (ABR)

The ABR reviewed this project on May 1, 2006. At that time, the ABR found the overall site layout, estimated home size and conceptual home design to be acceptable given the direction from the City Council. Minutes from this meeting are attached as Exhibit G.

B. CREEKS ADVISORY COMMITTEE AND PARK AND RECREATION COMMISSION

On April 26, 2006, the Creeks Advisory Committee (CAC) reviewed the revised proposal, focusing on the creek restoration plan. The minutes of that meeting, including detailed comments and recommendations on the project, are provided as Exhibit H. In summary, the CAC recommended the following:

- The creek setback should be 100 feet and should not include any structures or the residential back yards.
- Drainage throughout the site should be decentralized to direct stormwater to numerous percolation basins and bioswales and allowed to overland flow and percolate to the creek, including the drainage from Campanil Hill.
- The Creeks Committee should have the opportunity to review this project again, specifically creek-related details and issues.
- Public pedestrian access that is user-friendly and suitable for public use should be provided, preferably in the creek restoration zone.

On July 10, 2006, the Park and Recreation Commission held a joint meeting with the Creeks Advisory Committee to review the proposal. The Commission and Advisory Committee made several recommendations to the Planning Commission and City Council as follows (minutes are attached as Exhibit I):

- The Campanil Hill drainage should be daylighted.
- The proposed bridge or easement should be located at the northern portion of Area A and should connect to the internal road.
- Enforcement of required plans and maintenance should be strong in the conditions of approval.
- All landscaping within Areas B and C should be native and non-invasive. No invasive species should be allowed anywhere.
- Prohibit chemical fertilizers in Areas B and C for landscaping purposes, following restoration.
- Public Health and Safety section should recommend investigating the use of porous paving for the internal roadway.
- Area C should extend to 100 feet from western Top of Bank. Area B should be eliminated. However, should Area C be less than 100 feet, the area between Area C and Area A should be designated as Area B.
- Independent review of the Creek Restoration Plan should occur at the current stage of development and also later in the process. The following areas of concern were identified: revetment; opportunities to improve water quality, i.e. though wetlands and sediment reduction; wildlife habitat improvements; bank stabilization; suspended sediment reduction and bacterial reduction.

- Applicant/Homeowner's Association should maintain all of Area C in perpetuity.

VI. DISCUSSION/ISSUES

A. LAND USE AND DENSITY

Existing policies of the Draft Las Positas Valley and Northside Pre-Annexation Study (completed in 1995, but never adopted) and the City's Land Use Element encourage annexation of parcels within the City's sphere of influence at the earliest convenience. The project site is located within the unincorporated area of the Las Positas Valley, between Arroyo Burro Creek and Campanil Hill. The current City/County jurisdictional boundary runs along the southern property line of the project area. The adjacent City-owned parcel (APN 047-010-009) was recently approved by the City Council for annexation. The site is currently undeveloped, and access is taken from the end of Alan Road. Existing single-family development along Alan Road is located immediately south of the project site, and the Stone Creek Condominiums are located across Arroyo Burro Creek to the north.

The Draft Pre-Annexation Study designated the flatter portions of this unincorporated area for single-family residential development with a density of five dwelling units per acre, and the steeper areas for Major Hillside and Open Space uses. The zoning designation envisioned for this area in the Draft Pre-Annexation Study was E-3, One-Family Residence (7,500 square-foot minimum lot size) and 20-A-1, One-Family Residence (20-acre minimum lot size). The existing development along Alan Road is in the City and is designated E-3. The Stone Creek Condominium development, which is under County jurisdiction, is designated DR-10 (Design Residential, 10 dwelling units/acre).

The proposed residential development is consistent with the General Plan land use designations of surrounding neighborhoods, which range from one to five dwelling units per acre and the uses envisioned for this area in the Draft Pre-Annexation Study.

Existing and Proposed Development Potential

The 50-acre Specific Plan area involves four privately-owned parcels; approximately 14.8 acres of that land is proposed for residential development. As shown in the tables above, the majority of the area proposed for development is currently designated for single-family residential development with a minimum lot size of 8,000 square feet. Staff is proposing a General Plan designation of Residential, 2 units per acre for the 14.8-acre area and zoning that would permit up to 15 dwelling units (density of approximately 1.01 dwelling units per acre of gross lot area).

The remaining 35.71-acre property (APN 047-010-011), which has an existing designation of one dwelling unit per 20 acres, would be dedicated open space as part of the project, with a General Plan designation of Major Hillside/Open Space and Specific Plan zoning that does not allow for any residential development.

Thus, the current County designations allow for more development on the site than what is proposed. However, given on-site constraints, the actual development that might be approved

by the County could be significantly less than the maximum density allowed under the zoning, as determined by the County decision-makers.

B. PROPOSED SPECIFIC PLAN

Government Code Article 8 allows the preparation of a specific plan for any area covered by the City's General Plan in order to establish systematic methods for implementing the General Plan. The Government Code also states that a specific plan must include standards under which development may proceed, implementation measures, and infrastructure needed to support the land uses described in the plan. The primary effect of a specific plan is the establishment of a detailed plan for development of a specific area of the City. Conventional zoning standards are replaced with detailed development standards that best meet the needs of the area within the specific plan boundaries. As a result, any development within the specific plan area must be consistent with the adopted specific plan.

The Specific Plan proposed for the 50-acre site would replace the existing County Zoning designations of 8-R-1 and RR-20, and provide customized allowable land uses and specify development standards for the residential development, including building heights, setbacks, review procedures, etc (Exhibit A). The Specific Plan area would include five separate areas (Areas A North, A South, B, C and D) as follows (an Area Map is included in Exhibit A):

- Areas A North and South would encompass the 14.81-acre area comprised of the existing 10.28-acre property (APN 047-010-016), the 0.04-acre property (APN 047-061-026), and the 4.49-acre portion of APN 047-010-053. This area would be designated for residential development.
- Area B would include the area located between 50 and 100 feet west of the western Top of Bank, and would be designated as the Limited Activity Zone.
- Area C would include the area between the restored (new) eastern top of bank and 50 feet west of the western Top of Bank, and would be designated as the Creek Corridor.
- Area D would encompass the 35.77-acre parcel (APN 047-010-011) and would be designated for open space use.

Proposed SP-9 provides a list of permitted uses and design and development standards that are consistent with the use of the area for single family residential development, in accordance with the General Plan and LCP, and respecting the environmental amenities and constraints of the area. The Specific Plan addresses the future build-out of the SP-9 Zone, striving to promote development that protects the natural environment. The Specific Plan provides a maximum residential density of 15 dwelling units, and review of future development by the ABR to ensure compatibility with the Alan Road neighborhood.

Some of the issues addressed in the Specific Plan include:

1. ACCESS FROM ALAN ROAD

The proposed Specific Plan requires all vehicular access to the site to come from Alan Road. This revision to the previous proposal came at the direction of the City Council.

The EIR identified access from Alan Road as feasible from a traffic/circulation perspective. There will be a significant unavoidable impact at the Cliff/Las Positas intersection due to a cumulative, long-term increase in traffic resulting from the project. This was also a significant impact with the previous project proposal. Mitigation measure TR-6 requires the applicant to pay a fair share contribution of funds for improvements to affected intersections.

In 1972, the City Council adopted a Resolution restricting through vehicular access from Alan Road to Las Positas Road. This resolution does not preclude extending Alan Road to access the site, and it recognizes that secondary access in this area is not necessary. Many residents of the Alan Road neighborhood are concerned with and opposed to the proposal to take sole access from Alan Road.

2. **BRIDGE OVER ARROYO BURRO CREEK**

The Specific Plan requires a pedestrian/bike bridge easement in connection with any development of Area A, located at the northern end of Area A. Staff believes that, if a bridge is to cross Arroyo Burro Creek, it should be located at the northern end of the property, approximately in line with Jerry Harwin Parkway across Las Positas Road. The environmental effects of a pedestrian bridge were not considered in the Environmental Impact Report for the project; however, those of a vehicular bridge were analyzed. It should be noted that potential impacts from a pedestrian bridge would likely be less than those of the vehicular bridge analyzed because the bridge would be narrower (approximately 12 feet in width) than the previously analyzed vehicular bridge of approximately 31 feet in width. The significant impacts to biological resources caused by a bridge are an important concern. However, a bridge would provide enhanced pedestrian and bicycle amenities throughout the Las Positas Valley and from the Westside through Elings Park to the beach; and, although not required by the Fire Department, it could provide a secondary (non-vehicular) means of access to and from the project site and the Alan Road neighborhood in the event of an emergency.

As presented in the FEIR and the Addendum, the impacts of any bridge are unavoidable, but they would be significantly reduced through the aggressive creek stabilization and restoration plan proposed by the Applicant and required by SP-9. Additionally, the pedestrian/bike bridge currently envisioned would likely have fewer impacts than the vehicular bridge given its narrower width. Please note that construction of a bridge is not required by the Specific Plan, but at a minimum, an easement would be required.

When a project results in both significant adverse and beneficial impacts, it requires a careful weighing of those impacts to the environment and the general public. In this case, Staff believes that the beneficial effects of the bridge on the circulation system and public safety outweigh the adverse impact to biological resources of the creek, especially given the creek restoration improvements that would be required by the Specific Plan.

The conceptual proposal provided by the applicant does not include a bridge over Arroyo Burro Creek; however, it does include the offer of an easement to the City over the southern portion of the property in order for the City to be able to construct such a bridge if and when it is deemed appropriate. Some issues related to construction of a bridge at the southern end of the property are that the pedestrian path would then be along Las Positas Road and the bridge would be across a wider portion of the creek. The Park and Recreation Commission, Creeks Advisory Committee and Architectural Board of Review expressed concerns with a bridge at the southern end of the site, including the bridge length required to span the creek, and the resulting pedestrian connection along Las Positas Road. Staff continues to recommend that a bridge would be most appropriate at the northern end of the site rather than the southern end as proposed by the applicant. Future pedestrian/bicycle access would then follow the proposed extension of Alan Road through the site.

3. **CREEK SETBACK AND RESTORATION**

Creek Setback

As delineated in the proposed Specific Plan, any future subdivision of the site would be required to provide a minimum buffer of 100 feet between building envelopes and the Top-of-Bank (as depicted in the FEIR) of Arroyo Burro Creek. The area located between the western Top-of-Bank and 50 feet from the Top-of-Bank (Area C) would have a development restriction in order to maintain the area in a natural state. The only development permitted within the restricted area would essentially be related to creek stabilization and restoration, a pedestrian bridge, pedestrian paths and a public road. Development between 50-100 feet from the Top of Bank (Area B) would also be restricted, but to a lesser degree. Permitted improvements within the Limited Activity Zone include:

- Play equipment, barbeques, gazebos, and similar that allow water to pass through to the ground. No other vertical structures are permitted. Pools and spas are prohibited.
- Patios and decks, if constructed of permeable material.
- Patios, decks and similar constructed of impermeable material if no more than 10% of the Limited Activity Zone is disturbed on any individual lot.
- Landscaping with non-invasive species.
- Public roads, paths or bridges as deemed appropriate by the City.

Coastal Act, Local Coastal Plan and General Plan Consistency

The Coastal Act and Local Coastal Plan (LCP), where applicable, require that creek and riparian environments shall be maintained, preserved, enhanced and, where feasible, restored. More specifically, LCP Policy 6.10 states that the City shall require a setback buffer between the top of bank and any proposed project, and that the buffer will vary depending upon the site conditions and the environmental impact of the proposed project. Coastal Act Policy 30231 requires that biological productivity and quality of coastal streams be protected and, where feasible, restored. Policy 30240 protects

sensitive habitat areas and requires development to be sited and designed to prevent impacts that would degrade these areas. Additionally, the City's Seismic Safety-Safety Element requires that adequate creek setbacks be established to protect new development from flood and erosion hazards, and the Conservation Element contains policies that serve to protect creeks and riparian environments.

Staff believes the proposed Specific Plan is consistent with applicable Coastal Act, LCP, and General Plan policies. Portions of the proposed road may be located within 100 feet from the top of the creek bank; however, the overall plan would greatly improve the stability of the creek channel through implementation of the required creek restoration and stabilization, thus providing a more stable buffer area between the development and the creek.

Staff believes that the creek setback proposed in the Specific Plan, combined with the restoration that would be required as part of any development of the site, is adequate to protect and enhance the creek and creek environment and to protect future development from erosion and flooding hazards.

Creek Restoration

The Applicant has proposed extensive creek restoration and stabilization measures for the approximately 1,800 linear foot reach of Arroyo Burro Creek along the length of the project site. The goal of the restoration plan is to increase channel stability, reduce erosion, improve water quality, and restore ecological value to the creek. In order to achieve this, the plan proposes to reconfigure the creek channel by excavating benches along the creek banks and stabilizing the bed and banks using native rock and vegetation, and widening the creek channel where feasible.

The creek restoration and stabilization work would also include repairing areas of previous bank failure, removal of non-native, invasive plant species, and re-planting the creek corridor with native riparian plant species. Restoration would occur on both sides of the creek. The restoration plan specifically proposed by the applicant is not required by the Specific Plan; however, creek restoration and stabilization would be required at the time of or prior to issuance of any building or public works permits within Areas A, B or C. Some of the basic parameters that the City would expect to see in such a plan have been included in the Specific Plan.

C. CONCEPTUAL PLAN

With regard to the conceptual site layout and project description provided by the applicant, overall, City staff believes that the applicant has responded to Council direction in a satisfactory manner. As with any complicated project, we have a few comments on the plans as follows:

- Location of pedestrian bridge. The Applicant proposes an easement at the Alan Road cul-de-sac; staff recommends an easement across the northern portion of the creek because it would provide a more logical connection from Elings Park through the site and to the beach.

- Location of pedestrian path. The path is based on the bridge location; therefore, staff recommends that the public path link the bridge at the northern end of the site to the project's public road. Staff does not recommend a path along the creek, either across the private yards or on the City's side of the creek because it has the potential to degrade the creek environment through increased human activity. Additionally, a path on the east side of the creek would be very close to Las Positas Road.
- Maintenance responsibilities for creek restoration. The applicant proposes to make structural improvements to the east and west creek banks and creek bed as well as revegetate with riparian species (as identified in their Creek Restoration Project). The applicant proposes to maintain structural improvements in perpetuity. Staff agrees with this proposal. However, the applicant proposes to maintain the vegetation within the restoration area for 5 years. Staff recommends that the applicant maintain the vegetation on both the privately owned land and the publicly owned land in perpetuity.
- Independent review of the creek restoration plan. The Applicant proposes that the City pay for this review. The Specific Plan does not identify who is responsible for this cost; however, typically the applicant pays. This includes independent peer review of geotechnical reports and other technical studies when City staff does not have the required technical expertise.
- Campanil drainage. The applicant is proposing to put this drainage into a subsurface storm drain. The Specific Plan does not currently require the drainage to be in an open channel; however, the Park and Recreation Commission and Creeks Advisory Committee felt strongly that the drainage should remain above-ground.

Planning Commission comments on the conceptual proposal, especially as it relates to or changes the Specific Plan are requested at this time. If positive comments are received from the Planning Commission and City Council, the applicant intends to submit the Map to the City without delay.

VII. ENVIRONMENTAL REVIEW

On December 1, 2005, the City of Santa Barbara Planning Commission certified the Final Environmental Impact Report (EIR) for the Veronica Meadows Residential Specific Plan project, which, at that time, included a Tentative Subdivision Map.

The EIR analysis identified significant and unavoidable (Class I) environmental effects of the Veronica Meadows project associated with biological resources, noise, and traffic, and potentially significant but mitigable (Class II) impacts in the areas of biological resources, drainage, erosion and water quality, geologic hazards, cultural resources, public health and safety, and air quality. The EIR also provided comparative impact evaluation of alternatives to the project, including the Alan Road Access Alternative, Alternative Creek Setbacks, Alternative Drainage and Stormwater Treatment, and Alternative Bridge Sites.

The revised Veronica Meadows Specific Plan project description (a revised Specific Plan SP-9, the Lot Line Adjustment request, the Annexation request, and the General Plan, Coastal Plan, Zoning Map and Hillside Design District Map Amendments) provides for a reduced project of no more than 15 residences, with vehicle access taken from Alan Road rather than Las Positas Road, and a narrower bridge for pedestrian/bicycle use only. The revised SP-9 incorporates as development standards environmental mitigation measures from the FEIR pertaining to drainage and water quality, natural areas, open space and landscaping, creek and riparian habitat management, geologic hazards, cultural resources, public health and safety, visual resources, and construction.

The revised Specific Plan project description is within the range of project alternatives evaluated in the EIR. Based on analysis in the EIR, development of the site with up to 15 units under the revised SP-9 would result in similar or slightly reduced impacts than the prior 23-unit proposal in the areas of cumulative traffic generation effects on impacted intersections, air quality, biological resources, drainage, erosion, water quality, geologic hazards, cultural resources, visual resources, land use and recreation, public health and safety, noise, public services, and population and housing. With project access from Alan Road, construction-related and long-term traffic and traffic noise would increase to residential uses in the Alan Road area, but not to a significant level.

No new significant impacts would result due to the project revisions. Therefore, pursuant to CEQA Section 21166 and the State CEQA Guidelines Section 15164, no subsequent EIR is required for the current project. State CEQA Guidelines Section 15164 provide that an Addendum to a previous environmental impact report may be prepared if only minor changes or additions are necessary to make the prior document adequate for the current project. An addendum does not need to be circulated for public review. A draft Addendum to the certified EIR is attached as Exhibit C and will be part of Council review and consideration of the revised project.

A discussion of the previously identified Class I (significant, unavoidable) and Class II (potentially significant, mitigable) impacts is included within the attached Addendum (Exhibit C) and draft Council Findings (Exhibit B).

Exhibits:

A. Specific Plan 9
B. Draft Findings
C. Addendum to Certified EIR
D. Applicant's letter, dated August 7, 2006
E. Conceptual Site Plan and Creek Restoration Plan
F. December 2005 Planning Commission Staff Report (without Exhibits)
G. ABR Minutes, May 1, 2006
H. Creeks Committee Minutes, April 26, 2006
I. Joint Park and Recreation/Creeks Committee draft Minutes, July 10, 2006

Chapter 28.50 – SP-9 Zone
"Veronica Meadows Specific Plan"

Section 28.50.005. Legislative Intent.

It is the purpose of the SP-9 Zone to establish a low density, single-family residence district where specific development standards are established to maintain a semi-rural setting; protect the natural environment; restore, enhance and stabilize Arroyo Burro Creek; minimize development on hillsides; minimize erosion; minimize off-site drainage; improve on-site drainage; and provide opportunities for pedestrian and bicycle connectivity.

Section 28.50.010. Definitions

A. AREA A NORTH. That portion of Area A, as shown on the attached Map A, located north of Area A South.

B. AREA A SOUTH. That portion of Area A, as shown on attached Map A, located south of the Coastal Zone Boundary.

C. AREA B - Limited Activity Zone. The area located between 50 and 100 feet from the westerly Top of Bank, as shown on attached Map A.

D. AREA C - Creek Corridor. The area located between the restored (new) easterly top of bank and 50 feet from the westerly Top of Bank, as shown on attached Map A.

E. AREA D - Open Space. The hillside open space area located north of Area A, as shown on attached Map A.

F. FINAL ENVIRONMENTAL IMPACT REPORT (FEIR). Certified FEIR for the Veronica Meadows Specific Plan, dated January 2005 and prepared for the City of Santa Barbara by URS.

G. IMPERMEABLE. A type of material not able to be infiltrated by water or other liquid; not permitting passage (as of a fluid) through its substance; impervious.

H. INVASIVE SPECIES. Those species determined to be invasive to riparian areas as identified by the California Exotic Pest Plant Council, or equivalent.

I. OPEN FENCING. Fencing that is more than 50% open from the ground to the top. Open shall mean that the vertical plane of the fence is physically penetrable; therefore, glass, plastic, or other clear materials that are not physically penetrable are not considered open.

J. PERMEABLE. A type of soil or other material that allows passage of water or other liquid; having pores or openings that permit liquids or gases to pass through; penetrable.

K. TOP OF BANK. Top of Bank as identified in the certified FEIR as the Adjusted Top of Bank.

Section 28.50.020. Environmental Considerations.

The Final Environmental Impact Report (FEIR) document shall be used, in conjunction with any additional environmental studies and documents prepared for the zone, as the basis for analysis and mitigation of potential development impacts. To address environmental constraints and resources on the property, the following provisions shall be implemented in association with development, to the extent applicable and feasible as determined by adequate technical analysis and approval of project permits by the Planning Commission, Architectural Board of Review and Community Development Department:

A. Drainage / Water Quality

1. Long-Term Storm Water Best Management Practices - The design of projects proposed within the zone shall incorporate best management practices (BMPs) to manage the quantity of storm water runoff and to protect the quality of storm water runoff in order to comply with applicable storm water management regulations. The amount of impermeable surfaces shall be minimized. Stormwater detention basins or bioswales shall be constructed to capture and treat runoff from development of Area A lots, roads, driveways and the bridge. BMPs may include: no increase in post-construction peak storm water discharge rates, conservation of natural areas, minimization of pollutants of concern, protection of slopes and channels from erosion, provision of storm water drain system signage, inclusion of structural or treatment control BMPs and long-term maintenance of BMPs. Additional examples of BMP measures include roof drainage directed to infiltration trenches or bioswales; driveways constructed of permeable materials, pavers, or strip pavement for tires only; openings in curbs to provide opportunities for infiltration in adjacent grassy swales along the roads; use of permeable surfaces rather than concrete in roadway ribbon gutters and small depressions in front yards to collect roadside runoff for filtration.

2. Long-Term Slope Stability and Erosion/Sedimentation Control. Development within the zone shall be designed to provide adequate slope stability and to avoid excessive erosion or sedimentation of storm water runoff in order to protect public safety and water quality. Such measures include project siting and layout to avoid steep slopes; conveyance of runoff safely from the tops of slopes and stabilization of disturbed slopes; utilization of natural drainage systems to the maximum extent practicable; stabilization of permanent channel crossings; vegetation of slopes with native or drought-tolerant vegetation and installation of energy dissipators at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels to minimize erosion. Methods for removal of giant reed and other exotics along the creek banks as a part of site development shall provide for adequate slope stability and erosion/sedimentation control.

3. Long-Term Maintenance of Storm Water Facilities and BMPs. Approval of any development within the zone shall be conditioned to

require a storm water quality management plan that will advise owners and residents about required water quality management and that requires owners to regularly monitor storm water facilities and to maintain storm water facilities in proper working order.

4. Outlets to Creek - The drainage system for site development shall provide multiple drain outlets to Arroyo Burro Creek distributed along the creek to reduce the magnitude of discharge at each location. The drainage system shall include infiltration areas distributed along stream terraces of the creek to facilitate infiltration through the banks to support riparian vegetation and contribute to base flows.

5. Off-Site and On-Site Drainage – Run-off from the western off-site watershed should be separated from site run-off. Site grading and drainage for Areas A and B shall convey storm water from lots toward roads into a separate storm water treatment system.

B. Natural Areas / Open Space

1. Natural areas shall be preserved and site lay-out and landscape plans shall minimize the amount of grading and native vegetation removal, maximize the amount of trees and vegetation maintained, utilize native and drought-tolerant plants and preserve riparian and wetlands areas.

2. Oak trees removed as part of development within the zone shall be replaced at a 10:1 ratio within the zone with oak trees grown from acorns or seedlings collected on the south coast of Santa Barbara County, and preferably in the Las Positas Valley.

3. The open space area, identified approximately as Lot 26 in Figure 2-5 of the FEIR, shall be restored, to the extent feasible, to a native oak riparian area dedicated to wildlife habitat, particularly riparian breeding birds and raptors. Restoration of this area shall be included in the habitat restoration plan required in Section 28.50.020, B 5.

4. All landscaping planted within Areas B and C shall be non-invasive species native to the South Coast of Santa Barbara County, and invasive species shall be excluded.

5. A creek and riparian habitat management plan shall be required. Creek restoration and stabilization shall include removal of invasive, non-native plant materials, revegetation with native riparian plant materials and utilization of biotechnical bank stabilization where stabilization is necessary. The comprehensive habitat restoration and creek bank stabilization plan shall include the following elements (among others):

   a. Precise restoration objectives for each habitat type and location with a detailed schedule of tasks and milestones for site preparation, planting, and maintenance.

   b. Plans that show grading and soil preparation and any areas that will require slope stabilization or temporary erosion control.

   c. Description of specific habitat types to be restored, including species list and relative abundance in each habitat type, as well as planting densities and propagation methodologies.

d. Plans that show the boundaries of each habitat type to be restored, with precise acreages and plant densities.

e. Description of source of plant materials, with a commitment to use plant material from the South Coast region, and preferably from the Las Positas Valley.

f. Description of source of rock/bank stabilization materials, with a preference to use plan material from the South Coast region, and preferably from the Las Positas Valley.

g. Performance criteria that include survivorship, percent native plant cover, percent noxious weed cover, and percent naturalized species cover.

h. Removal of giant reed and other exotics from the banks shall be done such that it does not destabilize the creek banks and increase erosion.

i. Plans and explanations that show how the non-native landscaping at the project site associated with the individual lots will interface with the native plant restoration in the upland and riparian open space areas.

j. A description of a watering approach to ensure successful plant establishment and long-term productivity, including methods to provide supplemental water.

k. A description of the weed management approach, emphasizing site preparation and watering methods that do not encourage weed growth and use of herbicides that is consistent with the City's adopted Integrated Pest Management (IPM) plan.

l. A long-term rodent management plan that avoids or greatly reduces the use of pesticides or poisons.

m. Plans and a description of the how the habitat restoration plans will incorporate fire hazard requirements for defensible space near structures and fire-safe vegetation, while still achieving habitat restoration goals.

n. Plans and calculations for any proposed bank stabilization shall include an evaluation of hydraulic and geomorphologic factors along the creek, such as flow velocities, sediment carrying capacity, bank failure modes, and shear stress factors.

o. These plans may be subject to an independent review by a City-selected environmental restoration and engineering firm with experience in creek restoration.

6. Prior to the issuance of the first building permit or public works permit for development within the zone, a creek and riparian habitat management plan shall be prepared and approved by the Community Development Director in consultation with the Creeks Advisory Committee. The creek and riparian habitat management plan shall be implemented upon the issuance of the first building permit or public works permit for development within Areas A or B to reduce the impact of development on wildlife in the riparian corridor. Completion of the creek

restoration shall be required prior to certificate of occupancy or final sign-off of the first permit. The plan shall incorporate methods to minimize the use of pesticides and herbicides for landscape maintenance, reduce lighting impacts and reduce human activity within Area C. The creek and riparian habitat management plan shall be implemented throughout the life of the project.

7. The area of temporary disturbance associated with any installation of a pedestrian bridge over Arroyo Burro Creek shall be minimized to the maximum extent feasible. All disturbed areas shall be restored with native riparian trees and shrubs following bridge construction.

C. Topography, Geology, Seismicity and Soils

1. Development design shall be supported by adequate geotechnical investigations prepared by the property owner during design of any development project and subject to review and approval by the Building and Safety Division during review of project plans. Geotechnical investigations shall address site conditions and potential development impacts associated with landslide hazards, seismic fault locations, groundshaking, liquefaction, high groundwater conditions and expansive soils. Appropriate design and construction techniques addressing seismic, geologic and soil conditions to provide for public safety shall be incorporated into the final design, shall obtain approval of the Building and Safety Department and shall be implemented.

2. The presence or absence of the Lavigia Fault shall be determined as part of the stabilization of the landslide between Area A North and Area D.

3. No structure(s), with the exception of public roads if deemed necessary, shall be located in any area with 30% or greater slopes, unless within an approved building envelope. The setback distance shall be proposed based on pre-design geotechnical studies performed by the property owner, and shall be subject to review and approval by the Building and Safety Division during review of project plans.

4. The grading of individual lots shall blend with the natural topography of the site, minimize site grading and balance on-site earthwork to the maximum extent feasible.

D. Cultural Resources

1. Site development design shall include the retention of the remnant oak trees located in Area A North with interpretive signage.

2. As a part of development on the site, a gazebo structure shall be constructed outside of Areas C and D to commemorate the design, scale and material of the original building that was associated with the Veronica Springs water company and shall contain a display of the history of Veronica Springs including artifacts and photographs, subject to approval by the Architectural Board of Review, with comments from the Historic Landmarks Commission.

3. Additional interpretive signage and use of development and street names to reflect the history of Veronica Springs shall be included as a part

of development design.

E. Circulation

1. Vehicular access to the site shall be a public road that extends from Alan Road.
2. An easement for a pedestrian bridge and path across the northern portion of the creek, connecting to the internal public road, shall be offered as part of any future subdivision.
3. A pedestrian easement, connecting to the Arroyo Burro Trail from the internal public road, shall be offered as part of any future subdivision.
4. Development projects that would result in significant traffic effects to the surrounding road network shall mitigate traffic effects to the extent feasible with a fair share contribution to fund capacity or operational improvements to affected intersections.

F. Public Health and Safety

1. A fire safety program shall be prepared and implemented as part of any future development of the site to keep residents informed about the High Fire Hazard Area landscape guidelines, the Santa Barbara County Red Flag Alert Plan, alternative routes for evacuation, and other measures to prevent or reduce wildland fire hazards.
2. The landscape plans for all future development shall be reviewed and approved by the Fire Department and shall meet the requirements for planting in a High Fire Hazard Area.
3. A pesticide management plan, consistent with the City's Integrated Pest Management (IPM) program, shall be required to be prepared and implemented for any future development of the site to minimize the use of pesticides over time and to avoid public exposure.
4. A study shall be prepared prior to any future development to determine the potential for radon gas to be emitted from the project soils after grading. If such potential exists, designs to minimize radon gas shall be incorporated into the building plans.

G. Visual Resources

1. The color and texture scheme for development within the zone shall be designed to minimize visual contrast with the surrounding landscape. Final architectural plans and color/material boards shall be submitted to the Architectural Review Board for review and approval.
2. Architectural plans for homes within Area A South shall be designed to provide an appropriate transition between the new homes and the existing residences along Alan Road.
3. Exterior lighting on the site shall be designed to avoid nighttime lighting and glare effects to adjacent parcels, drivers and wildlife habitat. Light fixtures shall be shielded and dark colored (non-reflective), of low intensity, low glare design and be hooded to direct light downward and prevent spill over.

H. Construction

1. Construction Storm Water Pollution Prevention Plan. Impacts from

construction on Arroyo Burro Creek due to on-site erosion and introduction of potential contaminants to the site shall be avoided or minimized. A storm water pollution prevention plan shall be submitted and approved by the Community Development Director in consultation with the Creeks Advisory Committee and Public Works Department. Prior to the issuance of the first building permit or public works permit for development within the zone. The approved storm water pollution prevention plan shall be implemented during development of the site to reduce construction-related erosion, sedimentation, and pollutants in accordance with regulatory requirements. The plan shall include the following provisions: Earthwork activities for clearing and grubbing, slope stabilization, mass grading, site grading for roads and building pads, trenching for utilities, and creek bank stabilization shall be restricted to the period April 1- November 1 to avoid work during the rainy season. Minor earthwork and grading activities may only occur during the winter months with implementation of City-approved erosion control and stormwater management plans. Construction of a bridge across Arroyo Burro Creek shall be restricted to the July 1 to November 1 period when runoff is low. Temporary stockpiles at the site shall be protected from erosion. BMPs shall be implemented to prevent discharge of construction materials, contaminants, washwater, and fuels.

2. Construction activities shall be mitigated to reduce disturbance to wildlife in the area of construction and within the Arroyo Burro Creek corridor. A construction management plan identifying proposed mitigation shall be submitted to and approved by the Community Development Director prior to issuance of any building or public works permits.

3. Fugitive dust from construction activity and exposed soils shall be reduced to the extent feasible in accordance with standard dust mitigation measures of the Air Pollution Control District.

4. NO_x emissions shall be reduced from construction equipment and haul trucks in accordance with standard Air Pollution Control District measures.

5. Potential noise impacts to existing residences and Elings Park users shall be reduced through limited construction hours, shielding of noise sources and other similar restrictions.

6. Parking and traffic controls shall be implemented to reduce potential impacts to residents along Alan Road.

Section 28.50.030. Uses Permitted.

The uses permitted in the SP-9 Zone as depicted on attached Map A shall be as follows:

A. Area A – Residential Development: This area is that portion of the site intended for residential development. Uses permitted in Area A are:

1. A single residential unit occupying a single lot.

2. Uses, buildings, and structures incidental, accessory and subordinate to the permitted uses.

3. A Home Occupation.
4. A State-licensed Small Family Day Care Home.
5. A State-licensed Large Family Day Care Home, subject to the provisions in Chapter 28.93 of this Title.
6. State authorized, licensed or certified use to the extent it is required by State Law to be an allowed use in residential zones.
7. Private open space for the private use of the residents of individual homes.
8. Brush removal for fire protection purposes, subject to Municipal Code provisions for vegetation removal.
9. Utilities, storm drain system, flood control projects or other infrastructures as approved by the City.
10. Public roads, trails, easements and improvements associated with vehicular and/or pedestrian access.
11. A gazebo structure, as required in Section 28.50.020, D 2.

B. Area B – Limited Activity Zone: This area is located between 50 and 100 feet from the top of bank, and shall be maintained in as natural a state as possible in order to preserve the creek environment and allow for incidental residential use. Uses permitted in Area B are:

1. Play equipment, barbeques, gazebos, and similar structures that allow water to pass through to the ground. No other vertical structures are permitted. Pools and spas are prohibited.
2. Patios and decks if constructed of permeable material.
3. Patios, decks and similar constructed of impermeable material if no more than 10% of the Limited Activity Zone is disturbed on any individual lot.
4. Landscaping with non-invasive species.
5. Public roads, paths or bridges as deemed appropriate by the City.
6. A gazebo structure, as required in Section 28.50.020, D 2.

C. Area C – Creek Corridor: This area is located between the restored (new) easterly top of bank and 50 feet from the westerly top of creek bank, and shall be maintained in as natural a state as possible in order to preserve the creek environment and maintain the scenic quality of the area. Uses permitted in Area C are:

1. Creek stabilization, habitat restoration, revegetation and all related maintenance, as approved by the City.
2. Bridge or other creek crossing for public access as approved by the City.
3. Brush removal, not including trees, for fire protection purposes, subject to Municipal Code provisions for vegetation removal.
4. Flood control projects or other infrastructure as approved by the City or the Santa Barbara County Flood Control District.
5. Pedestrian roads or paths open to the public, as deemed appropriate by the City.
6. Public roads, paths or bridges as deemed appropriate by the City.

7. Open fencing limited to four (4) feet in height along the boundary between Areas B and C.

D. Area D – Open Space: This area shall be maintained in its natural state to preserve the steep slopes from erosion or landslide, preserve the creek environment, and maintain the scenic quality of the area. Uses permitted in Area D are:

1. Public trails.
2. Brush removal, not including trees, for fire protection purposes, subject to Municipal Code provisions for vegetation removal.
3. Utilities, flood control projects or other infrastructure as approved by the City or the Santa Barbara County Flood Control District.

Section 28.50.032. Uses Permitted Upon the Granting of a Conditional Use Permit.

As provided in Chapter 28.94 of this Title.

Section 28.50.040. Conditions, Restrictions and Modifications.

The Planning Commission, or their designee, may impose such appropriate and reasonable conditions and restrictions as it may deem necessary for the protection of property in the neighborhood or in the interest of public health, safety and welfare in order to carry out the purposes and intent of this chapter. However, no variance, modification, or other approval shall be granted that would result in a number of residential units within Area A that exceeds the maximum number of residential dwelling units or maximum residential dwelling units per acre specified in Section 28.50.085.

