

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA CERTIFYING THE ENVIRONMENTAL IMPACT REPORT, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPTING FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATION FOR THE VERONICA MEADOWS PROJECT (VERONICA MEADOWS SPECIFIC PLAN) (MST99-00608)

WHEREAS, the City accepted an application from Peak-Las Positas Partners, in order to process a request for the following: 1) annexation of the subject property from the unincorporated area of Santa Barbara County to the City of Santa Barbara; 2) a General Plan Amendment upon annexation to add the property to the City's General Plan Map; 3) a Local Coastal Plan Amendment upon annexation to add the property to the City's Local Coastal Plan; and 4) Zoning Map and Ordinance Amendments to adopt Specific Plan Number Nine (SP-9) upon annexation; (5) a lot line adjustment; and 6) other related approvals ("Veronica Meadows Project" or "Project");

WHEREAS, the Planning Commission of the City of Santa Barbara initiated annexation of the subject parcels separately on November 18, 1993, and February 3, 2000, and held conceptual reviews of the project design then before the Commission (including nine speakers) on February 3, 2000);

WHEREAS, the Planning Commission and the Architectural Board of Review held a joint work session on September 5, 2000, to take input (including comments from nine speakers) and make comments on the Project design concept;

WHEREAS, the Architectural Board of Review held a concept review of the proposed Project on September 25, 2000, and provided comments to the Planning Commission;

WHEREAS, the Planning Commission of the City of Santa Barbara initiated the Specific Plan process for the subject parcels and held a joint meeting with the Architectural Board of Review to review a revised project concept on February 20, 2003, and took comments from twelve speakers;

WHEREAS, the Planning Commission held a concept project review work session on March 6, 2003;

WHEREAS, the Planning Commission held an Environmental Impact Report (EIR) Scoping Hearing on October 16, 2003, and took comments from two people;

WHEREAS, the Planning Commission held a duly noticed public hearing to receive comments on the Draft EIR on October 21, 2004, and took comments from twelve people;

WHEREAS, in January 2005, the City of Santa Barbara completed a Final EIR for the project, consisting of the Draft EIR, comments on the Draft EIR, responses to comments on the Draft EIR, and minor revisions to the Draft EIR;

WHEREAS, the Park and Recreation Commission and the Creeks Advisory Committee held a joint meeting to consider recommendations to the Planning Commission regarding the proposed bridge and creek restoration elements of the Project;

WHEREAS, the Creeks Advisory Committee met on February 9, 2005, and made recommendations to the Planning Commission regarding the proposed bridge and creek restoration elements of the Project;

WHEREAS, the Park and Recreation Commission met on February 23, 2005, and made recommendations to the Planning Commission regarding the proposed bridge and creek restoration elements of the Project;

WHEREAS, the Transportation and Circulation Committee met on March 24, 2005, and made recommendations to the Planning Commission regarding the proposed bridge for the Project;

WHEREAS, the Planning Commission held a discussion of project issues on April 14, 2005, and nineteen people spoke regarding the Project;

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the Project on July 21, 2005, and eleven people spoke regarding the Project. After substantial discussion, the Planning Commission continued its consideration indefinitely to allow the applicant to make project revisions in response to Planning Commission concerns;

WHEREAS, on December 1, 2005, the Planning Commission held a duly noticed public hearing and took public input from twenty-four people on the Project, and certified the Veronica Meadows Specific Plan Final EIR ("2005 Final EIR") as a complete, accurate, and good faith effort toward full disclosure and as being reflective of the independent judgment of the City of Santa Barbara under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.);

WHEREAS, on March 8, 2006, the Council of the City of Santa Barbara held a duly noticed public hearing, took public input, and continued its consideration of the Project;

WHEREAS, on March 21, 2006, the Council of the City of Santa Barbara continued its deliberations on the Project, and directed the applicant to prepare an alternative design for the Project;

WHEREAS, the applicant complied with the City Council's directive and prepared and submitted to City staff a conceptual site plan reflecting a revised project;

WHEREAS, the Creeks Advisory Committee met on April 26, 2006, and made recommendations to the City Council regarding the revised site plan and creek restoration element of the Project;

WHEREAS, the Architectural Board of Review met on May 1, 2006, and made recommendations to the City Council regarding the revised site plan for the Project;

WHEREAS, the Park and Recreation Commission and Creeks Advisory Committee held a joint meeting on July 10, 2006, to consider recommendations to the City Council regarding the revised site plan for the project;

WHEREAS, on August 19, 2006, the first Addendum to the 2005 Final EIR was prepared by City environmental staff. The Addendum considered a smaller Project with 15 homes, access from Alan Road rather than Los Positas Road, a smaller bridge over Arroyo Burro Creek for pedestrian and bicycle traffic only, and a setback area without pedestrian trails along Arroyo Burro Creek. The Addendum evaluated whether the revised Project was within the range considered in the 2005 Final EIR and determined it was;

WHEREAS, the Planning Commission held a duly noticed public hearing on August 24, 2006, took public input from thirteen people on the revised site plan, and offered comments to the City Council;

WHEREAS, on October 3, 2006, the City Council held the required noticed public hearing and took public input from twenty-seven people on the revised site plan, and continued consideration of the Project to a future meeting after indicating to the applicant that it preferred the Project as it was presented in March 2008, with either 23 or 25 dwelling units;

WHEREAS, the applicant subsequently submitted two development alternatives to the City Council based on direction from the October 3, 2006 City Council meeting;

WHEREAS, on November 17, 2006, the second Addendum to the 2005 Final EIR was prepared to evaluate two development alternatives developed by the applicant in response to the City Council's request. The Addendum evaluated whether the two development alternatives were within the range considered in the Certified EIR and determined they were;

WHEREAS, on December 12 and 19, 2006, City Council approved the project and adopted environmental findings pursuant to CEQA;

WHEREAS, on January 29, 2007, the Citizens Planning Association and the Santa Barbara Urban Creeks Council sued the City to overturn the City Council approval of the project;

WHEREAS, in a judgment dated January 9, 2008, the Santa Barbara Superior Court issued its judgment stating that a writ of mandate should issue commanding the City Council to set aside its December 12 and 19, 2006 decisions concerning the Project;

WHEREAS, on February 5 and 26, 2008, pursuant to court directive, the City Council for the City of Santa Barbara repealed and rescinded the project approvals, including certification of the 2005 Final EIR;

WHEREAS, on March 14, 2008, the City prepared a Draft Revised EIR, which it circulated pursuant to CEQA Guidelines Section 15088.5. The City's purpose in preparing the revised EIR chapters was to document the events, project changes, and other information that is pertinent to understanding the issues involved with a re-evaluation of the project. CEQA Guidelines Section 15088.5 provide for recirculation of only the revised sections of the EIR and limitation of further public comment to the recirculated sections;

WHEREAS, on April 17, 2008, the Planning Commission held a duly noticed public hearing to receive comments on the Draft Revised EIR;

WHEREAS, on May 9, 2008, a Final Revised EIR was prepared in accordance with CEQA. The "2008 Final EIR" includes the Draft EIR, the Draft Revised EIR, comments on the Draft EIR and Draft Revised EIR, responses to oral testimony, written comments, e-mail messages, and phone messages on the Draft EIR and Draft Revised EIR, and minor changes to the Draft EIR and Draft Revised EIR;

WHEREAS, on May 15, 2008, the Planning Commission held a duly noticed public hearing on the 2008 Final EIR to consider its certification;

WHEREAS, on June 17, 2008, the City Council held a duly noticed public hearing on the 2008 Final EIR to consider its certification;

WHEREAS, the City Council of the City of Santa Barbara has reviewed and considered the information contained in the 2008 Final EIR and supporting documents, including all maps, exhibits, testimony and written documents contained in the file for this project, including its environmental analysis, on record in the City of City of Santa Barbara, and has considered the oral presentations given at the public hearing and considered the recommendations of the Planning Commission, and finds that:

1. Notice has been given in the time and in the manner required by State Law and the Municipal Code.
2. The 2008 Final EIR for the Veronica Meadows Specific Plan Project (SCH No. 2003091128), comprised of the 2005 Final EIR (dated January 2005) and the Final Revised EIR (dated May 2008), as well as the first and second addenda to the 2005 Final EIR (dated August 19, 2006 and November 17, 2006, respectively), on file in the office of the City Clerk and incorporated herein by reference, was presented to the City Council of City of Santa Barbara. The City Council of the City of Santa Barbara has reviewed and considered the information contained in the Final EIR, including comments received from the public, before approving the Veronica Meadows Specific Plan project.
3. The 2008 Final EIR was completed in compliance with CEQA.
4. The 2008 Final EIR reflects the City Council of the City of Santa Barbara's independent judgment and analysis.

NOW, THEREFORE, BE IT RESOLVED and CERTIFIED by the City Council of the City of Santa Barbara as follows:

- A. Environmental Findings Pursuant to the California Environmental Quality Act (CEQA) for the Final Revised Environmental Impact Report (Per Public Resources Code (PRC) Section 21081 and California Code of Regulations (CCR Section 15090)
 1. The 2008 Final EIR was completed in compliance with the California Environmental Quality Act of 1970 (Cal. Public Resources Code section 21000 et seq.), as amended, and the State Guidelines thereto (Cal. Code of Regs. Section 15000 et seq.).
 2. The 2008 Final EIR was presented to the City Council of the City of Santa Barbara, and was reviewed and considered by the Council before it approved the Veronica Meadows Specific Plan project.
 3. The 2008 Final EIR reflects the City Council of the City of Santa Barbara's independent judgment and analysis.

4. The Mitigation, Monitoring and Reporting Program for the Veronica Meadows Specific Plan project, attached hereto as **Exhibit A** and incorporated herein by reference, is hereby adopted.
5. A summary of the project description, project objectives, required project approvals and record of proceedings for the project is attached as Attachment 4 to the Council Agenda Report, which is incorporated hereto by reference.
6. **Class I Impacts (Significant and Unavoidable).** The project would result in significant and unavoidable impacts identified in the Certified Final Revised EIR. As discussed in the “Summary of Impacts, Mitigation Measures and Proposed CEQA Findings,” attached as Attachment 5 to the Council Agenda Report, for each of these significant environmental effects identified, a written finding reaching one or more of three permissible conclusions has been made: either “[c]hanges or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).); or “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines, § 15091, subd. (a)(2).); or “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).) In making its findings pursuant to § 15091, the City Council ratifies, adopts, and incorporates into these findings the analysis and explanation set forth in Attachment 5 to the Council Agenda Report; ratifies, adopts, and incorporates into these findings the analysis and explanation in the 2008 Final EIR; and ratifies, adopts, and incorporates into these findings the determinations and conclusions of the 2008 Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

The City Council has adopted as conditions of approval all of the mitigation measures identified in Attachment 5 to the Council Agenda Report. Some of the measures identified in the table are also within the jurisdiction and control of other agencies. To the extent any of the mitigation measures are within the jurisdiction of other agencies, the City Council finds those agencies can and should implement those measures within their jurisdiction and control.

In several comments on the Draft EIR, commenters suggested additional mitigation measures and/or modifications to the measures recommended in the Draft EIR. As is evident from the 2008 Final EIR and the above-described table found in the “Summary of Impacts, Mitigation Measures and Proposed CEQA Findings,” City staff recommended modifications to several of the original proposed measures in response to such comments, as set forth in the 2008 Final EIR in response to such comments. The City Council agrees with staff in those instances when staff did not accept proposed language and hereby ratifies, adopts, and incorporates staff’s reasoning on these issues.

These findings are supported by substantial evidence in the record, including the Certified 2008 Final EIR, associated appendices, and Staff Reports. These findings are hereby incorporated herein by reference and are hereby adopted.

7. **Class II Impacts (Potentially Significant and Mitigated).** The 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 some environmental impacts to less than significant levels. As discussed in the “Summary of Impacts, Mitigation Measures and Proposed CEQA Findings,” attached as Attachment 5 to the Council Agenda Report, for each of these potentially significant environmental effects identified in the 2008 Final EIR, a written finding reaching one or more of three permissible conclusions has been made: either “[c]hanges or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).); or “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines, § 15091, subd. (a)(2).); or “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).) In making its findings pursuant to § 15091, the City Council ratifies, adopts, and incorporates into these findings the analysis and explanation set forth in Attachment 5 to the Council Agenda Report; ratifies, adopts, and incorporates into these findings the analysis and explanation in the 2008 Final EIR; and ratifies, adopts, and incorporates into these findings the determinations and conclusions of the 2008 Final EIR relating to environmental impacts

and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

The City Council has adopted as conditions of approval all of the mitigation measures identified in Attachment 5 to the Council Agenda Report. Some of the measures identified in the table are also within the jurisdiction and control of other agencies. To the extent any of the mitigation measures are within the jurisdiction of other agencies, the City Council finds those agencies can and should implement those measures within their jurisdiction and control.

In several comments on the Draft EIR, commenters suggested additional mitigation measures and/or modifications to the measures recommended in the Draft EIR. The City modified several of the original proposed measures in response to such comments, as set forth in the 2008 Final EIR in response to such comments. The City Council agrees with staff in those instances when staff did not accept proposed language, and hereby ratifies, adopts, and incorporates staff's reasoning on these issues.

These findings are supported by substantial evidence in the record, including the Certified 2008 Final EIR, associated appendices, and Staff Reports. These findings are hereby incorporated herein by reference and are hereby adopted.

8. **Class III Impacts (Less than Significant).** The project, as proposed, would result in less than significant impacts in some environmental issue areas identified in the Certified 2008 Final EIR. Mitigation measures applied as conditions of project approval would further reduce the levels of impacts, consistent with City policies. As discussed in the "Summary of Impacts, Mitigation Measures and Proposed CEQA Findings," attached as Attachment 5 to the Council Agenda Report, for each of these less than significant impacts identified in the 2008 Final EIR, a written finding reaching one or more of three permissible conclusions has been made: either "[c]hanges or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(1).); or "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (CEQA Guidelines, § 15091, subd. (a)(2).); or "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible

the mitigation measures or Project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).) In making its findings pursuant to § 15091, the City Council ratifies, adopts, and incorporates into these findings the analysis and explanation set forth in Attachment 5 to the Council Agenda Report; ratifies, adopts, and incorporates into these findings the analysis and explanation in the 2008 Final EIR; and ratifies, adopts, and incorporates into these findings the determinations and conclusions of the 2008 Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

The City Council has adopted all of the mitigation measures identified in Attachment 5 to the Council Agenda Report. Some of the measures identified in the table within said attachment are also within the jurisdiction and control of other agencies. To the extent any of the mitigation measures are within the jurisdiction of other agencies, the City Council finds those agencies can and should implement those measures within their jurisdiction and control. These findings are supported by substantial evidence in the record, including the Certified 2008 Final EIR, associated appendices, and Staff Reports. These findings are hereby incorporated herein by reference and are hereby adopted.

9. **Findings Regarding Project Alternatives (per PRC Section 21081 and CCR Section 15091).** The City Council finds that that a good faith effort was made to evaluate all feasible alternatives in the 2008 Final EIR that are reasonable alternatives to the Project and could feasibly obtain the basic objectives of the Project, even when the alternatives might impede the attainment of the Project objectives and might be more costly. As a result, the scope of alternatives analyzed in the 2008 Final EIR is not unduly limited or narrow. The City Council also finds that all reasonable alternatives were reviewed, analyzed and discussed in the review process of the 2008 Final EIR and the ultimate decision on the Project. (2008 Final Revised EIR, pp. 4-2 to 4-33; 2008 Draft Revised EIR, pp. 4-2 to 4-33; 2005 Draft EIR, pp. 4-2 through 4-25.) The City Council finds that, as discussed below, there are no feasible alternatives to the Project which would avoid or substantially lessen the significant and unavoidable impacts associated with the proposed Project. Further, the City Council finds that, as discussed below, specific economic, legal, social, technological, environmental, or other considerations make infeasible the project alternatives identified in the 2008 Final EIR for the Veronica Meadows Specific Plan Project.

No Project Alternative

i. Description

Under the No Project Alternative, the proposed land development and associated public open space, trail, and creek restoration would not be implemented. The project site would remain undeveloped. Property management and activities on the property would remain the same as today. (2008 Final Revised EIR, pp. 4-2 to 4-4; 2008 Draft Revised EIR, pp. 4-2 to 4-4.)

ii. Comparison to Project

Under this alternative, the environmental impacts associated with the proposed project, including the significant and unavoidable impacts, would not occur. As noted in the Draft Revised EIR, the project site is currently subject to considerable disturbance, and this disturbance would likely continue under this alternative. (2008 Final Revised EIR, pp. 4-2 to 4-6; 2008 Draft Revised EIR, pp. 4-2 to 4-6.)

iii. Finding

While the No Project Alternative would result in fewer environmental impacts than the Project, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include project benefits such as the “provision of employment opportunities for highly trained workers” or other benefits of the project that “make infeasible the ... project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

The No Project Alternative would not meet any of the seven Project objectives set out above. For instance, the alternative would not develop residential uses as market, and below market rate, to meet the City’s ongoing housing demand. The alternative would neither annex unincorporated parcels to the City of Santa Barbara nor improve land use planning and public services in this portion of the Las Positas Valley; in doing so, it would not promote the City’s policy of annexing property within the City’s sphere of influence and bringing an island of unincorporated land within the City’s jurisdiction and boundaries. Moreover, this alternative would neither increase public access in the Las Positas Valley nor establish beneficial pedestrian and bike routes that enhance coastal and recreation access.

For each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

No Annexation Alternative

i. Description

Under this alternative, the following three parcels owned or controlled by the project applicant and proposed for annexation for the residential development would not be annexed as planned:

047-010-016	10.28 acres	Proposed for 24 housing units and open space.
047-010-053	4.49 acres	
047-010-011	35.71 acres	Proposed for open space

Parcel No. 047-010-009 is a 5.89-acre property along Las Positas Road that is owned by the City of Santa Barbara. The applicant would require an easement to construct the access bridge and road to the site. The City of Santa Barbara initiated annexation of this parcel on November 18, 1993, pursuant to Planning Commission Resolution No. 078-93. It is assumed that this parcel would be annexed under this alternative, the same as under the proposed project, as was the annexation of parcel 047-010-011.

The applicant has requested that the above properties be annexed to the City. The annexation of parcel 047-010-016 was initiated by the Planning Commission on November 18, 1993, pursuant to Planning Commission Resolution No. 078-93. The annexation of the 4.49-acre portion of parcel 047-010-053 (to be subdivided) was initiated by the Planning Commission on February 3, 2000, pursuant to Planning Commission Resolution No. 004-00.

Under this alternative, the parcels would be developed under the jurisdiction of the County, and in accordance with the County Comprehensive Plan and zoning designations. As explained in the EIR, the County zoning mandates would result in a more dense development of parcel 047-010-016, and would prohibit development on parcel 047-010-053. The analysis of this alternative assumes that the number of units on the 10.28-acre parcel (047-010-016) would likely be similar (i.e., 20 to 25 units) to the total number of units under the proposed project. All other aspects of this alternative would be similar to the proposed project. Hence, the alternative would include a new intersection at Las Positas Road, a bridge across Arroyo Burro Creek, stabilization of several landslides, a public trail and open space along the creek, and a creek restoration project. (2008 Final Revised EIR, § 4.3.1, pp. 4-7 to 4-9; 2008 Draft Revised EIR, § 4.3.1, pp. 4-7 to 4-9.)

ii. Comparison to Project

As explained the EIR, the alternative would have the potential to reduce some of the Project's Class II (Significant but mitigable) impacts, but would not have an effect on the Project's Class I (Significant and Unavoidable) impacts. The alternative would also exacerbate some of the Project's Class II impacts. (2008 Final Revised EIR, § 4.3.3, pp. 4-10 to 4-11; 2008 Draft Revised EIR, § 4.3.3, pp. 4-10 to 4-11.)

iii. Finding

For the reasons set out below, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following "[s]pecific economic, legal, social, technological, or other considerations" which include project benefits such as the "provision of employment opportunities for highly trained workers" or other benefits of the project that "make infeasible the ... project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).)

The City concludes that the No Annexation Alternative is not environmentally superior to the project; the alternative would avoid some of the Project's Class II impacts, but those impacts are mitigable. The alternative would be associated with all of the Project's significant and unavoidable impacts.

The No Annexation Alternative would not meet the Project and City objectives of annexing the subject properties, which are within the City's sphere of influence. This alternative, rather, would perpetuate the existence of a large island of unincorporated property within the City's sphere of influence and boundary, which is not supported by either City or local agency formation commission (LAFCO) policy.

For each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

Use of Draft Pre-Annexation Zoning Designations Alternative

i. Description

Under this alternative, the four parcels owned by the project applicant and proposed for annexation for the residential development would be developed in accordance with the City's General Plan designations and zoning presented in the Draft Annexation Policy Update in 1995. The proposed development would require approval of a Planned Unit Development (PUD) instead of a Specific Plan.

The number of residential units under this alternative would be similar to, or slightly higher than the proposed project. The units would be restricted to the 10.28-acre parcel, compared to the proposed 14.81-acre project site. There could be a higher density of units and less

open space under this alternative. All other aspects of this alternative would be similar to the proposed project. For example, the alternative would include a new intersection at Las Positas Road, a bridge across Arroyo Burro Creek, stabilization of several landslides, a public trail and open space along the creek, and a creek restoration project. (2008 Final Revised EIR, § 4.4.1, pp. 4-11 to 4-12; 2008 Draft Revised EIR, § 4.4.1, pp. 4-11 to 4-12.)

ii. Comparison to Project

As explained the EIR, the alternative would have the potential to reduce some of the Project's Class II (Significant but mitigable) impacts, but would have not effect on the Project's Class I (Significant and Unavoidable) impacts. The alternative would also exacerbate some of the Project's Class II impacts. (2008 Final Revised EIR, § 4.3.3, pp. 4-10 to 4-11, 4-13; 2008 Draft Revised EIR, § 4.3.3, pp. 4-10 to 4-11, 4-13.) Moreover, Use of Draft Pre-Annexation Zoning Designations Alternative could potentially allow for development of more units than the proposed project, which would exacerbate the project's Class I and Class II impacts. (2008 Final Revised EIR, § 4.3.3, pp. 4-10 to 4-11, 4-13; 2008 Draft Revised EIR, § 4.3.3, pp. 4-10 to 4-11, 4-13.)

iii. Finding

For the reasons set out below, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following "[s]pecific economic, legal, social, technological, or other considerations" which include project benefits such as the "provision of employment opportunities for highly trained workers" or other benefits of the project that "make infeasible the ... project alternatives identified in the final EIR." (CEQA Guidelines, § 15091, subd. (a)(3).)