Section 28.50.045. Allowable Density of Development.

The maximum number of residential units in this zone shall be fifteen (15). These units shall be sited such that, within Area A South, the maximum number of residential units shall not exceed three (3).

Section 28.50.050. Building Height.

No building in this zone shall exceed a height of thirty feet (30') nor exceed the height limitation imposed for the protection and enhancement of solar access by Chapter 28.11 of this Title.

Section 28.50.060. Yard Requirements.

A. FRONT YARD. Each lot shall provide a front yard of not less than twenty feet (20').

B. INTERIOR YARDS. Each lot shall provide interior yards of not less than ten feet (10').

C. REAR YARDS. Each lot shall provide a rear yard of not less than six feet (6').

D. OPEN YARD AREA. Each lot shall provide at least one (1) open yard area which contains a minimum of 1,250 square feet of lot area. Said area may include land within Area B

Section 28.50.065. Reduction in Yard Requirements.

STEEP SLOPE IN FRONT YARD. Where the average natural slope of the front half of a lot is more than one foot (1') rise or fall in five feet (5') horizontal, the front yard may be reduced by not more than five feet (5').

Section 28.50.070. Distance Between Buildings.

No main building shall be closer than twenty feet (20') to any other main building on the same lot.

Section 28.50.080. Home Size.

A. Notwithstanding any other provision of this Code, within Area A North, no residential structure shall exceed a gross square footage of 4,800 square feet, excluding garages and accessory structures.

B. Notwithstanding any other provision of this Code, within Area A South, no residential structure shall exceed a gross square footage of 3,000 square feet, excluding garages and accessory structures. Home size in this area shall be massed and designed to be architecturally compatible with existing adjacent homes along Alan Road.

C. Any subdivision of Area A shall specify a building envelope for structures for each residential lot. All structures must be contained within the building envelope for each lot, as shown on the approved subdivision map.

Section 28.50.090. Garages and Accessory Buildings.

A. No detached accessory building may exceed two (2) stories or thirty feet (30') in height.

B. Yard requirements shall apply to all accessory buildings and structures as well as main buildings and structures. No accessory building or structure, whether attached or detached, shall be located in the front yard.

C. Accessory buildings, excluding garages, shall not have a total aggregate floor area in excess of 500 square feet.

D. Garages shall not have a total aggregate floor area in excess of 500 square feet for a two-car garage or 750 square feet for a three-car garage.

Section 28.50.100 Development Restrictions.

A. All structures, excepting those identified in Section 28.50.030 B and C, shall be located a minimum of 50 feet from the westerly Top of Bank.

B. The existing oak grove located in the center of the project site, as shown on Map A, shall be preserved, protected and maintained. Interpretive signage

shall be placed near the trees. The signage shall include a photograph of the buildings that were once located nearby, showing the activity on the site associated with the water company. All of the interpretive signage shall be metal within a wood frame, subject to review and approval by the HLC, and the text will be prepared by a qualified historic preservation professional.

Section 28.50.105 Street Requirements.

In order to maintain a semi-rural ambiance, and where necessary to preserve natural terrain features or open space, the Planning Commission may grant exceptions to City street design standards as may be deemed necessary to assure that the intent of this Chapter is observed, and the public welfare and safety secured.

Section 28.50.110. Off-street Parking.

Off-street parking shall be provided as required in Chapter 28.90 of this Title.

Section 28.50.115. Architectural Control.

All development within the SP-9 Zone shall be subject to the review and approval of the Architectural Board of Review. The grades of individual lots and roads shall blend with the natural topography of the site, minimize site grading, and balance on-site earthwork to the maximum extent feasible.

Section 28.50.120. Prohibition of Shiny Roofing and Siding.

The materials used for roofing and siding on any building shall be of a nonreflective nature. A shiny, mirror-like or glossy metallic finish for such materials is prohibited.

Section 28.50.130. Area Map.

The map attached hereto and labeled the "Veronica Meadows Specific Plan Area" is hereby approved and incorporated in this Chapter by this reference.

Section 28.50.170. Fences, Screens, Walls and Hedges.

A. No fencing in excess of four (4) feet in height shall be permitted within Areas B or C, and all fencing within this area shall be open fencing so as to maintain visual access to the creek, permit passage of mammals and other wildlife and maintain the open feel of the Las Positas Valley.

B. All fences, screens, walls and hedges outside of Areas B and C shall comply with the standards of Section 28.87.170.

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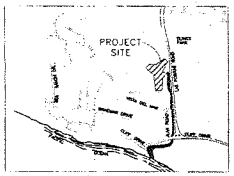
B. All fences, screens, walls and hedges outside of Areas B and C shall comply with the standards of Section 28.87.170.

C. All fencing requires review and approval by the Architectural board of Review.



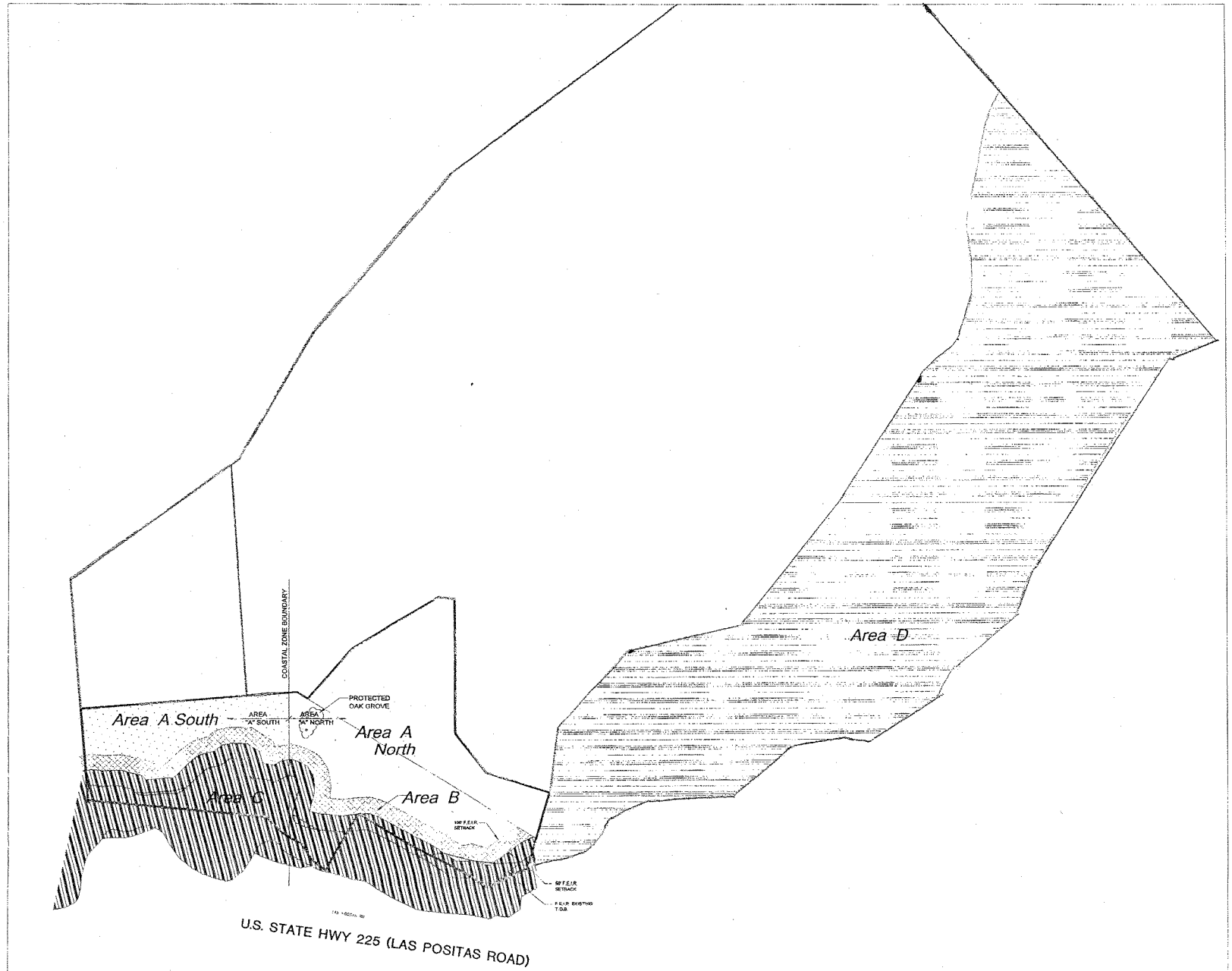
VICINITY MAP
SCALE: N.T.S.

STATISTICS		
EXISTING PARCELS		
APN NO.	LOT AREA (SF)	LOT AREA (AC)
047-010-16 / 047-061-26	447,745	10.28
047-010-53	3,780,137	86.78
047-010-11	1,555,556	35.71
047-010-44	310,583	7.13

STATISTICS			
PROPOSED PROJECT PARCELS			
APN NO.	LOT AREA (SF)	LOT AREA (AC)	PROPOSED USE
047-010-16 / 047-061-26	447,745	10.28	SITE DEVELOPMENT
047-010-53	195,653	4.49	SITE DEVELOPMENT
047-010-11	1,555,556	35.71	OPEN SPACE

LEGEND

- Area A North - Residential Development
- Area A South - Residential Development
- Area B - Limited Activity Zone
- Area C - Creek Buffer
- Area D - Open Space



LEGEND

- PROJECT DEVELOPMENT BOUNDARY
- PROJECT OPEN SPACE BOUNDARY
- NON PROJECT BOUNDARY

MAP A

SCALE: 1"=100'
0 100 200 300

SP - 9
VERONICA MEADOWS

LAS POSITAS ROAD
ASSESSOR'S PARCEL NUMBERS 047-010-16, 047-010-53, 047-061-26

COUNTY OF SANTA BARBARA, CALIFORNIA
SCALE: AS NOTED 13274.01 NOVEMBER 2005

SHEET 2 OF 9

I. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS (PURSUANT TO PUBLIC RESOURCES CODE (PRC) SECTION 21081 AND CALIFORNIA CODE OF REGULATIONS (CCR) SECTION 15092)

The Veronica Meadows Residential Specific Plan ("project") entails permit applications for an Annexation, General Plan Amendment, Local Coastal Plan Amendment, Specific Plan SP-9, Zoning Map Amendment, Hillside Design District Map Amendment, and Lot Line Adjustment for property located at 900-1100 Las Positas Road (MST99-00608).

A. Findings of CEQA Determination for Revised Project Description (pursuant to PRC Section 21166 and CCR Section 15162 and 15164)

On December 1, 2005, the City of Santa Barbara Planning Commission certified the Final Environmental Impact Report (EIR) for the Veronica Meadows Residential Specific Plan project (Permit Application Number MST99-00608). Following consideration of the project by City Council in March 2006, the project description was revised.

The revised Specific Plan project description provides for a reduced project of no more than 15 residences, with vehicle access taken from Alan Road rather than Las Positas Road, and a narrower bridge for pedestrian/bicycle use only. The revised SP-9 incorporates as development standards environmental mitigation measures from the FEIR pertaining to drainage and water quality, natural areas, open space and landscaping, creek and riparian habitat management, geologic hazards, cultural resources, public health and safety, visual resources, and construction.

The revised Specific Plan project description is within the range of project alternatives evaluated in the EIR. Based on analysis in the EIR, development of the same site with up to 15 units under the revised SP-9 would result in similar or slightly reduced impacts than the prior 23-unit proposal in the areas of cumulative traffic generation to impacted intersections, air quality, biological resources, drainage, erosion, and water quality, geologic hazards, cultural resources, visual resources, land use and recreation, public health and safety, noise, public services, and population and housing. With project access from Alan Road, construction-related and long-term traffic and traffic noise effects would increase to residential uses in the Alan Road area compared to the prior project, but not to a significant level.

As documented in the EIR Addendum dated August 11, 2006, no new significant impacts would result due to the project revisions, and, pursuant to CEQA Section 21166 and the State CEQA Guidelines Section 15162, no subsequent EIR is required for the current project. The Certified EIR and Addendum constitute adequate environmental analysis and documentation under CEQA for the Veronica Meadows Specific Plan project and associated permits.

B. Findings of Significant, Unavoidable (Class I) Impacts Resulting from the Project, Reduction of Significant Impacts, and Infeasibility of Mitigation Measures and Alternatives (pursuant to PRC Section 21081 and CCR 15091)

The City Council finds that build-out of the Veronica Meadows Specific Plan (SP-9) could result in the following significant, unavoidable (Class I) impacts, as identified in the certified Final EIR:

1. Class I Biological Impacts

   Loss of Riparian Habitat and Wildlife Migration (Long-Term, Project-Specific Impact). The EIR identifies that the potential construction of a bridge over Arroyo Burro Creek as part of the SP-9 build-out would displace native and non-native riparian habitat and large trees, establish bridge abutments, and introduce human disturbances. Due to the narrow riparian corridor in this location, these changes would significantly impact wildlife movement in the area. These impacts are partially mitigated by establishing a SP-9 development standard to allow only a pedestrian/bicycle bridge, which would be narrower than a vehicle bridge, consistent with mitigation measure BIO-8 (Reduce bridge width). The impacts would further be at least partially mitigated with the following measures identified in the EIR and incorporated into SP-9 to apply to bridge development on the site and applied as conditions of approval of future bridge project permitted: mitigation measures BIO-3 (Minimize disturbance during bridge installation); and BIO-4 (Offset habitat loss by restoring native oak-riparian habitat). No feasible mitigation measures or alternatives were identified that would fully mitigate the impact.

2. Class I Noise Impacts

   Construction Truck Noise (Temporary Construction-Related, Project-Specific Impacts). Noise from construction haul trucks along Alan Road would temporarily increase ambient noise levels substantially at the relatively quiet residential living areas along the road during the project earthwork and construction process of estimated 1.4 years duration. These impacts would be partially mitigated by implementation of a portion of mitigation measure N-2 (Restriction of haul truck, dump truck, and heavy equipment traffic on Alan Road to 9:00 a.m. to 4:00 p.m.) as SP-9 development standards and as conditions of future project permit approvals. No feasible measures or alternatives have been identified that would fully mitigate these impacts to less than significant levels. Temporary construction truck noise would be significant and unavoidable.

3. Class I Traffic Impacts

   Traffic Increases (Long-Term, Cumulative Impact). The residential development would contribute morning and afternoon peak-hour traffic which when combined with traffic from other future projects, would result in a significant cumulative increase in traffic and would lower the Level of Service (LOS) to below City standards at the following intersections: Las Positas Road/ Highway 101 Southbound Ramps; Las Positas Road/Modoc Road; and Las Positas Road/ Cliff Drive. These impacts would be at least partially mitigated by measure TR-6 (Traffic fees for capacity improvements), which provides for the applicant's fair share contribution of funds for improvements at the affected intersections. A residual significant impact may occur because it may not be feasible to fully

implement the mitigation measure because most of the improvement projects are not fully funded, programmed or scheduled, and intersection projects may not be completed prior to residential occupation by a built Veronica Meadows project. No other feasible mitigation measures or alternatives were identified that would fully mitigate this impact to a less than significant level.

C. Findings of Reduction of Potentially Significant (Class II) Impacts of the Project to Less than Significant Levels (pursuant to PRC Section 21081 and CCR Section 15091)

The City Council finds that the following potentially significant impacts of residential development of the project site under the Veronica Meadows Specific Plan SP-9 would be avoided or reduced to less than significant levels (Class II impacts) through identified mitigation measures and alternatives that have been incorporated into the revised project SP-9 project description or development standards, or would be applied as conditions of future project permit approval, as identified in the certified Final EIR:

1. Class II Biological Resources Impacts

   Loss of Habitat (Long-Term, Project-Specific and Cumulative Impacts). Potentially significant impacts from loss of habitat with SP-9 build-out of residences would be mitigated to less than significant levels with implementation of mitigation measure BIO-1 (Habitat restoration plans, including creek corridor restoration, upland habitat restoration, and creek bank repair and restoration) incorporated as a SP-9 development standard and applied as a condition of future project permit approval.

   Loss of Oak Trees (Long-Term, Project-Specific and Cumulative Impacts). Potentially significant impacts from loss of coast live oak trees would be mitigated to less than significant levels with implementation of mitigation measure BIO-2 (Oak tree replacement plan) incorporated as a SP-9 development standard and applied as a condition of future project permit approval.

   Construction Disturbance to Wildlife (Temporary Construction-Related, Project-Specific Impacts). Potentially significant disturbance to wildlife from SP-9 buildout construction activities would be mitigated to a less than significant impact with implementation of mitigation measures BIO-5 (Limit grading and earthwork within 100 feet of edge of riparian corridor to July 15-March 1 to avoid disturbance to breeding birds) and BIO-6 (Limit vegetation disturbance and mark limits of disturbance) through incorporation into SP-9 development standards and application as conditions of future project permit approval.

   Disturbance to Creekside Wildlife (Long-Term, Project-Specific and Cumulative Impacts). Potentially significant impacts to wildlife in the Arroyo Burro Creek corridor from human activity, noise, nighttime lighting, stormwater pollution, weed infestation, and/or pesticide use associated with SP-9 residential buildout would be mitigated to less than significant levels with implementation of a creek setback and buffer zone, and mitigation measure BIO-7 (Minimal lighting, homeowner association habitat maintenance including Integrated Pest Management, invasive plant management, riparian planting maintenance, contingency plans for replanting, and public access management) through

incorporated into SP-9 development standards and application as conditions of future project permit approval.

2. Class II Drainage, Erosion, and Water Quality Impacts

Quantity of Runoff (Long-Term, Project-Specific and Cumulative Impacts). Potentially significant hydrolic and hydraulic conditions of Arroyo Burro Creek could result from increased impermeable surfaces and runoff and modifications to creek discharge outlets associated with SP-9 residential buildout. These impacts would be reduced to less than significant levels with implementation of mitigation measure W-1 (Drainage system with multiple outlets and infiltration areas) through its incorporation into SP-9 development standards and application as a condition of approval for future development permit approvals.

Bank Erosion (Long-Term, Project-Specific Impacts). Creek restoration plan components including removal of invasive giant reed and bank repair activities have the potential to cause inadvertent increase in bank erosion. This potentially significant effect would be reduced to a less than significant level with implementation of mitigation measure W-2 (Detailed plans for invasive plant removal and bank repair) incorporated into SP-9 development standards and/or applied as conditions of future project approval.

Construction Erosion and Contaminants (Temporary Construction-Related, Project-Specific and Cumulative Impacts). Potentially significant water quality impacts from erosion of creek banks and introduction of contaminants could occur due to removal of giant reed and repair of eroded banks and development construction activities associated with SP-9 residential buildout would be mitigated to less than significant levels with mitigation measures W-2 (Exotic plan removal and bank stabilization plans) and W-3 (ConstructionNPDES Storm Water Pollution Prevention Plan incorporating all feasible Best Management Practices, including limiting earthwork to avoid the rainy season, construction of bridge when runoff is low, dewatering and flow by-pass plan for bridge construction, erosion/sedimentation control plan, and measures to prevent discharge of construction materials, vehicle fluids, washwater, or other contaminants) through incorporation into SP-9 development standards and application as conditions of future project permit approval.

Urban Runoff (Long-Term, Project-Specific and Cumulative Impacts). Potentially significant water quality impacts from urban development and road runoff associated with SP-9 residential development would be mitigated to less than significant levels with implementation of mitigation measure W-4 (Stormwater treatment plan) and EIR Alternative Drainage and Stormwater Treatment Plan incorporated into SP-9 development standards and applied as conditions of future development permit approvals.

3. Class II Geologic Hazards

Liquefaction (Long-Term, Project-Specific Impacts). Development of the project site under SP-9 is subject to potential liquefaction conditions that could cause seismically-induced settlement and damage to structures, roads, and utilities. This potentially significant impact would be reduced to a less than significant level by implementation of mitigation measure G-2 (Liquefaction investigation and appropriate design and construction techniques) incorporated into SP-9

development standards and applied as a condition of future project permit approval.

Expansive Soils (Long-Term, Project-Specific Impacts). Development of the project site under SP-9 is subject to potential expansive soils that can shrink and swell over time, affecting structures. This potentially significant impact would be reduced to a less than significant level by implementation of mitigation measure G-3 (Expansive soils investigation and appropriate design and construction techniques) incorporated into SP-9 development standards and applied as a condition of future project permit approval.

Depth to Groundwater (Long-Term, Project Specific Impacts). Development of the project site under SP-9 is subject to potential high groundwater conditions that can affect foundations and exacerbate liquefaction and expansive soil conditions. This potentially significant impact would be reduced to a less than significant level by implementation of mitigation measure G-4 (Depth to groundwater investigation and appropriate design and construction techniques) incorporated into SP-9 development standards and applied as a condition of future project permit approval.

Landslide Hazard (Long-Term, Project-Specific Impacts). The development of the project site under SP-9 is subject to landslide hazards with the potential for safety risks and property damage. These impacts would be reduced to less than significant levels throughout the life of the project with landslide stabilization using traditional engineering solutions (earthwork, structural support, and drainage) and implementation of mitigation measure G-5 (Geotechnical landslide investigation and appropriate design and construction techniques) incorporated into SP-9 development standards and applied as a condition of future project permit approval.

4. Class II Cultural Resources Impacts

Historic Setting (Long-Term, Project-Specific Impact). Loss of the site's historic setting due to development of the site under SP-9, a potentially significant historic impact, would be mitigated to a less than significant level with implementation of mitigation measures CR-2 (Retain remnant oaks); CR-3 (Gazebo structure with display of Veronica Springs history); CR-4 (Interpretive signs); and CR-5 (Naming of development and streets) incorporated as SP-9 development standards and applied as conditions of future project permit approvals.

5. Class II Traffic Impacts

Traffic Increases (Long-Term, Cumulative Impact). The residential development under SP-9 could potentially have contributed morning and afternoon peak-hour traffic which when combined with traffic from other future projects, would result in a significant cumulative increase in traffic and would lower the Level of Service (LOS) to below City standards at the Calle Real/101 Northbound Ramps, however the revised SP-9 project description reducing the maximum build-out from 23 to 15 residences reduces this potential impact to a less than significant level.

Pavement Damage from Construction Trucks (Temporary, Construction-Related Impact). Construction of site development under SP-9 could result in degraded

pavement conditions along Las Positas Road, Cliff Drive, and Alan Road due to construction truck traffic. This potentially significant impact would be reduced to a less than significant level with implementation of mitigation measure TR-5 (Video document pavement conditions and repair or resurface as needed) applied as a condition of future project permit approval.

6. Class II Public Health and Safety Impacts

Pesticide Use (Long-Term, Project-Specific and Cumulative Impacts).Residential development of the site under SP-9 could potentially result in significant effects from exposure of people to pesticides used for maintenance of open space and landscaping. These impacts would be reduced to less than significant levels with implementation of mitigation measure H-1 (pesticide management plan and integrated pest management program) incorporated as a SP-9 development standard and applied as a condition of future project permit approval.

Radon Gas Hazard (Long-Term, Project-Specific Impacts). The project site is underlain by Rincon Shale, a geologic stratum known to emit radon gas, which could result in exposure and health hazards to future residents of development under SP-9. This impact would be reduced to a less than significant level with implementation of mitigation measure H-2 (Radon investigation and appropriate building designs and construction techniques) incorporated into SP-9 development standards and applied as a condition of future development permit approval.

7. Class II Air Quality Impacts

Construction Dust (Temporary, Project-Specific Impacts). Earthwork and construction of development on the project site under SP-9 would generate substantial fugitive dust, a potentially significant impact to surrounding residents. This impact would be reduced to a less than significant level through implementation of mitigation measure AQ-1 (Dust mitigation measures including watering cleared and graded areas and stockpiles; temporary stabilization of stockpiles and barren areas; reduction of on-site vehicle speeds; daily inspections and cleaning of silt on Las Positas and Alan Roads; tarping of trucks; permanent stabilization of all disturbed areas; and use of a dust control monitoring program) incorporated into SP-9 development standards and applied as a condition of future project permit approval.

D. Findings of Less Than Significant (Class III) Impacts of the Project

The City Council finds that the following environmental impacts of the project would not be significant (Class III impacts), as identified in the Initial Study and certified Final EIR. Changes and/ or alterations have been applied in some cases that further reduce impacts identified as adverse, but less than significant, consistent with policy direction to minimize environmental effects where feasible to do so. Such changes or alterations have been applied as changes to the SP-9 project description or development standards, or would be applied as conditions of future project permit approval.

1. Class III Air Quality Impacts

Construction Equipment Emissions (Temporary Construction-Related, Project-

Specific and Cumulative Impacts). Construction equipment emissions, including diesel toxics, would not be significant in quantity or hazard, and would be further reduced to the extent feasible by implementation of the mitigation measure AQ-2 (Standard APCD mitigation for construction equipment) through incorporation into SP-9 development standards and application as conditions of future project permit approvals.

2. Class III Drainage, Erosion and Water Quality Impacts

   Hydraulics and Flooding (Long-Term, Project-Specific and Cumulative Impacts). The proposed bridge over Arroyo Burro Creek as a part of SP-9 build-out would be partially located in the Flood Zone and would create a permanent structure over the channel, however the EIR analysis concludes that the bridge span and height would be sufficient to avoid impinging on flows less than the 100-year event, and not in-channel structures are required. No significant impacts would result to the hydraulics of the creek, nor would the bridge increase flood hazards.

3. Class III Visual Impacts

   Public Scenic Views (Long-Term, Project-Specific and Cumulative Impacts). Development of the project site under SP-9 would create some visual contrast with the surrounding landscape from public viewing locations at Elings Park, however the project would blend with the surrounding suburban development, and the remainder of the site would be preserved in open space. Most views of the site from Las Positas Road would be obscured by vegetation. The project would not substantially degrade views or change the visual character of the area. The less than significant project effects on public scenic views would be further reduced by mitigation measure VS-1 (Architectural Board of Review approval of color and texture scheme to minimize contrast with the surrounding landscape) incorporated into SP-9 development standards and applied as a condition of future project permit approval.

   Visual Compatibility (Long-Term, Project-Specific Impacts). New two-story homes under build-out of SP-9 would have a less than significant visual effect, and would be further reduced with mitigation measure VS-2 (Architectural Board of Review approval of architectural plans to minimize the contrast of height and mass with adjacent Alan Road homes) incorporated into SP-9 development standards and applied as a condition of future project permit approval.

   Lighting (Long-Term, Project-Specific and Cumulative Impacts). The potential for additional lighting from added streetlights and new residences as a part of SP-9 build-out would have a less than significant lighting impact, and would be minimized further by implementation of City exterior lighting ordinance provisions, approval by Architectural Board of Review, and mitigation measure VS-3 (Lighting design with low intensity and glare, shielded and directed downward, with appropriate placement of dark-colored poles) incorporated in SP-9 development standards and applied as a condition of future project permit approval.

4. Class III Cultural Resources Impacts

   Archaeological Resources (Construction and Long-Term, Project-Specific and Cumulative Impacts). Earthwork and development on the site under SP-9 has low

probability of disturbance to unknown subsurface archaeological resources, and this less than significant impact would be further minimized by mitigation measure CR-1 (Standard discovery procedures and mitigation requirements) incorporated into SP-9 development standards and applied as a condition of future project permit approval.

5. Class III Public Health and Safety Impacts

Fire Hazard (Long-Term, Project-Specific and Cumulative Impact). The project location is within a High Fire Hazard Area and development of the site under SP-9 would be subject to all City Fire Code requirements, including provisions for structural materials, hydrant flows and spacing, emergency equipment access and evacuation, on-site fire-suppression, and landscape design and maintenance. The development would have an incremental effect on Fire Department resources. Fire hazard impacts would be less than significant.

5. Class III Geologic Impacts

Seismic Faulting (Long-Term, Project-Specific Impact). Development of the site under SP-9 has some limited potential for surface faulting on one part of the site. This less than significant impact would be further reduced mitigation measure G-1 (Fault location study during landslide stabilization work) which is incorporated into SP-9 development standards and would be applied as a condition of future project permit approval.

Groundshaking Hazard (Long-Term, Project-Specific Impact). Development of the site under SP-9 would have a less than significant potential for impact from seismic groundshaking because residences would be required to meet current state and City building codes addressing this issue, and requirements for technical and design work to address this issue is incorporated into SP-9 and would be applied as a condition of future project permit approval.

6. Class III Noise Impacts

Construction Noise (Temporary Construction-Related, Project-Specific Impact). Grading and construction activity noise would intermittently increase ambient noise levels at adjacent residences and portions of Elings Park, which may result in periodic distraction and nuisance during peak noise levels. This less than significant effect would be reduced by Municipal Code construction noise standards and procedures, and mitigation measure N-3 (limitation of days and hours for noise-generating construction activities, use of engine mufflers and other noise-shielding devices, location of staging areas and materials/equipment storage as far as practicable from the Alan Road and Stone Creek residential areas, limitations on vehicle speeds, use of horns and whistles, and music systems, and neighbor notification of construction schedule and contact information, worker protection) incorporated into SP-9 development standards and applied as a condition of future development permit approval.

7. Class III Traffic Impacts

Construction Traffic (Temporary Construction-Related, Project-Specific Impact). Temporary construction-related traffic associated with SP-9 residential build-out would not be significant and would be further reduced by mitigation measure TR-1 (Traffic Control Plan to assure traffic safety on Alan Road) incorporated into

SP-9 development standards and applied as a condition of future project permit approval.

8. Class III Public Services Impacts

   Solid Waste (Long-Term, Project-Specific and Cumulative Impact). Residential development under SP-9 would generate a less than significant amount of additional solid waste requiring disposal at limited landfill capacity, and this impact would be further reduced by mitigation measure PS-1 (Solid waste management plan for reuse, source reduction and recycling during project construction and occupation) incorporated into SP-9 development standards and applied as a condition of future project permit approval.

E. Findings for Mitigation Monitoring and Reporting Program (pursuant to PRC Section 21081.6 and CCR Section 15097)

The Mitigation Monitoring and Reporting Program from the Final Environmental Impact Report has been incorporated into project conditions of approval to provide an identified process to ensure compliance with environmental mitigation measures required as part of the project and conditions of approval.

F. Findings of Infeasibility of Alternatives (pursuant to PRC Section 21081 and CCR Section 15091)

The City Council makes the finding that specific economic, legal, social, technological, environmental, or other considerations, make infeasible the following project alternatives identified in the certified Final Environmental Impact Report for the Veronica Meadows Specific Plan for the following reasons:

1. No Project Alternative

   This alternative does not meet the basic project objectives of annexing this island of County jurisdiction within City boundaries and developing the site with residences in a manner compatible with site constraints and surrounding development, and implementing environmental improvements benefiting creek resources and circulation.

2. No Annexation Alternative

   Development of the property under County jurisdiction would not necessarily result in reduced environmental effects when compared to the proposed project. This alternative would not be consistent with the City's policy to annex properties within the City's sphere of influence at the earliest time possible, and it would perpetuate the existence of a large island of properties under County jurisdiction within the City's boundary, which is not supported by the City or LAFCO.

3. Use of Draft Pre-Annexation Zoning Alternative

   Development of the property using the Draft Pre-Annexation zoning would not necessarily result in reduced environmental effects when compared to the proposed project. The Pre-Annexation Policy Update designated the entire 86.78-acre parcel to the west as Major Hillside and Open Space, which would also restrict the 4.49-acre area at the base of the hillside from being developed. Preventing this flatter area from development could potentially result in reduced

impacts in the areas of construction-related erosion, exposure of landslide hazards, and on-site impacts to native and non-native vegetation because the overall project area would be reduced. However, these impacts of the project have already been reduced to less than significant levels with mitigation.

The Draft Pre-Annexation General Plan designation of five dwelling units per acre is more than the proposed two dwelling units per acre and thus, could potentially allow for more units than the current proposal. This could result in increased stormwater pollution, have a greater effect on hydraulic conditions of the creek and riparian vegetation, increase the impact of humans and pets on the creek habitat, and increase traffic impacts on local intersections.

4. Secondary Emergency Access Alternative

   Establishing a secondary emergency vehicular access is not required by the Fire Department and would result in increased encroachments into the riparian corridor when compared to the proposed project.

5. Concrete Sidewalks Alternative

   This measure is technically feasible and would have a negligible effect on meeting the overall project objective. The proposed permeable surface sidewalks would slightly reduce runoff and increase stormwater infiltration on the site, but they may not be able to meet the standards of the City Public Works Department for durability, maintenance, and ADA and emergency vehicle use. Therefore, this alternative may be required to be implemented if the permeable sidewalk material is found to be infeasible. Future project conditions of approval would include this measure as an alternative to the current permeable material design if it is found that permeable materials would not meet ADA requirements or maintenance costs would be too high.

6. Avoid Landslides Alternative

   Under this alternative, the extensive landslide stabilization would not be required, which would substantially reduce site development costs. However, this alternative would be infeasible because the reduction in the number of units would be substantial (up to 11 lots), and would make the overall project economically infeasible.

   This alternative would reduce the number of residential units developed on the site, which would reduce some of the project impacts already mitigated to less than significant levels, but would not mitigate the significant and unavoidable impacts.

7. Alternative Landslide Stabilization

   The alternative stabilization method (without using caissons) is considered infeasible for several reasons. It is uncertain whether the adjacent landowner would grant permission to work on landslides on their property due to the potential liability involved and the disturbance to the hillsides. In addition, the City would not grant land use permits and grading permits for project-related actions on land not owned by the applicant unless the other landowner is part of the application request. The retaining wall alternative is not desirable from an

engineering viewpoint due to the extensive foundations required for large retaining walls.

8. Alternative Creek Setback Distance

These alternative creek setbacks would reduce some of the project impacts already mitigated to less than significant levels, but would not mitigate the significant and unavoidable impacts. The 100-foot setback (Applicant's Top of Bank) and 100-foot setback (adjusted Top of Bank) alternatives are considered infeasible because the additional reduction in the number and/or size of lots could make the overall project economically infeasible. The economic impact of the loss of these units could substantially reduce the applicant's financial ability to implement the creek corridor restoration measures. The project has been revised so that only those structures specifically identified in the Specific Plan (Section 28.50.030, B and C) will be allowed within the 100-foot setback (adjusted top of bank).

9. Alternative Drainage and Stormwater Treatment

This alternative addresses a single component of the project that would reduce some of the project impacts already mitigated to less than significant levels, but would not mitigate the significant and unavoidable impacts. Feasible components of this alternative have been incorporated as Mitigation Measure W-1 which is included as specific plan development standard and would be applied as a condition of future project approval.

10. Alternative Bridge Sites

The alternative sites identified do not align with the entrance to Elings park. Feasibility related traffic and intersection conflicts for drivers are no longer applicable because a vehicular bridge is no longer a part of the project.

Use of Site 1 would avoid the loss of a large oak and sycamore tree; however, the overall impacts of the bridge at this site would remain the same as for the proposed bridge. Use of Site 2 would increase the magnitude of the impacts to the riparian resources of the creek. Use of Site 3 would have similar impacts to riparian resources as the proposed bridge, but would increase the impacts on adjacent upland habitats.

G. Findings for Record of Proceedings (pursuant to PRC Section 21081.6 and CCR Section 15091)

The location and custodian of documents that constitute the record of proceedings upon which this decision is based are the City of Santa Barbara Community Development Department, and the Department office is located at 630 Garden Street, Santa Barbara, California.