The City concludes that the Use of Draft Pre-Annexation Zoning Designations Alternative is not environmentally superior to the project; the alternative would avoid some of the Project's Class II impacts, but those impacts are mitigable. The alternative would be associated with all of the Project's significant and unavoidable impacts, and in fact could result in increased significant and unavoidable impacts related to traffic and noise if more units are proposed than under the Proposed Project. (2008 Final Revised EIR, § 4.3.3, pp. 4-10 to 4-11, 4-13; 2008 Draft Revised EIR, § 4.3.3, pp. 4-10 to 4-11, 4-13.)

The alternative would also not meet the project objectives as well as the proposed project. For instance, the project design of this alternative would not be as compatible with the existing cite constraints and natural setting, and as a result it could exacerbate the impacts of developing the site. (2008 Final Revised EIR, § 4.3.3, pp. 4-10 to 4-11, 4-13; 2008 Draft Revised EIR, § 4.3.3, pp. 4-10 to 4-11, 4-13.)

For each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

Alan Road Access Alternative

i. Description

Under this alternative, the sole access to the Project site would be from Alan Road. Lots 1 and 2 at the south end of the Proposed Project site would be reconfigured to provide a vehicular connection from the development to Alan Road. The rest of the Project layout would remain the same, except that the entire internal roadway system would be a public road for through traffic. The bridge over Arroyo Burro Creek and the intersection with Las Positas Road would not be constructed. (2008 Final Revised EIR, § 4.5.1, pp. 4-13 to 4-14; 2005 Draft EIR, § 4.5.1, p.4-13; 2008 Draft Revised EIR, § 4.5.1, pp. 4-13 to 4-14; 2005 Draft EIR, § 4.5.1, p.4-13.)

ii. Comparison to Project

In most respects, the Proposed Project and the Alan Road alternative would result in identical or virtually identical impacts, and the same mitigation measures would apply to either alternative. In certain respects, however, the alternatives differ from one another. The narrative discussion below lists those impacts where the alternatives differ, and provides a description of those differences.

Environmentally Superior Aspects of the Alan Road Access Alternative

First, this alternative would avoid the impacts to Arroyo Burro Creek associated with the bridge proposed under the Project. (2008 Final Revised EIR, § 4.5.3, p. 4-16; 2005 Draft EIR, §§ 4.5.3, 3.3.2.6; 2008 Draft Revised EIR, § 4.5.3, p. 4-16; 2005 Draft EIR, §§ 4.5.3, 3.3.2.6.) In the EIR, this impact was identified as Class I (Significant and Unavoidable). Since the City circulated the original 2005 Draft EIR, the City has received additional evidence about the biological impacts associated with the proposed bridge across Arroyo Burro Creek. The new information provided tends to indicate that the environmental impacts related to the construction of the bridge on Arroyo Burro Beach may be less significant than previously reported. (2008 Final Revised EIR, § 3.3.2.6, pp. 3-59 to 3-62; 2008 Draft Revised EIR, § 3.3.2.6, pp. 3-59 to 3-62.) While recognizing that reasonable experts could differ in regards to the significance of this impact, the 2008 Final EIR continues to classify this impact as Class I (Significant and Unavoidable). (2008 Final Revised EIR, § 3.3.2.6, p. 3-62; 2008 Draft Revised EIR, § 3.3.2.6, p. 3-62.) The City concurs in this conclusion. This Class I impact would not occur under the Alan Road Alternative but would occur under the Project.

Second, this alternative would avoid the Project's Class II impact to Las Positas Road, where traffic from the Arroyo Burro Creek bridge

joins Las Positas Road. This impact is mitigable (Mitigation Measure TR-4) (2008 Final Revised EIR, Table ES-1, p. ES-23; 2008 Draft Revised EIR, Table ES-1, p. ES-23; 2005 Draft EIR, §§ 3.7.2.5, 4.5.3, pp. 3-106, 4-13). Because the Arroyo Burro Creek bridge would not be constructed under this alternative, this Class II impact would not occur under this alternative but would occur under the Project.

Environmentally Superior Aspects of the Proposed Project Compared to the Alan Road Access Alternative

The Proposed Project would be environmentally superior to the Alan Road Access Alternative in several respects. First, the alternative would involve three new Class III (Less than significant) impacts on the Alan Road neighborhood. All Project-related traffic would access the Project site via Alan Road under this alternative. (2008 Final Revised EIR, § 4.5.3, pp. 4-15 to 4-17; 2008 Draft Revised EIR, § 4.5.3, pp. 4-15 to 4-17; 2005 Draft EIR, § 4.5.3, pp. 4-13 to 4-14.) This “increased traffic along Alan Road would cause a perceptible change in the quality of life for residents” in the Alan Road neighborhood, which is currently a semi-rural, quiet street without through traffic. (2008 Final Revised EIR, § 4.5.3, pp. 4-15 to 4-17; 2005 Draft, § 4.5.3, p. 4-13; 2008 Draft Revised EIR, § 4.5.3, pp. 4-15 to 4-17; 2005 Draft, § 4.5.3, p. 4-13; 2005 Final EIR, Appendix F, Topical Response No. 1, p. 3.) These additional cars would also increase long-term noise and vehicular emissions in the Alan Road neighborhood. None of these changes are expected to exceed any established thresholds of significance. (2008 Final Revised EIR, § 4.5.3, pp. 4-15 to 4-17; 2008 Draft Revised EIR, § 4.5.3, pp. 4-15 to 4-17; 2005 Draft EIR, § 4.5.3, p. 4-13.) They are therefore considered Class III impacts.

Second, the use of Alan Road would contribute to the current congestion at Cliff Drive/Las Positas Road intersection, until such time that the intersection improvements are completed. (2008 Final Revised EIR, § 4.5.3, pp. 4-15 to 4-17; 2008 Draft Revised EIR, § 4.5.3, pp. 4-15 to 4-17; 2005 Draft EIR, § 4.5.3, pp. 4-13 to 4-14.) If the project were to have its sole access via Alan Road, then the existing plus project traffic volumes at this intersection would result in a new significant impact, not present with the project as proposed (see EIR Appendix F, Part 10, Traffic Study Addendum by Associated Transportation Engineers, Tables 1 and 2). This is because the existing a.m. and p.m. peak hour conditions at this intersection are considered to be LOS F, due to a traffic delay in excess of 50 seconds, well over the City threshold for LOS F of 35 seconds. In such an instance, the City considers a project that adds more than 1% to the traffic volume to result in a significant traffic impact. A 23-unit project with sole access via Alan Road would add 1.3% and 1.8% to the a.m. and p.m. peak hour volumes, respectively. It is concluded that the Alan Road Access Alternative would result in a new significant and

unmitigated (Class I) impact with respect to its contribution to the unacceptable Level of Service at the Cliff Drive/Las Positas Road intersection. (2008 Final Revised EIR, § 4.5.3, pp. 4-15 to 4-17; 2008 Draft Revised EIR, § 4.5.3, pp. 4-15 to 4-17; 2005 Draft EIR, § 4.5.3, pp. 4-13 to 4-14; EIR Appendix F.)

Third, significant impacts related to construction traffic noise in the Alan Road neighborhood would be longer in duration under this alternative than under the proposed project. Construction noise due to truck traffic is considered a Class I impact for the Project; however, the mitigation identified for the Project to lessen noise impacts to residents of the Alan Road neighborhood (Mitigation Measure N-2: prohibiting most Phase 2 construction traffic from using Alan Road) is not possible under this alternative because all construction traffic would use Alan Road for the duration of the construction period. Therefore, the overall length of the noise impact would be substantially greater (18 months versus 6 months) under this alternative than under the Project. (2008 Final Revised EIR, § 4.5.3, p. 4-15; 2008 Draft Revised EIR, § 4.5.3, p. 4-15.)

In sum, while the Alan Road Access Alternative would avoid the Class I biological impact related to the bridge across Arroyo Burro Creek, the Alan Road Access Alternative would result in a new Class I traffic impact at the Cliff Drive/Las Positas Road intersection, as well as exacerbation of a previously identified Class I noise impact.

iii. Finding

For the reasons set out below, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include project benefits such as the “provision of employment opportunities for highly trained workers” or other benefits of the project that “make infeasible the ... project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

The City concludes that the Alan Road Access Alternative is not environmentally superior to the Proposed Project; the alternative has fewer significant and unavoidable biological impacts, but greater significant and unavoidable traffic and noise impacts.

The City also concludes that the Alan Road Access Alternative would not meet the Project Objectives and the City’s overall planning goals as well as the project.

First, the Alan Road Access Alternative would not meet the Project Objective of developing the Project site in a manner that is compatible with the existing development of the surrounding area as well as the Project. The alternative is less respectful of and compatible with the

existing development in the surrounding area than the Project. The Project would direct traffic away from existing communities on Alan Road, while the Alan Road Access Alternative would not. For this reason, the Alan Road Access Alternative is anticipated to result in several impacts to the Alan Road neighborhood including increased traffic and noise. Thus, the Proposed Project would be more compatible with existing development in the surrounding area than the Alan Road Access Alternative.

Second, the Alan Road Access Alternative would not meet the Project Objective of providing adequate vehicle circulation and traffic control as well as the Project. Under both the Project and the Alan Road Access Alternative, the project site would be developed with services and facilities consistent with established City standards adequate to serve the development. However, this alternative would include an additional Class I traffic impact that would not occur under the Proposed Project. In particular, the impact to the Cliff Drive/Las Positas Road intersection would be greater under this alternative than under the Project. The Cliff Drive/Las Positas Road intersection already operates at LOS F, and this alternative would exacerbate this unacceptable condition more than the Project, both in the project-specific and cumulative analyses. (See 2008 Draft EIR, § 4.5.3, p. 4-15; see also EIR Appendix F, Traffic Study Addendum by Transportation Engineers—Alan Road Access Alternative; Penfield & Smith, 2008.)

Third, the Alan Road Access Alternative would not meet the Project Objective and City planning goal of improving public access in the Las Positas Valley and establishing beneficial pedestrian and bike routes that enhance coastal and recreation access as well as the Project. The Project would include a bridge across Arroyo Burro Creek that would serve not only automobile traffic, but also pedestrian and bicycle traffic. Arroyo Burro County Beach Park is a county park is a popular spot for both locals and tourists. (2005 Draft, § 3.6.1.2, p. 3-92.) The bridge would provide a safe connection for pedestrian and bicycle traffic from Elings Park to Arroyo Burro County Park on the beach as well as the Douglas Family Preserve. In particular, a pathway would extend through the Project site from Las Positas Road (across the street from Elings Park) through the development along Arroyo Burro Creek to Alan Road. (2005 Draft EIR, § 3.6.2.2.) This new trail and local street system would also connect to the existing Class II bike lane on Las Positas Road. (2005 Draft, § 3.6.2.2, p. 3-94.) Bike traffic would be directed through the neighborhood on interior streets and a small segment of paved bicycle path, and pedestrian traffic would be directed either through the neighborhood or along the proposed pedestrian footpath.

The Alan Road Access Alternative would also provide a pathway but would not provide as much of a recreational opportunity for the general public as the Project. Because the alternative would not include a bridge across Arroyo Burro Creek, the site’s trail and street system would not be accessible to those using Elings Park or the Class II bike lane on Las Positas Road. While the public technically would have access to the trail system, in that it would not be closed to the public, the accessibility and usefulness of the trail system would be considerably impaired as compared to the Proposed Project.

For these same reasons, the Alan Road Access Alternative would not further the goals and policies in the General Plan for recreational access as well as the Project. The City’s General Plan includes a number of goals and policies designed to promote alternative transportation as well as coastal and recreation access. These goals and policies are discussed in Table 2 below. As discussed in Table 3, the Project will further the goals and policies of the General Plan for enhanced bicycle and pedestrian facilities as well as enhanced access to recreational facilities precisely because the Project includes the bridge at Arroyo Burro Creek and thus integrates into the City’s existing bicycle, transit, and pedestrian network. The Alan Road Access Alternative, on the other hand, provides only limited recreational, bicycle, and pedestrian amenities, principally for the immediate neighborhood, because the site’s facilities will not be well integrated into the City’s larger networks.

TABLE 2: DISCUSSION OF RELEVANT GENERAL PLAN AND OTHER PLANNING POLICIES TO DEVELOP PEDESTRIAN AND BIKE ROUTES AND ENHANCE COASTAL AND RECREATION ACCESS	
GOAL, POLICY, OR STRATEGY	DISCUSSION
Circulation Element	
Goal 4: Increase Bicycling as a Transportation Mode: Develop a comprehensive system of bicycle routes which are integrated with other modes of transportation and which provide safe and efficient bikeways.	The Project will further this goal better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route, whereas the alternative will not. As noted above, because of the Arroyo Burro Creek bridge, the Project would connect to the City’s existing transportation infrastructure already present along Las Positas Road—including the road, the Class II bicycle route along the road, Elings Park and its facilities across Las Positas Road from the site, and the transit facilities at the park. Bike traffic from Las Positas Road Class II bicycle route crossing the Arroyo Burro Creek bridge would be directed through the neighborhood on interior streets and a small segment of paved bicycle path; pedestrian traffic would be directed either through the neighborhood or along the proposed pedestrian footpath, and ultimately would connect to Alan Road. By interconnecting these facilities, the Project would provide a much less challenging option to the Class II bicycle route along Las Positas Road. As noted in the Circulation Element, busy streets and intersections “can be an intimidating barrier to bicyclists, especially children.” While there is a Class II bicycle route along Las Positas

TABLE 2: DISCUSSION OF RELEVANT GENERAL PLAN AND OTHER PLANNING POLICIES TO DEVELOP PEDESTRIAN AND BIKE ROUTES AND ENHANCE COASTAL AND RECREATION ACCESS

GOAL, POLICY, OR STRATEGY	DISCUSSION
	Road, the Project would offer an alternative access route through quieter trails and residential streets. Because the Alan Road Access Alternative would not include a bridge across Arroyo Burro Creek, it would not include an integrated bicycle route and thus would not offer an alternative to the Class II bike route along Las Positas Road.
Implementation Strategy 4.2.1: Create bikeways that conveniently serve major areas of attraction, such as shopping centers, public buildings, parks, places of employment, schools, and the Waterfront.	The Project will further this strategy better than the Alan Road Access Alternative because it will create a trail and street system that connects Elings Park ultimately to Arroyo Burro County Park on the beach. Because the Alan Road Access Alternative would not include a bridge across Arroyo Burro Creek, it would not do so; it would provide the limited benefit of connecting the Project site ultimately to Arroyo Burro County Park on the beach, but would not integrate to the City's existing bicycle system.
Goal 5: Increase Walking and Other Paths of Travel: Develop a comprehensive system of pedestrian routes which are integrated with other modes of transportation and which provide safe and efficient paths of travel.	The Project will further this goal better than the Alan Road Access Alternative because the Proposed Project will create a trail and street system that is integrated with an existing Class II bicycle route as well as the transit facilities at Elings Park, whereas the alternative will not.
Implementation Policy 5.1: The City shall create an integrated pedestrian system within and between City neighborhoods, schools, recreational areas, commercial areas and places of interest.	The Project will further this policy better than the Alan Road Access Alternative because it will create a trail and street system that connects Elings Park ultimately to Arroyo Burro County Park on the beach. Because the Alan Road Access Alternative would not include a bridge across Arroyo Burro Creek, it would not do so; the alternative would provide the limited benefit of connecting the Project site ultimately to Arroyo Burro County Park on the beach.
Implementation Strategy 5.1.5: Encourage newly proposed developments to include pedestrian connections to surrounding areas, adjacent transit facilities, or other travel facilities during development review.	The Project will further this strategy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as transit facilities at Elings Park, whereas the alternative will not.
Implementation Policy 5.2: The City shall link pedestrian paths with other alternative modes of transportation.	The Project will further this policy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as transit facilities at Elings Park, whereas the alternative will not.
Goal 9: Develop Special Policies Related to Transportation and Parking in the Coastal Zone: Create a more consolidated parking system in the waterfront area and explore new and/or	The Proposed Project will further this goal better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as transit facilities at Elings Park, whereas the alternative will not. Thus, the Proposed Project would provide an access option to driving between the beach at Arroyo Burro County Park and Elings Park/Las Positas

TABLE 2: DISCUSSION OF RELEVANT GENERAL PLAN AND OTHER PLANNING POLICIES TO DEVELOP PEDESTRIAN AND BIKE ROUTES AND ENHANCE COASTAL AND RECREATION ACCESS	
GOAL, POLICY, OR STRATEGY	DISCUSSION
expanded opportunities for use of alternative transportation.	Road.
Implementation Policy 9.1: The City shall encourage use of alternative modes of transportation, especially non-motorized options, in and around the Coastal Zone.	The Project will further this policy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as transit facilities at Elings Park, whereas the alternative will not. Thus, the Proposed Project will give the public an alternative means of transportation to the beach in furtherance of this policy.
Implementation Strategy 9.1.1: Improve pedestrian, bicycle, and transit access throughout the Coastal Zone ... through such methods as: providing additional bicycle and pedestrian paths.	The Project will further this strategy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as transit facilities at Elings Park, whereas the alternative will not. Thus, the Proposed Project will give the public an alternative means of transportation to the beach in furtherance of this policy, whereas the alternative would not.
Implementation Strategy 9.3.5: Improve alternative transportation connections from the Coastal Zone to existing parking facilities outside the Coastal Zone.	The Project will further this strategy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as transit and parking facilities at Elings Park, whereas the alternative will not.
Bicycle Master Plan	
Goal 2: To create and maintain an extensive network of bikeways, which enhances access between residential, recreational, educational, institutional and commercial areas within and outside the City.	The Project will further this goal better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as transit and parking facilities at Elings Park and ultimately Arroyo Burro County Park, whereas the alternative will not. Because the Alan Road Access Alternative would not include a bridge across Arroyo Burro Creek, it would not do so; it would provide the limited benefit of connecting the Project site ultimately to Arroyo Burro County Park on the beach.
Implementation Policy 2.1: The City shall expand the bikeway network to increase ridership for bicycle transportation and recreation.	The Project will further this policy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as transit and parking facilities at Elings Park and ultimately Arroyo Burro County Park, whereas the alternative will not. Because the Alan Road Access Alternative would not include a bridge across Arroyo Burro Creek, it would not do so; it would provide the limited benefit of connecting the Project site ultimately to Arroyo Burro County Park on the beach.
Implementation Strategy 2.1.3: Provide bike lanes on streets that are most heavily used by bicyclists, as well as establishing new connections and overpasses that enhance the use of the existing and future bikeway	The Project will further this strategy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route. Because the Alan Road Access Alternative would not include a bridge across Arroyo Burro Creek, it would not do so.

TABLE 2: DISCUSSION OF RELEVANT GENERAL PLAN AND OTHER PLANNING POLICIES TO DEVELOP PEDESTRIAN AND BIKE ROUTES AND ENHANCE COASTAL AND RECREATION ACCESS	
GOAL, POLICY, OR STRATEGY	DISCUSSION
networks.	
Implementation Policy 2.3: The City shall enhance the bikeway network.	The Project will further this policy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route, whereas the alternative will not.
Pedestrian Master Plan	
Goal 1: Improve the pedestrian system to increase walking in Santa Barbara	The Project will further this goal better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as pedestrian amenities at Elings Park/Las Positas Road whereas the alternative will not.
Implementation Policy 1.2: The City shall improve pedestrian safety and comfort at intersections...	The Project will further this policy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as pedestrian amenities at Elings Park/Las Positas Road whereas the alternative will not. The Proposed Project will also include improvements to Las Positas Road to enhance the safety of pedestrian crossings, including crosswalks.
Implementation Strategy 4.1.1: The Principles for Pedestrian Design 1. The pedestrian environment should be safe. 2. The pedestrian network should be accessible to all. 3. The pedestrian network should connect to places people want to go. 4. The pedestrian environment should be easy to use...	The Project will further this strategy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as pedestrian amenities at Elings Park/Las Positas Road whereas the alternative will not. The Proposed Project will also provide for pedestrian connections between Elings Park and ultimately Arroyo Burro County Park, while the alternative will not. The Proposed Project will also include improvements to Las Positas Road to enhance the safety of pedestrian crossings, including crosswalks.
Land Use Element	
Goal 6: Provide safe and convenient transportation and circulation and increased parking.	The Project will further this goal better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle route as well as pedestrian amenities at Elings Park/Las Positas Road whereas the alternative will not. The Project will also include improvements to Las Positas Road to enhance the safety of pedestrian crossings, including crosswalks. Ultimately, the Project will also provide for bicycle and pedestrian connections between Elings Park and ultimately Arroyo Burro County Park, while the alternative will not. Thus, the Project will give the public an alternative means of transportation to the beach in furtherance of this goal, whereas the alternative would not.
Implementation Strategy 6.2.4: Improve the City's	The Project will further this strategy better than the Alan Road Access Alternative because it will create a trail and street system that is integrated with an existing Class II bicycle

TABLE 2: DISCUSSION OF RELEVANT GENERAL PLAN AND OTHER PLANNING POLICIES TO DEVELOP PEDESTRIAN AND BIKE ROUTES AND ENHANCE COASTAL AND RECREATION ACCESS	
GOAL, POLICY, OR STRATEGY	DISCUSSION
bike lane system	route.

In addition to the above, the City has concluded that the Alan Road Access Alternative would cause an adverse impact in the quality of life of the Alan Road neighborhood because there would be an increase in traffic and traffic-related noise along Alan Road from residents traveling to and from the Project site. (2005 Final EIR, Executive Summary, § 4, pp. ES-5 to ES-6.) Under this alternative, Alan Road would serve as the only access point for emergency access vehicles, and thus the Alan Road neighborhood would be subjected to the noise associated with emergency access vehicles traveling to the proposed project. Currently, Alan Road does not have through-traffic and ends in a cul-de-sac. More than three decades ago, the City made the decision to close Alan Road to through traffic. On May 23, 1972, the City Council for the City of Santa Barbara evaluated plans in place at that time to extend Alan Road to the project site as contemplated under the Alan Road Access Alternative. At that time, the Council noted that the road has certain safety concerns, and other considerations that justified the closure of the road to through traffic. (See 2008 Final EIR Appendix F, Resolution No 7528, p. 1.) Among the relevant factors considered were (1) the fact that the street is narrow and curving, (2) the fact that cars commonly park on both sides of the street, and (3) the fact that children are prevalent in the area and commonly play in the street. (See 2008 Final EIR Appendix F, Resolution No 7528, p. 1.) These concerns remain, and adding through traffic to Alan Road will render it less safe than under existing conditions.