H. Statement of Overriding Considerations (pursuant to PRC Section 21081 and CCR Section 15093)

The certified Final EIR for the Veronica Meadows project and Specific Plan SP-9 identifies potential unavoidable significant impacts associated with biological resources, construction vehicle noise, and project contribution to cumulative long-term peak-hour traffic conditions at the intersections of Las Positas Road/ Highway

101 Southbound Ramps; Las Positas Road/Modoc Road; and Las Positas Road/ Cliff Drive.

After careful consideration of the environmental documents, staff reports, public testimony, and other evidence contained in the administrative record, the City Council makes the following Statement of Overriding Considerations, setting forth the specific overriding economic, legal, social, technological and other benefits of the proposed project that warrant approval notwithstanding that all identified environmental impacts are not fully mitigated. Remaining significant effects on the environment are deemed acceptable due to these findings:

1. Annexation of unincorporated parcels would improve planning and public services in this portion of the Las Positas Valley.
2. Development of the site under SP-9 would provide for limited development and preservation of the remainder of the property in open space, including restoration and dedication of approximately 35.7 acres of private land for open space.
3. Development of the site under SP-9 would provide for a creek and riparian corridor restoration plan to improve habitat and water quality along Arroyo Burro Creek, consistent with City creek policies and programs, and in a manner that allows the City to better leverage limited General Fund and Measure B creek restoration funds.
4. Development of the site under SP-9 would provide for stabilization of on-site geological conditions on the property to the benefit of public safety.
5. Development of the site under SP-9 would provide for mitigation funding for vehicle intersection improvements that would benefit the area.
6. Development of the site under SP-9 would provide an easement that could establish enhanced public access for pedestrians and bicyclists connecting Elings Park and the Westside to Arroyo Burro Beach County Park, the Alan Road and Braemar Ranch neighborhoods, and homes within the project site.
7. Development of the site under SP-9 would result in property tax revenues benefiting the City, County, and local school districts and other special districts.
8. Development of the site under SP-9 would create construction jobs and provide market rate housing that would contribute toward meeting ongoing housing demands in City.

I. Findings for the California Fish & Game Code Section 711.4, CCR Section - 735.5 and PRC Section 21089 (b)

An Environmental Impact Report has been prepared by the lead agency (City of Santa Barbara), which has evaluated the potential for the proposed Veronica Meadows residential specific plan project to result in adverse effects, either individually or cumulatively, on wildlife resources. For this purpose, wildlife is defined as "all wild animals, bird, plants, fish, amphibians, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability." The proposed project has the potential for adverse effects on native specimen trees and associated wildlife during project construction. Mitigation measures and alternatives have been applied such that project biological impacts will be reduced to the extent feasible, with most biological impacts reduced to less than significant levels, and the

residual impact on wildlife migration due to bridge construction remaining significant and unavoidable. The project does not qualify for a waiver and is subject to payment of the California Department of Fish and Game fee.

II. FINDINGS FOR RECOMMENDATIONS TO THE CITY COUNCIL

A. Annexation/General Plan and Zoning Ordinance and Map Amendments

As determined in the Planning Commission hearings, Final EIR and Staff Report, the proposal is consistent with current General Plan annexation policies, which encourage annexation of parcels within the City's sphere of influence at the earliest convenience. Annexation of the subject parcels would reduce the size of a large island of properties subject to County jurisdiction within an area located within the City's boundary. Therefore, the Planning Commission recommends that the City Council initiate the annexation request, with the zoning upon annexation to be SP-9 (Veronica Meadows Specific Plan), the General Plan designations to be Residential (Two Dwelling Units Per Acre), Major Hillside, Open Space, Buffer/Stream, and Pedestrian/Equestrian Trail, and the property to be included in the Hillside Design District.

B. Adoption of Specific Plan No. 9

The Planning Commission recommends that the City Council approve the proposed Veronica Meadows Specific Plan No. 9 and amend the Zoning Ordinance to include the new SP-9 Zone. Following City Council approval of Specific Plan No. 9 and Zoning Ordinance amendments, the existing and future uses of the project area will be in compliance with the standards described in the Specific Plan and contained in the SP-9 zone. The Specific Plan and the proposed residential development are determined to be consistent with Coastal Act, Local Coastal Plan, and General Plan policies and the General Plan Land Use designation, as discussed in the Staff Report, the Final EIR and in Planning Commission hearings.

1. The Specific Plan meets all provisions of Article 8, Chapter 3 of Division I of Title 7 of the California Planning and Zoning Law (Government Code Sections 65450 through 65457).

2. The Specific Plan is consistent with both the General Plan and Local Coastal Plan in that the General Plan Map will be amended to reflect the changes in land use designation included in the Specific Plan.

3. With respect to Section 1507 of the City Charter, the Specific Plan, with the proposed mitigations, policies and actions, does not allow the development to exceed, on a project-specific basis, air quality, traffic, water or wastewater treatment capacity in the City, except as allowed for residential projects. The FEIR found that the project-specific traffic generated would not exceed the City's thresholds at affected intersections. Short-term air quality impacts would be less than significant as mitigated, and the project would not create long-term air quality impacts. The City has adequate water supply and wastewater capacity to accommodate this project.

C. Local Coastal Plan Amendment (PRC §30512(c))

The Planning Commission recommends that the City Council adopt the proposed Local Coastal Plan amendment and forward to the California Coastal Commission for certification. The project and LCP Amendment are consistent with the applicable policies of the Coastal Act and the City General Plan and Local Coastal Program, as discussed in the Staff Report, the Final EIR and in Planning Commission hearings.

D. Findings for the Lot Line Adjustment (Gov. Code §66412 and SBMC §27.04.030)

The proposed lot line adjustment is appropriate for the area and is consistent with the City's General Plan and Building and Zoning Ordinances, as discussed in the Council Agenda Report and the Planning Commission Staff Report. The lot line adjustment would transfer approximately 4.49 acres of previously disturbed and relatively flat land from a larger parcel that is primarily steep slopes to a 10.28-acre parcel with minimal slopes suitable for development.

City of Santa Barbara Planning Division

ADDENDUM TO CERTIFIED ENVIRONMENTAL IMPACT REPORT

VERONICA MEADOWS SPECIFIC PLAN SP-9
900-1100 LAS POSITAS ROAD, MST99-00608

August 11, 2006

This EIR Addendum is prepared pursuant to State CEQA Guidelines Section 15164, which provides that an addendum to an environmental impact report (EIR) may be prepared if only minor changes or additions are necessary to make the document adequate for the current project.

ENVIRONMENTAL DOCUMENT/ BACKGROUND

The EIR for the Veronica Meadows project was prepared to evaluate the applicant's prior project proposal at 900-1100 Las Positas Road (MST99-00608) for development of 23 homes on 14.8 acres, dedication of 35.7 acres for open space, hillside stabilization, creek restoration, new vehicle bridge and access off Las Positas Road. Permits required for that project included annexation, residential specific plan (SP-9), lot line adjustment, tentative subdivision map, and amendments to General Plan land use designations, Local Coastal Plan, Zoning Map, and Hillside Design District Map.

The EIR identified significant (Class I) biological resource, noise, and traffic impacts. Potentially significant but mitigable (Class II) impacts that could be reduced to less than significant levels were identified for biological resources, drainage, erosion and water quality, geologic hazards, cultural resources, traffic, public health and safety, and air quality. The EIR identified numerous mitigation measures to be incorporated into the project or applied as conditions of project approval to avid or reduce potentially significant environmental effects.

The EIR also evaluated comparative environmental effects of alternatives to various components of the proposed project, including the No Project Alternative, Use of Draft Pre-Annexation Zoning Alternative, Secondary Emergency Access Alternative, Concrete Sidewalks Alternative; Avoid Landslides Alternative; Alternative Landslide Stabilization; Alternative Creek Setback Distance, Alternative Drainage and Stormwater Treatment, and Alternative Bridge Sites.

The Final EIR was certified by the Planning Commission on December 1, 2005, and no action was taken on project permits due to a split vote. The project was forwarded to City Council for decision, and in March 2006, the Council recommended that the applicant revise the project to reduce its scope. The applicant agreed to do so and the revised project was referred back for review by the Planning Commission, Parks Commission, Architectural Board of Review, and Creeks Advisory Committee.

CURRENT PROJECT DESCRIPTION

The current project proposal involves the same property as the prior proposal, with residential development on the same 14.8-acres, open space dedication of the same 35.7-acres, hillside stabilization, and creek stabilization and restoration with 50-foot building setback from the creek.

The current project proposal is revised from the project description evaluated in the EIR, as follows:

- Development potential would be reduced to 15 homes or fewer, rather than 23 homes.
- Access to the development would be taken from an extension of the existing Alan Road rather than from a new access off Las Positas Road.
- A smaller bridge over Arroyo Burro Creek would accommodate pedestrian and bicycle passage, but not vehicle circulation.
- The creek setback area would not include a pedestrian trail as the prior proposal had.
- The specific plan text has been revised to incorporate these project changes and to include EIR mitigation measures as development standards in the areas of drainage and water quality, natural areas, open space and landscaping, creek and riparian habitat management, geologic hazards, cultural resources, public health and safety, visual resources, and construction.

The current project proposal does not include a tentative subdivision map, although a conceptual design for a tract map was provided to show the feasibility of the project and assist in analysis. Approval of a tentative subdivision map would be required for the current proposal, but could be processed subsequent to approval of the currently requested annexation, specific plan, lot line adjustment and policy document amendments.

CHANGES IN ENVIRONMENTAL CIRCUMSTANCES

Since the time of the EIR analysis, there have been no substantial changes in environmental conditions on the ground; the status of environmental resources, or impact evaluation guidelines.

PROJECT IMPACTS AND MITIGATIONS

The revised Specific Plan project description is within the range of project alternatives evaluated in the Certified EIR. Based on analysis in the EIR, development of the same site area with 15 or fewer homes under the revised SP-9 would result in similar or slightly reduced impacts than the prior 23-unit proposal in the areas of cumulative traffic generation effects to impacted intersections, air quality, biological resources, drainage, erosion, and water quality, geologic hazards, cultural resources, visual resources, land use and recreation, public health and safety, noise, public services, and population and housing. With project access from Alan Road, temporary construction-related and long-term traffic and traffic noise effects would incrementally increase to residential uses in the Alan Road area, but not to a significant level.

The following mitigation measures identified in the EIR would continue to apply to the project as revised:

<u>Drainage, Erosion and Water Quality Mitigation Measures</u>

W-1 Drainage system with multiple outlets and infiltration areas

W-2 Exotic plant removal and bank stabilization

W-3 Construction NPDES storm water pollution prevention plan

W-4 Stormwater treatment plan

<u>Geologic Hazards Mitigation Measures</u>

G-1 Fault location study, design/construction measures

G-2 Liquefaction investigation, design/construction measures

G-3 Expansive soils investigation, design/construction measures

G-4 Depth to groundwater investigation, design/construction measures

G-5 Geotechnical landslide investigation, design/construction measures

Biological Resources Mitigation Measures

B-1 Habitat restoration plans, including creek bank, creek corridor and upland areas

B-2 Oak tree replacement

B-3 Minimize disturbance during bridge installation

B-4 Offset habitat loss by restoring native oak-riparian habitat

B-5 Calendar limits to earthwork activities to avoid impacts to breeding birds

B-6 Limit disturbance to vegetation

B-7 Minimal lighting, homeowner association maintenance of habitat areas

B-8 Reduce bridge width

Cultural Resources Mitigation Measures

C-1 Standard discovery procedures and mitigation measures

C-2 Retain remnant oaks

C-3 Display of Veronica Springs history

C-4 Interpretive signs

C-5 Naming of development and streets

Visual Resources

V-1 Architectural Board of Review approval of architectural plans, colors, and materials

V-2 New residences next to existing Alan Road homes to minimize height and mass contrast

Traffic and Circulation

T-1 Construction traffic control plan

T-5 Video document pavement conditions, repair or resurface if construction damage

T-6 Traffic fees for capacity improvements

Note: EIR impacts and mitigation measures T-2, T-3, and T-4 pertained to a project entrance on Las Positas Road, and no longer apply with the Alan Road access design.

Public Health and Safety Mitigation Measures

H-1 Pesticide management plan and integrated pest management program

H-2 Radon gas investigation

Noise Mitigation Measures

N-1 Construction hours limitations for heavy equipment

N-2 Construction traffic hours limitations on Alan Road

N-3 Limitations on noise-generating construction activities, noise shielding use, staging locations

Air Quality Mitigation Measures

A-1 Construction dust measures

A-2 Construction equipment emissions measures

CEQA FINDING

Based on the above review of the project, in accordance with State CEQA Guidelines Section 15612, no Subsequent Negative Declaration or Environmental Impact Report is required for the current project, because new information and changes in circumstances, project description, impacts and mitigations do not involve new significant impacts or a substantial increase in the severity of previously identified impacts.

This Addendum identifies the current project changes and minor changes to project impacts. With implementation of applicable mitigation measures identified in the EIR, the project would result in significant (Class I) impacts associated with biological resources, construction-related noise, and traffic, and potentially significant (Class II) impacts would be reduced to less than significant levels in the areas of biological resources, drainage, erosion and water quality, geologic hazards, cultural resources, traffic, public health and safety, and air quality.

This addendum together with the Veronica Meadows Certified Final Environmental Impact Report constitutes adequate environmental documentation in compliance with CEQA for the current project.

Prepared by: _____ Date: August 11, 2006

Barbara Shelton, Environmental Analyst

21 East Carrillo Street
Santa Barbara, CA 93101
Telephone: (805) 963-7000
Fax: (805) 965-4333

HATCH & PARENT
A Law Corporation

Steven A. Amerikaner

(805) 882-1407
SAmerikaner@HatchParent.com

August 7, 2006

By Hand
REVISED LETTER

Chair John Jostes and Members
City Planning Commission
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93102

Re: **Veronica Meadows (900 – 1100 Las Positas Road)**

Dear Chair Jostes and Members of the Commission:

This letter is submitted on behalf of the owner of the above-referenced property, and constitutes our formal request for the Planning Commission's review of our revised project.

The project was last reviewed by the Planning Commission in December 2005. The City Council considered the project at two hearings in March 2006, and provided direction to the project applicant regarding changes to the project. We have taken those suggestions to heart, and have revised the project to reflect those comments.

Please find attached as Exhibit A our "Revised Project Description (August 7, 2006)."

Over the past three months, this revised project has been presented to the Architectural Board of Review (May 1, 2006), the Park and Recreation Commission (July 10, 2006), and the Creeks Advisory Committee (April 26 and July 10, 2006). Comments were received from all three bodies.

At this time, we are requesting Planning Commission review of the following proposed actions:

1. Veronica Meadows Specific Plan.

2. Lot Line Adjustment.

3. Annexation.

4. Proposed General Plan, LCP and Zoning Designations upon Annexation.

EXHIBIT D

Following your Commission's hearing (presently scheduled for August 24, 2006), these matters will be presented to the City Council. Assuming the City Council approves these matters in a form satisfactory to the project applicant, we will submit to the City a proposed tentative subdivision map and the other land use approvals needed for the project. Those additional applications will be presented to your Commission in due course.

Thank you for your consideration of this request.

Sincerely,

Steven A. Amerikaner
For HATCH & PARENT
A Law Corporation

Attachment: Revised Project Description (August 7, 2006)

VERONICA MEADOWS
Revised Project Description
(August 7, 2006)

Action Requested

Phase I: Approval of resolution authorizing annexation of property
Approval of resolution changing General Plan/Local Coastal Plan land use designation
Approval of ordinance adopting a Specific Plan
Approval of resolution approving a lot line adjustment

Phase II: Approval of tentative subdivision map

Houses

15 single family homes:
Nearest Alan Road: 3 houses --3000 sq. ft. max.
Balance: 12 houses – 4800 sq. ft. max.
(All house sizes exclude a 600 s.f. two-car or 850 s.f. three-car garage)

Lot configuration per site plan submitted with this letter. Houses may be constructed within development envelopes. The residential development area is designated "Area A" on the Specific Plan Map.

Creek Setbacks

Limited Activity Zone ("Area B"). Between 50 and 100 feet from top of creek bank.

a. No vertical structures except for play equipment, barbeques, gazebos, and similar that allow water to pass through to the ground.
b. Patios and decks of any size permitted if constructed of permeable material.
c. Patios, decks and similar constructed of impermeable material allowed if no more than 10% of the Area B portion of the lot is covered.
d. Lot owner selects landscaping (must be non-invasive), provided it is consistent with City-approved landscaping plan.

The "Limited Activity setback area will be privately owned (by individual lot owners) and subject to a development restriction. On the Specific Plan, it will be designated as Area B.

No Activity Zone ("Area C"). Between 0 and 50 feet from top of creek bank.

a. Revegetation per City-approved plan is allowed.
b. "Open" fencing (e.g., split rail) no higher than 3 1/2 feet is allowed along boundary between Area B and Area C.

The "No Activity" setback area will be a portion of a separate lot owned by the HOA as commonly-held open space. On the Specific Plan, it will be designated as Area C.

All setbacks measured from pre-restoration top-of-bank (per FEIR).

Creek Restoration

Applicant will complete plans and implement restoration of entire 1800 linear feet of creek within restoration area shown on City-approved plans ("Restoration Area").

a. Applicant will agree to allow its restoration plan to be reviewed by an independent consultant engaged by the City following the City Council's approval of the project; the consultant's report is to be provided to the Creeks Committee for review.

In the event of a disagreement between the applicant's consultant and the city's consultant, they shall meet and confer in an effort to resolve it. The applicant and the City shall pay for their respective consultants. In the event the City Council determines, based on the City consultant's report, that the restoration plan need to be changed, and the change increases the cost of the restoration work above the level proposed by the applicant, that additional cost will be split 50/50 between the applicant and the City, with the applicant's share of the additional cost not to exceed $100,000.

b. Restoration Area on project site will be a separate parcel owned by the HOA.

c. City will grant access easement over City-owned property for restoration work.

Water Line: The existing water line will be buried underneath the creek bed.

Maintenance: HOA will maintain the structures in Restoration Area, whether on HOA-owned parcels or City-owned property, into perpetuity. Individual lot owners will maintain Restoration Area on individual lots into perpetuity. HOA will maintain vegetation on the west side of the creek and the city will maintain vegetation on the east side of the creek, irrespective of ownership; provided, however, that the HOA shall maintain vegetation within the Restoration Area on the east side of the creek for five years after completion of the restoration project.

At its option, City will revegetate the area on the City-owned parcel between Las Positas Road and the easterly boundary of the Restoration Area.

Applicant will have no responsibility for preparation of plans and implementation of restoration of creek from southern end of property to Cliff Drive ("Alan Road Reach").

Open Space

The 35-acre parcel to the north of the 15 acre project site is intended as permanent open space. It is shown on the Specific Plan Map as Area D.

Circulation

Public Roads Within Project: Roads within project site will be City-owned and open to the public. Those roads will be 28 feet in paved width and designed and constructed to appear as a country lane with no sidewalks.

Pedestrian Bridge: The applicant will provide easements for a pedestrian bridge across Arroyo Burro Creek at the Alan Road cul-de-sac.

The City will be responsible for the design, construction, operation and maintenance of the bridge.

Pedestrian Path: The applicant will design and install to City standards a 8' pedestrian/bicycle path on the project site from the westerly terminus of the bridge to the public road. After construction, the path will be dedicated to the City for operation and maintenance.

Las Positas/Cliff Drive Roundabout: The applicant will contribute up to $180,000 for the design of the roundabout, inclusive of the traffic mitigation fee.

City Responsibilities: The City will be responsible for the planning, construction, operation and maintenance of any pedestrian/bicycle facilities on the east side of Arroyo Burro Creek, including a traffic signal and crosswalk at the Elings Park vehicle entrance and a path from the Elings Park crosswalk to the easterly terminus of the pedestrian bridge.

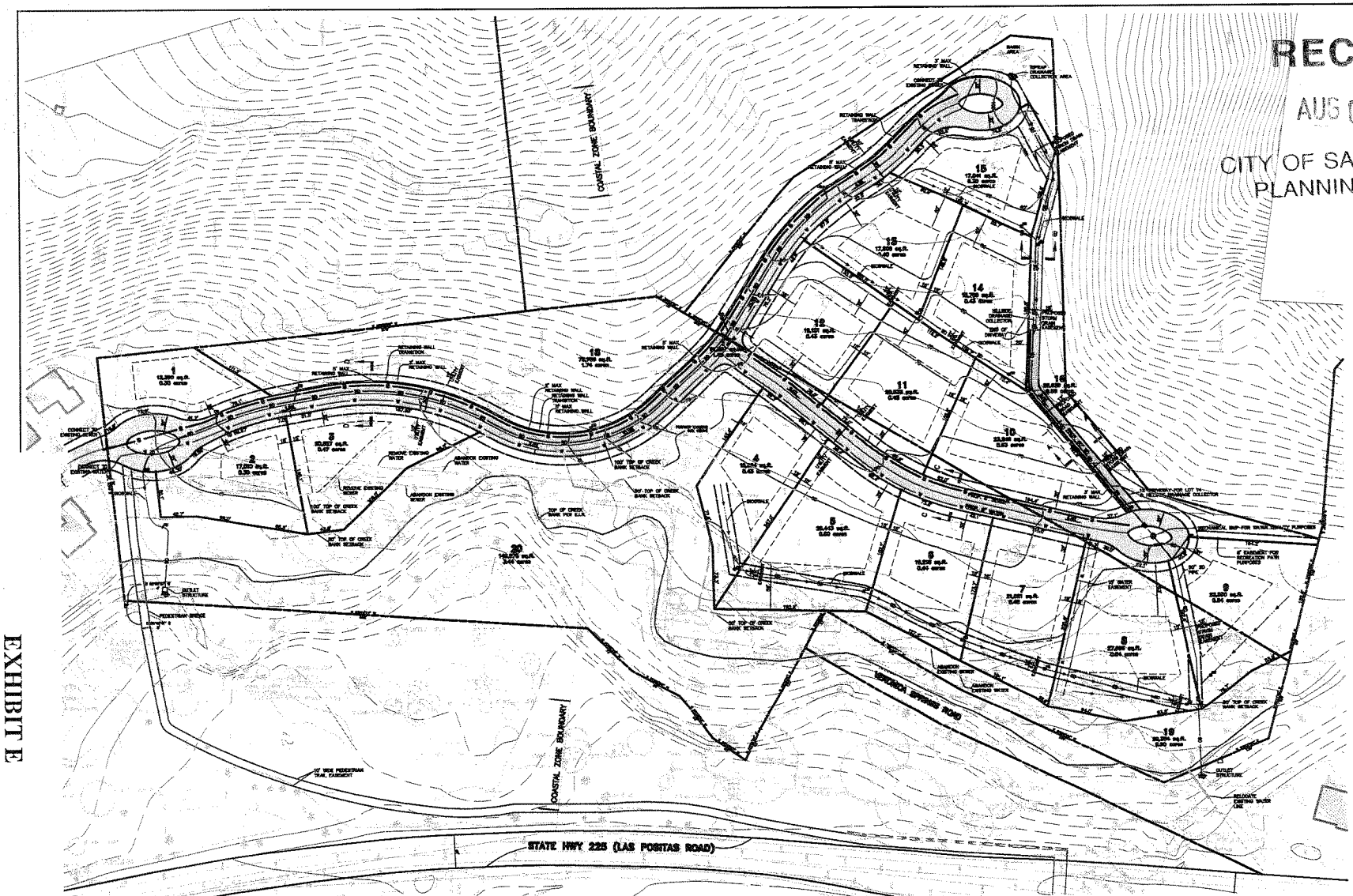
Future Connection to Arroyo Burro Trail: The applicant will offer to dedicate an easement for a pedestrian trail connecting the project's road system to the adjacent 35 acre parcel in the event that the City seeks to reestablish the Arroyo Burro Trail at some point in the future. The location of the proposed offer to dedicate is shown on the site plan.

Campanil Hill Drainage

Applicant will direct flows from existing Campanil Hill drainage into a subsurface storm drain capable of transmitting 100 year flood flows to Arroyo Burro Creek. Facilities shall include a treatment system and outlet that is part of the creek restoration plan, along with an inline mechanical treatment system that is being used extensively in coastal areas. The applicant shall not be required to install a surface facility.

The design and location of the subsurface drainage facility is shown on the site plan.

EXHIBIT E



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AUG 0 3 2006
CITY OF SANTA BARBARA
PLANNING DIVISION

LEGEND

PROPERTY BOUNDARY
PROPERTY LOT LINE
PROPOSED CONTOUR
PROPOSED WATER
PROPOSED STORM DRAIN
PROPOSED SEWER
PROPOSED SIDEWALK
BUILDING ENVELOPE
EXISTING TOPO CONTOURS
EXISTING WATER
EXISTING SEWER
100' TOP OF CREEK BANK SETBACK
50' TOP OF CREEK BANK SETBACK
CREEK BANK
PROPOSED EASEMENT

ESTIMATED EARTHWORK QUANTITIES

CUT = 11,000 C.Y.
FILL = 11,000 C.Y.

EARTHWORK NOTES:

THE ABOVE QUANTITIES ARE APPROXIMATE IN PLACE VOLUMES EXCLUSIVE FROM THE GRADING PLAN. THEY HAVE BEEN PREPARED FOR THE PURPOSE OF DETERMINING EXISTING SITE GRADE AS DEPICTED AT THE CONCLUSION OF THE PLAN. PROPOSED FINISH GRADE IS DEFINED AS THE DESIRED SURFACE ELEVATION AT COMPLETION OF EARTH TO BE CONSTRUCTED. PROPOSED TEMPORARY SLOPES ARE DEFINED AS THE DESIRED SURFACE ELEVATION OF EARTH TO BE CONSTRUCTED IMMEDIATELY PRECEDING OR DURING CONSTRUCTION.

THE EARTHWORK QUANTITIES ABOVE ARE FOR BUILDING PERMIT PURPOSES ONLY. THEY HAVE NOT BEEN FACTORED TO ACCOUNT FOR CHANGES IN VOLUME DUE TO BULKING, SHRINKAGE AND SUBSIDENCE, REMOVAL AND OVEREXCAVATION, AND RE-COMPACTION, AND CONSTRUCTION METHODS.

THE CONTRACTOR SHALL PERFORM AN EARTHWORK ESTIMATE FOR THE PURPOSE OF PREPARING A LUMP SUM BID TO FINISH THE EARTHWORK. THE BID PRICE SHALL INCLUDE COSTS FOR ANY ADDITIONAL IMPORT AND PLACEMENT OF EXCESS MATERIALS ON THE EXPORT AND PROPER DISPOSAL OF ENDEMIC EARTH MATERIALS.

STATISTICS

NO CONDITIONS:

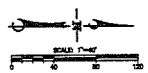
	LOT AREA (SF)	LOT AREA (AC)
1-18	0.64	1.83
19	0.60	13.44
20	3.44	15.88

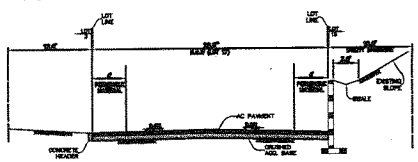
PROPOSED RESIDENTIAL LOT:

LOT NO.	AREA (SF)	AREA (AC)	BUILDING ENVELOPE (SF)
1	13,250	0.30	5268
2	17,050	0.39	7914
3	20,857	0.47	8471
4	19,974	0.46	7917
5	20,443	0.47	10147
6	19,718	0.45	8533
7	21,521	0.49	8620
8	27,999	0.64	8533
9	23,260	0.54	8716
10	23,548	0.53	8620
11	20,532	0.48	8624
12	19,181	0.43	7914
13	18,756	0.43	8762
14	19,709	0.45	8762
15	17,041	0.39	8535
TOTALS	328,241	7.55	
AVERAGE	21,949	0.50	
TOTAL PROJECT AREA			

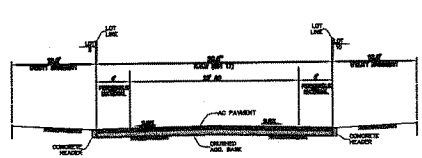
LOT STATISTICS (non residential lots)

LOT NO.	LOT USE	PROPOSED OWNER	MAINTAINED BY	LOT AREA (SF)	LOT AREA (AC)	% OF SITE
16	OPEN SPACE/ DRAINAGE	HOA	HOA	28,539	0.65	0.00
17	PROPOSED ALAN ROAD EXTENSION	HOA	HOA	91,267	1.40	0.00
18	OPEN SPACE HILLSIDE	HOA	HOA	76,799	1.76	0.00
19	OPEN SPACE CREEK AREA	HOA	HOA	25,394	0.60	0.00
20	OPEN SPACE CREEK AREA	HOA--ROAD AND UTILITY EASEMENT DEDICATED TO THE CITY OF SANTA BARBARA	CITY OF SANTA BARBARA	148,875	3.44	00.00

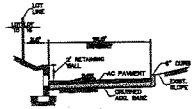




SECTION D-D
N.T.S.



SECTION C-C
N.T.S.



SECTION A-A
N.T.S.

SECTION B-B
N.T.S.

NO.	DATE	REVISIONS	APPD.

Penfield & Smith
ENGINEERS · SURVEYORS · PLANNERS
111 East Victoria Street, Santa Barbara, CA 93101
Suite A, Ventura, CA 93001
Phone: (805) 963-9532 Fax: (805) 966-3451

DESIGN: _____ CHECKED: _____
DRAWN: S. SWENSON DATE: _____
PROJECT ENGINEER: _____
R.C.E. _____ (EXP. _____)

REVIEWED BY: _____
SIGNATURE _____ DATE _____

CONCEPT DESIGN PLAN
FOR FEASIBILITY PURPOSES

SANTA BARBARA, CA

P&S PROJECT NO. 1282.04
SHEET C1 OF
PLAN DATE AUGUST 2, 2006

ARROYO BURRO RESTORATION DATA

THIS DATA DEVELOPED FOR PERMITTING IS APPROXIMATE

(A) SETBACK RESTORATION AREA (BUFFER ZONE)
FROM (N) WEST TOB TO LIMITS OF RESTORATION (N)
LOT LINE, OR EDGE OF (N) ROAD)

APN 047-010-016 (PRIVATE)	2.0 ACRES
APN 047-010-09 (PUBLIC)	0.0 ACRES
VERONICA SPRINGS RD EASEMENT	0.1 ACRES
TOTAL	2.1 ACRES

(B) FROM (E) WEST TOB TO LIMITS OF RESTORATION (N)
LOT LINE, OR EDGE OF (N) ROAD)

APN 047 010 016 (PRIVATE)	2.2 ACRES
APN 047-010-09 (PUBLIC)	0.0 ACRES
VERONICA SPRINGS RD EASEMENT	0.2 ACRES
TOTAL	2.4 ACRES

(C) CREEK CHANNEL RESTORATION AREA
FROM (N) WEST TOB TO (N) EAST TOB

APN 047-010-016 (PRIVATE)	2.1 ACRES
APN 047-010-09 (PUBLIC)	4.1 ACRES
VERONICA SPRINGS RD EASEMENT	0.6 ACRES
TOTAL	6.8 ACRES

(D) FROM (N) WEST TOB TO EAST LIMIT OF GRADING

APN 047 010 016 (PRIVATE)	2.1 ACRES
APN 047-010-09 (PUBLIC)	2.2 ACRES
VERONICA SPRINGS RD. EASEMENT	0.4 ACRES
TOTAL	4.7 ACRES

(E) EASTERN UPLANDS RESTORATION AREA
FROM (N) EAST TOB TO LAS POSITAS ROAD

APN 047-010-016 (PRIVATE)	0.0 ACRES
APN 047-010-09 (PUBLIC)	2.7 ACRES
VERONICA SPRINGS RD EASEMENT	0.0 ACRES
TOTAL	2.7 ACRES

1. GRADING VOLUMES

CUT	5,900 CY
FILL	1,900 CY
NET	4,000 CY (OUT)

OVEREXCAVATION AND ROCK MORDT VOLUMES TBD

2. ROCK TOE BANK PROTECTION ESTIMATE

LENGTH OF BANK RESTORATION	4000 FT
LENGTH REQUIRING TOE PROTECTION	1600 FT

COASTAL ZONE BOUNDARY

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

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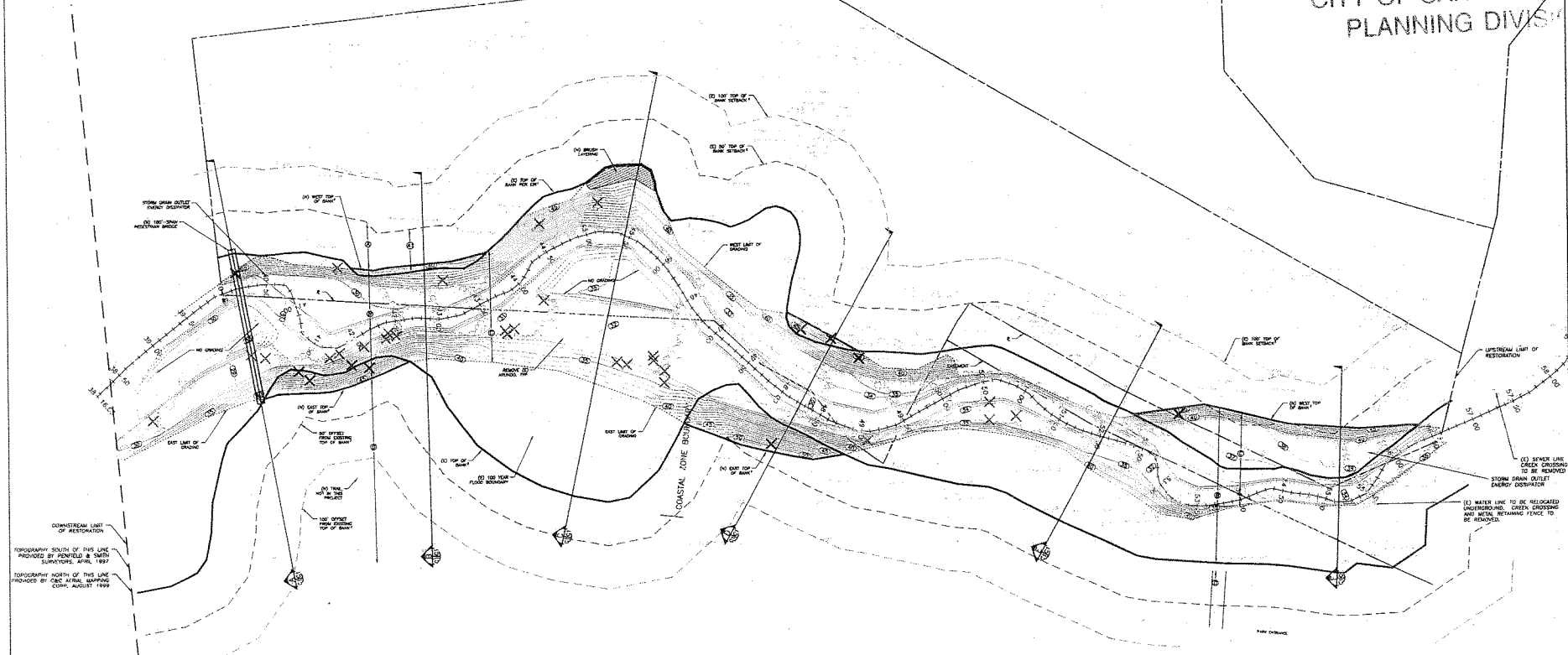
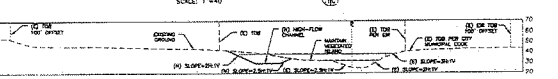
CITY OF SANTA BARBARA
PLANNING DIVISION



CROSS SECTION
SCALE: 1"=40'

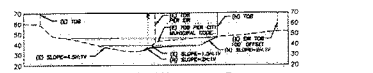
CROSS SECTION
SCALE: 1"=40'



CROSS SECTION
SCALE: 1"=40'

EXISTING GROUND
PROPOSED GROUND
100-YR WATER SURFACE (E)
10-YR WATER SURFACE (E)
10-YR WATER SURFACE (N)
2-YR WATER SURFACE (N)

NOTE: SECTIONS DISPLAY EXISTING AND PROPOSED CHANNEL GRADIENTS AND ARE FOR PLANNING SUBMISSION ONLY. FINAL GRADING AND IMPROVEMENTS ARE NOT INCLUDED IN THESE SECTIONS.