The above analysis supports the following conclusions:

- The Alan Road Access Alternative is not environmentally superior to the Project. While the alternative would avoid the Class I biological resources impacts of the Proposed Project, it would create a new Class I traffic impact, not experienced under the Project, and would exacerbate a previously-identified Class I noise impact.
- The Alan Road Access Alternative is also not feasible because it does not further the goals and policies of the general plan to the same extent as the Project, does not further the project objectives to the same extent as the Project, and would result in more deficient public facilities (i.e., roadway intersections) than the Project.

For each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

Secondary Emergency Access Alternative

i. Description

Under this alternative, a secondary emergency access would be provided at the south end of the project site. The proposed 10-foot wide, 180-foot long paved bike path that would connect Alan Road and Driveway “A” would be widened to 16 feet and that pavement would be strengthened to provide emergency vehicle access for vehicles (one vehicle width only). Bollards would be placed at both ends of the roadway segment to prevent non-emergency vehicle use. The secondary emergency access would provide additional options for evacuation and access during earthquakes, floods, and wildfire affecting the project site, or the Alan Road neighborhood.

ii. Comparison to Project

This alternative would not result in any new significant environmental impacts, although the additional traffic and noise from the use of Alan Road for emergency access to the project site could cause additional noise and traffic along Alan Road. Otherwise, the environmental impacts of this alternative would be the same as for the proposed project.

iii. Finding

For the reasons set out below, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include project benefits such as the “provision of employment opportunities for highly trained workers” or other benefits of the project that “make infeasible the ... project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

The City concludes that the Secondary Emergency Access Alternative is not environmentally superior to the project; it would have virtually identical impacts to the project with the exception that it could result in Class III (less than significant) impacts related to traffic and noise along Alan Road similar to the impacts of the Alan Road Access Alternative, albeit to a much lesser degree. (2008 Final Revised EIR, §§ 4.5.3, 4.6.3, pp. 4-16, 4-17; 2008 Draft Revised EIR, §§ 4.5.3, 4.6.3, pp. 4-16, 4-17.)

Because of these potential Class III traffic and noise impacts, the alternative arguably does not meet the objective of developing the project site in a manner that respects and accommodates existing development in the surrounding area as well as the proposed project.

The alternative would potentially provide the added benefit of an additional emergency access point for both the project site and the Alan Road neighborhood; however, this benefit is not needed to assure safety in either location. (2005 Draft EIR, § 3.8.4, p. 3-117.)

For each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

Concrete Sidewalk Alternative

i. Description

Under this alternative, concrete sidewalks would be constructed along roads at the project site instead of the proposed 5-foot wide pervious sidewalks. (2008 Final Revised EIR, § 4.7.1, p. 4-17; 2008 Draft Revised EIR, § 4.7.1, p. 4-17.)

ii. Comparison to Project

This alternative would not result in any new significant environmental impacts, and the environmental impacts of this alternative would be the same as for the proposed project; this alternative, however, would remove one of the key project features designed to reduce runoff and increase stormwater infiltration for water quality protection. This increased stormwater runoff could be partially mitigated if the proposed concrete ribbon drainage along the site roads was constructed with a permeable surface. (2008 Final Revised EIR, § 4.7.3, p. 4-18; 2008 Draft Revised EIR, § 4.7.3, p. 4-18.)

iii. Finding

For the reasons set out below, the City finds this alternative is potentially infeasible and less desirable than the proposed Project and conditionally rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include project benefits such as the “provision of employment opportunities for highly trained workers” or other benefits of the project that “make infeasible the ... project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

The City concludes that the Concrete Sidewalk Alternative is not environmentally superior to the project; it would have virtually identical impacts to the project with the exception that it could result in greater impacts to water quality than the proposed project. (2008 Final Revised EIR, § 4.7.3, p. 4-18; 2008 Draft Revised EIR, § 4.7.3, p. 4-18.) This is because the permeable surface sidewalks proposed as part of the project would slightly reduce runoff and increase stormwater infiltration as opposed to concrete sidewalks.

The City has not determined whether the proposed permeable surface sidewalks will be able to meet the standards of the City Public Works

department. Therefore, if the permeable surface sidewalks ultimately cannot be designed to meet City standards, then this alternative may be required to be implemented. The City adopts this alternative, on a contingent basis, if the City Public Works Department concludes at the time that engineering specifications are completed that the proposed permeable surface sidewalks cannot be constructed to City standards, that the proposed permeable surface sidewalks would not meet ADA requirements, or that the proposed permeable surface sidewalks would have prohibitively expensive maintenance costs.

If the City Public Works Department makes none of those findings, then for each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

Avoid Landslides Alternative

i. Description

There are several dormant bedrock landslides that occur in the Rincon shale along the base of the westernmost ridge on the project site (see EIR, Figure 4-1). These landslides are considered to be deep-seated features that may have moved up to several hundred feet over the past several thousand years. Under this alternative, residential units located below these landslides would not be constructed. Hence, the proposed landslide stabilization using caissons and toe buttresses would not be required. Relative to the original 2005 project design, up to eleven (11) lots would be removed from the project layout, as shown on EIR Figure 4-1 (Lots 1-6, 20, 21, and 12-14). These portions of the project site would be available for open space and roads. It is possible one or two lots could be constructed adjacent to Lot 7 and Lot 11. Hence, this alternative would result in a reduction of 9 to 11 lots. All other aspects of this alternative would be similar to the originally proposed project.

When applied to the Current 2008 Project design, this alternative would have a similar effect, leading to the deletion of (new) lots 1-6, 21, 22, and 12-14. This would represent a loss of 11 lots, and it may be possible to offset this reduction by adding one or two lots.

(2008 Final Revised EIR, § 4.8.1, p. 4-18; 2008 Draft Revised EIR, § 4.8.1, p. 4-18.)

ii. Comparison to Project

This alternative would avoid the several significant, but mitigable impacts (Class II) associated with the landslide stabilization and inherent hazards as compared to the proposed Project:

- Exposure of homeowners to a landslide hazard

- Temporary increase in local landslide hazard due to earthwork and construction activity associated with stabilization at the toe of the landslide during the construction period
- Increased hazards from adjacent landslides due to stabilization work

The reduction in the number of residential units would reduce the habitat, visual, and certain temporary construction-related impacts, as follows:

- Temporary adverse effects on Arroyo Burro Creek water quality due to construction activities
- Temporary and permanent loss of mostly non-native habitat due to site development
- Indirect adverse effects of residential development on wildlife using the creek corridor
- Adverse effect of human activity and pets (using the pedestrian path) on aquatic and riparian habitats and species of Arroyo Burro Creek
- Visual impacts of site development
- Short-term, intermittent increase in ambient daytime noise levels at residences adjacent to the project site due to certain construction activities at Lots 1 and 2

The alternative would not cause any new impacts, or exacerbate previously identified impacts associated with the proposed project. It would provide additional open space and/or habitat area at the project site, which may be a beneficial impact to the biological resources, depending upon the nature and management of the undeveloped areas.

(2008 Final Revised EIR, § 4.8.3, pp. 4-18 to 4-19; 2008 Draft Revised EIR, § 4.8.3, pp. 4-18 to 4-19.)

iii. Finding

For the reasons set out below, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include project benefits such as the “provision of employment opportunities for highly trained workers” or other benefits of the project that “make infeasible the ...

project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

The City concludes that the Avoid Landslides Alternative is not environmentally superior to the project in that it would not avoid any of the Class I (Significant and Unavoidable) Impacts of the Project. While this alternative would avoid several Class II (Significant but Mitigable) Impacts associated with the Project, those impacts would be mitigated under the Proposed Project in any event. (2008 Final Revised EIR, § 4.8.3, pp. 4-18 to 4-19; 2008 Draft Revised EIR, § 4.8.3, pp. 4-18 to 4-19.)

The Avoid Landslides Alternative would not meet some of the Project objectives as well as the proposed project. For instance, the alternative would result in a substantial reduction in the number of residential units made available to meet the City’s housing demand and thus would not achieve the Project objective of developing market rate housing to meet ongoing housing demand within the City as well as the Proposed Project.

This alternative would also substantially increase the per-unit development costs, given the smaller number of units being constructed.

For each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

Alternative Landslide Stabilization Alternative

i. Description

The proposed method to stabilize the landslides at the project site involves the construction of a toe buttress (= keyway) at the base of each landslide impinging on the development. A buttress would consist of engineered fill seated on bedrock or below the slide plane. The buttress would provide support and mass to prevent the landslide from further slippage. Subdrains would convey seepage from above to below the buttress fill. Prior to excavating a large trench for the buttress, caissons would be placed in the landslide immediately above the buttress fill area to stabilize the landslide during construction. The caissons would remain in place, providing additional support. The use of caissons avoids the need to remove a portion of the landslide above the buttress trench prior to construction. Hence, there would be less earthwork and a smaller footprint with caissons.

There are two alternative methods of stabilizing the landslides:

- Construct toe buttresses as proposed, but without the use of caissons. As noted above, this would require excavating portions of the landslides above the toe buttress area prior to excavation. The upslope extent of this excavation is unknown, but would likely involve several hundred feet. This work would occur on adjacent

properties and require landowner permission and County permits. The disturbed landslides above the toe buttress would be stabilized by a combination of grading, geotextiles, subdrain systems, and vegetation.

- A second approach would be to construct retaining walls at the toe of each landslide, immediately above the lots adjacent to the landslides. The height of the retaining walls would vary, extending up to 20 feet in height. Construction of the walls may require the use of caissons and/or excavation of a portion of the landslide mass above the wall locations prior to installing the walls.

The construction period for both alternatives would be slightly longer than for the proposed stabilization method. There may be excess fill associated with each alternative compared to the proposed project, as well as more prolonged noise impacts. However, much of this excess fill could be used on site for building pad development, and as such, may not result in additional truck trips for removal from the site. (2008 Final Revised EIR, § 4.9.1, pp. 4-19 to 4-20; 2008 Draft Revised EIR, § 4.9.1, pp. 4-19 to 4-20.)

ii. Comparison to Project

This alternative would not avoid or significantly reduce any significant impacts (Classes I and II) associated with the proposed project. Additionally, this alternative would cause the following new, potentially significant impacts:

- Temporary, and possibly permanent, loss of native and non-native vegetation on steep slopes above the project site due to landslide removal or reduction during the construction of the toe buttresses
- Potential exacerbation of landslide hazards due to work directly on the face of the landslides above the toe buttress site
- Degradation of the visual setting on the adjacent hillsides due to earthwork on the landside face, possibly leaving barren or weedy areas
- Degradation of the visual setting at the project site by the construction of tall retaining walls
- Increased construction duration, including associated noise and traffic impacts

(2008 Final Revised EIR, § 4.9.3, pp. 4-20 to 4-21; 2008 Draft Revised EIR, § 4.9.3, pp. 4-20 to 4-21.)

iii. Finding

For the reasons set out below, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following “[s]pecific economic, legal, social,

technological, or other considerations” which include project benefits such as the “provision of employment opportunities for highly trained workers” or other benefits of the project that “make infeasible the ... project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

The City concludes that the Alternative Landslide Stabilization Alternative is not environmentally superior to the project; it would not avoid any of the Project’s impacts and would result in new, potentially significant impacts. (2008 Final Revised EIR, § 4.9.3, pp. 4-20 to 4-21; 2008 Draft Revised EIR, § 4.9.3, pp. 4-20 to 4-21.)