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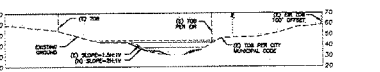

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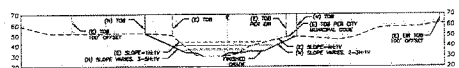


CROSS SECTION
SCALE: 1"=40'

TREE CENSUS

TREES ON WEST BANK SURVEYED BY PENFIELD AND SMITH. TREES ON EAST BANK SURVEYED BY SH+G

COMMON NAME	WEST BANK	EAST BANK
ASH	0	1
CALIFORNIA PEPPER	3	2
ELDERBERRY	3	17
EUCALYPTUS	18	14
OAK	49	80
PALM	NA	NA
SYCAMORE	0	9
WILLOW	68	195
WALNUT	0	2
GUMS	4	0
TOTAL	145	315

TREES TO BE REMOVED IN CREEK GRADING

COMMON NAME	WEST BANK	EAST BANK
ELDERBERRY	1	1
EUCALYPTUS	5	0
OAK	1	5
SYCAMORE	0	1
WILLOW	3	21
TOTAL	10	28

NOTES:

1. ALL WILLOWS TO BE REMOVED SHALL BE TRIMMED TRANSPLANTED AND UTILIZED IN THE CREEK RESTORATION REVEGETATION PLAN.

2. REFER TO THE REVEGETATION SHEET FOR ADDITIONAL PLANTING DETAILS.

TREE REMOVAL LEGEND

TREE REMOVAL SHOWN ON THIS PLAN IS ONLY FOR TREES DISTURBED BY THE CREEK RESTORATION GRADING. REFER TO PLANS BY PENFIELD AND SMITH FOR OTHER TREE TREATMENTS.

EXISTING TREE

X OAK TO BE REMOVED

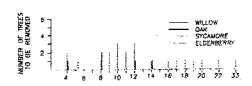
X WILLOW TO BE REMOVED

X OTHER NATIVE TREE TO BE REMOVED

X NON-NATIVE TREE TO BE REMOVED

EXISTING ARUNDO LOCATIONS (1.5 ACRES) TO BE REMOVED

EAST BANK TREE REMOVAL GRAPH



TOP OF BANK LINEWORK SOURCES:

1. LINEWORK PROVIDED BY PENFIELD & SMITH BASE DRAWING, NOVEMBER, 2005
2. LINEWORK PRODUCED BY SH+G

ABBREVIATIONS

(E) EXISTING
(N) NEW OR PROPOSED
TOB TOP OF BANK

DRAFT

PEAK
LAS POSITAS PARTNERS

CREEK RESTORATION PLAN

ARROYO BURRO CREEK RESTORATION PROJECT

SH+G ENGINEERING
A Division of Suburban Engineers, Incorporated
300 SIGNAPORT AVE., SUITE 202
SANTA CRUZ, CA 95062
(831)-427-0395

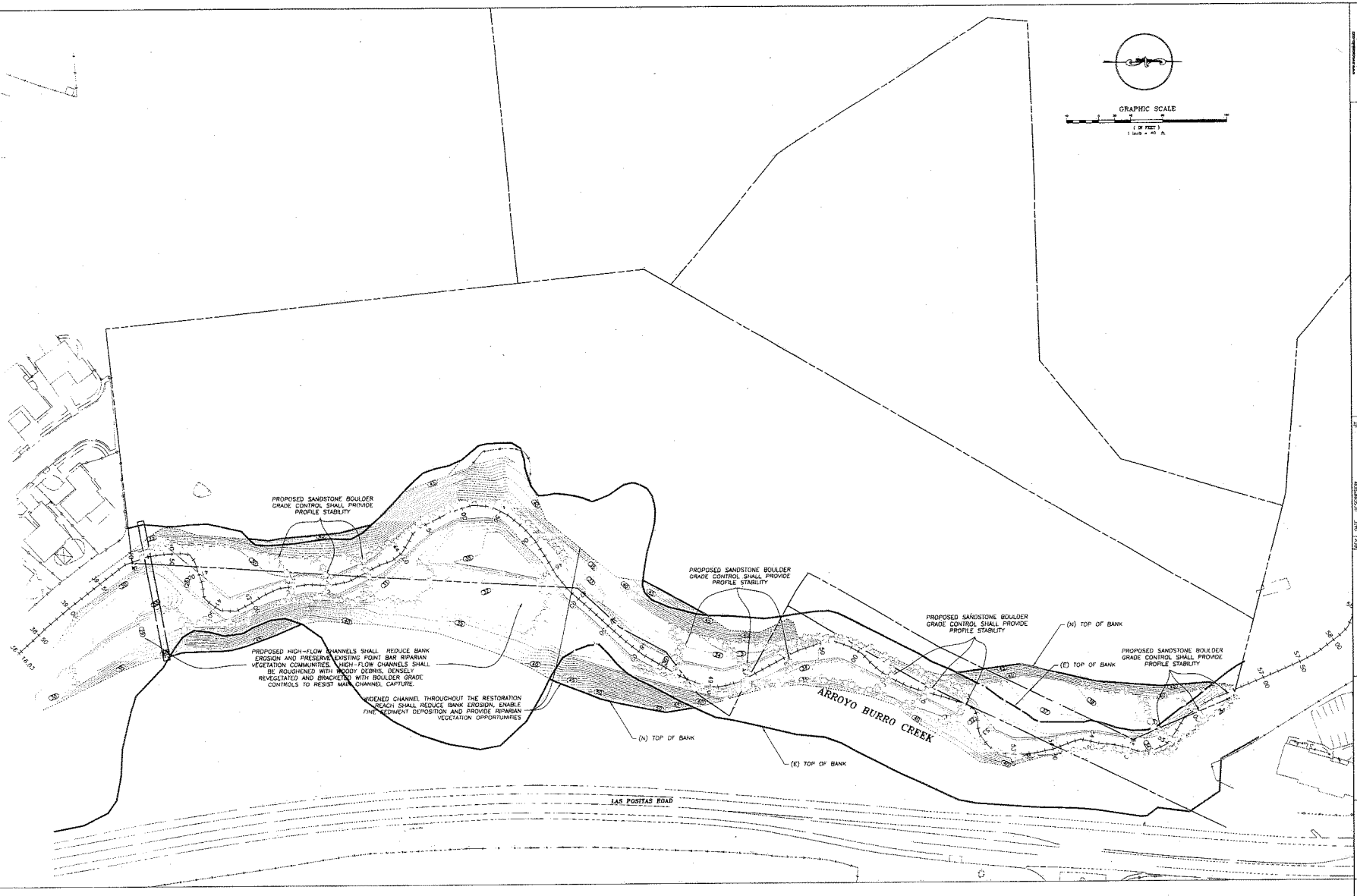
DESIGNED BY: R.T.C.
DRAWN BY: C.M.K.
CHECKED BY: M.L.S.
DATE: 08/26/05
JOB NO.: 05-464

BAR IS ONE INCH ON ORIGINAL DRAWING. ADJUST SCALES FOR REDUCED PLOTS

C1

9 of 9

R:\LAND PROJECTS\05-464_ARROYO_BURRO\dwg\05-464_C1-PLAN.dwg 8/26/2005 10:56:50 PM PDT



NOTES

1. WOODY DEBRIS SHALL CONSIST OF NATIVE TREES REMOVED FROM THE SITE, WHERE POSSIBLE. IF EUCALYPTUS ARE UTILIZED, THEY SHALL BE CUT AND AGED FOR A MINIMUM OF ONE YEAR PRIOR TO INSTALLATION, AND SHALL NOT BE USED TO SUPPORT BANK OR BED PROTECTION. WOODY DEBRIS SHALL PROVIDE TEMPORARY ROUGHNESS AND FLOODPLAIN PROTECTION DURING THE REVEGETATION ESTABLISHMENT PERIOD.

2. VISIBLE BOULDERS SHALL BE LOCALLY SOURCED ALLUVIAL SANDSTONE.

SH+G ENGINEERING
A Division of Sandy Hogan & Associates, Inc.
500 SEABRIGHT AVE., SUITE 202
SANTA CRUZ, CA 95062
(831)-422-0283

REV. DATE DESCRIPTION BY

DRAFT

PEAK
LAS POSITAS PARTNERS

ROCK
PLACEMENT
PLAN

ARROYO BURRO CREEK
RESTORATION PROJECT

DESIGNED BY: R.T.C.
DRAWN BY: C.M.H.
CHECKED BY: M.L.S.
DATE: 06/26/06
JOB NO.: 05-484

BAR IS ONE INCH ON ORIGINAL DRAWING. ADJUST SCALES FOR REDUCED PLOTS
0 1"

C2 | 2 OF 3

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ZONE 1. LOWEST RIPARIAN ZONE– 0 TO 3.5 FEET

Scientific Name	Common Name	Application	Country Type	Planting Notes	Density
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

ZONE 2. 3.5 TO 5.5 FEET INUNDATED ONCE IN FIVE YEARS

Scientific Name	Common Name	Container Type	Country Type	Planting Notes	Density
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

ZONE 3. 5.5 TO 20 FT (BANKS/TERRACES) RARELY INUNDATED

Scientific Name	Common Name	Container Type	Country Type	Planting Notes	Density
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

ZONE 4. 20 TO 30 FT (TOP OF BANK) NOT INUNDATED

Scientific Name	Common Name	Container Type	Country Type	Planting Notes	Density
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

SEED MIX 1– LOWER BANKS AND CHANNEL, ZONES 1 AND 2

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

SEED MIX 2– UPPER BANKS AND CHANNEL, ZONES 3 AND 4

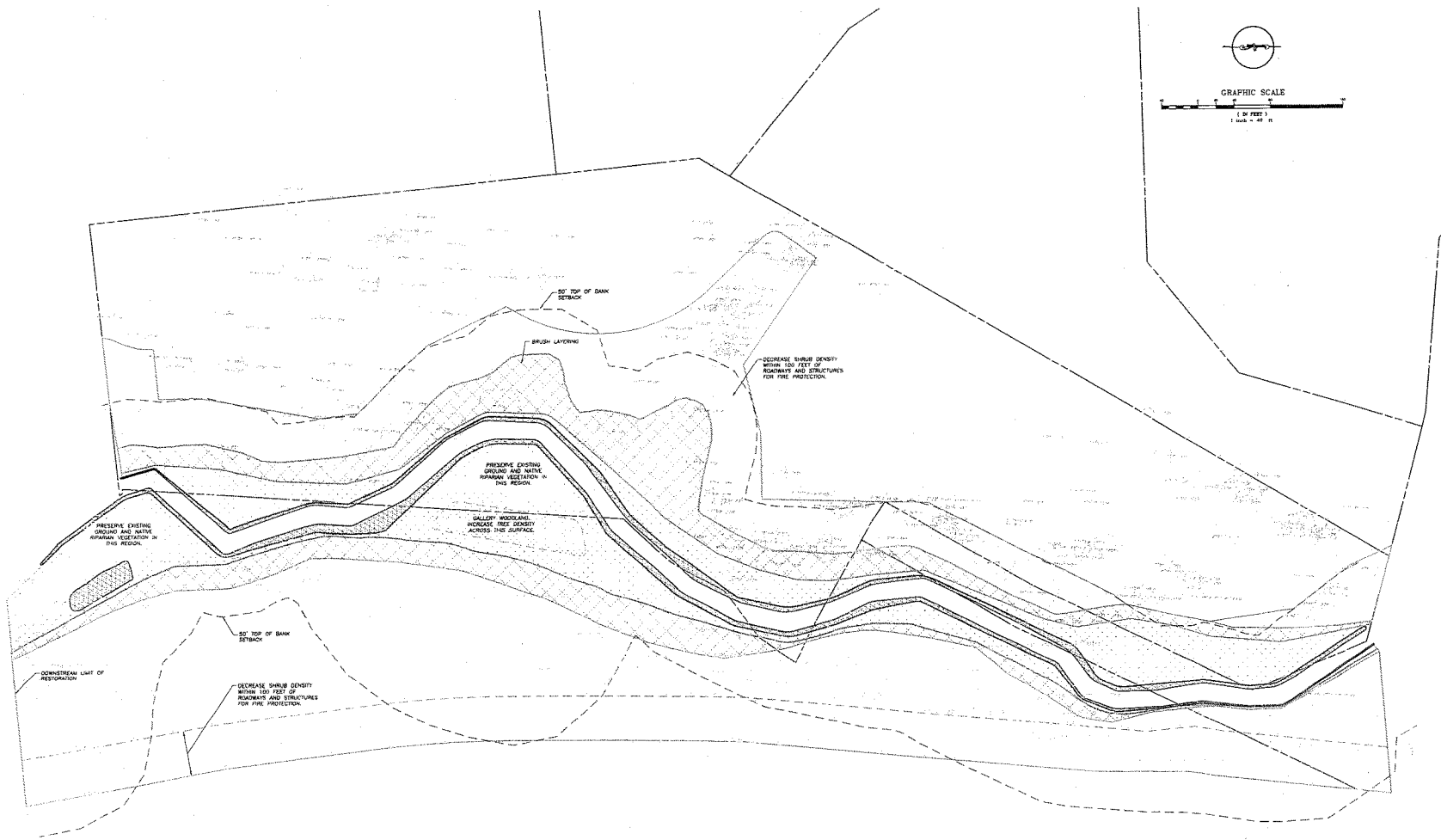
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

NOTES:

1. THE OBJECTIVE OF THIS PLAN IS TO ESTABLISH NATIVE RIPARIAN VEGETATION FOR THE PURPOSE OF ENHANCING WILDLIFE HABITAT, REDUCING EROSION AND IMPROVING WATER QUALITY.
2. IT IS EXPECTED THAT TEMPORARY DRIP IRRIGATION SHALL BE REQUIRED FOR THE FIRST FIVE YEARS TO INITIATE PLANT GROWTH AND ASSIST PLANT COMMUNITIES TO BECOME ESTABLISHED.
3. EACH PLANTING ZONE CONTAINS SPECIES THAT MAY OVERLAP BETWEEN THE DIFFERENT SOIL MOISTURE ZONES TO IMPROVE ZONE RESILIENCE TO UNUSUALLY DRY OR WET YEARS.
4. BIODEGRADABLE EROSION CONTROL FABRICS SHALL BE USED IN CONJUNCTION WITH COIR ROLLS AND VEGETATIVE ELEMENTS TO PROTECT THE CHANNEL AND BANKS FROM EROSION DURING THE PLANT ESTABLISHMENT PERIOD.
5. THIS PLANTING PLAN SHALL BE COMPLIMENTED BY A DETAILED LANDSCAPING PLAN THAT DESIGNATES INDIVIDUAL TREE LOCATIONS.
6. ZONE 4 TREATMENT INCLUDES:
   A. NO GRADING ACTIVITY;
   B. REMOVAL OF NON-NATIVE VEGETATION (POSSIBLY EXCEPTING PALMS);
   C. AND SUPPLEMENTAL NATIVE VEGETATION PLANTINGS.
7. REMOVE ALL ARUNDO, PER SHEET C1.

LEGEND

- ZONE 1– LOWEST RIPARIAN ZONE
- ZONE 2– INUNDATED APPROXIMATELY ONCE IN TWO TO FIVE YEARS
- ZONE 3– RARELY INUNDATED
- ZONE 4– NOT INUNDATED, DENSITY PER ZONE TABLE
- ZONE 4– NOT INUNDATED, REDUCED DENSITY
- EXISTING RIPARIAN VEGETATION PRESERVATION ZONE
- EXISTING TREE



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DRAFT

REV | DATE | DESCRIPTION | BY

PEAK
LAS POSITAS PARTNERS

REVEGETATION PLAN

ARROYO BURRO CREEK RESTORATION PROJECT

DESIGNED BY:
DRAWN BY:
CHECKED BY:
DATE: 06/26/06
JOB NO.: 05-464

BAR IS ONE INCH ON ORIGINAL DRAWING. ADJUST SCALES FOR REDUCED PLOTS
0 1"

C3 | 3 OF 3

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City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: November 23, 2005

AGENDA DATE: December 1, 2005

PROJECT ADDRESS: 900-100 Las Positas Road (MST99-00608)
Veronica Meadows Specific Plan

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Jan Hubbell, AICP, Senior Planner JMH
Renee Brooke, AICP, Redevelopment Specialist RB by JMH

I. PROJECT DESCRIPTION

The Veronica Meadows Specific Plan (hereinafter referred to as "the project") involves the annexation of approximately 50.5 acres from an unincorporated portion of Santa Barbara County to the City, and a 29-lot subdivision. Approximately 35.7 acres would be dedicated open space and 14.8 acres would be developed for residential uses, a public road, and public passive recreation and open space. Twenty-three residential lots would be created, ranging in size from approximately 5,520 to 11,373 square feet. The remaining six lots would be comprised of common open space areas and public roads. The project would include seven house plans, all of which would be two-stories in height, and range in size from 1,800 to 4,500 square feet of living area. Each lot would also contain a 500 square-foot garage. A comprehensive creek stabilization and restoration plan for approximately 1,800 linear feet of Arroyo Burro Creek is also proposed as part of the project.

Site access to all but two lots would be provided via a proposed concrete bridge over Arroyo Burro Creek that would intersect with Las Positas Road. A public loop road on the west side of the creek would serve 17 of the homes; a private drive off of the public road would provide access to four home sites. The remaining two homes would be accessed from the end of Alan Road. A public pedestrian path is proposed along the western edge of the creek to provide access from the end of Alan Road to Las Positas Road.

II. REQUIRED APPLICATIONS

The required discretionary actions for this project are as follows:

Actions requiring a recommendation to the City Council by the Planning Commission:

1. Annexation of the subject parcels to the City of Santa Barbara;
2. Adoption of Specific Plan (SP-9) – Veronica Meadows Specific Plan;
3. General Plan Amendment, upon annexation, to add the subject parcels to the City's General Plan Map. APNs 047-010-016, 047-061-026, and the 4.49-acre portion of 047-010-053 would have a

General Plan Land Use Designation of Residential, Two Dwelling Units per Acre; APN 047-010-011 would be designated Major Hillside, Open Space, Buffer/Stream, and Pedestrian/Equestrian Trail;

4. Zoning Map Amendment, upon annexation, to designate APNs 047-010-011, 047-010-016, 047-061-026 and the 4.49-acre portion of 047-010-053 as SP-9, Veronica Meadows Specific Plan. Any portion of the involved properties located within the Coastal Zone would also be designated as SD-3, Coastal Overlay Zone;
5. Hillside Design District Map Amendment, upon annexation, to add the subject parcels to the Hillside Design District (SBMC §22.68.110); and
6. Local Coastal Plan Amendment, upon annexation, to add the portion of APN 047-010-016 located within the Coastal Zone boundary to the City's Local Coastal Plan.
7. Certification of the Final EIR for the Veronica Meadows Specific Plan;

Actions by the Planning Commission, contingent upon completion of the actions listed above:

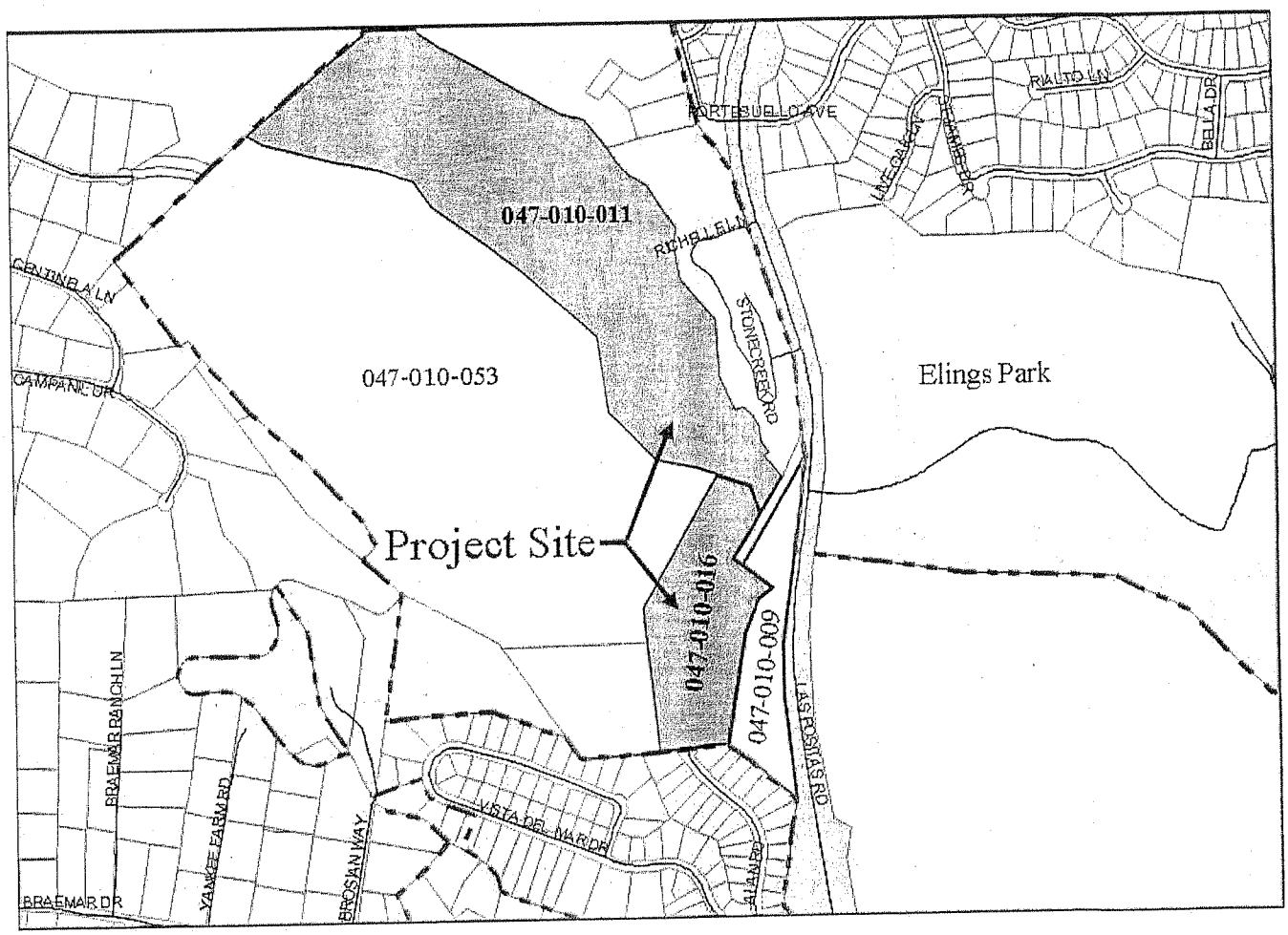
8. Approval of a Coastal Development Permit for the subdivision and development (residences, roads, creek restoration, landscaping, grading, etc.) of the portion of the project within the Appealable and Non-Appealable jurisdictions of the Coastal Zone (SBMC §28.45.009);
9. Approval of a Lot Line Adjustment to remove a 4.49-acre portion from APN 047-010-053 and attach it to APN 047-010-016 (Gov. Code §66412);
10. Approval of a Waiver of the requirement that newly created lots front upon a public street, to allow proposed Lots 3, 4, 5, and 6 to be served by a private driveway (SBMC §22.60.300);
11. A Finding of Neighborhood Preservation Ordinance Compliance because the project requires an EIR and to allow grading in excess of 500 cubic yards outside of a main building footprint within the Hillside Design District (SBMC §22.68.070); and
12. Approval of a Tentative Subdivision Map to divide one parcel into 29 lots, including a finding of consistency with proposed Specific Plan #9. Twenty-three lots would be developed with single-family homes, four would be common open space lots, and two would be dedicated as public road areas (SBMC Chapter 27.07).

III. RECOMMENDATION

Staff believes that the annexation of the subject parcels is appropriate to ensure logical and consistent land use planning, efficient public services, and orderly development in the Las Positas Valley, and that the proposed overall density is appropriate for the site.

Staff's previous concerns regarding the determination of top of creek bank and associated creek setback have been resolved through revisions to the project and further development of the proposed creek stabilization and restoration plan. Staff also expressed concern with the location of Lot 7 in the original project proposal due to its close proximity to the historic oak grove and the limited area for development as it was located in a "pinch point" area between the creek to the east and steep slopes to the west. The Applicant has eliminated this lot from the current project proposal, creating additional open space in the center of the site.

Given these changes to the proposal and the fact that all other aspects of the project remain supportable, Staff recommends that the Planning Commission make the required findings in Section VIII of this report to certify the Final Environmental Impact Report, and recommend that the City Council annex the subject properties to the City of Santa Barbara, adopt Specific Plan 9, make the necessary General Plan Map, Zoning Ordinance and Map, and Hillside Design District Map Amendments, and amend the Local Coastal Plan. Staff recommends that the Planning Commission find that the proposed project conforms to the City's Zoning and Building Ordinances and policies of the Coastal Act, General Plan and Local Coastal Plan (LCP), subject to the proposed Conditions of Approval contained in Exhibit A, with all Commission actions contingent upon the City Council's approval of the legislative actions.



Vicinity Map

IV. REVISIONS TO THE PROJECT

The project has been revised since the last Planning Commission hearing on July 21, 2005. Since then, Staff has met several times with the Applicant team to discuss and further clarify the proposed creek

restoration and stabilization work, and to discuss revisions to the site plan. As a result of the discussion at the July 2005 hearing, the project has been revised in the following ways:

- Lot 7 (near the middle of the site) has been eliminated, resulting in a total of 23 proposed residential lots.
- The Applicant has applied the top of creek bank determined by the EIR, which is a more ecologically conservative delineation. Creek setbacks shown on the plans (50' and 100') are taken from either this top of bank delineation or the resulting top of creek bank after the bank stabilization work is complete, whichever is more protective.
- Lots 1 through 6 and the private road have been moved approximately 20 to 65 feet to the west, and lots 8 through 11 and a portion of the public loop road have been moved approximately 15 to 35 feet to the west. This results in a larger creek buffer, and a site plan layout similar to what is presented in Figure 4-5 of the EIR.
- Two small bridges have been added to the public loop road to allow the small tributary located near the center of the development site to flow continuously in an open channel, from Campanil Hill to Arroyo Burro Creek. Additionally, a riparian habitat enhancement plan has been proposed for this tributary area (Lot 24).
- The creek restoration and stabilization plan has been further developed with additional input from Staff.

Additionally, since the last PC hearing, the 5.9-acre City-owned parcel has been incorporated into the State Route 225 relinquishment and annexation project. That parcel, which was originally proposed to be annexed to the City as part of this project, will proceed as part of the SR 225 project instead.

V. SITE INFORMATION AND PROJECT STATISTICS

SITE INFORMATION

Applicant/Property Owner: Peak-Las Positas Partners	
Existing Use: Vacant Land, Creek	Topography: Varies – Nearly flat to in excess of 30%
Adjacent Land Uses: North – Open Space/Creek/Residential South – Residential	East – Creek/Public Park/Open Space West – Residential

PROJECT STATISTICS

Lot #	Proposed Lot Area (square feet)	Approximate House Size (square feet)	Approximate Number of Bedrooms / Bathrooms
1	9,443	2,400	3 / 2.5
2	8,606	2,000	2 / 2.5
3	7,739	1,800	2 / 2.5
4	6,777	2,500	3 / 2.5
5	8,992	4,500	5 / 3.5
6	10,140	3,200	3 / 2.5
7	8,979	3,500	3 / 2.5
8	7,910	3,200	3 / 3.5
9	7,801	3,200	3 / 3.5
10	7,094	4,000	4 / 3.5
11	11,373	4,000	4 / 3.5
12	5,690	1,800	2 / 2.5
13	6,656	2,500	3 / 2.5
14	8,024	4,000	4 / 3.5
15	6,965	3,200	3 / 3.5
16	7,092	3,500	3 / 3.5
17	6,946	4,000	4 / 3.5
18	5,520	3,200	3 / 3.5
19	6,306	3,200	3 / 3.5
20	9,391	4,000	4 / 3.5
21	7,612	3,500	3 / 3.5
22	7,456	3,200	3 / 3.5
23	8,016	4,000	4 / 3.5
24	45,510	N/A	N/A
25	27,982	N/A	N/A
26	114,785	N/A	N/A
27	191,628	N/A	N/A
28 (road)	2,954	N/A	N/A
29 (road)	82,551	N/A	N/A

VI. APPLICATION/PROJECT REVIEW PROCESS

Residential development of the 10-acre site has been considered and reviewed by the City since 1993 when the subject property was initiated for annexation. The current property owner purchased the property in 1999 and submitted an application for development of 36 residential lots in late 1999. In February 2000, the Planning Commission held a concept review of the proposal and initiated annexation of the 4.49-acre portion of the adjacent parcel to the west. Further, the property owner

chose to include the adjacent 35-acre parcel as part of the project, designating it for open space purposes only.

In May 2002, Staff advised the applicant that the 30-lot residential subdivision proposed at that time was inconsistent with City policies and, instead of beginning environmental review, Staff would proceed to the Planning Commission with a recommendation for denial of the project. In response, the applicant chose to revise the development proposal and continued to work with Staff towards an improved development. Numerous concept reviews by both the Architectural Board of Review and Planning Commission were held during the following year to discuss the appropriate site design and intensity of development for this property. A summary of these concept reviews, as well as reviews by other City advisory bodies, are provided below.

A. Planning Commission (PC) Work Sessions

Three work sessions regarding the project were held by the PC to provide early comments and guidance to the applicant and Staff regarding the general direction of the project, including site design, neighborhood compatibility and potential environmental issues (minutes of these work sessions are attached as Exhibit E).

On February 3, 2000, the Planning Commission initiated the annexation of the 4.5-acre parcel and requested that a full range of pre-zoning and General Plan designations for the 15-acre area be studied in conjunction with site constraints and compatibility with surrounding neighborhoods. In reviewing a proposal for 36 single-family residential units on the 15-acre development site, the PC offered extensive direction to Staff and the applicant. The PC felt that the density of the project was too great and should be defined by environmental constraints, the units should be clustered and more open space should be provided, and the project should be compatible with the density and floor-to-area ratio of the surrounding neighborhood. The Commission asked that the development avoid steep slopes and that grading on the hillside be minimized. Vehicular access through Alan Road was discouraged, and the PC also expressed concern that the proposed bridge would cross City park land. Pedestrian access to Alan Road was supported through a meandering pedestrian path along the creek. The PC also stated that hard structures should not be placed in the creek.

On February 20, 2003, a joint PC and Architectural Board of Review (ABR) concept review of a proposed project design was held to provide the applicant feedback and direction regarding the overall scope of the project, size, bulk, scale, architectural and height, as well as neighborhood compatibility issues. At that time, the proposal included 20 single-family homes, two duplex buildings, and one four-plex building, for a total of 28 dwelling units. Six of the proposed units took access from the end of Alan Road. The PC and ABR offered the following comments:

- **Density.** Different opinions were expressed with respect to the proposed density. Some thought the development was too dense and that higher density should be focused in the City's urban core, but others stated that most of the area to be developed is presently zoned for five units per acre, and felt the density was appropriate. Stated concern with developing an area zoned at one house per 20 acres, and felt that the greatest opportunity for development is on Alan Road. A preference for fewer, possibly larger, more expensive homes, was also expressed. Some felt that one or two duplex units would allow for more green space, but others were opposed to the idea of a duplex or four-plex in this rural setting.

- **Access.** Different opinions were also expressed about the possible extension of Alan Road. Some members thought extending Alan Road with four or five units that matched the style of the existing houses would serve as a nice connection between the older neighborhood, and would provide more passive open green space. While recognizing the strong neighborhood opposition to an extension of Alan Road, members felt that Alan Road is wide enough and provides enough off-street parking that adding three to six houses at end of the road would not be a significant impact. Others requested that the project be sensitive to the Alan Road residents.

- **Site Design and Architecture.** Members suggested further study of the road design and felt the road west of the bridge should meander more significantly to the north to help slow traffic and mitigate the aesthetic impact of the row of houses. Many thought that combining driveways would significantly reduce the amount of paving and increase the amount of open space. They complimented the porches, ribbon drives, and stately architecture. Most comments supported the proposed craftsman style architecture, but some felt that craftsman style homes, which have traditionally been built in flat areas, may not be suitable on a slope, and supported a more rural, ranch type style.

- **Creek Setback.** Many members thought the 100-foot creek setback should be observed and would not support anything built within the 100-foot creek setback. They also felt that any impacts to the creek from the pedestrian path would need to be mitigated.

- **Trees and Water Quality.** Some members suggested leaving the large grove of mature eucalyptus trees, because they are the result of an existing bioswale and microclimate and would eliminate the need for creating a new bioswale. Many cited the importance of the creek, water quality, site runoff, and the bioswale.

- **Affordable Housing.** Most felt this location was unsuitable for affordable housing because of the lack of stores, banks, or theaters within walking distance, and would prefer to have more open space and trails than affordable units. Others thought that one or more affordable units would be appropriate.

- **Pedestrian and Bicycle Circulation.** Most felt that sidewalks should be provided on both sides of the bridge and that pedestrian and bicycle access should be provided along the south side of the public road, away from the houses, if possible. Members liked the multi-use pathway connecting the neighborhoods and thought the bridge to be a key element. Commissioners expressed the desire to have the path meander close to the creek.

- **Neighborhood Market.** Some felt that pedestrian access to neighborhood amenities, such as a market, should be considered, but others stated there is no suitable location for a neighborhood market.

On March 6, 2003, the Planning Commission held a work session to discuss a proposal for 24 single family residences. The Commission stated the following:

- **Trees.** The majority of the PC was comfortable with the removal of eucalyptus trees and replacement with trees that are appropriate to the site, based on the information they had at that time.

- **Creek Setback.** They could be flexible with the creek setback (i.e., access, path); the one unit on Alan Road in the 100-foot setback was acceptable.
- **Site Plan.** Commissioners liked the new site plan, the meandering loop road, and thought the proposed architecture was appropriate for this development. They also liked the clustering of several areas: the two homes at the end of Alan Road, the five homes on the private driveway, and the cluster of homes around the loop road, but asked the applicant to study combining some driveways to simplify the plan.
- **Bridge.** They found the bridge location acceptable and believed it should have two minimum width lanes, two sidewalks, and should be as beautiful as possible.
- **Housing.** The PC suggested that this project have a mix of unit types and sizes. Some also felt that affordability should be kept as an aspect of this project, with the possibility of an inclusionary requirement, before the project is approved.. Some felt that duplexes are more appropriate to this development than four-plex buildings and suggested that Unit #7 was a proper location for a duplex.
- **Pedestrian Circulation.** Commissioners thought the sidewalks should be aesthetically appropriate to this rural type of development and trail access should be provided in several different places around the site.
- **City Parkland.** They expressed that the trade-off of using City parkland for the bridge in exchange for the open space and public trail appeared to be acceptable.
- **Open Space.** One Commissioner had reservations about converting five acres of dedicated open space to an urban use.

On July 21, 2005, the Planning Commission considered the proposed project with 24 residential lots, along with the Final EIR for the project (See Exhibit J). At the conclusion of that hearing, the Commission continued the project indefinitely and requested that the applicant:

- Study EIR alternative 4.4, which would use the adjusted top of bank, relocating all roads and structures outside the 100-foot setback from the top of bank, including loss of residential Lot 7 adjacent to the historic oak grove, along with other residential lots.
- Provide a more detailed plan for creek restoration, including showing how the restoration would affect the City-owned parcel to the east of the project.
- Keep the proposed bridge over Arroyo Burro Creek at 31 feet in width rather than narrowing the bridge.

It should be noted that the revised proposal is more consistent with EIR Alternative 4.5, in that some of the roadway continues to be within the setback and only residential Lot 7 is removed from the plan. However, as discussed later, there are other improvements that result in a project that can also be considered an environmentally superior alternative.

B. ARCHITECTURAL BOARD OF REVIEW (ABR)

The ABR reviewed this project on two occasions over the last five years, in addition to the joint concept review with the Planning Commission, discussed above.

On September 5, 2000, the ABR conceptually reviewed a proposal for 27 single family homes, all accessed from Las Positas Road, and provided many comments. The Board felt that a rural concept for this project site is desirable. The ABR also expressed that the mass, bulk, and scale should be reduced to allow for more outdoor useable living spaces, the architectural style of the homes should be limited in number and simplified, and that a maximum house size should be specified as part of the CC & Rs for the development. The ABR stated that the existing grade should drive the house design and the homes should be unique to the site on which they are located. They asked the Applicant to restudy the driveway design and placement of garages, and suggested the use of permeable materials and stated that they prefer some detached garages. They also asked that "real" porches be used on the street elevation of the homes. The ABR encouraged pedestrian interaction between this development and the two adjoining neighborhoods (Alan Road and Stone Creek Condominiums) and meandering roads that are varied in width to accommodate on-street parking. The Board stated that the project should be a model for riparian development and that the separation and maintenance of private and public open areas should be addressed. The Board supported the perimeter road design, as it would provide additional protection from fire and geologic hazards. The ABR also stated that bioswales are preferred to underground pipes for drainage purposes. Preservation of oak and palm trees is a higher priority than preservation of the eucalyptus trees. They also stated that fences should be used minimally.

On September 25, 2000, the ABR applauded the Applicant for addressing their previous comments. They felt the open space traversing through the site was commendable. The majority of the Board was supportive of the sidewalk plan, as it lent itself to the rural setting, but asked that the road system within the development connect to Alan Road for pedestrian and bicycle use. The ABR asked the Planning Commission to consider the placement and amount of fencing within the development, and felt the drainage features under the roads should be augmented for animal access. They again asked the applicant to study the use of detached garages in some lots.

C. HISTORIC LANDMARKS COMMISSION

On January 5, 2000, the HLC accepted the Phase I Archaeology Report prepared by Mary Maki, and accepted the Phase I Historic Structures Report with the following conditions: 1) The Phase II Report shall address the previously existing landscape elements and other circulation paths that may have existed with the Veronica Springs Medicinal Water Company; 2) Photo documentation shall be used in various phases to allow designers to look at some of these materials for vernacular elements; 3) The site shall be made a landmark, and; 4) The development and design shall reflect the historical use of the site in the mitigation measures.

On August 15, 2001, the Commission accepted the Phase II Historic Structures Report as submitted. The report indicated that little remains today of the original road circulation system of the Veronica Meadows Medicinal Water Company. Only one small remnant of what may have been the row of oak and acacia trees along the original road remains near the center of the site. Mitigation Measure CR-2 requires these trees to be retained. In addition, a gazebo structure, similar to one that was seen in old photographs of the site, is required to be built along the pedestrian trail, along with interpretive signage

(Mitigation Measures CR-3 and CR-4). Staff has proposed conditions of approval incorporating these mitigation measures.

D. CREEKS ADVISORY COMMITTEE

On February 2, 2005, the Park and Recreation Commission and Creeks Advisory Committee (CAC) held a joint meeting to receive presentations from Staff and the Applicant on the project, receive public comment, and ask questions about the proposal. In order to provide sufficient time to complete the discussion and to receive comments and recommendations from the two bodies, the meeting was continued to each of the advisory body's subsequent meetings.

At their regular meeting on February 9, 2005, the Creeks Advisory Committee was asked to comment on the following aspects of the project: 1) creek setback; 2) creek bank erosion; 3) riparian vegetation; 4) site drainage and runoff; 5) bridge construction; 6) creek restoration; 7) recreation, access, and trails, and; 8) the EIR, proposed mitigation measures, and suggested alternatives. The minutes of that meeting, including detailed comments and recommendations on the project, are provided as Exhibit G. In summary, the CAC recommended the following:

- The bridge should be removed from the project because of adverse impacts to the creek and interference with the restoration project planned by the Creeks Division.
- The creek setback should be 100 feet, as delineated in Figure 4-4 of the FEIR. The setback should not contain permanent structures or roads, but could include a pedestrian or bicycle path and small constructed wetlands or bioswales that are appropriately designed for treatment of stormwater runoff and sediment loading.
- Drainage throughout the site should be decentralized to direct stormwater to numerous percolation basins and bioswales and allowed to overland flow and percolate to the creek. Pervious paving should be used for driveways, sidewalks, and roads, to the extent allowable by the Fire Department and Building & Safety Division.
- The tributary flowing from Campanil Hill through the site should remain open and have an appropriate buffer.
- Public access should be provided within the riparian buffer.

E. PARK AND RECREATION COMMISSION

On February 23, 2005, the Park and Recreation Commission was asked to comment on the following: 1) whether the project would be compatible with public recreation needs, as envisioned for the City-owned parcel, and; 2) whether the proposed construction of the bridge is compatible with, or an accessory to, the park purposes of the City. The Commission made several recommendations to the Planning Commission and City Council (minutes are attached at Exhibit H):

- The proposed bridge should remain in the project as proposed, subject to modifications or changes made by the Planning Commission.
- The creek setback should be determined by the Planning Commission based upon the three options presented in the Figures 4-3, 4-4, and 4-5 of the FEIR, or some modification the PC may find proper and fitting.

- The Commission concurs with the Creeks Advisory Committee's recommendations regarding drainage and public access in the riparian buffer.
- The Applicant should meet with the appropriate agency to clarify and determine the proposed restoration plan and submit those findings back to the Commission for review.
- A detailed agreement regarding maintenance standards and ongoing funding of the restoration plan should be submitted.
- The trail should feel like it is a parkway, so it is friendly to the community.

F. TRANSPORTATION AND CIRCULATION COMMITTEE

The Transportation and Circulation Committee (TCC) is responsible for advising the City Council regarding street abandonments or projects that involve major changes or additions to the City's street network. On March 24, 2005, the TCC was asked to provide comments and recommendations on the proposed bridge and overall circulation of the project as it relates to the larger Las Positas Valley. The TCC recommended that the Planning Commission support a bridge from Las Positas Road to the Veronica Meadows site, as it is consistent with the policies of the Circulation Element. They did, however, offer the following conditions: 1) the width of the bridge is to remain as identified in the proposal with inclusion of the two vehicle lanes, and; 2) a signal light is to be included at the new intersection as soon as feasible.

ENVIRONMENTAL REVIEW PROCESS

A. CEQA BACKGROUND

As required under the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) has been prepared to evaluate physical environmental effects resulting from the project and proposed Specific Plan. The EIR provides an evaluation of both temporary construction-related impacts and long-term impacts from project operations.

An EIR is intended by CEQA to be an informational document that is considered in conjunction with other planning documents and project analysis as part of the overall permitting process. The CEQA environmental review process has two overall purposes: first, to disclose environmental impacts so that the public and decision-makers consider the environmental consequences of a project before it is approved, and second, to avoid or reduce significant environmental effects to the extent feasible. Feasibility is defined in CEQA and the CEQA Guidelines as meaning *"capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."* Mitigation measures applied to a project to reduce environmental impacts must also meet the constitutional tests of nexus and reasonable proportionality to project impacts. The EIR and staff analysis provide an identification of feasible measures, with decision-makers determining final feasibility.

An EIR analysis is not required to be exhaustive, and is based on reasonably available information. Conclusions about the significance of environmental impacts use City guidelines and practices and need to be based on substantial evidence within the entire record. Substantial evidence is defined in CEQA and the CEQA Guidelines to mean enough relevant information and reasonable inferences from this information to support a conclusion, even though other conclusions might also be reached. *"Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or*

inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." Because the analysis involves predicting future effects, an EIR necessarily only provides a best estimate of environmental impacts based on numerous assumptions. Where there are disagreements among experts over the significance of impacts, it is not required that an EIR resolve these differences but only summarize them. As noted in the CEQA Guidelines Section 15151, "*...the courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*"

B. EIR PROCESS

Staff deemed the current project proposal complete on July 25, 2003, and began the environmental review process. Through preparation of an Initial Study, Staff determined that an EIR would be required to fully evaluate the potential environmental impacts of the project. A Notice of Preparation (NOP) of an EIR was issued for 30-day agency and public review, and an environmental scoping hearing was held by the Planning Commission on October 16, 2003, to assist in refining the EIR scope of analysis. The City contracted with an environmental consulting firm, URS Corporation, to prepare the EIR.

On September 22, 2004, a Notice of Availability was issued, announcing that the Draft EIR was available to the public and agencies for review and comment. A 45-day public review period was provided to receive comments, ending on November 5, 2004. A total of 33 letters of comment from public agencies, community organizations, and the general public were received. On October 21, 2004, the Planning Commission conducted an environmental hearing on the Draft EIR to receive comments on the document. Copies of written letters received within the comment period, and verbal comments received at the environmental hearing from 13 individuals and community groups, are presented in Appendix D of the Final EIR (FEIR).

A proposed Final EIR has been prepared (Exhibit K) with consideration of comments received on the Draft EIR. Appendices E and F of the FEIR include written responses to comments and, as appropriate, changes to the text of the EIR were also made.

C. EIR UPDATE

Since the July 21, 2005 Planning Commission hearing, the project site layout has been slightly revised and additional information about the proposal has been provided to Staff. This information was evaluated against the environmental analysis for the original project proposal to determine whether this updated information would change the impact level of previously analyzed issues or create any new adverse impacts.

The proposed modified site layout, which provides a larger creek setback, would increase the protection of riparian habitat and water quality from the adjacent land development. It would also increase the acreage of protected riparian habitat area between the roads to the east and west and the top of creek bank. As such, indirect impacts of the land development on riparian habitat and water quality would be reduced by the larger creek setback, and the additional habitat area would result in a greater beneficial ecological impact to the riparian corridor compared to the originally proposed project. Additionally, the further refined creek stabilization and restoration plan would offset major direct and indirect impacts of the proposed development on riparian habitat. The additional

information on the restoration plan is consistent with that envisioned in the EIR, and provides a greater level of confidence that the restoration can be successfully implemented and achieve the goals of reducing impacts of the project, enhancing the riparian corridor, and restoring the creek habitat and water quality.

The small tributary incorporated into Lot 24, which has been changed to flow under the public loop road and provide a direct connection to Arroyo Burro Creek, also eliminates the storm drain that was previously proposed at the end of this drainage feature. These modifications would reduce impacts of the development on riparian habitat, water quality, and wildlife movement.

Overall, staff makes the following conclusions with respect to the revised site layout and additional information:

- There is no new information on the project or modifications to the project that intensify previously identified impacts, or creates a new significant impact.
- Several project modifications reduce impacts of the project, create new beneficial ecological impacts, and increase probability of creek restoration success.
- The additional information on the creek restoration has begun to address technical design issues identified in EIR mitigation measures.
- The modified site layout represents a variation of the Increased Setback in Selected Locations Alternative with slightly greater setback distances than included in the EIR version of this alternative. The current project proposal may be considered the environmentally superior alternative.

D. SUMMARY OF IMPACTS AND MITIGATION

The FEIR identified environmental impacts of the proposed project using four classifications: Significant and Unmitigable (or Unavoidable) Impacts, Significant but Mitigable Impacts, Less than Significant Impacts, and Beneficial Impacts.

1. Significant, Unavoidable Impacts

The FEIR determined that the proposed project would result in significant unavoidable long-term impacts to biological resources and traffic, and short-term construction noise impacts. No feasible mitigation measures or alternatives have been identified to fully avoid these impacts while still meeting the project objectives. Therefore, in order to approve the project as proposed, the Planning Commission would need to make a Statement of Overriding Considerations through consideration of the following, per CEQA Guidelines §15093:

> *(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."*
>
> *(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the*

agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

A brief discussion of these impacts and available mitigation measures is provided below. Mitigation measures have been included as proposed conditions of approval (Exhibit A). For more details related to the EIR analysis and mitigation measures, please refer to the Final EIR and the Findings section of this report (Section VII).

The Response to Comment document (Appendix F) contains Topical Responses intended to address recurring comments received as part of the public review of the Draft EIR and Planning Commission Draft EIR hearing. Three Topical Responses have been included to provide additional discussion and analysis on issue areas related to Use of Alan Road as the Access to the Project Site, Environmental Impacts of the Proposed Bridge, and Grading on 30 Percent Slopes.

Habitat Impacts of New Bridge. The construction of the bridge over Arroyo Burro Creek would permanently remove native and non-native riparian habitat at the location of the abutments, and would require removal of a large oak tree and a sycamore tree. Tall dense riparian woodland would not develop at this location with the bridge in place. The change in habitat could affect wildlife movement if there is a complete gap in vegetation cover at the bridge. In addition, wildlife movement would be hindered by the presence of the bridge abutments. In light of the narrow riparian corridor at this location and the close proximity of other human disturbances that affect wildlife, the overall impact of the bridge on riparian habitat and associated wildlife is considered significant and unmitigable. However, the EIR recommends mitigation measures that would reduce the magnitude of this impact, including narrowing the bridge, minimizing the area of habitat disturbance during construction and creek and habitat restoration following construction.

Contribution to Cumulative Traffic Impact on Local Intersections. The proposed project would add 5 to 21 trips to AM and/or PM peak hour trips at four local intersections. The additional trips, while small in magnitude, would contribute to a potentially significant cumulative impact from this and reasonably foreseeable future projects on the operation of these intersections. A feasible mitigation measure requiring a fair share contribution of funds for capacity improvements at these intersections has been identified in the EIR, but it would not fully mitigate the potentially significant cumulative impact.

Construction Truck Noise on Alan Road. Construction traffic and haul trucks would use Alan Road to access the site during the initial phase of the project, while the bridge over Arroyo Burro Creek is being constructed. Noise from haul trucks using Alan Road would increase the ambient noise levels in outdoor and indoor living areas of residences along the road, which would cause an annoyance to residents during construction. The number of truck trips per day is estimated to be 30 to 40 round trips. Partial mitigation measures include a maximum 15 miles per hour speed limit for large vehicles and construction timing limitations. However, even with the implementation of the mitigation measures, the temporary impact of construction truck noise would not be reduced to a less than significant level.

2. **Significant, but Mitigable Impacts**

The proposed project would also result in various significant, but mitigable impacts, which are summarized in the table below. Mitigation measures to avoid these impacts, or to reduce them to less than significant levels, are also presented below, and are described in more detail in the FEIR. Staff has proposed the inclusion of the identified mitigation measures as conditions of project approval.

Significant, but Mitigable Impacts (LT = long-term, ST = short-term)	**Mitigation Measure**
Air Quality	
Construction dust (ST)	Required dust mitigation (site watering, covered stockpiles, covered trucks, clean roads)
Biological Resources	
Loss of habitat and oak trees (LT)	Habitat restoration plan and oak tree replacement
Disturbance and possible displacement of wildlife from the creek corridor (ST, LT)	Restrictions on timing and extent of ground disturbance
	Limitations on lighting, activities, and development near creek
Cultural Resources	
Adverse effect of development on historic properties of the site	Retain cluster of oak trees, incorporate gazebo and interpretive signage, use historic street names
Drainage, Flooding, and Water Quality	
Potential hydraulic impacts and infiltration and bank seepage reduced along Arroyo Burro Creek (LT)	Additional drain outlets to creek, equally distributed
Adverse effects on Arroyo Burro Creek water quality (ST, LT)	Storm Water Pollution and Prevention Plan Convey runoff water through detention basins and bioswales
Increased bank erosion and instability along Arroyo Burro Creek (ST)	Creek corridor restoration plan
Geologic Hazards	
Liquefiable and expansive soil conditions (LT)	Geotechnical investigation; appropriate design and construction techniques
Landslide hazards (LT)	Geotechnical investigation and additional borings
High groundwater conditions (LT)	Geotechnical investigation and additional borings
Public Health and Safety	
Potential exposure to pesticides (LT)	Pesticide management plan
Potential public exposure to radon gas (LT)	Conduct study; EPA-approved construction methods
Traffic and Circulation	
Sight distances (LT)	Prune or modify trees north of project entrance
Entrance road width (LT)	Modify width for adequate clearance
One-way stop controlled intersection (LT)	Modifications to Las Positas Road; turn lanes
Degradation of pavement conditions (ST)	Document road conditions and repair, if needed

3. **Less Than Significant Impacts**

Various adverse, but less than significant, impacts would also occur due to the proposed project. These impacts are summarized in Table ES-1 of the Final EIR. They include impacts to air quality, drainage, geological hazards, noise, traffic, public services, visual resources, public health and safety, and cultural resources.

4. **Significant, Unavoidable Impacts**

The project would also result in beneficial impacts, including enhancing pedestrian and bicycle facilities in the Las Positas Valley and implementation of an ambitious creek and riparian habitat restoration plan.

VIII. DISCUSSION/ISSUES

An analysis of the project's consistency with applicable policies is included below, within each topic area. The full text of relevant policies referenced in this report is attached as Exhibit C. Final determinations about project consistency with policies are made by the decision-makers (PC and City Council).

A. LAND USE AND DENSITY

Existing policies of the Land Use Element and the Draft Las Positas Valley and Northside Pre-Annexation Study (completed in 1995, but never adopted) encourage annexation of parcels within the City's sphere of influence at the earliest convenience. The project site is located within the unincorporated area of the Las Positas Valley, between Arroyo Burro Creek and Campanil Hill. The current City/County jurisdictional boundary runs along the southern property line of the project area. The site is currently undeveloped, and access is taken from the end of Alan Road. Existing single-family development along Alan Road is located immediately south of the project site, and the Stone Creek Condominiums are located across Arroyo Burro Creek to the north.

The Draft Pre-Annexation Study designated the flatter portions of this unincorporated area for single-family residential development with a density of five dwelling units per acre, and the steeper areas for Major Hillside and Open Space uses. The zoning designation envisioned for this area in the Draft Pre-Annexation Study was E-3, One-Family Residence (7,500 square-foot minimum lot size) and 20-A-1, One-Family Residence (20-acre minimum lot size). The existing development along Alan Road is in the City and is designated E-3. The Stone Creek Condominium development, which is under County jurisdiction, is designated DR-10 (Design Residential, 10 dwelling units/acre). The proposed residential development is consistent with the General Plan land use designations of surrounding neighborhoods, which range from one to five dwelling units per acre and the uses envisioned for this area in the Draft Pre-Annexation Study.

1. Existing and Proposed Development Potential

The 50-acre Specific Plan area involves four privately-owned parcels; approximately 14.8 acres of that land is proposed for residential development. As shown in the tables below, the majority of the area proposed for development is currently designated for single-family residential development with a minimum lot size of 8,000 square feet. A 4.49-acre portion of an 86.78-acre property, which is

currently designated for one dwelling unit per 20 acres, is also proposed for residential development. While most of that large property is on steep hillsides, the portion presently proposed for annexation is a flatter area, averaging less than 20% slope. As part of the larger parcel that exceeds 30% slopes for the most part, it would make sense for this area to be zoned RR-20 (Rural Residential - 20-acre minimum lot size). However, as part of the proposed project, it is considered developable in the same manner as the rest of the proposed project area. The remaining 35.71-acre property, which has an existing designation of one dwelling unit per 20 acres, would be dedicated open space as part of the project.

Parcel Number	Size (ac.)	Existing County Land Use Designation	Proposed City Land Use Designation
047-010-016	10.28	Residential, 4.6 units/acre & Public or Private Open Space (for Arroyo Burro Creek)	Residential, 2 units/acre
047-010-053	4.49	Residential Ranchette, 1 unit/20 acres	Residential, 2 units/acre
	82.29	Residential Ranchette, 1 unit/20 acres	Not to be annexed
047-061-026	0.04	N/A	Residential, 2 units/acre
047-010-011	35.71	Residential Ranchette, 1 unit/20 acres	Major Hillside, Open Space, Stream/Buffer & Pedestrian/ Equestrian Trail

Parcel Number	Size (ac.)	Existing County Zoning	Proposed City Zoning
047-010-016	10.28	8-R-1, Single-Family Residential (8,000 sq. ft. minimum lot size)	SP-9, Specific Plan/SD-3, Coastal Overlay Zone
047-010-053	4.49	RR-20, Rural Residential (20 acre minimum lot size)	SP-9, Specific Plan
	82.29	RR-20, Rural Residential (20 acre minimum lot size)	Not to be annexed
047-061-026	0.04	N/A	SP-9, Specific Plan/SD-3, Coastal Overlay Zone
047-010-011	35.71	RR-20, Rural Residential (20 acre minimum lot size)	SP-9, Specific Plan

The Alternatives section of the FEIR (Section 4.0) provides a comparison of the development potential of the property under existing conditions (No Annexation Alternative) and the proposed development. The FEIR states that the 14.8-acre area proposed for development could potentially accommodate up to 32 dwelling units under the current County zoning designation, assuming that the setback from the creek would be the same as the proposed project. The proposed Specific Plan includes 23 dwelling units within the same area, for a density of 1.6 dwelling units per acre (gross lot area). Thus, the current County designations could potentially allow for more development on the site than what is proposed. Staff does, however, recognize that the County could reach similar conclusions regarding on-site constraints and consider a development similar in size to that being considered by the City.

2. Proposed Specific Plan

The Government Code Article 8 allows the preparation of a specific plan for any area covered by the City's General Plan in order to establish systematic methods for implementing the General Plan. The Government Code also states that a specific plan must include standards under which development may proceed, implementation measures, and infrastructure needed to support the land uses described in the plan. The primary effect of a specific plan is the establishment of a detailed plan for development of a specific area of the City. Conventional zoning standards are replaced with detailed development standards that best meet the needs of the area within the specific plan boundaries. As a result, any development within the specific plan area must be consistent with the adopted specific plan.

The Specific Plan proposed for the 50-acre site would replace the existing County Zoning designations of 8-R-1 and RR-20, and provide customized allowable land uses and specify development standards for the residential development, including building heights, setbacks, review procedures, etc (Exhibit D). The Specific Plan area would include two separate areas (Areas A and B) as follows (an Area Map is included in Exhibit D):

- Area A would encompass the 14.81-acre area composed of the existing 10.28-acre property (APN 047-010-016), the 0.04-acre property (APN 047-061-026), and the 4.49-acre portion of APN 047-010-053. This area would be designated for residential development.
- Area B would include the 35.77-acre parcel (APN 047-010-011) and would be designated for open space use.

3. Staff Recommendation

Staff recommends that the Specific Plan proposed for the project be adopted. Proposed SP-9 provides a list of permitted uses and design and development standards that are consistent with the use of the area as single family residential development, in accordance with the General Plan and LCP. The Specific Plan addresses the future build out of the SP-9 Zone, striving to promote a clustered development and protecting the natural environment. The Specific Plan provides a maximum residential density of 1.6 dwelling units per gross acre in Area A, and review of future development by the ABR to ensure neighborhood compatibility. Additionally, the Tentative Subdivision Map outlines the infrastructure necessary to serve the site.

B. Proposed Bridge over Arroyo Burro Creek

The FEIR concluded that the proposed bridge would have a significant environmental impact due to the permanent displacement of native and non-native riparian habitat at the bridge crossing, loss of a large oak tree and a sycamore tree, and the possible effect on the movement of wildlife using the project site (particularly the riparian corridor) due to the gap in the vegetation, presence of concrete abutments that impinge into the creek bank area, and road connections at each end of the bridge. The FEIR concluded that the above impacts could not be fully mitigated, and that the impacts had greater magnitude than would normally be expected because the riparian corridor at the crossing is located adjacent to existing human disturbances that may degrade the riparian function, including noise and light from Las Positas Road, and human activities and pets at nearby condominiums.

Conversely, the proposed bridge is identified in the EIR as a beneficial impact to circulation, as it would enhance pedestrian and bicycle circulation throughout the Las Positas Valley and beyond.

1. General Plan Consistency

The bridge is located outside the Coastal Zone; only the southern third of the project site is located in the Coastal Zone. Therefore, this element of the project is not evaluated in terms of consistency with the Coastal Act or the LCP. General Plan policies are applicable, however, and Visual Resources Policies 1.0 and 4.0 of the Conservation Element protect creeks and their riparian environment from degradation caused by development, and encourage the preservation of trees. Evaluated solely in terms of impacts to biological resources, the substantial effect of the proposed bridge on Arroyo Burro Creek and the associated riparian corridor could be considered inconsistent with these policies.

The Circulation Element contains many policies that support the expansion and enhancement of bikeways and pedestrian systems. The proposed bridge would provide a major enhancement to the bicycle and pedestrian network in the Las Positas Valley, consistent with these policies. It would provide a connection between the Westside, Bel Air, and Hidden Valley neighborhoods, and visitors of Elings Park to Arroyo Burro Beach, via Alan Road and Cliff Drive, rather than walking or riding along Las Positas Road.

2. Staff Recommendation

Overall, it is Staff's opinion that the bridge is a supportable element of the project. The significant impacts to biological resources caused by the bridge are a serious concern and present potential inconsistencies with General Plan policies, as discussed below. However, the bridge would provide access to enhanced pedestrian and bicycle amenities throughout the Las Positas Valley and from the Westside through Elings Park to this area, and, although not required by the Fire Department, it could provide a secondary means of access to and from the project site and the Alan Road neighborhood in the event of an emergency. The EIR identified access from Alan Road as feasible from a traffic/circulation perspective. However, in 1972, the City Council adopted a Resolution restricting through vehicular access from Alan Road to Las Positas Road. While this Resolution could be superseded, and does not preclude access to the site from Alan Road, it did recognize that a secondary thoroughfare in this area is not necessary.

As presented in the FEIR, the impacts of the bridge are unavoidable, but they can be significantly reduced through the aggressive creek stabilization and restoration plan proposed by the Applicant and identified mitigation measures, which have been incorporated as conditions of approval. The greater overall public benefit of the enhanced circulation system would be enjoyed by local residents and visitors. Eliminating the bridge from the project would result in a lost opportunity to provide an enhanced bicycle and pedestrian system in this area, something the City has strived to achieve for many years. In order to make this recommendation regarding the bridge, Staff believes that all feasible measures must be taken to provide maximum protection of the creek resources. These measures are discussed further in the Creek Setback section of this report.

When a project results in both significant adverse and beneficial impacts, it requires a careful weighing of those impacts to the environment and the general public. In this case, Staff believes that the beneficial aspects of the bridge on the circulation system and public safety outweigh the adverse impact to biological resources of the creek.

C. CREEK SETBACK

1. Setback Alternatives

Proposed Project. As proposed, the project would provide a minimum buffer of 100 feet between the proposed residences and the proposed top-of-bank (after creek stabilization work is completed) of Arroyo Burro Creek. The area located between Las Positas Road and the public road and private driveway within the development would be restored through the proposed creek stabilization and restoration plan. Development proposed between the new top of creek bank and the 100-foot creek setback area to the west would include: 1) a small portion of the public loop road, including some public utilities; 2) the majority of the private road, which also serves as a public bicycle path; 3) small portions of the private driveway and front yard of two proposed lots (Lots 6 and 7); 4) a five-foot wide public pedestrian path (permeable materials); 5) a 10-foot wide public bicycle path, connecting the private driveway to the pedestrian path, and; 6) drainage outfall structures.

The Applicant has proposed extensive creek restoration and stabilization measures for the approximately 1,800 linear foot reach of Arroyo Burro Creek along the length of the project site. The goal of the restoration plan is to increase channel stability, reduce erosion, improve water quality, and restore ecological value to the creek. In order to achieve this, the plan proposes to reconfigure the creek channel by excavating benches along the creek banks and stabilizing the bed and banks using native rock and vegetation.

The creek restoration and stabilization work would also include repairing areas of previous bank failure, removal of non-native, invasive plant species, and re-planting the creek corridor with native riparian plant species. Restoration would occur on both sides of the creek, including portions of the project site and a City-owned 5.9-acre parcel, located between Arroyo Burro Creek and Las Positas Road. An attempt was made to equalize excavation on both sides of the creek channel, but adjustments were made where necessary to preserve and protect native trees (especially large oak trees), to excavate benches in a manner necessary to maintain a natural appearance, to take advantage of opportunities to increase the floodplain area in low topographical areas, to provide for smooth hydraulic transitions between upstream and downstream ends of the project, and to protect Las Positas Road from future erosion. This aspect of the project would be included to the maximum extent feasible in all of the following alternatives.

Environmentally Superior Alternatives Identified in the FEIR. The Environmentally Superior Alternative discussed in the FEIR includes three different creek setback scenarios for the project. The first scenario, shown in Figure 4-3 of the FEIR, is a uniform 100-foot setback from the top of creek bank previously proposed by the Applicant, which assumes that bank erosion that occurred in 1998 would be repaired and not considered in defining the creek bank. No roads or structures would be located in the 100-foot setback. Native landscaping and a pedestrian path would occur in this buffer area, similar to the development proposed in the project. This alternative would require relocating the main public road and private drive to the west, and thus, reducing the depth of Lots 2-6 and 7-11. This alternative would result in a decrease of buildable area and could result in the loss of residential lots. Under this scenario, the private drive would traverse the base of a hill, requiring a cut slope and additional retaining wall. All other aspects of the project would remain the same.

The second scenario, shown in Figure 4-4, is a uniform 100-foot setback from an adjusted top of creek bank established during the EIR studies. Subsequent to the July 2005 Planning Commission meeting, the Applicant accepted this top of bank delineation and has applied it to the current project proposal. The adjusted top of bank was based on a topographic map and field observations, and is also more consistent with the calculated top of bank approach required for Mission Creek and used for other creeks in the City. No roads or structures would be located in the 100-foot setback. Native landscaping and a pedestrian path would occur in this buffer area, similar to the development proposed in the project. The eastern portion of the main public road would be shifted 30 to 50 feet to the west from the previous project proposal and the private drive would be eliminated. A 10-foot bicycle path could be located in this area, from Las Posiatas Road to Alan Road, to maintain the public benefit of this project element. The buildable area would be reduced, such that Lots 8-11 and 1-6 would be reduced in number and/or size. Lot 7, which was previously proposed as part of the Applicant's project, would be eliminated due to the loss of buildable area in the center of the site, between the steep hillside to the west and the 100-foot creek setback to the east. Alan Road could be slightly extended to maximize development at the end of the road, without encroaching into the creek setback. All other aspects of the project would remain the same.

The third scenario, shown in Figure 4-5 of the FEIR, involves an increased creek setback in selected locations from the adjusted top of bank defined in the FEIR. No buildings are proposed within the 100-foot setback. A portion of the main public road and private drive would be shifted up to 25 feet to the west in order to increase their setback from the creek; however, portions of the roads would be located within the 100-foot buffer area. Lot 7, which was previously proposed as part of the Applicant's project, would be eliminated and the buildable area of Lots 2-6 and 8-11 would be reduced. All other aspects of the project would remain the same. The differences between the originally proposed and revised projects are outlined below:

CHANGES IN CREEK SETBACK DISTANCES AND AREAS		
	Originally Proposed Project	Revised Project
Average distance (feet) between EIR top of bank and edge of paved road	68 feet (5-130 feet)	98 feet (40-134 feet)
Average distance (feet) between EIR top of bank and first row of residences	104 feet	128 feet
Area (square feet) between EIR top of bank and edge of paved road	1.9 acres	2.9 acres
Area (acres) subject to restoration	6.8 acres	12.4 acres

2. Coastal Act, LCP and General Plan Consistency

Policies of the Conservation Element generally serve to protect creeks and riparian environments. The Coastal Act and LCP, where applicable, provide more detail in that these resources shall be maintained, preserved, enhanced and, where feasible, restored. More specifically, LCP Policy 6.10 states that the City shall require a setback buffer between the top of bank and any proposed project, and that the buffer will vary depending upon the site conditions and the environmental impact of the

proposed project. Coastal Act Policy 30231 requires that biological productivity and quality of coastal streams be protected and, where feasible, restored. Policy 30240 protects sensitive habitat areas and requires development to be sited and designed to prevent impacts that would degrade these areas. Additionally, the Seismic Safety-Safety Element requires that adequate creek setbacks be established to protect new development from flood and erosion hazards.

Staff believes the project could be found consistent with applicable Coastal Act, LCP, and General Plan policies with the implementation of the proposed creek stabilization and restoration plan. Portions of the proposed private road and public loop road would be located within 100 feet from the new top of the creek bank; however, the overall plan would greatly improve the stability of the creek channel, thus providing a more stable buffer area between the development and the creek.

3. Staff Recommendation

Staff is supportive of the creek setback proposed by the Applicant. Since the July 2005 Planning Commission hearing, the Applicant has applied a more conservative existing top of creek bank to the project and has provided substantially more information regarding the proposed creek stabilization and restoration work. One of the main objectives of the proposed restoration plan is to stabilize the creek by widening the channel, where necessary and reducing the slope of the banks to achieve a better functional balance within the creek corridor, so that any future bank erosion or meandering of the creek channel would be minimized. The project would still provide a 100-foot setback between the proposed residences and the new, or resulting, top of bank after all creek stabilization work was completed. The result is a site plan very similar to Figure 4-5 in the FEIR. The stabilization and restoration work proposed within the creek channel would help reduce the magnitude of development impacts on riparian resources and water quality in the Arroyo Burro Creek corridor and improve the hydrology of the creek.

Based on the project impact analysis in the FEIR, it is Staff's belief that Arroyo Burro Creek should be protected to the maximum extent possible to help off-set the impacts of the proposed bridge and find consistency with the above policies. It is Staff's belief that the proposed creek stabilization and restoration plan would achieve this objective. While the restoration work would not fully mitigate the significant, unavoidable impact of the bridge, it would greatly improve the stability of the creek and the overall health of the riparian corridor, and provide adequate protection of the proposed development and Las Positas Road from future creek bank erosion.

D. Grading and Development on Steep Slopes

Coastal Act Policy 30251, LCP Policy 9.1, and several policies of the Conservation Element discourage development that would significantly modify the natural topography of the site or be visible from large areas of the community (Visual Resources Policies 2.0, 5.0, 6.0). More specifically, Visual Resources Implementation Strategy 2.1 discourages development on slopes greater than 30%. Coastal Act Policy 30253 seeks to limit risks in areas of high geologic, flood, and fire hazard.

The proposed project would involve approximately 61,500 cubic yards of cut and 61,500 cubic yards of fill to stabilize several active and dormant landslides west of the development area. Another 13,459 cubic yards of cut and up to about 26,390 cubic yards of fill would be required to establish the proposed roads and building pads in the flatter portions of the site. It may be possible that

approximately 14,000 cubic yards of soil excavated from the creek channel for the bank stabilization work could be re-used on-site and may reduce the amount of soil imported to the site. Additional in-depth geotechnical reports are required as mitigation measures and conditions of approval, and further technical analysis of the project site regarding hazards from landslides and soil erosion, retreat, settlement, or subsidence during the plan review process may require alterations to the final project design.