Additionally, 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 his property due to the potential liability involved, and the disturbance to the hillsides. In addition, the City would likely not grant land use permits and grading permits for project-related actions on land not owned by the applicant unless the other landowner was part of the application request. (2008 Final Revised EIR, § 4.9.2, p. 4-20; 2008 Draft Revised EIR, § 4.9.2, p. 4-20.)

The retaining wall alternative is considered feasible but not desirable from an engineering viewpoint due to the extensive foundations required for large retaining walls. Additionally, it would not be consistent with the Single Family Residence Design Guidelines, which require retaining walls to be designed to blend with their surroundings and recommend a maximum height of six feet. (2008 Final Revised EIR, § 4.9.2, p. 4-20; 2008 Draft Revised EIR, § 4.9.2, p. 4-20.) For this reason, this alternative would not meet the Project objective of developing the project site in a manner that is compatible with the natural setting as well as the Proposed Project.

For each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

Alternative Creek Setback Alternative

i. Description

The originally proposed project site plan includes the following setbacks from the top of bank along the west side of Arroyo Burro Creek:

- A 50-foot setback for all roads and structures. The buffer zone created by this setback would contain open space to be restored with native plants and a 5-foot wide permeable pedestrian path along the creek open space corridor.
- A 100-foot setback for structures only. The area between the 50-foot setback and the 100-foot setback would contain paved roads,

pedestrian paths, storm drains, buried electrical conduits, street lights, landscaped yards, and fencing.

The City does not have a standard setback requirement for development along creeks except along Mission Creek. Protective setbacks are determined on a case-by-case basis, depending upon specific conditions of each site and proposed development. In 2003, the City issued draft Creek Development Standards for projects located next to all creeks in the City. Public hearings were conducted on the proposed standards, which resulted in a high level of interest and controversy. The City staff has indicated that the development of standards will require more time and further public participation and hearings beyond the hearing timeframe for this project.

The riparian resources that are protected by setbacks and the associated buffer zone include water quality in the creek, aquatic habitat and species, and wildlife habitat and species. Additional public benefits from setbacks include reduced bank erosion, increased public safety (primarily flooding and fire), and improved aesthetics. The determination of the appropriate setback distance from creeks depends on many factors, including the specific objectives of the setback distance, the condition of the resources in the creek adjacent to the site, and the proposed land uses in the buffer.

In Section 3.3.2 of the Final Revised EIR, the effects of the proposed setback distances and land uses in the associated buffer zones on biological resources in Arroyo Burro Creek were evaluated. It was concluded that the proposed project could result in the following significant, but mitigable (Class II) impacts on creek resources, even with the proposed setback. Mitigation measures have been developed to reduce these impacts to less than significant levels.

- Adverse effect of residential development and use of public open space on wildlife using the project site and creek corridor - this impact can be mitigated to a less than significant level by reducing nighttime lighting illumination of the corridor; restoring native habitats with wildlife value in the open space areas of the project site; and long-term management of the creek corridor to protect riparian resources.
- Adverse effect of human activity, pets, and pesticides on aquatic and riparian habitats and species of Arroyo Burro Creek - this impact can be mitigated to a less than significant level by properly managing public access and uses in the public open space adjacent to the creek; use of Integrated Pest Management (IPM) approaches to pest and weed management in the creek open space corridor that significantly reduce the use of toxic pesticides; and strategic placement of the pedestrian path in order to protect riparian habitats and species.

The use of the above management actions to protect creek resources does not necessarily imply that they are more effective in protecting or enhancing riparian and aquatic habitat, water quality, or wildlife than a larger creek setback – only that management actions can also reduce impacts.

Several alternative setback distances are described and evaluated in this section that provide a range of approaches to protecting riparian resources beyond the proposed setbacks with the EIR mitigation measures. These alternatives are presented in the EIR to provide the City decision-makers with another approach (i.e., a larger setback) to reducing impacts to the riparian resources of Arroyo Burro Creek.

In each of these descriptions, the alternative setback is described relative to the original 2005 project configuration.

1. 100-foot Setback Alternative (Applicant's Top of Bank). Under this alternative, a uniform 100-foot wide setback would be established at the project site from the applicant's defined top of bank, as shown on Figure 4-3. No roads or structures would occur in the 100-foot wide buffer zone created by the setback. Native plant landscaping and a pedestrian path would occur in the buffer zone, the same as for the 50-foot setback zone under the proposed project. When compared to the originally proposed project, this alternative would require relocating the main road and Driveway A to the west. Shifting the road alignment would reduce the depth of Lots 2- 6 and 7-11. These lots would need to be reconfigured to provide buildable land. This alternative would result in the loss of five lots. In addition, Driveway A would traverse the base of a hill, requiring a cut slope and retaining wall (EIR Figure 4-3). All other aspects of the alternative would remain the same as the originally proposed project, including a new intersection and bridge at Las Positas Road, stabilization of several landslides, a public trail and open space along the creek, and restoration of the creek corridor.

Relative to the Current 2008 Project design, this alternative would require eliminating one lot in the group of 4, 5, and 6. The current (2008) design deletes the former Lot 7, west of the Private Driveway near the oak grove, so this alternative would require no change at this location, other than a shifting of the Driveway to the west. Lots 7, 8, 9, 10, would be reconfigured to two lots, resulting in the loss of two, and Lot 11 would also be deleted in this alternative. Thus, the net effect of this alternative compared to the Current 2008 Project design would be a loss of four lots.

2. 100-foot Setback Alternative (Adjusted Top of Bank). Under this alternative, a uniform 100-foot wide setback would be established at the project site using a revised top of bank developed during the EIR studies. The adjusted top of bank was based on a careful

review of the topographic map and field observations. It differs from the applicant's top of bank by including several areas where the creek bank was eroded by the 1998 flood events. These areas were included for the following reasons: (1) they represent the current grade break between upland areas and areas influenced by the creek; (2) riparian vegetation is present on the slope face in these areas, indicating that they are riparian zones, and not upland areas; and (3) although these new banks were formed during major floods, their presence indicates that an outer extent of the creek influence that is evident and observable.

The 100-foot setback based on the adjusted top of bank is shown on Figure 4-4 of the EIR. No roads or structures would occur in the 100-foot wide buffer zone. Native plant landscaping and a pedestrian path would occur in the buffer zone, the same as for the 50-foot setback zone under the proposed project. When compared to the original 2005 project design, the Lane "A" and Driveway "A" would be shifted 30 to 50 feet to the west. This change in the road alignment would eliminate Driveway "A," eliminate Lot 7, reduce Lots 8 -11 to only two lots, and reduce Lots 1-6 to only three lots. There would be a net loss of six lots. In addition, the site would not be fully accessible from the north. Alan Road would be extended into the site in order to access three new lots at the southern end of the site. All other aspects of the alternative would remain the same as the proposed project, including a new intersection and bridge at Las Positas Road, stabilization of several landslides, a public trail and open space along the creek, and restoration of the creek corridor.

When compared to the Current 2008 Project design, this alternative would also extend the Alan Road cul-de-sac and lots at the southern end of the project resulting in the loss of three lots in this area. The Current 2008 design deletes the old Lot 7 near the oak grove, so there would be no change necessary at this location. Lots 7, 8, 9, and 10, would be reconfigured to two lots, and Lot 11 would be eliminated. This alternative would cause the deletion of six lots.

3. Increased Setback Alternative in Selected Locations. When compared to the original 2005 project design, under this alternative, the main road and Driveway "A" would be shifted up to 25 feet to the west in order to increase the setback from the creek, as shown on Figure 4-5. The intent of this alternative is to increase the setback to the maximum extent feasible, while still maintaining Driveway "A" and Lots 3 – 6. This alternative would result in the loss of Lot 7, and a reduction in the sizes of Lots 2 – 6, and Lots 8 - 11. All other aspects of the alternative would remain the same as the proposed project, including a new intersection and bridge at Las

Positas Road, stabilization of several landslides, a public trail and open space along the creek, and restoration of the creek corridor.

The current (2008) design deletes the old Lot 7 near the oak grove, and shifts the Private Driveway westward in a manner very similar to that suggested in this alternative. Under this alternative there would also be some additional minor changes in lot sizes in (new) Lots 7-10, and (new) Lot 11 at the northern end of the project would be deleted.

(2008 Final Revised EIR, § 4.10.1, pp. 4-21 to 4-24; 2008 Draft Revised EIR, § 4.10.1, pp. 4-21 to 4-24.)

ii. Comparison to Project

The larger creek setback alternatives would reduce the following significant, but mitigable impacts (Class II) associated with the proposed project. The amount of reduction is generally related to the size of the setback.

1. Temporary adverse effects on Arroyo Burro Creek water quality due to construction activities that increase on-site erosion potential and introduce potential contaminants to the site. The setback alternatives would increase the distance between construction activities and the creek, thereby providing more land for infiltration and Best Management Practices to further reduce construction stormwater pollution.
2. Adverse, indirect effect of residential development and use of public open space on wildlife and aquatic habitats in creek corridor. The setback alternatives would increase the distance between development and the creek to varying degrees, and as such, would further reduce these impacts by the following mechanisms:
 - By its very nature, a creek setback provides soil and vegetation where rainfall and runoff can be filtered through percolation or through interaction with rooted vegetation and leaf litter. Vegetated creek buffer zones can be very effective at capturing and retaining sediment, pesticides, oil/grease, and metals from upgradient areas. A larger setback provides more space for this biofiltering effect, and more residence time for the stormwater to be treated.
 - Riparian habitat on and above creek banks, including creek buffer zones, support aquatic habitat in the creek bottom by providing shade trees on the banks, providing replacement shade trees due to natural plant reproduction, and creating moist and shaded areas to support insect populations that are used as food sources for fish and amphibians in the creek. A larger setback provides more habitat to support the riparian functions in the creek corridor.

- A larger creek setback provides a greater amount of native habitat in which natural processes of plant growth, reproduction, and senescence can occur. A larger population of plants provides a greater resiliency and buffer from invasive weeds which may degrade habitat values for wildlife.
3. Loss of up to seven large coast live oak trees. A larger creek setback would reduce the loss of these trees, depending upon the final setback distance and configuration.

The setback alternatives would reduce the above impacts to varying degrees based on the distance between development and the creek. The magnitude of the reduction in impacts by the setback alternatives would be as follows, in order of decreasing reduction in impact magnitude:

- 100-foot Setback Alternative (Adjusted Top of Bank) (EIR Figure 4-4)
- 100-foot Setback Alternative (Applicant's Top of Bank) (EIR Figure 4-3)
- Increased Setback Alternative in Selected Locations (EIR Figure 4-5)

Impacts to creek resources described in numbers 1, 2 and 3 above would be mitigated by features and mitigation measures in the proposed Project, and would be mitigated under the three setback alternatives. However, the setback alternatives would provide greater protection to creek resources than the proposed project, as well as provide additional incidental benefits of greater public open space and more visual screening at the project site. These alternatives are presented in the EIR to provide the City decision-makers with another approach (i.e., a larger setback) to reducing impacts to the riparian resources of Arroyo Burro Creek.