The proposed project would not create new or unstable fill slopes and the original topographic contours of the hillside would be re-established after the stabilization is complete. Therefore, the project would not significantly modify the natural topography of the site, and could be found consistent with the Coastal Act, LCP, and Conservation Element in this respect.
The amount of grading on 30% slopes for project development would be relatively minor compared to the overall extent of steep slopes on the site. While the grading could be considered potentially inconsistent with Implementation Strategy 2.1 of the Conservation Element, the strategy does not strictly prohibit grading on slopes greater than 30%. Additionally, proposed structural development on slopes greater than 30% would be limited to the garages at Lots 5 and 6, a large portion of the residence at Lot 6, and a small length of the public road near Lot 20. The project has been designed to minimize development on steep slopes as much as possible, and the location of structures on Lots 5 and 6 must strike a balance between avoiding development on steep slopes and providing adequate front yard setbacks and a creek buffer area. Given the minimal amount of development occurring on steep slopes and the limited visibility of these areas from major public viewing areas (i.e., Elings Park), the project could be found consistent with the Coastal Act, LCP, and Conservation Element in this respect.

E. Drainage and Water Quality

The existing hydrology on the site primarily consists of sheet flow and concentrated off-site flow that discharges into Arroyo Burro Creek. The additional impervious surfaces of the new residences, driveways, and roads would slightly increase the amount and rate of runoff from the project site by approximately 0.7 cfs for a 25-year storm event and 0.6 cfs for a 100-year storm event.

Drainage for the project would be provided primarily by a system of bioswales and an underground storm drain system and would be designed to provide sufficient drainage for a 100-year storm event. The small tributary located near the northern boundary of the development site, which runs from Campanil Hill to Arroyo Burro Creek, would be re-aligned to the area designated as Lot 24. It would continue to collect water from the hill, flow under the public loop road and through the area between the lots abutting the public road, collecting runoff from these lots, and connect directly to Arroyo Burro Creek. The creation of this open drainage channel and associated landscaping is part of the overall creek restoration plan and would be integrated into the riparian environment of Arroyo Burro Creek. Small bridge structures would be incorporated into the public road, so that the drainage channel could flow under the road and remain an open channel.

The public storm drain system would be located within the streets and utility easements and would collect runoff water from hardscaped areas and several lots within the development that do not abut the main bioswale in Lot 24. Where possible, runoff collected from these areas would be cleaned by use of bioswales before it is conveyed into Arroyo Burro Creek. Discharge of runoff from the project

would be located at two points along Arroyo Burro Creek; near the proposed bridge crossing, and in the southerly portion of the site.

Although the amount of additional runoff created by the project would not be substantial and could be accommodated by planned improvements, the overall drainage patterns of the site would change, and the site runoff would be discharged into Arroyo Burro Creek at two concentration points. The FEIR identified several mitigation measures to reduce the potential impact of the project on the quantity and quality of site runoff, and changes to hydraulics of the creek. These include increasing the number of discharge points into the creek, the use of additional stormwater detention basins or bioswales along the length of the creek to retain and treat site runoff, and detailed plans for stabilization and restoration of the two areas of creek bank erosion. These mitigation measures have been incorporated into the conditions of approval.

Grading activities on the site, including installation of the bridge, stabilization of the hillside and the creek, and grading for the new homes, are expected to last approximately 12 months. Given the substantial quantity of cut and fill activities and overall area of ground disturbance and the proximity to the creek, Best Management Practices (BMPs) are required as mitigation to reduce the potential for contaminants and sediments to enter the creek during construction activities. With the implementation of these measures, discussed further in the Findings section of this report (Section VIII), the project could be found consistent with Visual Policy 1.0 of the Conservation Element, Coastal Act Policies 30231, 30236, and LCP Policies 6.8, 6.10, and 6.11, as they seek to protect creek environments.

F. TRAFFIC

Vehicular access to the project site would be primarily from Las Positas Road. The proposed project is expected to generate a total of 17 AM and 23 PM peak-hour trips and 220 average daily trips (ADTs). Six key intersections surrounding the project site were evaluated in the FEIR in terms of potential impacts to the intersection from project-specific and cumulative traffic.

The intersection of Cliff Drive and Las Positas Road is currently impacted at a Level of Service (LOS) F during the AM and PM peak-hour. The Las Positas Road/Highway 101 southbound ramp currently interchange operates at LOS D during the AM peak-hour and LOS C during the PM peak-hour. All of the nearby intersections currently operate at LOS C or better during the peak hours. Further discussion of this analysis is in the FEIR.

The proposed project would add a range of 5 to 21 vehicle trips to AM and PM peak hour trips at four local intersections: Calle Real/Hwy 101 northbound ramps, Las Positas Road/Highway 101 southbound ramps, Las Positas Road/Modoc Road, and Las Positas Road/Cliff Drive. When these trips are distributed to the nearby intersections, the result is that the project itself would not result in a significant traffic impact; and the LOS for each intersection would not increase a result of the project. However, the additional trips, while small in magnitude, would contribute to a potentially significant cumulative impact from this and reasonably foreseeable future projects on the operation of these intersections.

A feasible mitigation measure requiring a fair share contribution of funds for capacity improvements at these intersections is identified in FEIR (TR-6). However, this mitigation may not fully mitigate the contribution of this project to the cumulative traffic impacts. The applicant's contribution would be based on the peak hour traffic volume contributed by the proposed project as a percentage of the

existing and future volume that exceeds the City's significance impact threshold of a 0.77 volume/capacity (V/C) ratio. This would result in the applicant contributing approximately $88,850 towards future operational improvements at the four affected intersections. These fees are calculated in proportion to the impact the project causes at each individual intersection (based on impact nexus and proportionality requirements).

The four affected intersections are currently Caltrans facilities. Capacity improvement projects have been identified at each intersection, but specific projects have not yet been programmed or funded at this time, except at Cliff Drive and Las Positas Road. An alternate solution to dividing the funds among the four intersections is to allocate the entire mitigation fund to the Cliff Drive/Las Positas roundabout project, which would occur once Highway 225 is relinquished to the City. Given that CEQA requires mitigations to have a direct nexus to the impact (in this case, allocating funding for capacity improvements in proportion to the impact the project causes at each individual intersection), the City could not impose such a solution unless the City had a formal traffic mitigation fee program.

However, the Applicant has indicated a willingness to offer that the entire mitigation fee ($88,850) be directed to the Cliff Drive/Las Positas Road project. While this would result in no mitigation fees being allocated to the other three intersections, it would increase the likelihood that the fees would be used for an intersection improvement that is likely to be funded and constructed in the near future. Condition of Approval G.6 memorializes the Applicant's offer, should the Planning Commission decide that it would result in a greater overall benefit than having the funds dispersed to all four projects.

While the traffic mitigation fee would help offset the cumulative traffic impacts related to the project, it is unlikely that it would fully mitigate the impacts due to funding and timing considerations of the improvement projects. The Applicant's offer to direct funds to a single improvement project is beneficial because it would assist in the completion of a project that would help reduce traffic congestion in the area in the foreseeable future. Additionally, the public benefit of the proposed pedestrian path and bicycle access through the site would provide an enhanced means of alternative access from Elings Park and the Westside to the Arroyo Burro Beach. As discussed previously in this report, the public benefit of this enhanced access could outweigh this unavoidable impact. With the combination of Mitigation Measure TR-6 and the proposed public pedestrian path and bicycle trail through the site, the project could be found consistent with applicable Circulation Element and LCP policies.

The project would generate construction-related traffic that would occur over the two-year construction period and would vary depending on the stage of construction. This temporary construction traffic is considered an adverse but not significant impact. Standard mitigation measures would be applied as appropriate, including restrictions on the hours permitted for construction trips and approval of routes for construction traffic. In this case, given traffic levels in the area and the duration of the construction process, short-term construction-related traffic may create a potentially significant impact, and was further evaluated in the EIR. The EIR concluded that, with the imposition of mitigation measures outlined in the Initial Study and the EIR, construction traffic impacts could be reduced to less than significant levels. These measures have been incorporated into the conditions of approval.

G. VISUAL RESOURCES

Coastal Act Policy 30251 and LCP Policy 9.1 serve to protect, preserve, and enhance views to, from, and along the ocean. Policies of the Conservation Element also strive for protection of visual resources, such as hillsides, creeks, and significant open spaces.

The project site is surrounded primarily by a mix of open space and low- to medium-density residential development. The site itself is mostly open, with the exception of a grove of eucalyptus trees in the northwest corner of the site and willow, eucalyptus, and oak trees along the riparian corridor. The area near the center of the property has been subjected to extensive grading and vegetation removal as a result of past and present motorcycle use on the property.

The area proposed for development is partially visible from the upper portions of Elings Park, a major public viewing area. Based on the visual simulations in the FEIR (Appendix C of the FEIR), this area would be seen from Elings Park, with the backdrop of Campanil Hill and surrounding coastal scrub to the west. Because the site is situated at a lower elevation in the valley, the proposed development would not block views of the ocean, and could be found consistent with the Coastal Act and LCP Policies.

Some of the structures would be obscured by mature trees and fairly dense vegetation along the creek. A larger area, including the hillsides and creek, would remain intact. When viewed in the larger context of the Las Positas Valley area, the project would blend in with the surrounding residential development on the ridgeline above and to the north and south of the project site. Over time, the development would be less visible as the proposed landscaping reaches maturity. Therefore, the project would represent a change, but not a significant degradation, to the existing view from Elings Park. As such, the project could be consistent with the Conservation Element in this regard.

The site is less visible from Las Positas Road due to the heavy vegetation cover along Arroyo Burro Creek. Currently, the site offers visual relief from surrounding developed areas as seen from Las Positas Road.

H. OPEN SPACE

The proposed subdivision includes 23 residential lots and four open space lots. Proposed Lots 24-27 are common open space lots within the development area, including the bioswale feature, a small open area northwest of the bridge, the hillside area west of the development, and the creek corridor to the east. These lots would be owned and maintained by the future HOA, although the City would obtain an easement across a portion of Lots 25 and 27 for the public pedestrian trail. An easement to allow the public to traverse the private road would also be obtained, for purposes of bicycle circulation from Las Positas Road to Alan Road.

The 35-acre parcel north of the development site would remain a separate lot as part of the project. This lot, which is limited to Open Space uses by the Specific Plan, would also be commonly owned and maintained by the HOA.

The public roadways may also be identified on the Final Map as separate lots (proposed Lots 28 and 29), owned by the future Homeowners' Association (HOA); however, the City would obtain an easement over the bridge and loop road, and the Alan Road cul-de-sac for public road and utility purposes.

IX. FINDINGS

The Planning Commission finds the following:

ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A. CERTIFICATION OF THE PROPOSED FINAL ENVIRONMENTAL IMPACT REPORT (PER PUBLIC RESOURCES CODE (PRC) SECTION 21081 AND CALIFORNIA CODE OF REGULATIONS (CCR) SECTION 15090).

The Planning Commission certifies the Final Environmental Impact Report for the Veronica Meadows Specific Plan, finding that:

1. The Final Environmental Impact Report for the Veronica Meadows Specific Plan was presented to the Planning Commission of the City of Santa Barbara. The Planning Commission reviewed and considered the information contained in the proposed Final Environmental Impact Report, along with public comment and responses to comments.

2. The proposed Final Environmental Impact Report for the Veronica Meadows Specific Plan has been completed in compliance with the California Environmental Quality Act and Guidelines, reflects the City of Santa Barbara Planning Commission's independent judgment and analysis, and constitutes adequate environmental analysis and documentation for the Veronica Meadows Specific Plan.

3. The location and custodian of documents and materials that constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, Planning Division, 630 Garden Street, Santa Barbara, CA, which is also the Lead Agency.

4. A mitigation monitoring and reporting program (MMRP) is hereby adopted. Mitigation measures have been made enforceable through incorporation into the project description or will be included as conditions of project approval.

5. **Class I Impacts (Significant and Unavoidable).** The project would result in the following significant and unavoidable impacts identified in the Final EIR. These findings are supported by substantial evidence in the record, including the proposed Final EIR and associated appendices.

   a. **Biological Resources:** Construction of the bridge across Arroyo Burro Creek would result in a significant, unavoidable impact as a result of permanent displacement of native and non-native riparian habitat, and a large oak tree and a sycamore tree. The change in habitat could also affect wildlife movement. These long-term impacts would be partially mitigated through conditions of project approval by limiting the area of disturbance to riparian habitat during bridge construction, stabilization of disturbed banks, installation of riparian trees and shrubs (BIO-3), restoration of a native oak-riparian area near Lot 11 (BIO-4), and potentially reducing the width of the bridge (BIO-8). While these measures would

reduce the level of impact to some degree, there are no feasible measures that would fully mitigate the significant impacts of this element of the project.

b. **Noise:** Short-term noise from construction haul trucks along Alan Road would result in a temporary increase in ambient sound levels during the initial construction period (approximately three months). This impact would be partially mitigated by conditioning the project to limit the truck's travel hours to 9 a.m. to 4 p.m. during weekdays, and prohibiting haul trucks from using Alan Road once the bridge is constructed, except as needed to construct the residences at Lots 1 and 2 (N-2).

c. **Traffic:** The proposed development would contribute additional trips to the AM and PM peak hour traffic and, when combined with traffic from other future projects, would result in a significant cumulative impact. To partially mitigate this impact, the applicant would be required to contribute a fair share contribution of funds for future capacity improvements of the affected intersections (TR-6). A residual significant impact may occur because it may not be feasible to fully implement the mitigation measure for the following reasons: 1) the proposed intersection improvements may not be completed in a reasonable timeframe; 2) most of the improvement projects are not programmed or funded, and; 3) implementation of only one of the projects would not fully reduce the cumulative impacts.

6. **Class II Impacts (Potentially Significant and Mitigated).** Project elements incorporated as part of the project description and mitigation measures applied as conditions of project approval would result in the avoidance or substantial lessening of the following environmental impacts to less than significant levels. These findings are supported by substantial evidence in the record, including the proposed Final EIR and associated appendices.

a. **Biological Resources:** The project would result in: 1) the permanent loss of approximately 6.8 acres of mostly non-native habitat due to the construction of the residential lots; 2) the removal of up to seven coast live oak trees; 3) an increase in noise, traffic, dust, and human activity due to construction activities; 4) adverse effects to wildlife in the creek corridor due to long-term operation of the development, and; 5) reduced infiltration and bank seepage along Arroyo Burro Creek.

These impacts would be reduced to less than significant levels through implementation of several mitigation measures applied as conditions of project approval: 1) a modified native habitat restoration plan to ensure long-term establishment of new and enhanced native habitats at the site (BIO-1); 2) oak trees to be removed will be replaced at a 10:1 ratio at the project site (BIO-2); 3) grading and earthwork within 100 feet of the riparian corridor will not occur between March 1st and July 15th to avoid disturbing breeding birds (BIO-5); 4) disturbance in areas with native or naturalized vegetation will be limited to the maximum extent feasible (BIO-6); 5) lighting within the development will be controlled to minimize stray light effects; 6) the pedestrian path will be sited to not substantially interfere with

wildlife habitat and native plant cover and will include interpretive signage informing the public of the sensitive resources in the creek; 7) the proposed gazebo will be located as far as possible from the creek, and; 8) a habitat maintenance and management plan for the four open space areas (Lots 24-27) will be implemented and funded by the future homeowners' association (BIO-7).

b. **Drainage, Erosion, and Water Quality:** Proposed site development would increase the amount of impermeable surfaces and the amount of site runoff, and changes to local drainage would result in both on-site and downstream impacts. These impacts would be reduced to a less than significant level by increasing the number of drain outlets from the site to the creek; thus, reducing the magnitude of the discharge at each location, and modifying the drainage to facilitate infiltration through the creek banks to support riparian vegetation and contribute to base flows (W-1).

The project also has the potential to cause short- and long-term adverse effects on creek water quality during construction activities and operation of the new residential development. Temporary construction impacts to drainage and water quality would be reduced to less than significant levels with temporary best management practices (BMPs) mitigation applied as conditions of project approval, including restricting earthwork activities to the period between April 1st and November 1st, and restricting construction of the bridge to the period between July 1st and November 1st, implementation of a dewatering and flow by-pass plan for construction of the bridge, allowing only specific minor earthwork activities during the winter months, stockpile management, controlling construction vehicle and equipment operations, implementation of a spill prevention/response plan, provisions for construction liquids storage, limited equipment washing and maintenance on-site, refuse and construction debris removal, use of a stabilized construction entrance/exit, and erosion control BMPs (W-3). Long-term water quality effects from increased discharge of stormwater pollution to Arroyo Burro Creek would be reduced to less than significant levels with relevant BMP mitigation measures applied as conditions of project approval, including construction of detention basins and bioswales to treat runoff from Lots 1-6, collecting runoff from lots 7-10 and 12-23 and treating it in a separate stormwater system, conveying runoff from the western off-site watershed through the center of the site to facilitate infiltration, including, to the extent practicable, stormwater management design elements (e.g., roof drainage directed to bioswales, use of permeable materials, pavers, or pavement strips in driveway design, curb openings to allow for infiltration into grassy swales, small depressions in front yards to collect roadside runoff for infiltration), and long-term maintenance of stormwater management facilities by the future homeowners' association (W-4).

Removal of giant reed and proposed areas of creek bank repair could potentially cause an inadvertent increase in bank erosion along the creek at the site. This impact would be reduced to a less than significant level through a mitigation

measure, applied as a condition of project approval, requiring detailed plans on the methods to remove exotic species from the creek banks and stabilization and restoration of the two areas of bank erosion (W-2). The plans will consider hydraulic and geomorphologic factors along the creek (e.g., flow velocities, sediment carrying capacity, bank failure modes, shear stress factors), include stabilization methods and materials, and long-term weeding and bank maintenance activities. These plans will be reviewed and approved by the Community Development and Public Works Departments and the Creeks Division.

c. **Geologic Hazards:** There is a potential for several geologic hazards to be present at the site, including liquefiable conditions throughout much of the site, expansive soils near Lots 1-6 and Lots 11-20, and a rise in groundwater near the surface in fractures in the Rincon shale at the toe of the slopes. These potential impacts would be reduced to less than significant levels with a requirement to conduct additional geotechnical investigations during final project design (G-2). The investigations include additional borings to identify areas susceptible to liquefaction, evaluation of expansive soils underlying Lots 11-20 (G-3), and borings to identify areas of high groundwater conditions in lots along the base of the hillside (G-4). Appropriate engineered design, drainage measures, and construction techniques to ensure public safety and property stability for these areas will be reviewed and approved by the Building and Safety Division, and implemented on the site.

   The proposed landslide stabilization approach is considered standard and reasonable, involving traditional engineering solutions. To ensure that a significant impact due to landslide hazards is avoided throughout the life of the project, a series of geotechnical and engineering studies to more fully characterize the individual landslides and refine project design will be required as conditions of project approval (G-5).

d. **Cultural Resources:** Development of the site would significantly modify the physical setting of the property, which would result in a potentially significant impact on the historic resources on the property associated with the Veronica Springs Medicinal Water Company. Through mitigation measures applied as conditions of project approval, this impact could be reduced to a less than significant level. Measures include: 1) retaining the remnant oak trees on the site, located southwest of proposed Lot 7 (CR-2); 2) interpretive signage placed along the pedestrian path and near the oak trees, describing the historic elements of the property (CR-4); 3) placement of a gazebo structure near the pedestrian trail to match the design, scale, and material of the original building associated with the water company, containing photographs and brochures from the water bottling plant, and (CR-3); 4) streets within the development will be named to reflect the history of the site (CR-5). Design and materials for these elements will be subject to the review and approval of the Historic Landmarks Commission.

e. **Traffic:** The proposed traffic signal at the project entrance is not warranted per Caltrans standards; a two-way stop would be the only feasible intersection.

Mitigation Measure TR-2 requires that a two-way stop controlled intersection meeting all Caltrans standards be installed at the new project entrance (stop signs would be installed on the Jerry Harwin and Veronica Meadows roadway connections). Additional turn lanes and minor widening of Las Positas Road may be necessary; thus, the Applicant will be required to obtain Caltrans' conceptual approval of the intersection prior to final action by City Council on the proposed Specific Plan, and acquire all necessary Caltrans approvals prior to submittal of plans for building permits.

Sight distances at the project entrance for outgoing traffic would not be adequate for southbound traffic on Las Positas Road. As such, the vegetation on the west side of Las Positas Road will be pruned between the new public road and the Stone Creek condominium complex to create sight distances that meet Caltrans standards (TR-3). The proposed entrance would also not have adequate width to accommodate safe entry to the site under certain conditions. Therefore, mitigation applied as a condition of project approval will require the entrance to be modified to allow for adequate clearance for incoming trucks and vehicles queued on the outbound approach at the intersection (TR-4).

Construction traffic along Las Positas Road, Cliff Drive, and Alan Road could degrade pavement conditions. To reduce this impact to a less than significant level, the Applicant will be required to video document the pavement conditions on these roads before and after the construction project, and repair and resurface any affected areas of the roads (TR-5).

f. **Public Health and Safety:** The use of pesticides for maintenance of open spaces on the project site in proximity to the residences and a public path could result in accidental exposure to people. In addition, the project site is underlain by Rincon shale, a known geologic stratum that emits radon gas, which could expose people to a gas that can result in a health hazard. These impacts would be reduced to less than significant levels through mitigation measures applied as conditions of project approval, including submittal of a pesticide management plan that addresses the selection, storage, and transport of pesticides (H-1), and a requirement that the Applicant conduct a study to determine the potential for radon gas to be emitted from the project soils after grading (H-2). If radon appears to be present, the building plans will incorporate EPA-approved construction methods and design features to prevent the exposure of residents to the gas.

7. **Class III Impacts (Less than Significant).** The project, as proposed, would result in a less than significant impact in the following environmental issue areas identified in the Final EIR. Measures will be incorporated as conditions of project approval to further reduce the level of impact, consistent with City policies. These findings are supported by substantial evidence in the record, including the proposed Final EIR and associated appendices.

a. **Air Quality:** No significant long-term air quality impacts (project-specific impacts or project contribution to cumulative impacts) would result from project

development. Temporary construction dust effects would be minimized by application of standard Air Pollution Control District and City measures required as conditions of approval, including daily watering of exposed soils and stockpiles, stabilization of disturbed soil areas, covered truck transport, reduced construction vehicle speeds on unpaved surfaces, cleaning of entrance/exit points, dust control monitoring and reporting, and complaint resolution procedures (AQ-1). Temporary NO_x emissions from construction equipment would be further reduced by ensuring equipment is well-maintained, installation of catalytic converters, and minimizing simultaneous operation of equipment and vehicle trips of construction workers (AQ-2).

b. **Drainage, Erosion, and Water Quality:** The proposed bridge would be partially located in the Flood Zone, but the bridge span and height would be sufficient to avoid impinging on flows less than the 100-year event and no in-channel structures are required. No mitigation measures are required, as impacts to the hydraulics of the creek and increased flood hazards are not anticipated.

c. **Visual Resources:** While the project would create a visual contrast with the surrounding landscape when viewed from public areas at Elings Park, the project would be co-dominant with the surrounding visual environment, and the loss of open space would be offset by the preservation of the remainder of the site as open space. The project would not substantially degrade views or significantly change the existing visual character of the suburban setting when viewed from Las Positas Road. The proposed two-story homes at the end of Alan Road would be compatible with the design and scale of the existing neighborhood through required submittal of architectural plans and color/material boards to the Architectural Board of Review (ABR) for their review and approval (VS-1 and VS-2). Streetlights and residential and landscape lighting is subject to City ordinance provisions and would not obscure a significant view or affect a nighttime public viewing location. Exterior lighting would be installed and directed to minimize glare and visibility from observation points (VS-3).

d. **Cultural Resources:** It is unlikely that previously undocumented cultural resources would be encountered on the site; however, standard requirements per the City's Master Environmental Assessment Guidelines would be implemented in the event that such materials are discovered (CR-1).

e. **Public Health and Safety:** The proposed project is located in the High Fire Hazard Area and, thus, would comply with all applicable fire codes and requirements, including maintenance of defensible space, appropriate building materials, adequate hydrant flows and spacing and emergency access, and landscaping design and maintenance, to ensure less than significant fire hazard effects.

f. **Geologic Hazards:** There is a slight potential for surface faulting to create a geologic hazard near Lot 11. Proposed stabilization of the landslide above Lot 11 would include an assessment of the presence or absence of the nearby Lavigia Fault, and therefore, ensure that the minimum 50-foot structural setback from the fault is

achieved (G-1). Impacts related to groundshaking are considered less than significant because the residences will be constructed to meet current state and local building codes.

g. **Noise:** After completion of Phase I grading, construction noise would increase ambient noise levels in the adjacent residential neighborhoods and portions of Elings Park. This impact is considered less than significant because the noise would be temporary and intermittent; however, it could be further reduced by standard measures limiting major construction activities to 8:00 a.m. to 5:00 p.m. at specific locations (bridge site and landslide stabilization sites above Lots 1 and 11) (N-2), restrictions on various construction operations (e.g., use of mufflers, controlling speeds, limiting use of horns), and advanced notice to residents of construction activities (N-3).

h. **Traffic:** Construction truck traffic occurring on Alan Road during Phase 1 of the project would be a change to existing conditions, but would be a less than significant impact because, as with all other vehicles, trucks must follow the rules of the road. However, to provide a higher level of public safety on Alan Road during Phase 1 of the project, a Traffic Control Plan would be implemented, no trucks would be allowed to park on this road, truck speed limit would be 15 MPH, and trucks would be marked with a name and number to contact in the event of non-compliance with these rules (TR-1).

While the project would add traffic to the study area intersections, most of them are operating at LOS C or better, and therefore, the contribution of the project to the AM and PM peak hour traffic is less than significant.

i. **Public Services:** The proposed project would generate new solid waste, but not enough to be considered a significant impact on limited disposal capacity. Implementation of a solid waste management plan identifying measures for reuse, source reduction, and recycling would further reduce this impact (PS-1).

8. **Findings of Infeasibility of Alternatives (per PRC Section 21081 and CCR Section 15091).** The Planning Commission makes the finding that specific economic, legal, social, technological, environmental, or other considerations, make infeasible the project alternatives identified in the Final Environmental Impact Report for the Veronica Meadows Specific Plan for the following reasons:

Project Alternative 4.2 - No Project Alternative
This alternative does not meet the basic project objectives of developing the site for residential use to address ongoing City housing demand and annexing property that is within the City's sphere of influence and an island of County jurisdiction within the City boundaries.

Project Alternative 4.3 - No Annexation Alternative
Development of the property under County jurisdiction would not necessarily result in reduced environmental effects when compared to the proposed project. This alternative would not be consistent with the City's policy to annex properties within the City's

sphere of influence at the earliest time possible, and it would perpetuate the existence of a large island of properties under County jurisdiction within the City's boundary, which is not supported by the City or LAFCO.

Project Alternative 4.4 - Use of Draft Pre-Annexation Zoning Designations
Development of the property using the Draft Pre-Annexation zoning would not necessarily result in reduced environmental effects when compared to the proposed project. The Pre-Annexation Policy Update designated the entire 86.78-acre parcel to the west as Major Hillside and Open Space, which would also restrict the 4.49-acre area at the base of the hillside from being developed. Preventing this flatter area from development could potentially result in reduced impacts in the areas of construction-related erosion, exposure of landslide hazards, and on-site impacts to native and non-native vegetation because the overall project area would be reduced. However, these impacts of the project have already been reduced to less than significant levels with mitigation.

The Draft Pre-Annexation General Plan designation of five dwelling units per acre is more than the proposed two dwelling units per and thus, could potentially allow for more units than the current proposal. This could result in increased stormwater pollution, have a greater effect on hydraulic conditions of the creek and riparian vegetation, increase the impact of humans and pets on the creek habitat, and increase traffic impacts on local intersections.

Project Alternative No. 4.5, Alan Road Access Alternative
This alternative could increase several environmental impacts compared to the proposed project, including additional traffic, parking, and noise effects to residents that now live on a dead end street, and the use of Alan Road would add traffic to the Alan Road/Cliff Drive intersection and contribute to the current congestion at the Cliff Drive/Las Positas Road intersection. While this alternative would avoid the significant, unavoidable biological impact of the proposed bridge, it would also forego the beneficial impact of providing new pedestrian and bicycle coastal access from Las Positas Road and Elings Park. As discussed in the staff report, the public benefit of the enhanced pedestrian and bicycle access would outweigh the impact to biological resources as a result of the bridge.

Project Alternative No. 4.6, Secondary Emergency Access Alternative
Widening the ten-foot paved bike path to 16 feet to accommodate emergency vehicles is not required by the Fire Department and would result in increased encroachments into the riparian corridor when compared to the proposed project.

Project Alternative No. 4.7, Concrete Sidewalk Alternative
This measure is feasible and would have a negligible effect on meeting the overall project objective. The proposed permeable surface sidewalks would slightly reduce runoff and increase stormwater infiltration on the site, but they may not be able to meet the standards of the City Public Works Department. Therefore, this alternative may be required to be implemented if the permeable sidewalk material is found to be infeasible. The conditions of approval include this measure as an alternative to the current

permeable material design if it is found that permeable materials would not meet ADA requirements or maintenance costs would be too high.

Project Alternative No. 4.8, Avoid Landslides Alternative
Under this alternative, the extensive landslide stabilization would not be required, which would substantially reduce site development costs. However, this alternative would be infeasible because the reduction in the number of units would be substantial (up to 11 lots), and would make the overall project economically infeasible.

This alternative would reduce the number of residential units developed on the site, which would reduce some of the project impacts already mitigated to less than significant levels, but would not mitigate the significant and unavoidable impacts.

Project Alternative No. 4.9, Alternative Landslide Stabilization
The alternative stabilization method (without using caissons) is considered infeasible for several reasons. It is uncertain if the adjacent landowner would grant permission to work on landslides on their property due to the potential liability involved, and the disturbance to the hillsides. In addition, the City would not grant land use permits and grading permits for project-related actions on land not owned by the applicant unless the other landowner is part of the application request. The retaining wall alternative is not desirable from an engineering viewpoint due to the extensive foundations required for large retaining walls.

Project Alternative No. 4.10, Alternative Creek Setbacks
These alternative creek setbacks would reduce some of the project impacts already mitigated to less than significant levels, but would not mitigate the significant and unavoidable impacts. Some versions of this alternative are considered infeasible because the reduction in the number of units would potentially be substantial (up to six lots), and could make the overall project economically infeasible. The economic impact of the loss of these units could substantially reduce the applicant's financial ability to implement the creek corridor restoration measures.

Project Alternative No. 4.11, Alternative Drainage and Stormwater Treatment Plan
This alternative addresses a single component of the project that would reduce some of the project impacts already mitigated to less than significant levels, but would not mitigate the significant and unavoidable impacts. Feasible components of this alternative have been incorporated as Mitigation Measure W-1.

Project Alternative No. 4.12, Alternative Bridge Sites
Sites 1 and 2 are not considered technically feasible because traffic and intersection conflicts would occur because the entrances to Elings Park and the bridge would not align, but would occur in close proximity, causing driver confusion. For Site 3, the potential for a larger easement from the City is unknown.

Use of Site 1 would avoid the loss of a large oak and sycamore tree; however, the overall impacts of the bridge at this site would remain the same as for the proposed bridge. Use of Site 2 would increase the magnitude of the impacts to the riparian

resources of the creek. Use of Site 3 would have similar impacts to riparian resources as the proposed bridge, but would increase the impacts on adjacent upland habitats.

B. STATEMENT OF OVERRIDING CONSIDERATIONS

The Planning Commission has balanced the benefits of the project against the unavoidable environmental impacts and has concluded that the benefits of the project outweigh the significant biological resources, cumulative traffic, and short-term noise impacts sufficiently to make the adverse effects acceptable. The Planning Commission makes the following Statements of Overriding Considerations, which support approval of the project, notwithstanding the identified impacts that are not mitigated to a level of insignificance:

1. **Social**

   a. The project results in restoration and dedication of approximately 12.4 acres of public and private land for open space and recreational use by the general public.

   b. The project establishes enhanced public access for pedestrians and bicyclists connecting Elings Park and the Westside to Arroyo Burro Beach County Park, the Alan Road and Braemar Ranch neighborhoods, and homes within the project site.

   c. The project establishes safer pedestrian and bicycle access to the beach from the neighborhoods east of Las Positas Road along a pleasant new creek-side trail, avoiding the heavily traveled road.

   d. The project helps the City meet key goals in the City's Circulation Element's Bikeway and Pedestrian Master Plans at no taxpayer expense.

   e. The project minimizes new traffic impacts to the Alan Road neighborhood.

   f. The project helps maintain the Alan Road neighborhood as a peaceful cul-de-sac area where children can play safely by permanently eliminating the potential for Alan Road extension for a Las Positas Road shortcut.

   g. The project's traffic design, access route, contributions to a roundabout at Cliff Drive and Las Positas Road, and a signalized crosswalk on Las Positas between the project site and Elings Park entrance, improve safe traffic efficiency and flow on Las Positas Road, to benefit the community as a whole.

2. **Economic**

   a. The project includes creek corridor stabilization, upland habitat restoration and long-term maintenance, and public access benefits of a new public trail and open space land providing free recreational opportunities for the general public.

b. The project would result in an increase in property tax revenues benefiting the City, County, and local school and other special districts.

c. The project would result in new housing and the creation of new construction jobs.

d. The project allows the City to better leverage limited General Fund and Measure B creek restoration funds by expediting removal of invasive species, restoring private and public creek riparian corridors, reducing pollution and erosion along a portion of Arroyo Burro Creek to the highest professional standards and on a shorter time schedule than the City's current restoration timetable, all at no new net cost to taxpayers.

3. **Technological**

The project's erosion, pollution, and creek stabilization and restoration plans are developed with a high level of scientific and technical expertise, techniques, and tools to a modern City creek enhancement or restoration project. Fluvial geomorphology studies and mitigation plans for this section of Arroyo Burro Creek already exceed all Measure B funded mapping and restoration studies preceding it. Bringing higher levels of creek and habitat restoration science and technology to the City at no new net taxpayer cost are additional community benefits.

4. **Environmental**

a. The project results in the complete restoration and stabilization of a highly incised, degraded and polluted riparian corridor, overrun by invasive species, in excess of 1,800 lineal feet and 12.4 acres, including City-owned land. Long-term maintenance of improvements made within the creek channel and the creek buffer to the west would be funded by the Applicant/HOA.

b. The project improves water quality in the site area and substantially reduces discharge and runoff of sediment pollution into Arroyo Burro Creek.

c. The project results in the creation of a new riparian corridor on the site, improving the existing drainage deficiencies on the site.

d. The project improves the Arroyo Burro Creek ecosystem quantitatively and qualitatively by removal of numerous invasive species, and permanently replacing them throughout the site with native plants (and where possible, local native seed stocks) to create, over time, a more natural and bio-diverse riparian corridor, furthering the long-term goals of Measure B at no new net community cost.

e. The project would direct traffic mitigation funds to a single intersection improvement project (Cliff Drive/Las Positas Road roundabout), which is a greater overall benefit than having the funds dispersed to all four projects. This will assist in the completion of a project that would help reduce traffic congestion in the area in the foreseeable future.