The setback alternatives would not cause any new significant impacts. The 100-foot Setback Alternative using the applicant's top of bank would require a cut slope along Driveway "A." No significant geologic impact is anticipated, as the landslide above the cut slope would be stabilized appropriately. No significant visual impact is anticipated as the cut slope is not expected to be visible off site. The 100-foot Setback Alternative based on the adjusted top of bank would slightly increase the traffic along Alan Road because there would be one additional residence at the cul-de-sac. This impact would not be significant.

(2008 Final Revised EIR, § 4.10.3, pp. 4-24 to 4-25; 2008 Draft Revised EIR, § 4.10.3, pp. 4-24 to 4-25.)

iii. Finding

For the reasons set out below, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include project benefits such as the “provision of employment opportunities for highly trained workers” or other benefits of the project that “make infeasible the ... project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

The City concludes that the Alternative Creek Setback Alternative is not environmentally superior to the project in that it would not avoid any of the Class I (Significant and Unavoidable) Impacts of the Project. While this alternative would avoid several Class II (Significant but Mitigable) Impacts associated with the Project, those impacts would be mitigated under the Proposed Project in any event. (2008 Final Revised EIR, § 4.10.3, pp. 4-24 to 4-25; 2008 Draft Revised EIR, § 4.10.3, pp. 4-24 to 4-25.)

The Alternative Creek Setback Alternative would not meet the seven Project objectives as well as the proposed project. The alternative would result in a reduction in the number of residential units made available to meet the City’s housing demand and thus would not achieve the Project objective of developing market rate housing to meet ongoing housing demand within the City as well as the Proposed Project.

This alternative would also substantially increase per-unit development costs given the reduction in the number of units being constructed.

For each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

Alternative Drainage and Stormwater Treatment Plan Alternative

i. Description

The original 2005 project design included a storm drain system to collect runoff through storm drain inlets in the street and along the main drainage through center of the site, and then discharges the runoff at two locations along Arroyo Burro Creek. Runoff from most of the site would have been collected; however, portions of the site would drain by overland flow to the creek. Runoff in the main drainage and a portion of the street runoff would have been directed to a basin for detention and stormwater treatment.

The 2005 Final EIR (Section 3.1.3) identified potential impacts associated with the original storm drain system proposed at that time. These impacts were as follows:

- Adverse effects of site development (i.e., impermeable surfaces) and site drainage (i.e., storm drain system) on the hydraulic conditions of Arroyo Burro Creek, possibly causing localized

channel or bank erosion and on the bank storage conditions—these impacts can be effectively mitigated to a less than significant level by modifying the site drainage system to provide more infiltration and a greater number of outlets to the creek (Class II impact).

- Adverse effect of stormwater pollution from land development and public open space in the creek corridor on Arroyo Burro Creek water quality - this impact can be effectively mitigated to a less than significant level by incorporating appropriate stormwater management and treatment into the site drainage plan and by implementing Best Management Practices in the public open space (Class II impact).

For both impacts, the primary mitigation to avoid significant impacts is to modify the proposed site drainage and stormwater treatment layout and approach as presented in Mitigation Measures W-1 and W-4. In summary, these measures called for: (W-1) modifying the drainage design to provide at least four separate discharge points, to reduce the magnitude of discharge at each, and providing infiltration areas, and (W-4) general modifications to the stormwater design and management plan to separate runoff from the offsite watershed and convey it through the project site, and to incorporate detention basins, bioswales, permeable surfaces and other features of low impact development.

The 2005 Final EIR included an alternative is shown on EIR Figure 4-6, that incorporates various drainage modifications and stormwater treatment facilities intended by these mitigation measures. The primary objectives of this alternative are as follows:

- Separate the off-site runoff from the Campanil Hill drainage from the on-site runoff, so that the relatively natural runoff from the hillside can be passed through the project site without contacting roads, driveways, and other developed areas.
- Treat stormwater runoff from the project site in accordance with the City's requirements under the NPDES municipal stormwater permit and current Stormwater Management Plan, using applicable City and County design standards for volumetric treatment
- Maximize stormwater infiltration and minimize discharge to the creek from onsite drainage

The main off site drainage can be separated from the on-site runoff by modifying the proposed grading plan. Site runoff can be detained in swales and small infiltration basins to facilitate infiltration at various locations on the site. Potential bioswales and stormwater detention basins are shown on EIR Figure 4-6. Excess runoff from these basins would be discharged to the creek via multiple outlets. The increase in the number of bioswales and detention basins under this alternative

would reduce the discharge rates to the creek from individual storm drain outlets, increase infiltration which will retain alluvial groundwater onsite to support riparian habitat, and increase stormwater treatment by biological filtering and infiltration. The bioswales and detention basins can be incorporated into the creek habitat restoration plan under the proposed project, and provide wildlife habitat benefits too.

With respect to the overall storm drainage design, the Current 2008 project design incorporates these measures. It includes five separate discharge points, instead of the original two. It provides for the separation of runoff from the offsite hillside area, and its conveyance across the property without mixing with runoff from streets and developed areas. Some detention basins are shown in the current designs, and others can be anticipated as work progresses towards final design. Thus, the major components of the mitigation measures, and features of this alternative, have already been incorporated into the project designs. The mitigation measures as originally stated in the 2005 Final EIR will be retained since they provide direction and guidance for review of final project plans.

(2008 Final Revised EIR, § 4.11.1, pp. 4-26 to 4-27; 2008 Draft Revised EIR, § 4.11.1, pp. 4-26 to 4-27.)

ii. Comparison to Project

This alternative would reduce the magnitude of the following significant stormwater quality impacts (Class II) associated with the originally proposed project:

- Adverse effects of site development (i.e., impermeable surfaces) and site drainage (i.e., storm drain system) on the hydraulic conditions of Arroyo Burro Creek, possibly causing localized channel or bank erosion – this impact can be effectively mitigated to a less than significant level by modifying the site drainage system to provide more infiltration and a greater number of outlets to the creek. (Class II impact)
- Adverse effect of stormwater pollution from land development and public open space in the creek corridor on Arroyo Burro Creek water quality - this impact can be effectively mitigated to a less than significant level by incorporating appropriate stormwater management and treatment into the site drainage plan and by implementing Best Management Practices in the public open space. (Class II impact)

This alternative would not cause any new significant environmental impacts.

(2008 Final Revised EIR, § 4.11.3, pp. 4-27 to 4-28; 2008 Draft Revised EIR, § 4.11.3, pp. 4-27 to 4-28.)

iii. Finding

For the reasons set out below, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include project benefits such as the “provision of employment opportunities for highly trained workers” or other benefits of the project that “make infeasible the ... project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

The City concludes that the Alternative Drainage and Stormwater Treatment Plan Alternative is not environmentally superior to the project in that it would not avoid any of the Class I (Significant and Unavoidable) Impacts of the Project. While this alternative would avoid several Class II (Significant but Mitigable) Impacts associated with the Project, those impacts would be mitigated under the Proposed Project in any event. Moreover, the Proposed Project—as currently stated in the Current 2008 Project Design Alternative, largely incorporates the features and benefits of this alternative. (2008 Final Revised EIR, § 4.11.3, pp. 4-27 to 4-28; 2008 Draft Revised EIR, § 4.11.3, pp. 4-27 to 4-28.)

For each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

Alternative Bridge Sites Alternative

i. Description

Under this alternative, the bridge across Arroyo Burro Creek would be relocated to one of the following sites:

Site 1. About 100 feet north of the existing bridge alignment. This would require an easement from the Stone Creek Condominiums. The length of the bridge would be similar to the proposed bridge. However, the entrance to the bridge would not align with the entrance to Elings Park.

Site 2. Along the narrow historic bridge easement that extends about 500 feet from Las Positas Road to the project site in a northeast to southwest direction. This alternative would require a 400 to 500 foot span across the creek because the bridge would be aligned with the axis of the creek. The entrance to the bridge would not align with the entrance to Elings Park.

Site 3. About 500 feet south of the existing bridge. This site would require a larger easement across the City owned parcel compared to the proposed project, and would require an additional 100 feet of approach road. The entrance to the bridge would not align with the entrance to Elings Park.

Different bridge designs were also considered by the City and dismissed as infeasible primarily because they would have required more disturbance and excavation for buttresses (longer span) or would have resulted in more encroachment into the creek bed itself (different culvert designs).

(2008 Final Revised EIR, § 4.12.1, p. 4-28; 2008 Draft Revised EIR, § 4.12.1, p. 4-28.)

ii. Comparison to Project

Use of Site 1 would avoid the loss of a large oak and sycamore tree; however, the overall impact of the bridge at this site would remain the same as for the proposed bridge. Moreover, since the 2005 EIR was circulated, further engineering designs of the bridge have revealed that the sycamore tree would not be lost, but rather may incur damage to its roots and branches during construction. (2008 Final Revised EIR, §§ 3.3.2.6, 4.12.3, pp. 3-59, 4-29; 2008 Draft Revised EIR, §§ 3.3.2.6, 4.12.3, pp. 3-59, 4-29.) 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. (2008 Final Revised EIR, § 4.12.3, p. 4-29; 2008 Draft Revised EIR, § 4.12.3, p. 4-29.)

iii. Finding

For the reasons set out below, the City finds this alternative infeasible and less desirable than the proposed Project and rejects this alternative for the following “[s]pecific economic, legal, social, technological, or other considerations” which include project benefits such as the “provision of employment opportunities for highly trained workers” or other benefits of the project that “make infeasible the ... project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).)

The City concludes that the Alternative Bridge Sites Alternative is not environmentally superior to the Project in that it would not avoid any of the Class I (Significant and Unavoidable) Impacts of the Project. (2008 Final Revised EIR, § 4.12.3, p. 4-29; 2008 Draft Revised EIR, § 4.12.3, p. 4-29.)

Additionally, Alternative Bridge Sites 1 and 2 are not considered technically feasible because of 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. (2008 Final Revised EIR, § 4.12.2, p. 4-28; 2008 Draft Revised EIR, § 4.12.2, p. 4-28.)

Finally, this alternative would not meet the project objective of improving public access and establishing beneficial pedestrian and

bike routes as well as the Proposed Project, primarily because it would not provide as effective a pedestrian/bicycle link as the bridge location proposed, and would not minimize effects to biological habitat along the riparian corridor.

For each of the foregoing reasons, the City Council rejects this alternative as infeasible within the meaning of CEQA.

Current Project Design Alternative

i. Description

This alternative is similar to the proposed project as described in the prior 2005 Final EIR dated January 2005. This alternative encompasses the modifications to the proposed project that were presented to the City Council in December 2006 after previous direction from the City Council and public testimony on the project. This alternative makes small changes to the Proposed Project, as described below, and also modifies the project to allow for larger creek setbacks as discussed above (Alternative Creek Setbacks Alternative). The changes included in this alternative do not alter the conclusions of the EIR related to impacts and mitigation. The Project involves the same parcels and areas as the original project.

The areas to be developed are proposed to be subdivided into 25 residential lots (rather than 24 as in the proposed project). Table 4-6 of the 2008 Draft Revised EIR presents a summary of the residential development proposed on these lots.

The dwelling units on Lots 13 and 14 are designed as a duplex, or zero lot line homes intended to provide an affordable housing component. The original project design included (old) Lot 7, just west of Driveway A in the vicinity of an oak grove. This lot has been deleted in order to provide better preservation of the oak grove and a slightly greater creek setback in this area.