C. FINDINGS FOR THE FISH & GAME CODE

An Environmental Impact Report has been prepared by the lead agency, which has evaluated the potential for the proposed project to result in adverse effects, either individually or cumulatively, on wildlife resources. For this purpose, wildlife is defined as "all wild animals, bird, plants, fish, amphibians, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability." The proposed project has the potential for adverse effects on native specimen trees and associated wildlife during project construction. Mitigation measures have been applied such that potential impacts will largely be reduced to less than significant levels, and a Statement of Overriding Considerations has been made. The project does not qualify for a waiver and is subject to payment of the California Department of Fish and Game fee.

FINDINGS FOR RECOMMENDATIONS TO THE CITY COUNCIL

D. ANNEXATION/GENERAL PLAN AND ZONING ORDINANCE AND MAP AMENDMENTS

As determined in the Planning Commission hearings, Final EIR and Staff Report, the proposal is consistent with current General Plan annexation policies, which encourage annexation of parcels within the City's sphere of influence at the earliest convenience. Annexation of the subject parcels would also reduce the size of a large island of properties subject to County jurisdiction within an area located in the City boundary. Therefore, the Planning Commission recommends that the City Council initiate the annexation request, with the zoning upon annexation to be SP-9 (Veronica Meadows Specific Plan), the General Plan designations to be Residential (Two Dwelling Units Per Acre), Major Hillside, Open Space, Buffer/Stream, and Pedestrian/Equestrian Trail, and the property to be included in the Hillside Design District, with the annexation conditioned upon the applicant's express written acceptance of the conditions of approval imposed by the Planning Commission for the subdivision of the property, in a form acceptable to the City Attorney.

E. ADOPTION OF SPECIFIC PLAN NO. 9

The Planning Commission recommends that the City Council approve the proposed Veronica Meadows Specific Plan No. 9 and amend the Zoning Ordinance to include the new SP-9 Zone. Following City Council approval of Specific Plan No. 9 and Zoning Ordinance amendments, the existing and future uses of the project area will be in compliance with the standards described in the Specific Plan and contained in the SP-9 zone. The Specific Plan and the proposed residential development are determined to be consistent with Coastal Act, Local Coastal Plan, and General Plan policies and the General Plan Land Use designation, as discussed in the Staff Report, the Final EIR and in Planning Commission hearings.

1. The Specific Plan meets all provisions of Article 8, Chapter 3 of Division I of Title 7 of the California Planning and Zoning Law (Government Code Sections 65450 through 65457).

2. The Specific Plan is consistent with both the General Plan and Local Coastal Plan in that the General Plan Map will be amended to reflect the changes in land use designation included in the Specific Plan.

3. With respect to Section 1507 of the City Charter, the Specific Plan, with the proposed mitigations, policies and actions, does not allow the development to exceed, on a project-specific basis, air quality, traffic, water or wastewater treatment capacity in the City, except as allowed for residential projects. The FEIR found that the project-specific traffic generated would not exceed the City's thresholds at affected intersections. Short-term air quality impacts would be less than significant as mitigated, and the project would not create long-term air quality impacts. The City has adequate water supply and wastewater capacity to accommodate this project.

F. Local Coastal Plan Amendment (PRC §30512(c))

The Planning Commission recommends that the City Council adopt the proposed Local Coastal Plan amendment and forward to the California Coastal Commission for certification. The project and LCP Amendment are consistent with the applicable policies of the Coastal Act and the City General Plan and Local Coastal Program, as discussed in the Staff Report, the Final EIR and in Planning Commission hearings.

FINDINGS FOR THE DEVELOPMENT PROJECT:

G. Public Street Waiver (SBMC §22.60.300)

The Specific Plan requires that newly created lots have at least 60 feet of frontage on a public street. As proposed, four of the newly created lots would take access directly from a private driveway, and not a public road. Therefore, a waiver of the public street frontage requirements is necessary for Lots 3, 4, 5, and 6. The following findings can be made:

1. The proposed driveway will provide adequate access to the subject property and other properties using said driveway. The proposed driveway, which will be 16 to 20 feet wide to meet fire regulations, is acceptable to the Fire Department and Public Works Department.

2. The proposed roadway, lane, drive or driveway and adjacent paved areas will provide adequate access for fire suppression vehicles as required by applicable fire regulations, including but not limited to turnaround area, width, grade and construction.

3. There is adequate provision for maintenance of the proposed private road, lane, drive because the owner of the subject property has agreed to adequately maintain said private road, lane, drive or driveway and said agreement will be recorded prior to recordation of the final map.

4. The waiver is in the best interests of the City and will improve the quality and reduce the impacts of the proposed development. Development of a public road

to serve the proposed lots would not improve the quality or reduce the impacts of the development.

H. LOT LINE ADJUSTMENT (GOV. CODE §66412 AND SBMC §27.04.030)

The proposed lot line adjustment is appropriate for the area and is consistent with the City's General Plan and Building and Zoning Ordinances, as discussed in the Staff Report. The lot line adjustment would transfer approximately 4.49 acres of previously disturbed and relatively flat land from a larger parcel that is primarily steep slopes to a 10.28-acre parcel with minimal slopes suitable for development.

I. NEIGHBORHOOD PRESERVATION ORDINANCE FINDINGS (SBMC §22.68.070)

1. The public health, safety and welfare will be protected.

2. The grading and development will be appropriate to the site, have been designed to avoid visible scarring and will not significantly modify the natural topography of the site or the natural appearance of any ridgeline or hillside.

   Stabilization of the hillside would not significantly alter its natural topography. Development of the homes and roads would require some grading, but would be appropriately designed to minimize scarring of the hillside. No ridgeline development is proposed.

3. The project will, to the maximum extent feasible, preserve and protect any native or mature trees with a minimum diameter of four inches (4") measured four feet (4') from the base of the trunk. Any specimen tree, skyline tree, or oak tree with a diameter of four inches (4") or more at four feet (4') above natural grade that must be removed will be replaced on a one-to-one basis, at a minimum. Oak tress will be replaced at a 10:1 ratio. Designated Specimen, Historic and Landmark trees will not be removed.

4. The development will be consistent with the scenic character of the City and will enhance the appearance of the neighborhood.

   The project design and density are in keeping with the acceptable architectural styles of the City and the neighborhood and will result in an overall enhancement for the neighborhood. Large areas of open space would remain around the developed site, and the riparian corridor would be restored and re-planted with native riparian species. The project would also result in a substantial improvement of a disturbed site through creek and habitat restoration and maintenance of the open space areas.

5. The development will be compatible with the neighborhood, and its size, bulk, and scale will be appropriate to the site and neighborhood.

   The development is acceptable in term of its mass, bulk, and scale and neighborhood compatibility. The lot sizes are compatible with the single family development to the south, and the proposed two-story homes are appropriate as

a transition from the primarily single-story homes south of the development to the two-story condominiums to the north, and the large homes on the hillside above.

6. The development will preserve significant public scenic views of and from the hillside.

   The residential development would be visible from Elings Park, a public scenic area, but would be co-dominant and compatible with the surrounding visual environment, and the loss of open space would be offset by the preservation of the remainder of the site as open space. Additional vegetation along the creek corridor and throughout the site would also help partially shield the view of development from the park. The final project design would be subject to review and approval by the Architectural Board of Review.

J. THE TENTATIVE MAP (SBMC §27.07.100)

The Tentative Subdivision Map is consistent with the Veronica Meadows Specific Plan (SP-9), the General Plan, and the Local Coastal Plan of the City of Santa Barbara, as discussed in the Staff Report, the Final EIR, and the Planning Commission hearings. The site is physically suitable for the proposed development, the project is consistent with the density allowed by the Specific Plan and the General Plan, and the proposed use is consistent with the vision for this neighborhood of the General Plan and Local Coastal Plan. The design of the project will not cause substantial environmental damage, and associated improvements will not cause serious public health problems.

K. COASTAL DEVELOPMENT PERMIT (SBMC §28.45.009)

As discussed in the Staff Report, the Final EIR, and in Planning Commission hearings:

1. The project is consistent with the policies of the California Coastal Act.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code.
3. The project is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation.

Exhibits:

A. Conditions of Approval
B. Revised Site Plan, dated November 2005
C. Relevant Coastal Act, Local Coastal Plan, and General Plan Policies
D. Proposed SP-9 – Veronica Meadows Specific Plan
E. Planning Commission Work Session Minutes
F. Architectural Board of Review Minutes
G. Creeks Advisory Committee Minutes
H. Park and Recreation Commission Minutes
I. Transportation and Circulation Committee Minutes

J. Planning Commission Minutes (July 21, 2005 meeting)
K. Applicant's letter, dated November 21, 2005
L. Consistency with Charter Section 1507 for EIR
M. Additional Environmental Analyses for Revised Project, Final EIR, Veronica Meadows Specific Plan, dated November 20, 2005
N. Veronica Meadows Specific Plan Final EIR (under separate cover)

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

COUNTY Zone

900 - 1100 LAS POSITAS RD

Assessor's Parcel Number: 047-010-016
Application Number: MST99-00608
Architect: Jeff Gorrell
Engineer: Peter Nostrand
Applicant: Mark Lee

(This is a revised proposal for Veronica Meadows. The project consists of the annexation of approximately 50 acres. A subdivision and development is proposed on approximately 15 acres. The remaining 35 acres would remain in open space. The site plan is completely revised in response to City Council direction. The proposed site layout now contains 15 residential lots and a location for a proposed footbridge (shared by City) to cross the creek at the south end of the property.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION APPROVAL.)

(6:04)

Jeff Gorrell, Architect; Mark Lee, Engineer; Steve Norrell, representative for the Applicant; and Bettie Weiss, City Planner, present.

Public comment opened at 6:21 p.m.

Ms. Elaine Bowie, neighbor, expressed concern regarding visual compatibility, aesthetics, accessibility, and design issues of the proposed project, and requested an Environmental Impact Report be done on the project. A letter was also submitted for the record files.

Mr. Ridge Baccash, neighbor from the Braemar Ranch Homeowner Association (including Alan Road, Vista Del Mar, and Wade and Solana Courts), expressed concern regarding the entrance access on Alan Road and compatibility, safety and accessibility issues of the proposed project. A letter was also submitted for the record files.

Walter & Inge Knapp, neighbor, expressed concern regarding the proposed project's compatibility with the surrounding neighborhood.

Ms. Delois Cramer, neighbor, expressed concern regarding creek setback issues of the proposed project.

Ms. Amanda DeLucia, neighbor, expressed concern regarding compatibility with the surrounding neighborhood of the proposed project.

Mr. Alan Ruper, neighbor, expressed concern regarding compatibility issues and traffic impacts of the proposed project.

Mr. Andrew Segal, neighbor, expressed concern regarding emergency vehicle accessibility and traffic impacts.

Mr. Daniel McCarter, neighbor, expressed concern regarding the proposed project's neighborhood compatibility issues with the character of the Arroyo Burro neighborhood, connectivity, routes to school, and new pedestrian links (proposed bridge placements) within the City Pedestrian Master Plan.

Public comment closed at 6:41 p.m.

EXHIBIT G

Ms. Bettie Weiss, City Planner, clarified that staff has been working with the applicant on a new approach regarding issues of annexation, zoning, and a specific plan and details regarding the proposed project. She informed the Board that the proposed project is also being reviewed for input from the Creeks Advisory Committee, the Parks and Recreation Commission, and the Planning Commission. While the expressed comments and concerns regarding compatibility, approach circulation, and pedestrian path connection issues are of value, Ms. Weiss advised the Board that the other aforementioned Commissions will also be providing input and direction regarding creeks, setbacks, and drainage issues of the proposed project.

Motion: Continued indefinitely to the Planning Commission. The Board understands that the proposed project is a new proposal and has no purview over the issue of access, but the majority of the Board feels that the previous proposal was a better solution and offered many advantages to the City (i.e., creek restoration and dedicated open spaces, etc.). Given that the applicant has been directed by City Council and other advisory entities to abandon the previous proposal, the Board suggests the following additional comments: 1) The reduced density and proposed layout of the 15 lots is appropriate given the topography, creek, and the flood setbacks. 2) The transitions from the tract house theme of Alan Road to the more rural character of the proposed development is acceptable, with the entry node of the proposed oak groves serving as a good visual buffer between these two areas. 3) The building envelope at Lot 1 should have an increased setback with regard to the Alan Road subdivision in order to add to the visual buffer for the continuation of the proposed oak grove. 4) The Board appreciates the applicant's desire for the public roadway to have an aesthetic rural, rustic, and private feel and looks forward to the Public Works Department working closely with the applicant on the proposed project. 5) The applicant should explore the feasibility of reducing the large building envelopes on the west of the site in order to increase the open space area further along the creek, and not impinge or encroach upon the creek setback zone. 6) A common area shall be established beyond the 50-foot setback area. 7) Study the feasibility of a pedestrian/emergency access to connect the 15 homes to Las Positas Road and trail area 8) The example styles for the homes (Greene + Greene) are appropriate for the rural character of the proposed project. 9) The Board looks forward to the design guidelines to implement low lighting emission levels for public improvements and individual residences. 10) The Board understands that the building envelopes for structures would be set outside the 100-foot setback, and that the roadway would encroach into the 100-foot setback area as well as the usable back yard spaces for the individual residences, but no vertical structures within that buffer area.

Action: LeCron/Wienke, 8/0/0.

Ms. Weiss interjected into the motion that the aforementioned "private road" refers to a "public road with a private aesthetic feel," and that the Board needed to comment specifically on how the applicant could successfully accomplish a transition from one neighborhood to the other (i.e., increasing the setback and common area).

********** **THE BOARD RECESSED FROM 7:30 P.M. UNTIL 7:58 P.M.** **********

City of Santa Barbara

CREEKS RESTORATION AND WATER QUALITY IMPROVEMENT CITIZENS ADVISORY COMMITTEE

Regular Meeting

Wednesday, April 26, 2006

MINUTES

The regular meeting of the Creeks Restoration and Water Quality Improvement Program Citizens Advisory Committee was called to order by Chair DeVoe at 5:35 p.m. at the David Gebhard Public Meeting Room.

1. CALL TO ORDER
2. ROLL CALL

Members Present

Myfanwy DeVoe (Chair)	Environmental/Land Use
Michael Jordan (Vice Chair)	Business Community
Bruce Klobucher	Ocean Users
Jeff Phillips	Environmental/Land Use
David Pritchett	Environmental/Land Use
George Weber	Environmental/Land Use
Daniel Wilson	Community at Large

Members Absent

Daniel E. Hochman	Hotel/Lodging Industry

Liaison Representatives Present

Rob Almy	County Project Clean Water Liaison
Iya Falcone	City Council Liaison
Bendy White	Planning Commission Liaison Alternate

Liaison Representatives Absent

John Jostes	Planning Commission Liaison
Beebe Longstreet	Park and Recreation Commission

Staff Present

Jill E. Zachary	Creeks Restoration/Clean Water Manager
George Johnson	Creeks Restoration Planner
Jan Hubbel	Senior Planner

3. APPROVAL OF MINUTES OF THE REGULAR MEETING OF MARCH 15, 2006.

ACTION:
Wilson moved, seconded by Jordan, and passed 6/0 that the Committee approve the minutes of the regular meeting of March 15, 2006. Wilson abstained.

4. AGENDA ADJUSTMENTS

None.

5. PUBLIC COMMENT

None.

6. ANNOUNCEMENTS

Mr. Wilson announced that a WELDesign landscape project won the Goleta Valley Beautiful 2006 Sustainable Award and a free public tour is scheduled for Saturday, May 6th from 10:00 am to 2:00 p.m. at 845 Norma Way.

Mr. Pritchett announced that upper State Street development issues were brought before the City Council. He said that Planning Division staff recommended that the Creeks Citizens Advisory Committee be included in the review process.

Ms. Zachary announced that the Creeks Citizens Advisory Committee has an Environmental/Land Use seat available. She said that applications are due to the City Clerk's office by May 26th at 5:00 p.m. with interviews being held before the City Council on June 13th at 6:00 p.m. and June 20th at 3:30 p.m. She said that the appointments would be made in July.

7. BUSINESS ITEMS

a. **Review of the Proposed Restoration of Arroyo Burro for the Veronica Meadows Development Project**

Mr. Swanson, Swanson Hydrology and Geomorphology, gave a brief presentation on the proposed restoration of Arroyo Burro for the Veronica Meadows residential development project. He said that stabilizing the creek by using natural features and materials was the objective for the project.

Mr. Swanson reviewed several projects that include elements that could be applied to the proposed restoration. He said that boulder weirs and benching could be used to hold the grade, prevent incision, and offer natural geometry and morphology. He said that natural boulder revetments are designed to not move in large floods and that vegetated rock toes could also be used to create fish habitat and support vegetation. Mr. Swanson also reviewed boulder placement techniques, and the use of coconut fiber, brush layering, coir rolls, landslide re-vegetation, and sod revetment to stabilize the creek banks.

COMMITTEE DISCUSSION:

Mr. Jordan asked what the red lines signify on the grading plan and why the profile image appears to include the deepening of the creek. He also asked if restoration work is intended for the road-side of the creek (east bank) or the development-side (west bank).

- Mr. Swanson responded that the solid red line closest to the creek refers to the EIR top-of-bank and the other red line is the proposed top-of-bank. He said that the creek would need to be over-excavated in order to include the boulder weirs but the profile line would remain at the same depth. Mr. Swanson responded that work is intended for both sides of the creek.

Mr. Wilson asked if boulder revetments are the best option considering the depth of the Arroyo Burro channel. He noted that the examples presented were of shallow creek profiles. Mr. Wilson asked what would happen to the surface water coming from the Campanil Hill tributary. Mr. Wilson asked where the residential stormwater runoff would go.

- Mr. Swanson responded that the hydrological model includes rock size, velocity, interlocking boulder weirs and revetment in which the largest rock moves before the smaller rocks. He added that the scour process is desired for ecological concerns and said that he is confident that the boulder revetments would work.
- Mr. Swanson said that with regard to the Campanil Hill tributary, the new layout eliminated the possibility of a boulder-lined channel through backyards. He said that the plan is to incorporate a seasonal wetland treatment pond before the water is piped to a creek outlet. He said that the Campanil Hill tributary is a dry, storm-response type of channel and would not be exposed to storm water pollution because it would be in a pipe rather than in residential backyards. He added that all hardscape surfaces would have bioswales to treat the runoff but the layout has not yet been designed.

Mr. Pritchett asked which hydraulic model was used and if there is a budget for implementing the restoration plan.

- Mr. Swanson responded that he used the Hydrologic Engineering Centers River Analysis System (HEC- RAS) model and that a budget for implementation has not been created.

Mr. Klobucher asked how the location for the pedestrian bridge was selected.

- Mr. Swanson responded that the bridge location was chosen to facilitate pedestrians and cyclists traveling from the end of Alan Road to Las Positas Road. He added that roadways of the Veronica Meadows project are to be private roads.

Mr. Weber asked if the lines on the plans are building envelopes or footprints.

- Mr. Swanson responded that they are envelopes in which buildings would be constructed but not the building footprint.

Mr. Phillips stated that in March 2004 the Arroyo Burro Vision Group created a community vision for the Arroyo Burro watershed. He said that this vision included the placement of bio-engineered natural solutions such as bioswales and native plantings in place of the hard-bank improvements along creeks and drainages.

Mr. Phillips said that the new proposal includes development in areas within 50 feet of the stabilized top-of-bank. He said that the Advisory Committee had previously passed a motion recommending a 100-foot setback from the EIR top-of-bank and does not believe that the Committee should reconsider that recommendation.

Mr. Phillips said that the current plans propose that the Campanil Hill tributary be place in a culvert and the Committee had previously made a recommendation that this drainage not be channelized. Mr. Phillips said that the pedestrian trail has also been relocated from the development side of the creek to the City parcel and a bioswale has been removed from the plans.

Mr. Phillips said that the plans read more like a channelization project rather than a restoration project. He said that it is a re-engineering of the creek that moves 15,000 cubic yards of soil, which would likely have an impact on the creek. He said that rock revetment stabilization along 1,600 linear feet of channel would create the same type of constrained channel that is causing problems elsewhere in the city. He said that the best natural form of creek-bank stabilization is the use of mature trees but the proposed restoration entails removing four eucalyptus, seven oak trees, one sycamore, and 43 willow trees from the existing creek banks. He said that the stabilizing function of the trees will presumably be replaced with rock fill. Mr. Phillips said that this is not restoration, it is re-engineering and that to restore a natural system is an attempt to return the system to a previously natural state representative of before human disturbance.

Mr. White asked if the developer would discuss the creek setbacks.

- Mr. Swanson said that the setback is measured by the EIR proposed top-of-bank. He said that the 50-foot setback indicates a riparian conservation zone and that between 50 and 100 feet from top-of-bank is the "structure exclusion zone" but includes porches, patios and paving. He added that Mr. Lee is open to restrictions regarding decks, etc.

Mr. Jordan asked if one of the homes is less than 50 feet from the proposed top-of-bank.

- Mr. Swanson responded that one of the homes is within 50 feet of the top-of-bank, following the proposed restoration.

Public comment opened at 6:30 p.m.

Mr. Mc Carter asked to what degree the construction would affect the tidewater goby and asked if there would be a measurable improvement in the water quality

of the runoff from the Veronica Meadows property. He said that he is concerned with the proposed bridge location because it will not connect with the trail that leads to Las Positas Valley and suggested that the bridge be located across from the Elings Park driveway.

- Mr. Swanson responded that segments of the creek would be dewatered and one of the permit requirements is that turbid waters not leave the site.
- Mr. Lee responded that the pedestrian bridge is a community asset and benefit that belongs on public property.

Ms. Hauser, Heal the Ocean, said that it is too bad that the City does not have a restoration plan for this reach of the creek and said that Measure B was passed for the purpose of doing creek restoration. She asked if the City was planning to design a restoration project at this site.

- Ms. Zachary responded that the Creeks Division has implemented both restoration projects and water quality improvement projects on a site-by-site basis. She said that this location on Arroyo Burro includes 5.9 acres that are publicly owned and that a restoration plan has not been developed for this site because of the private development proposal that has been in process. She said that the Creeks Division has participated in this process. Ms. Zachary said that the Citizens Guide to the Watersheds will be distributed to the community and this document, in conjunction with the Existing Conditions Study will lead to a long range plan to restore Arroyo Burro, Mission Creek, and Sycamore Creek. Ms. Zachary added that City projects are located on publicly owned land but the majority of creeks are privately owned and the City is working to facilitate restoration on both public and private land.

Mr. Knapp said that he does not want Alan Road to be the entrance to the Veronica Meadows residential development. He said that there will be resistance from the 200 residents of Alan Road and suggested that the automobile bridge be re-included in the plans.

Ms. Cramer said that she is against the project if access is not made from Las Positas Road instead of Alan Road. She said that the neighborhood has been safe with one entrance/exit point and she would like it to continue that way.

Public comment closed at 6:45 p.m.

The Committee recessed at 6:45 p.m. and reconvened 7:00 p.m.

COMMITTEE DISCUSSION:

Ms. Zachary said that this is an opportunity for the Committee to make recommendations on the restoration plan. She said that Committee recommendations may address the following:

- The proposed restoration design, including:
  - Creek bank stabilization

  - Non-native plant removal and riparian replanting
  - Set-backs
  - Buffer zone
- Pedestrian trail location
- Pedestrian bridge location
- Site drainage and water quality treatment
- Phasing of restoration plan implementation

Ms. Zachary stated that this is the first opportunity that the applicant has had to present the revised layout as it relates to creek restoration. She stated that additional meetings include the Park and Recreation Commission meeting on May 17th and the Planning Commission meeting on June 8th. She added that the Committee could appoint members to draft a memorandum on the Committee's recommendations and attend the Commission meetings.

Mr. Pritchett asked if this is only opportunity for the Creeks Advisory Committee to review the project.

- Ms. Zachary responded that, at the request of the City Council, this is the Committee's opportunity to make recommendations.

Mr. Klobucher asked if this project will impact the ability to do creek restoration on the reach of creek that runs along Alan Road.

- Mr. Swanson responded that this project is an example of the type of restoration that could occur downstream.

Mr. Wilson asked if the development could be constructed without active restoration at the moment so that a mitigation bank could be established. He recommended writing a conservation easement and buffer zone into the deed.

- Ms. Zachary responded that the City owns a fraction of creek banks and will be looking to private landowners to do restoration on their own property. She said that if the restoration along this property does not take place before the private lots are created, then each of those landowners would need to be involved in the restoration.

Mr. Wilson asked if the hydrologic model, grading plan, rock revetments, and benching take the anticipated growth of the mid and upper watershed into consideration. He asked if the hard elements included in the design can move and shift over time and allow for energy dissipation. Mr. Wilson said that this project reach should not have to mitigate for water quality and flood flows throughout the watershed.

- Mr. Swanson responded that the middle of the watershed is highly urbanized and piped. He said that it is maxed-out with regard to peak flows. Mr. Swanson said that the project is designed to handle a 100-year storm but the smaller, more frequent storms cause more erosion. He said that the restoration plan is designed to address the regular floods, protect Las Positas Road, and encourage the ecosystem to develop and grow. He said that the revetment is designed to come up ¼ of the channel bank so that

the toe is not eroded, and the design allows scouring and deposition of fine soils while allowing for energy dissipation.

Mr. Jordan asked if the same method of design would be used (rock revetments, excavation, benching) if the City were to undertake this restoration project. He asked if the placing of a trail on the east side of the creek would be prudent. Mr. Jordan asked if there is room on the City parcel for the bioswales that are not included but would benefit the design.

- Mr. Johnson responded that the elements that Mr. Jordan mentioned could be included in a City restoration plan at this location and that it might be possible to incorporate a detention or retention basin in the widest portion of the City owned parcel.
- Ms. Zachary responded that if the City were to construct a trail a number of factors would be assessed including location, slope, terrain, anticipated users, installation, and maintenance. She said that the Creeks Division has built pedestrian trails of decomposed granite along restoration projects and that in 2004 the Committee discussed the inclusion of viewing areas and trails at this site. She said that Highway 225 is not a safe road for pedestrians.

Mr. Weber asked if there are four outfalls to convey runoff from the development to the creek and if any structural Best Management Practices (BMPs) would be implemented to treat the runoff before entering the creek.

- Mr. Lee responded that the original proposal included two outfalls but the EIR indicated that four outfalls would be preferable. He said that the number of outfalls is currently undetermined and that all feasible BMPs would be implemented.

Ms. DeVoe stated that the Committee had previously voted to recommend a 100-foot setback from the top-of-bank. She said that she understood that there is now a 50-foot setback and the area between 50 feet and 100 feet includes a number of backyards.

- Mr. Lee responded that the initial recommendation for a 100-foot setback was based on a "worst case scenario" because it was unknown what the restoration project would look like. He said that this proposal changes the nature of what an appropriate setback would be.

Mr. Swanson responded that the project addresses erosion with the proposed armoring and benching of the creek channel. Mr. Swanson said that the applicant has proposed incorporating a top-flight low-impact development storm water treatment system including covenants, conditions and regulations (CC&Rs) that regulate pesticide/herbicide use, planting, and other pollution generating activities. He said that the applicant is receptive to the use of permeable surfaces, and routing rooftop/road runoff to bioswales. He said that backyard bioswales have been discussed.

Mr. Lee responded that the 50-foot and 100-foot setbacks were chosen for

consistency. He said that these setbacks are arbitrary and if the bank is restored then the setbacks would be decreased because the science would no longer dictate that large of a buffer zone.

Ms. DeVoe asked if there would be CC&Rs that dictate what types of chemicals homeowners can use in their lawns or if the runoff would flow into bioswales.

- Mr. Lee responded that he does not know where the bioswales would be located but expressed his commitment to strict CC&Rs, BMPs and consistency with the City's Integrated Pest Management program. He stated that the CC&Rs can be strict but once he is no longer involved, the Homeowners Association would be responsible for future enforcement. He said that said that the CC&Rs could be written into the title of the properties or the City might impose conditions including inspections or testing to ensure compliance with the CC&Rs.
    - Mr. Swanson responded that two potential locations for bioswales are backyards or parallel to the incoming road.

Mr. Pritchett asked for a summary of the City's process and the applicant's process for developing a restoration project.

- Ms. Zachary responded that the City's process includes hiring a design or engineering firm to come up with multiple concepts and preliminary designs. She said that the concept designs are assessed to determine if they meet the project's objectives and a design is then selected. She said that the environmental review and permitting process is then undertaken and community meetings are held.
- Ms. Zachary responded that the Veronica Meadows residential development has evolved. She said that the restoration element has been further defined during the past year and that the Committee had an opportunity to discuss the restoration concepts in February 2005. Ms. Zachary stated that additional work has been done since that time and this is why the restoration element is being brought before the Committee at this time.

Mr. Pritchett asked if this project can go through the City's process, at the City's pace. He said that he feels that the Committee's options are constrained.

- Ms. Zachary responded that the Veronica Meadows residential development proposal includes the restoration of Arroyo Burro and is currently under consideration by the City. She said that there is no reason to change the process because she believes that the City Council is committed to having all relevant Committees and Commissions provide recommendations on the project. She said that the key issues for this Committee to consider are 1) how and when the proposed restoration would take place, and 2) whether the proposed restoration meets the City's objectives for this reach of the creek.

Ms. DeVoe commented that this project includes the restoration of public property by a private developer and this is the first time that the Committee has been asked

to review this type of project.

Ms. Zachary responded that the proposed development project does not specify how and when the restoration would take place.

Mr. Swanson responded that the plans are currently at 35% completion.

Mr. Pritchett said that he believes that the plans could be changed considerably and does not understand why the City cannot design a project at this location to be implemented on the City's timeline. He said that the Committee is being asked to accept this project and asked if the restoration could be the City's design.

- Mr. Amerikaner, attorney for the applicant, responded that the creek restoration was originally a part of the project because the EIR identified the vehicle bridge as causing creek impacts. He said that with the removal of the bridge, creek restoration is no longer a required element of the development project.

Mr. Pritchett asked Mr. Amerikaner how he knows that the restoration is no longer required since the proposed project has not been reviewed by the Planning Commission.

- Mr. Amerikaner responded that the EIR identified the vehicular bridge as the cause of creek impacts and when the bridge was removed from the design, the impact was eliminated. He said that if the Committee believes that creek restoration should not occur for any reason then the Committee should tell the City Council that it does not believe that this reach of Arroyo Burro should be restored. He said that the applicant is here to present a creek restoration plan that is as good a plan as one can find and receive comments on that plan.
    - Mr. Pritchett responded that the restoration element is a part of the residential development package regardless of the bridge. He said that the Committee needs to determine the degree to which the applicant is committed to implementing this restoration project and that the Committee also needs to determine if it likes the proposed restoration project. He suggested that the City modify the project to follow the City's process and meet the City's goals for this reach of the creek. He said that he feels that the City is being told to "take it or leave it" and he does not believe that those are the only two options.

Mr. Jordan asked if there is a commitment on the part of the applicant to fund the restoration project and pedestrian bridge.

- Mr. Lee responded that the he is not here to discuss the topic of funding with the Committee but as the development plan moves forward, there are many parameters to be discussed with the Architectural Board of Review (ABR), the Planning Commission, and the City Council. He said that the issue is, "What's in it for the City?" Mr. Lee added that the creek restoration was not mitigation for the bridge and that the EIR did not require creek

restoration in response to the Class I impact of the bridge.

Mr. Lee added that as the project moves forward, he will be able to evaluate whether or not he can make any contribution to creek restoration. He said that he is hoping that all City Commissions and Committees reviewing this project will create a prioritized list of requests. He said that he knows that the City would like creek restoration, a signal light, a trail, and a pedestrian bridge. Mr. Lee said that he cannot totally restore the 1,800 linear feet of creek and that it is not technically practical for each property owner, himself and the City, to restore their respective properties. He said that it is feasible to restore sections of the creek and would like the Committee's input on that matter.

Mr. Jordan recommended that the pedestrian bridge be relocated across from Elings Road. Mr. Jordan said that the trail could also run down the road rather than along the creek.

- Mr. Lee responded that this is a private development that does not intend to invite the public to access a public trail on private property. He added that he will have to evaluate this type of request as the project moves forward.

Mr. Wilson asked where the excavation spoils would go. He suggested that native Santa Barbara stones be used and asked if it is necessary to place the ephemeral drainage from Campanil Hill into a culvert. He asked if there are other alternatives to placing the drainage in a culvert or if it is financially more feasible to place it in a culvert rather than leaving it exposed.

- Mr. Lee responded that the spoils could likely be balanced onsite and said that the ephemeral drainage issue should be added to the wish list. He said that the nature of running the drainage above or below ground is similar to the issues of public access on private property, the inclusion of circulation elements, and creek restoration planning for Alan Road. He said that all of these issues have substantial financial impacts and he believes that the ephemeral drainage is a much lower priority compared to other alternatives. Mr. Lee responded that it is less costly to place the drainage in a culvert.

Ms. Falcone stated that in the prior proposal that was not approved by the City Council, there was an aesthetic element that was above ground and meandered through the property but the majority of the runoff was to be piped underground.

Mr. Wilson encouraged the applicant and staff to consider designs that support groundwater recharge by maintaining water on the development site.

Mr. Klobucher asked when the restoration would take place.

- Mr. Lee responded that he cannot respond to that question at this time.

Mr. Weber asked if the automobile bridge would be reincorporated into the project.

- Mr. Lee responded that the automobile bridge will not be reincorporated into the project.

Mr. Jordan said that he is concerned that the plans are only 30-40% complete, the water percolation elements were not a part of the presentation, and project funding has not been determined. He said that he would like to have further discussion before making recommendations and added that he believes that the sheet flow should be slowed and retained rather than being placed in a culvert. Mr. Jordan said that any flow into the creek needs to be diffused through multiple discharge points and that he would like to know where those discharge points would be located and what their impact would be to the restoration plan. He recommended a peer review of the design and an independent cost analysis. Mr. Jordan proposed that the pedestrian bridge be relocated to span a less volatile portion of the creek with a more logical link to traffic from Elings Park, and stated that the applicant had previously proposed using public land for a private bridge.

Mr. Pritchett moved to support numbers 2, 3, 4, and 5 on the list of comments supplied by Mr. Phillips.

Mr. Klobucher requested that the motion be split into individual motions.

Mr. Pritchett withdrew his motion.

Mr. Pritchett moved, seconded by Wilson, that the Committee recommend to the Parks Commission, Planning Commission, City Council and others in the city that this residential development, including the rear of the lots, stick to the 100-foot setback per the EIR.

Mr. Jordan asked if the motion includes bare land on the lot or housing structures.

- Mr. Pritchett responded that the back yards should be outside of the 100-foot setback.

Mr. White stated that by moving into motions, the Committee is losing the ability to discuss the project. He said that the Committee is being asked to review the conditions of approval for a project that is still undefined. He said that project funding sources will be determined after the size of the project is determined. He added that the 100-foot setback is a good idea and the concerns with the ephemeral drainage are appropriate.

Mr. Wilson responded that believes that the project can still change and that there is uncertainty with regard to the capital investment for the installation of the project or the long-term maintenance of the project.

- Ms. Hubbel responded that the adjusted top-of-bank was an EIR top-of-bank as opposed to the applicants proposed top-of-bank.

Ms. Falcone commented that this is a conceptual plan and the City Council is seeking recommendation from various Committees and Commissions in order to determine whether or not to approve the overarching conceptual design of the project. She said specific details will later be assessed.

Mr. Pritchett said that the Committee's opinion should not change from the last time this project was reviewed. He said that it is important to reconfirm the Committee's opinion and suggested that the Committee comment on the restoration plan as a whole.

Mr. Wilson called the vote. He also emphasized that the Committee voted to support a 100-foot setback from the existing geomorphic top-of-bank. He said that the issue of creek buffers and restoration are the most important creek and development related issues.

ACTION:

Mr. Pritchett moved, seconded by Wilson, and passed 5/1 that the Committee recommend to the Parks Commission, Planning Commission, City Council and others in the City that this residential development, including the rear of the lots, stick to the 100-foot setback per the EIR.

Mr. Klobucher said that he is hesitant to get into specific elements because it seems that there will be plenty of time to offer input once further details have been flushed out.

Mr. Weber stated that he is believes that the motion was valuable because it is an over-reaching issue. He said that he would like assurance that the Committee will have the opportunity to offer input in the future.

Mr. Pritchett said that the Committee does not need to avoid making comments at this time because the Commissions that will be reviewing the project in the future are interested in the Committee's opinion.

Mr. Wilson moved, seconded by Weber, that the Committee recommend that, to the extent feasible, surface water is maintained on the surface throughout the entire project site.

Mr. Pritchett offered the following friendly amendment, "especially in the Campanil Hill tributary to remain as a natural channel."

Mr. Wilson did not accept the friendly amendment as proposed and updated the motion as follows.

ACTION:

Mr. Wilson moved, seconded by Weber, and passed 6/0 that the Committee recommend that, to the extent feasible, the surface water is maintained on the surface throughout the entire project site, including the ephemeral drainage from Campanil Hill.

Mr. Jordan moved, and seconded by Wilson, that the Committee's recommendations also include the recommendation that this Committee review the

details again once the details are ascertained.

Mr. Wilson suggested the friendly amendment, "specifically as related to creek issues."

Mr. Jordan accepted the friendly amendment.

Mr. Pritchett asked if the intent of the motion is for the Committee to review the plan between the Planning Commission and City Council meetings.

- Mr. Jordan responded that the intent of the motion is to recommend to Council that they grant the Committee additional time to offer opinions after the project has gone to the Park and Recreation Commission, Architectural Board of Review, Planning Commission, and City Council.

Mr. Pritchett said that there is no point in seeing the project so late in the process since revisions will not be possible.

- Mr. Jordan responded that the input offered today is based on disinformation. He said that a list of suggestions could be drafted today but they may be mute once the project reaches the City Council because the conditions may no longer exist.

Ms. Zachary recommended that the Committee make recommendations related to the creek restoration design as it is currently developed with the knowledge that it is unclear whether, and how, the project will be constructed. She said that it is safe to assume that some restoration will take place.

ACTION:

Mr. Jordan moved, seconded by Wilson, and passed 6/0 that the Committee recommend to Council that the Committee be given the opportunity to review the details of this project following review by the Architectural Board of Review, Park and Recreation Commission, Planning Commission, and City Council specifically related to creek issues.

Mr. Wilson moved, seconded by Klobucher, that the Committee recommend that should public pedestrian access be included in this project, the Committee recommend that the location be more user friendly and suitable for public use.

Mr. Wilson said that this motion is vague in order to find an option that is user-friendly if it is decided that being right next to Highway 225 is not user-friendly.

Mr. Pritchett offered the friendly amendment, "that the project include a pedestrian and bicycle path within the restoration zone, not on the residential the road."

Mr. Wilson did not accept the friendly amendment.

ACTION:

Mr. Wilson moved, seconded by Klobucher, and passed 5/1, that the Committee recommend that should public pedestrian access be included in this project, the Committee recommends that the location be user friendly and suitable for public use.

Mr. Pritchett moved, seconded by Weber, that pedestrian access be in the creek restoration zone, not the residential road.

Ms. Zachary said that the Committee has voted to recommend that the pedestrian access be in the most favorable location without specifying which side of the creek or whether it would be on a road. She said that she understands that Mr. Pritchett is further defining that access as being within the restoration zone.

ACTION:

Mr. Pritchett moved, seconded by Weber, and passed 4/1 that pedestrian access be in the creek restoration zone, not the residential road. Ms. DeVoe abstained.

Mr. Wilson said that he would like to offer a motion related to the phasing of the restoration plan and plant installation but does not think that it is possible because the funding, maintenance, and design are unknown.

Mr. Pritchett said that the creek restoration project should be designed by the City using the City's process and that the role of the applicant should be to contribute funds to the restoration. He suggested that the work be done at the City's pace with a City design separate from the residential housing project. He said that this is an advantageous means of moving forward because the applicant would no longer have to address the Committee. Mr. Pritchett said that it is clear that the City Council would like to see something given back to the community.

Ms. Zachary that staff is not prepared to present the pros and cons of proceeding with Mr. Pritchett suggestion. She suggested tabling the subject for a future meeting.

Mr. Pritchett said that it must be decided who is going to do what and then determine the applicant's obligation and the cost.

Ms. Hubbell said that the issue of removing the developer from the restoration project is inconsistent with the basic planning approach to development. She said that it is not known to what extent future property owners would participate in maintenance. She said that both the developer and the City lose if the Committee's recommendations require substantially more maintenance than has been programmed into the project or can be taken on by the Homeowners Association.

Mr. Jordan moved, seconded by Weber, that the Committee recommend that storm water flow entering Arroyo Burro be diffused and distributed as much as

possible.

Mr. Weber offered the following friendly amendment, "and as much as possible, employ Best Management Practices to treat for water quality issues."

Mr. Jordan rejected the friendly amendment.

ACTION:

Mr. Jordan moved, seconded by Weber, and passed 6/0 that the Committee recommend that storm water flow entering Arroyo Burro be diffused and distributed as much as possible.

Mr. Pritchett said that he does not believe that this is the restoration plan that the Committee would like to see implemented. He said that this is not restoration but highly engineered revetment. He said that the motivation of the design is to keep the creek static so that the residential lots are protected from erosion and that this is not what the City should be doing. He said that he would like to determine what the project will cost.

Mr. Jordan said that if Mr. Pritchett would like an answer to the question he needs to ask it to the other Commissions.

Mr. Wilson moved that the Committee recommend that the appropriate City body let the Committee know what will be the City's commitment for initial installation and long-term maintenance.

Ms. Falcone stated that the degree to which this project is feasible is dependent on the Planning Commission's recommendations and City Council. She said that the City is not in the business of restoring or maintaining private property. She said that it is the Committee's purview to determine guidelines, outlines, and programs for private development to restore their own property. She added that there may be more revetment in the project than some people would prefer but it is up to the City Council to balance the issues related to private property and creek restoration.

Mr. Wilson asked Mr. Lee **whether** he is committed to doing the restoration as presented **tonight, if the project gets approved**.

- Mr. Lee responded that he **did not think that it was a realistic question. He** cannot speculate on the future and does not **think there would be any meaningful discussion about that at tonight's meeting**.
    - Mr. Wilson said that it does not sound like the proposed restoration plan would even happen, so he does not see the point in making specific recommendations **as to whether the Committee likes it or not.**
        - Ms. DeVoe responded that Council would not have asked for the Committee's opinion had they believed it to be useless.

Mr. White stated that a project comes before the ABR for conceptual review and

later returns so that the details can be addressed.

- Mr. Wilson said that understands that the Committee should be making general recommendations with respect to particular elements such as the use of revetments, or channel modifications, or buffers. He said that he understands that now is not the time to make recommendations with regard to the amount of rock used for the revetments.

Mr. Jordan asked Ms. Zachary if the best method would be to restore both sides of the creek banks simultaneously.

- Ms. Zachary responded that creek restoration cannot be done one bank at a time and she does not know if the creek could be restored in phases.
- Mr. Swanson responded that the creek cannot be restored one bank at a time.

Mr. Jordan moved that the Committee recommend that the restoration project be done in whole, or that any phasing of the project be done on both sides of the bank at the same time.

Ms. Zachary suggested that this project return to the Committee as part of a future review and recommended that the Committee work to identify additional information desired in order to take on that discussion at a later date. She suggested that the Committee identify who will be attending the forthcoming public meetings.

Mr. Jordan withdrew his motion.

Mr. Wilson requested additional information related allowable uses within the 50-foot buffer.

Mr. Klobucher said that he is comfortable with the motions made thus far and would like to see the meeting adjourned following the selection of Committee members to attend future public meetings.

Mr. Pritchett stated that the restoration plan should include the reach along Alan Road to Cliff Drive because there are downstream ramifications of the development project and proposed restoration.

Ms. DeVoe recommended that she, Mr. Phillips, and Mr. Pritchett draft a memorandum and attend the future Park and Recreation Commission, Planning Commission, and City Council meetings related to this project.

8. SUBCOMMITTEE AND WORKING GROUPS REPORTS

a. Budget Subcommittee

Klobucher moved, Wilson seconded, and passed 6/0 that item 8a be tabled.

b. Integrated Pest Management Liaisons

Klobucher moved, Wilson seconded, and passed 6/0 that item 8b be tabled.

c. Water Quality Working Group

Klobucher moved, Wilson seconded, and passed 6/0 that item 8c be tabled.

9. STAFF REPORT

a. Tentative Meeting Agenda 2006

Klobucher moved, Wilson seconded, and passed 6/0 that item 9a be tabled.

10. ADJOURNMENT

At 9:55 p.m. there being no further business to come before the Committee,

ACTION:
Jordan moved, seconded by Wilson, and passed 6/0 that the meeting be adjourned.

Respectfully submitted,

Jill E. Zachary
Creek Restoration and Water Quality Improvement
Program Manager

CITY OF SANTA BARBARA
Creeks Citizens Advisory Committee and Park and Recreation Commission Special Joint Meeting

Monday, July 10, 2006

MINUTES

The special joint meeting of the Creeks Restoration and Water Quality Improvement Citizens Advisory Committee and the Park and Recreation Commission was called to order by Chair Longstreet at 5:55 p.m. in Council Chambers at City Hall.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

Park and Recreation Commission Members

Present	Absent
Ada Conner (Vice Chair)	Steve Forsell
Daraka Larimore-Hall	Arnoldo Gonzales
Beebe Longstreet (Acting Chair)	Laura Spracher

Creeks Advisory Committee Members Present

Myfanwy DeVoe (Chair)	Environmental/Land Use
Daniel E. Hochman	Hotel/Lodging Industry
Bruce Klobucher	Ocean Users
David Pritchett	Environmental/Land Use
Daniel Wilson	Community at Large

Creeks Advisory Committee Members Absent

Michael Jordan (Vice Chair)	Business Community
Jeff Phillips	Environmental/Land Use
George Weber	Environmental/Land Use

Liaison Representatives Present

Rob Almy	County Project Clean Water Liaison
Iya Falcone	City Council Liaison
John Jostes	Planning Commission Liaison

Staff Present

Jill E. Zachary	Creeks Restoration/Clean Water Manager
George Johnson	Creeks Restoration Planner

4. PUBLIC COMMENT

None.

5. BUSINESS ITEM

a. Review of Veronica Meadows Specific Plan

Ms. Rapp stated that the review of the Veronica Meadows Specific Plan is before the Park and Recreation Commission and the Creeks Advisory Committee because the housing development project is located on public park land and the applicant is proposing to do creek restoration on City-owned land. She stated that in March 2006, Council requested specific changes to the project and asked that the revised project come before the Creeks Advisory Committee, the Park and Recreation Commission, Architectural Board of Review, and the Planning Commission.

Jeff Phillips arrived at 5:41 p.m.

Ms. De Busk, City Planner, stated that the proposed restoration is located in the Las Positas Valley, adjacent to Las Positas Road, across from Elings Park. She stated that the site is currently within the jurisdiction of the County of Santa Barbara. She said that the applicant is seeking approval for 1) annexation into the City, 2) the Veronica Meadows specific plan, 3) a General Plan map amendment, 4) a zoning map amendment, 5) a local coastal plan amendment, 6) a hillside design district map amendment, 7) a lot-line adjustment, and 8) a statement of overriding consideration related to the environmental review of the property.

Ms. De Busk stated that the key issues to be discussed are the appropriate land use and zoning designation for the property. She said that staff had proposed to zone the site with the specific plan because it can be tailored to address the unique environment and constraints that exist on the property. She said that Council will make the final decision on annexation and land use issues after receiving comments from the Architectural Board of Review, the Creeks Advisory Committee, the Park and Recreation Commission, and the Planning Commission.

Ms. De Busk stated that following annexation, the applicant would submit a subdivision proposal to the City including creek restoration which would go through the formal review process including environmental review and all applicable City review boards. She said that staff's review of the project will be based on the development standards and criteria that are set forth in the specific plan. She said that the role of the Park and Recreation Commission and the Creeks Advisory Committee is to send comments to Council on the objectives and standards identified in the draft specific plan, and to provide the applicant, Planning Commission, and Council comments on the draft creek restoration plan. She said that Council has asked for input regard:

- Pedestrian access
- Creek set-backs and permitted land uses within the set-back zone

- Drainage as it relates to water quality in the creek environment
- The restoration plan including stabilization and restoration
- Future maintenance responsibilities within the creek banks

Ms. De Busk said that staff is requesting an easement across the northern portion of the property, whereas the applicant proposes an easement at the end of Alan Road. She said that staff recommends that a pedestrian path connect to the bridge in the northern location and run along the public road within the subdivision. She said that the applicant is proposing that the drainage from Campanil Hill be placed in a subsurface storm drain and that the specific plan does not require the drainage to be in an open channel.

Applicant Presentation:

Steve Amerikaner, Hatch and Parent, stated that Council reviewed the Veronica Meadows project on March 21, 2006 and requested the following:

- Reduced housing density
- Removal of a vehicular bridge
- Rural road characteristics
- Pedestrian path on the east side of the creek.

Mr. Amerikaner stated that the applicant has met those requirements by reducing the number of homes from 24 to 15, removing the vehicular bridge, creating a road that is rural in character, and including an easement at the southern portion of the project in order for the City to install a pedestrian bridge. He said that the applicant has proposed to restore 1,800 linear feet of creek bank.

Mr. Swanson, Swanson Hydrology and Geomorphology, stated that Arroyo Burro flows through a highly urbanized watershed. He said that changes in the watershed have led to an increased flow and the creek as responded by widening and is currently down-cut. Mr. Swanson said that when creek stability and function are addressed then vegetation, wildlife habitat, and aesthetics follow.

Mr. Swanson said that traditional engineering needs to be incorporated into the project to stabilize the banks and retain water in order to protect the current homes and roads as well as the proposed development. He also stated that the key strategy would be to emulate nature.

Mr. Swanson stated that the five features of the plan include boulder weirs, floodplain benching, bioengineered stream bank stabilization, boulder/cobble substrate and revetment, and a native vegetation planting plan. He gave a brief description of each feature.

Mr. Swanson stated that if this project is not done, this reach of Arroyo Burro will experience a loss of oak trees, continued degradation, and continued sediment release. He said that if the restoration project that his firm designed will improve water quality, riparian habitat, erosion control, and creek aesthetics.

Commission and Committee Discussion:

Mr. Pritchett asked if there will be additional environmental review. He asked if the field visit/consultation with various agencies was based on the plan being presented this evening. Mr. Pritchett asked for a full copy of Mr. Kandolf's comments regarding the project.

- Ms. De Busk responded that the environmental review process will be revisited.
- Mr. Swanson responded that the site visit was during the last spring and stated that the letter from Mr. Kandolf was previously submitted.

Ms. DeVoe asked why the setback has been reduced from 100-feet to 50-feet despite previous recommendations the Creeks Advisory Committee to maintain the 100-foot setback. She asked what impact backyard elements would have on the creek. Ms. DeVoe stated that she is concerned with the creek shifting.

- Ms. Jan Hubbell stated that Council told the applicant that it would be acceptable to reduce the set-back to between 50 and 100 feet. She said permanent structures would not be located within 50 feet of the creek and that the backyard elements would not substantially affect the creek.
- Mr. Amerikaner stated that the City does not have a policy related to a 100-foot setback. He stated that the most recent project approved on Arroyo Burro included a 48-foot setback.
    - Ms. Longstreet commented that the Committee and Commission are commenting on the specific plan and may disagree with Council.
- Mr. Swanson stated that from top-of-bank to 50-feet would be solely vegetation. He said that within 50 feet to 100 feet, mostly permeable, backyard compatible uses with runoff-to-bioswale treatment. He said that the reason for the buffer is to leave room for erosion, water quality buffering, and wildlife habitat. He said that 100 feet is at the high end of an urban creek buffer. Mr. Swanson said that the stability elements within the restoration plan would address the erosion and migration of the creek, and the bioswales would address the water quality element. Mr. Swanson stated that the creek is in the process of meandering, which is a wonderful process on a nice rural creek where you don't have houses – I mean "existing roads and houses." He said that wildlife habitat would be improved by the new restoration plan.

Mr. Hochman stated that he is concerned that water quality is not at the forefront of the proposed restoration project. He asked why the road would be placed within the 50-foot buffer and if bioswales would be strategically placed throughout the project.

- Mr. Swanson responded that when he was discussing fine sediment release, he was talking about water quality and that in the development drainage plan all water would be drained to bioswales. He said that the road could be placed within the buffer zone because 1) the bioswales would address the issue of water quality, 2) the restoration plan would address

erosion and creek mobility, and 3) there would not be a large impact on wildlife habitat.

Ms. Conner asked for clarification regarding restoration maintenance.

- Ms. Rapp responded that the applicant would be responsible, in perpetuity, for the restoration maintenance. She said that the applicant has proposed to maintain the vegetation within the restoration area for five years. She said that staff recommends that it be maintained in perpetuity by the homeowners association.
- Mr. Amerikaner stated that the homeowners association would maintain the hardscape elements within the restoration project in perpetuity and all vegetation for the first five years. He said that, after five years, the applicant is proposing that the homeowners association maintain the vegetation on the western side of the creek and the City maintain the east side.

Mr. Larimore-Hall asked if there would be further peer review.

- Mr. Swanson stated that Mr. Kandolf's peer review letter was submitted to the Planning Commission.
- Ms. Hubbell responded that peer review is a requirement of this project.

Mr. Wilson asked how set-backs and vegetation planting by residents would be enforced. He asked if the 50-foot and 100-foot buffer lines from top-of-bank are based upon the existing top-of-bank or if they will shift in relation to the restoration project as the creek is widened. Mr. Wilson asked to what degree the buffer would be reduced and/or expanded.

- Ms. Hubbell responded that enforcement tends to work better when there is a homeowners association because home owners tell on each other.
- Mr. Swanson stated that the restoration plan addresses erosion control, wildlife habitat, and water quality even though the buffers would be reduced. He said that by shifting the buffer with the top-of-bank, there is a disincentive for private landowners to do restoration.
- Ms. Rapp responded that two lots would be impacted by the reduced setback.

Mr. Almy arrived at 6:00 p.m.

Ms. Longstreet asked the development restrictions would be locked-in. She asked if a time limit can be ascribed to the specific plan in case the developer does not come through with a project. She asked if maintenance plans and standards would be included. She asked who will fund the creek restoration and maintenance. She said that the applicant proposed a 50/50 split. She asked who will own and maintain the privately owned 35-acres of open space. Ms. Longstreet asked if the homeowners association would carry major catastrophic insurance since there are geological concerns with the property. She asked if the City's IPM standards would be enforced in the limited setback zone will.

- Ms. Hubbel responded that this is a recorded document that is tied to the

property forever. She said that the specific plan is related to zoning even if the developer changes. Ms. Hubbel responded that maintenance plans and standards would be included and said that there will not be maintenance standards for the 35-acre open space because there is not a proposal to change the land. She said that there would be an easement for a future trail and if it were to be constructed then the Parks and Recreation Department would construct and maintain the trail. Ms. Hubbel responded that the City's IPM program would be enforced.

Mr. Wilson asked if the developer is committed to implementing the restoration plan as presented this evening.

- Ms. Hubbel responded that a restoration plan is required for this project.
- Ms. Rapp stated that the restoration must take place prior to the development of the project.
- Mr. Amerikaner stated that assurances would be built into the development review process to ensure that the creek restoration will be done. He said that completion bonds or pre-construction installation are ways to ensure follow-through. Mr. Amerikaner said that the developer is prepared to restore 1,800-feet of the creek. He said that he is concerned that through the review process, the plans will become infeasible. He said that the applicant is worried that the City's requirements are spinning out of control. Mr. Amerikaner said that the restoration element is not required by the EIR because the vehicular bridge has been removed. He said that the creek restoration is a gift from Mr. Lee to the City because he believes in it.

Public comment opened at 7:16 p.m.

Walter Kapp said that he does not want a footpath or footbridge connecting to the end of Alan Road. He said that he would prefer to see this footpath at the entrance of Elings Park. He also stated that the historical footbath from Alan Road to Hidden Valley should be on the west side of the creek, not along Las Positas Road. He said that he is opposed to 15 homes with access from Alan Road because it introduces too much traffic.

Public comment closed at 7:22 p.m.

The meeting recessed at 7:24 p.m. and reconvened at 7:42 p.m.

Committee and commission discussion:

Ms. Longstreet stated that she is concerned that there are only two storm drains draining to the creek – one at the north end and another at the south end.

- Mr. Wilson said that there is no need for additional outfalls if two outfalls will not cause erosion or velocity impacts. He added that he would prefer that water enter the creek as diffuse as possible.

Mr. Phillips stated that with regard to water quality, he is concerned that the

setbacks have been reduced and include yards despite the Committee supporting a 100-foot setback twice in the past. He said that the purpose of the buffer is to prevent the lateral migration of soap, pesticides, and fertilizers from getting to the creek. He recommended that the landscaping within yards be limited to native plants.

Ms. DeVoe asked that staff confirm that bioswales would be incorporated into the plan.

- Ms. Hubbell responded that there are Best Management Practices to manage the quantity of storm water runoff and that the development project would return for review.

Mr. Klobucher said that the Committee had previously requested that the Campanil Hill drainage be kept in an open drainage system.

- Ms. Zachary responded that the Creeks Advisory Committee had previously recommended that surface drainage remain above ground to the extent possible. She said that the specific plan includes alternative means of addressing site drainage.
- Ms. Hubbell responded that prior proposal included overland and below surface drainage.

Mr. Wilson asked how much water moved through the Campanil Hill drainage and asked why it would be necessary to place it in an underground pipe.

- Mr. Amerikaner responded that there is not any scientifically-based reason to leave the water above ground.
- Mr. Lee responded that the drainage is dry most of the time with a trickle of water after light rains and a healthy flow that disappears before it reaches the creek after a couple of days of heavy rains.

ACTION

Hochman moved, seconded by Pritchett , and passed 6/0 that the specific plan include maintaining the daylighting of the Campanil Hill draingage.

ACTION

Larimore-Hall moved, seconded by Conner, and passed 3/0 that the specific plan include maintaining the daylighting of the Campanil Hill draingage.

ACTION

Conner moved, seconded by Larimore-Hall, and passed 3/0 that the Park and Recreation Commission concur with Section 28.50.020 Items A1 – A5.

ACTION

DeVoe moved, seconded by Hochman, and passed 6/0 that the Creeks Advisory Committee concur with Section 28.50.020 Items A1 – A5.

Mr. Hochman asked how the Committee can ensure that areas considered open space, remain open space. He asked if staff has a recommendation related to enforcement.

- Ms. Hubbell responded that enforcement detail is included in the conditions of approval for the development project.

ACTION

Hochman moved, seconded by Pritchett, and passed 6/0 that the Creeks Advisory Committee recommend that strong enforcement and maintenance plans be included in the project's conditions of approval.

ACTION

Larimore-Hall moved, seconded by Conner, and passed 3/0 that the Park and Recreation Commission recommend that strong enforcement and maintenance plans be included in the project's conditions of approval.

Mr. Pritchett stated that element B-2 includes the removal of oak trees and he does not believe that these trees need to be removed.

- Ms. Zachary responded that if the restoration plan were to move forward, six oak trees would be removed – five on the eastern side and one on the western side of the creek. She said that there would be a number of conditions of removal, including the replacement of native trees lost in association with the project. She said that the specific plan aims to acknowledge that protecting natural and open space areas from future development is important.
- Ms. Longstreet responded that the Committee and Commission are being asked to vote on the ratio by which removed trees must be replaced, and not the specific trees to be removed.

Mr. Phillips moved that all landscaping within Areas B and C be native plant species only, and all chemical, pesticides, and fertilizer use be banned within this area.

- Ms. Hubbell responded that the specific plan is consistent with the City's IPM program and allows exceptions for arundo and pampas grass removal.
- Mr. Hochman made a friendly amendment to include native, non-invasive plants.

ACTION

Phillips moved, seconded by Klobucher, and passed 6/0 that the Creeks Advisory Committee recommend that all landscaping planted within Areas B and C be native, non-invasive plant species.

ACTION

Conner moved, seconded by Larimore-Hall, and passed 3/0 that the Park and Recreation Commision recommend that all landscaping

planted within Areas B and C be native, non-invasive species.

Mr. Phillips asked if the City's IPM program addresses chemical fertilizers and pesticides.

- Ms. Rapp responded that she is not certain whether chemical fertilizers are also addressed.
- Mr. Wilson stated that the use of slow-release organic compost is an appropriate fertilizer.

ACTION

Hochman moved, seconded by Klobucher, and passed 3/2 that the Creeks Advisory Committee recommend that Section 28.50.020 B include the prohibition of chemical fertilizers in Areas B and C for landscaping purposes, following restoration. DeVoe abstained.

Mr. Hochman recommended that staff investigate other restrictions on other compounds to be used within Areas B and C with the intent of preserving creek habitat.

ACTION

Conner moved, seconded by Larimore-Hall, and passed 3/0 that the Park and Recreation Commission recommend that Section 28.50.020 B include the prohibition of chemical fertilizers in Areas B and C for landscaping purposes, following restoration.

ACTION

Wilson moved, seconded by [inaudible], and passed 6/0 that the Creeks Advisory Committee recommend that since the Las Positas Valley is surrounded by natural areas, invasive plants should be precluded from the project.

ACTION

Larimore-Hall moved, seconded by Conner, and passed 3/0 that the Creeks Advisory Committee recommend that since the Las Positas Valley is surrounded by natural areas, invasive plants should be precluded from the project.

ACTION

Larimore-Hall moved, seconded by Conner, and passed 3/0 that the Park and Recreation Commissision recommend that Section 28.50.020 Item B4O language be changed from "environmental engineering firm with experience in creek restoration" to "ecological restoration engineering experts."

ACTION

Hochman moved, seconded by Phillips, and passed 6/0 that the Creeks Advisory Committee recommend that Section 28.50.020 Item

B4O language be changed from "environmental engineering firm with experience in creek restoration" to "ecological restoration engineering experts."

ACTION

Klobucher moved, seconded by Pritchett, and passed 6/0 that the Creeks Advisory Committee accept the language of the remainder of Section 28.50.020 B.

ACTION

Conner moved, seconded by Larimor-Hall and passed 3/0 that the Park and Recreation Commission accept the language of the remainder of Section 28.50.020 B.

Mr. Hochman stated that he is concerned that the plan includes a roadway that runs through setback Areas B and C.

- Mr. Phillips said that he concurs with the applicant that the excessive grading to place the road out of the setback would be more detrimental than having it pass through the setback.
- Mr. Wilson said that he concurs with Mr. Phillips since lots are not proposed within the immediate vicinity of the road at that location.

Mr. Amerikaner stated that condition E2, as it is written, requires the applicant to build the bridge. He said that the applicant has not offered and will not offer to build a bridge. Mr. Amerikaner recommended that the language be changed to "easement for a pedestrian bridge." He said that building the bridge is not a part of the specific plan for the current applicant or any future applicants. Mr. Amerikaner stated that he understands that the purpose of this meeting was to decide upon major parameters of the project, and the installation of a bridge is a major parameter. He stated that the project does not include a bridge and therefore the specific plan should not require a bridge.

- Ms. Hubbell responded that the inclusion of a pedestrian bridge or easement will be determined as a part of the project. She said that the specific plan states that there will be a bridge or an easement for a bridge, which will be decided as a part of the project approval.

Mr. Klobucher stated that the ocean users would love the ability to move from Elings Park to Arroyo Burro Beach.

ACTION

Hochman moved, seconded by Phillips, and passed 5/0 that the Creeks Advisory Committee recommend that a pedestrian bridge or easement be located across from Jerry Harwin Parkway, connecting to the internal public road. Wilson abstained.

ACTION

Conner moved, seconded by Larimore-Hall, and passed 3/0 that the

Park and Recreation Commission recommend that the pedestrian bridge or easement be located across from Jerry Harwin Parkway, connecting to the internal public road.

ACTION

Hochman moved, seconded by Klobucher, and passed 6/0 that the Creeks Advisory Committee concur with the remainder of the circulation element.

ACTION

Larimore-Hall moved, seconded by Conner, and passed 3/0 that the Park and Recreation Commission concur with the remainder of the circulation element.

Mr. Hochman stated that education and outreach components should also be added to bridges and paths.

Mr. Wilson stated that with regard to Public Health and Safety, he feels that all road surfaces should be made of permeable materials. He said that permeable concrete can be made to support large sized rescue vehicles.

- Ms. Hubbell responded that the roadway would be narrower than most roads with a 20-foot asphalt center and concrete sides and a decomposed granite finish.

ACTION

Larimore-Hall moved, seconded by Conner, and passed 3/0 that the Park and Recreation Commission recommend that language encouraging the further investigation of the use of porous paving for the internal roads of the project be included under the Public Health and Safety element.

ACTION

Hochman moved, seconded by DeVoe, and passed 6/0 that the Creeks Advisor Committee recommend that language encouraging the further investigation of the use of porous paving for the internal roads of the project be included under the Public Health and Safety element.

Pritchett said that Section 28.50.030 defines the limited activity zone as "between 50 and 100 feet from the top of bank" and recommended that it be reworded to "at least 100 feet from the top of bank." He said that this definition change of area B would address the more difficult issues that are not addressed by the specific plan. He also proposed that the language changed from "in order to preserve the creek environment and allow for incidental residential use" to "in order to preserve the creek environment and to allow for restoration option." He said that this language would help to define the purpose of the 100-foot setback. He said that it is not to necessarily protect the creek but to allow more options to allow for a restoration project.

Mr. Hochman stated that he would like to keep the language for Areas B and C as it is currently written because he supports a "No Use Zone" and a "Limited Activity Zone." He said that he would like to know where the boundaries for these zones would be.

Mr. Phillips said that yards and landscaping are not appropriate in a setback zone.

Mr. Wilson stated that the functions of a buffer are to 1) recharge groundwater supplies, 2) uptake storm water pollutants, and 3) protect wildlife from humans, dogs, and lights. He said that if the water from roads, roofs, decks, and patios drains to bioswales, then groundwater recharge and pollutant uptake would be addressed, and if there were a 25- to 50-foot densely vegetated buffer, wildlife protection would be addressed. Mr. Wilson said that he was a proponent of the 100-foot buffer because of the unknowns of the restoration plan and he believed that a 100-foot buffer would allow the creek to meander. He said that if the creek is going to be stabilized, then a smaller buffer may be acceptable as it would fulfill the objectives of recharging the groundwater, storm water pollutant uptake, and wildlife protection. He said that if dogs and lights were banned, then the need for a wider buffer is further reduced.

Pritchett moved that Section 28.50.030 defines Area B as a Limited Activity Zone the areas located at least 100 feet from the top of bank, and shall be maintained in as natural a state as possible in order to preserve the creek environment to all for restoration options and allow for incidental residential use.

Ms. Longstreet stated that it may be appropriate to have setbacks and buffers based on the actual creek bank locations.

- Ms. Hubbell responded that basing the buffer line on the new top-of-bank, based on restoring the bank, discourages restoration. She said that the 100-foot setback was originally recommended because the creek restoration plan was not yet determined.

Pritchett said that he is proposing that Area C adhere to a 100-foot setback.

ACTION

Pritchett moved, seconded by Phillips, and passed 5/0 that the Creeks Advisory Committee recommend that Area C maintain a 100-foot setback from the top of bank in accordance with Figure 4-4 of the Final EIR with the exception of the pinch-point. Wilson abstained.

ACTION

Conner moved, seconded by Larimore-Hall, and passed 3/0 that the Parks and Recreation Commission recommend that Area C maintain a 100-foot setback from the top of bank in accordance with Figure 4-4 of the Final EIR with the exception of the pinch-point. Wilson abstained.

ACTION

Larimore-Hall moved, seconded by Conner, and passed 3/0 that the Park and Recreation Commission recommend that Area B as defined in Section 28.50.030 be eliminated and the letter distinctions for the usage areas be amended accordingly but if Area B is to exist, then there is concurrence with the usage allowed.

Mr. Hochman stated that he is concerned that Council will support a smaller "No Use Zone" and there will still be a need for a "Limited Activity Zone." He said that the risk of not discussing the Limited Activity Zone is that if Council supports a smaller set-back then the Committee has missed the opportunity to provide input on appropriate uses.

With regard to the creek restoration plan, Mr. Pritchett stated that there are other restoration alternatives and he would like to see a more open design process.

Mr. Phillips recommended peer review at the current design level (30%).

- Ms. Zachary stated that she understands that the Creeks Advisory Committee would like potential alternatives to the design and recommended that the Committee and Commission identify areas of concern relative to the proposal to better evaluate alterative designs.

Mr. Phillips said that the best place to get ideas on these issues is from other restoration professionals. He said that the Creeks Advisory Committee is concerned with the amount of revetment proposed for the project.

Mr. Wilson stated that he is concerned how the restoration project will communicate with potential restoration projects above and/or below stream. He said that the applicant's plan meets their objectives of stabilizing the creek and protecting property. He said that wildlife habitat and water quality can be improved by the applicant's proposal but he does not know what this means downstream.

Mr. Phillips stated that Arroyo Burro is a 303(d) listed water-body for bacterial contamination and certain elements could be included in the restoration plan to reduce the bacteria entering Arroyo Burro Estuary.

ACTION

Phillips moved, seconded by Hochman, and passed 6/0 that the Creeks Advisory Committee recommend that an independent review be conducted at the current stage of project development as well as at a later stage as recommended by City staff. Specific areas of concern include: revetment, fixing in place, opportunities to improve water quality such as wetlands, wildlife habitat improvement, bank stabilization, suspended sediment reduction, improving habitat for turtles and other sensitive species, bank sedimentation, wildlife habitat improvement, and bacterial reduction.

ACTION

Larimore-Hall moved, seconded by Conner, and passed 3/0 that the Park and Recreation Commission recommend that an independent review be conducted at the current stage of project development as well as at a later stage as recommended by City staff. Specific areas of concern include: revetment, fixing in place, opportunities to improve water quality such as wetlands, wildlife habitat improvement, bank stabilization, suspended sediment reduction, improving habitat for turtles and other sensitive species, bank sedimentation, wildlife habitat improvement, and bacterial reduction.

ACTION

Conner moved, seconded by Larimore-Hall, and passed 3/0 that the Park and Recreation Commission concur with staff's recommendation regarding maintenance, cost for creek stabilization, and restoration.

Mr. Pritchett asked what defines appropriate or adequate maintenance or site management.

- Ms. Rapp responded that a maintenance plan will be included in the conditions of approval.
- Ms. Hubbell responded that the specific plan requires the preparation and implementation of the maintenance plan.

ACTION

Hochman moved, seconded by Klobucher, and passed 5/0 that the Creeks Advisory Committee concur with staff's recommendation regarding maintenance, cost for creek stabilization, and restoration. Wilson abstained.

6. ADJOURNMENT

At 9:55 p.m. there being no further business to come before the Committee,

ACTION:

Larimore-Hall moved, seconded by Conner, and passed 9/0 that the meeting be adjourned.

Respectfully submitted,

Jill E. Zachary
Creek Restoration and Water Quality Improvement
Division Manager