The larger open space portions of the overall project, including the 35.71 acre parcel owned by the applicant and to be dedicated as open space, and the 5.89 acre parcel owned by the City along the east side of Arroyo Burro, would be as in the original project design. The hillside, creek, and interior open space areas within the development project would be very similar to those in the proposed project design. There would be a very slight increase in open space along the Arroyo Burro Creek corridor, and a slight decrease in the interior open space. These new project open space areas are summarized as follows:

- Lot 26, open space adjacent to the creek, 0.52 acres
- Lot 27, hillside open space, 2.68 acres
- Lot 28, larger open space adjacent to the creek, 4.34 acres
- Lot 31, central open space, 0.90

Access to most of the project would be via a bridge over Arroyo Burro Creek from Las Positas Road, as in the proposed project. The bridge design is essentially the same, but refinements in mapping and in developing the creek restoration plan indicate that a mature sycamore tree south of the bridge location can be retained. The more detailed creek restoration plan also calls for a recontouring of the creek bank in the vicinity of the bridge to provide a more open area beneath the bridge. The updated details of the bridge design do not represent a change from the original project but are simply refinements in information. The overall effects of the bridge, therefore, would not change.

Access from the north end of Alan Road would be used for three new lots, instead of two as in the proposed project. The lot sizes at this location have been reduced so that the residential development area at the north end of Alan Road is slightly smaller to be more compatible with the lot and unit sizes in the Alan Road neighborhood, and the creek open space corridor containing the pedestrian and bicycle trail at this location at 4.86 acres is slightly larger than what was in the original design (approximately 4.0 acres). Creek setback distances in the Current 2008 design are larger in some areas than in the original project design. At the end of Alan Road, even though the new project design includes three lots, a reconfiguration of lot lines and change in building plans maintains the 100 foot setback between the creek and nearest proposed building at this location. The pedestrian/bicycle path at this location is also reconfigured in a way that provides a very slight increase in its distance from the creek (about 2-3 feet). A reduction in the lot depth for Lots 4, 5, and 6 allows the Private Driveway to be shifted slightly farther from the creek than was possible in the original design. The increase in setback for this driveway ranges from about 2 feet at its north end to about 40 feet adjacent to Lot 5.

The hillside open space area (Lot 27 in both the original and current design) is slightly larger in the current design --2.68 acres, as opposed to 2.59 acres in the original design. The central or interior open space (new Lot 31, 0.9 acres) is slightly smaller than this area in the original design (old Lot 25, 1.23 acres). This interior open space will contain an open vegetated channel to handle low volume flows from the offsite hillside area west of the project and convey this surface water through the project for discharge into Arroyo Burro. Higher flows will be diverted to the storm drain system to avoid flooding in the back yards adjacent to the central open space. The new design for this drainage includes an upstream retention/sediment basin, and a downstream retention basin, and energy dissipation features, as well as the grass lined channel of Lot 31. This design incorporates measures that were recommended as mitigation in the 2005 Final EIR.

In summary, the current (2008) design is, in many respects, very similar to the project as originally proposed and studied in the 2005 Final EIR. For the most part, the changes incorporate mitigation measures or alterations recommended in the 2008 Final EIR or reflect updates or refinements in the creek restoration plan. The total number of dwelling units has increased by one (from 24 to 25), and the project now includes two dwelling units intended to provide more affordable housing.

(2008 Final Revised EIR, § 4.13.1, pp. 4-29 to 4-31; 2008 Draft Revised EIR, § 4.13.1, pp. 4-29 to 4-31.)

ii. Comparison to Project

The environmental effects of the 2008 refinements for the Veronica Meadows project are virtually identical to those described in the 2005 EIR for the proposed project. With respect to the biological effects of the overall project, and the access bridge in particular, the 2008 project effects are slightly less than those described for the original design. The mature sycamore tree on the west side of the creek, south of the bridge location, can now be retained. There will likely be some trimming and root pruning necessary for this tree, which may cause some damage, but the tree can be preserved.

The bank reconfiguration proposed in the creek restoration plan will help to open up the creek banks under the bridge, allowing more light and improving the chances for regrowth of taller, denser riparian vegetation. While these factors are considered improvements, or reductions in the intensity of the impact, the overall conclusion that the project effects on the riparian corridor are Significant and Unavoidable (Class I) remains unchanged.

The Current 2008 project design includes several minor reconfigurations that provide an additional setback distance between the Private Driveway and the creek. In this respect, the current design would have slightly less impact and would allow for a better creek restoration and open space corridor than the original project.

With respect to traffic, there would be a very slight increase in daily traffic along Alan Road from this new design with three residences at Alan Road rather than two. This increase in traffic would not be a significant impact on Alan Road. It would also not contribute a significant increment to the already poor Level of Service at the intersection of Cliff Drive/Las Positas Road. Anticipated cumulative impacts at this intersection would remain significant.

(2008 Final Revised EIR, § 4.13.3, pp. 4-31 to 4-32; 2008 Draft Revised EIR, § 4.13.3, pp. 4-31 to 4-32.)

iii. Finding

This alternative, or update of the proposed project, is potentially feasible and meets the overall project objectives as effectively as the original design. (2008 Final Revised EIR, § 4.13.2, p. 4-31; 2008 Draft Revised EIR, § 4.13.2, p. 4-31.) Additionally, the Current 2008 Project Design Alternative is slightly environmentally superior to the proposed Project, although the significant and unavoidable impacts of the original proposed Project remain unchanged. (2008 Final Revised EIR, § 4.13.3, pp. 4-31 to 4-32; 2008 Draft Revised EIR, § 4.13.3, pp. 4-31 to 4-32.)

For these reasons, the City Council hereby approves and adopts this Current 2008 Project Design Alternative, rather than the project as originally proposed. The implementation of this alternative will further reduce the Class II impacts of the Project. The Council, therefore, finds that “[c]hanges or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).)

10. **Statement of Overriding Considerations**

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, and after review of the entire administrative record, including, but not limited to, the 2005 Draft EIR, the 2005 Final EIR, the 2008 Draft Revised EIR, the 2008 Final Revised EIR, all staff reports, applicant submittals, and the oral and written testimony and evidence presented at public hearings, the City Council finds that specific economic, legal, social, technological and other anticipated benefits of the Project outweigh the significant and unavoidable impacts, and therefore justify the approval of this Project notwithstanding the identified significant and unavoidable impacts. (Pub. Resources Code, § 21081; CEQA Guidelines, § 15093.) The benefits are addressed in detail below.

The City Council specifically adopts and makes this Statement of Overriding Considerations that this Project has eliminated or substantially lessened all significant effects on the environment where feasible (including the incorporation of feasible mitigation measures), and finds that the remaining significant unavoidable impacts of the Project, described below, are acceptable because the benefits of the Project set forth below outweigh it. The City Council finds that each of the overriding considerations expressed as benefits and set forth below constitutes a separate and independent ground for such a finding. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a Court were to conclude that not every reason is supported by substantial evidence, the City Council will stand by its determination that each individual reason is sufficient by itself.

Significant and Unavoidable Impacts

Based on information contained in the Record and in the 2008 Final EIR, the City Council has determined that the Project is conservatively expected to be associated with the following significant and unavoidable impacts:

- (1) Effect of Bridge on Riparian Habitats and Wildlife. Construction of the bridge across Arroyo Burro Creek would permanently displace native and non-native riparian habitat, as well as a large oak tree and may result in damage to the roots of a nearby sycamore tree on the west bank south of the proposed bridge. 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 (i.e., Las Positas Road), the overall impact of the bridge on riparian habitat and associated wildlife is considered Significant and Unavoidable. (2008 Final Revised EIR, Table ES-1, p. ES-8, MMRP, pp. ES-43 to ES-45, and § 3.3.2.6, pp. to 3-59 to 3-62; 2008 Draft Revised EIR, Table ES-1, p. ES-8, MMRP, pp. ES-43 to ES-45, and § 3.3.2.6, pp. to 3-59 to 3-62; 2005 Draft EIR, § 3.3.2.6, pp. 3-59 to 3-60.)
- (2) Noise from Construction Haul Trucks. Noise from construction haul trucks along Alan Road would temporarily increase the ambient sound levels in outdoor and indoor living areas of residences along the road during the initial construction period. (2008 Final Revised EIR, Table ES-1, p. ES-9, MMRP, pp. ES-50; 2008 Draft Revised EIR, Table ES-1, p. ES-9, MMRP, pp. ES-50; 2005 Draft EIR, § 3.9.3.2.)
- (3) Intersection Impacts. The proposed residential development would add traffic to the study area intersections, most of which are operating at LOS C or lower. The contribution of the Project to the AM and PM peak hour traffic, when combined with traffic from other future projects, is significant. Mitigation Measure TR-6 would reduce the contribution of the proposed Project to this significant cumulative impact. Under this measure, the applicant would be required to contribute a fair share contribution of funds for future capacity improvements of the affected intersections which are listed below:
 - Calle Real/Hwy 101 NB Ramps
 - Las Positas Road/Hwy 101 SB Ramps
 - Las Positas Road/Modoc Road
 - Las Positas Road/Cliff Drive

A residual significant impact may occur because it may not be feasible to fully implement the mitigation measure because the proposed intersection

projects may not be completed in a reasonable timeframe, most of the projects are not programmed or funded, and one of the projects would not fully reduce traffic impacts. (2008 Final Revised EIR, Table ES-1, p. ES-9, MMRP, pp. ES-53 to 54; 2008 Draft Revised EIR, Table ES-1, p. ES-9, MMRP, pp. ES-53 to 54; 2005 Draft EIR, § 3.7.2.4.)

Benefits of the Project

The City Council has considered the 2005 Draft EIR, 2005 Final EIR, 2008 Draft Revised EIR, and 2008 Final Revised EIR, the public record of proceedings on the proposed Project and other written materials presented to and prepared by the City, as well as oral and written testimony received, and does hereby determine that implementation of the Project as specifically provided in the Project documents would result in the following substantial public benefits:

- (1) Annexation of unincorporated parcels would improve planning and public services in this portion of the Las Positas Valley.
- (2) The proposed project would provide for limited development and preservation of the remainder of the property in open space, including restoration of the creek habitat and designation of approximately 35.7 acres of private land for open space.
- (3) The proposed project would provide for stabilization of on-site geological conditions on the property to the benefit of public safety
- (4) The proposed project would include 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 (outside of the creek channel).
- (5) The project results in restoration and dedication of approximately 7.8 acres of public and private land for open space and recreational use by the general public.
- (6) The project, with the bridge across the Arroyo Burro Creek, 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.
- (7) The project, with the bridge across the Arroyo Burro Creek, establishes safer pedestrian and bicycle access to the beach from the neighborhood east of Las Positas Road along a pleasant new creek-side trail, avoiding the heavily traveled road.
- (8) The project, with the bridge across Arroyo Burro Creek, helps the City meet key goals in the City's Circulation Element's Bikeway and Pedestrian Master Plans at no taxpayer expense.

- (9) The project, with the bridge across Arroyo Burro Creek, minimizes new traffic impacts to the Alan Road neighborhood when compared to project alternatives that use Alan Road as access for the entire project.
- (10) The project helps maintain the Alan Road neighborhood as a peaceful cul-de-sac area where children can play safely by not including an Alan Road extension that could serve as a Las Positas Road shortcut.
- (11) 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.
- (12) 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 (outside of the creek channel).
- (13) The project would result in an increase in property tax revenues benefiting the City, County, and local school and other special districts.
- (14) The project would result in 25 new housing units, and the creation of new construction jobs.
- (15) 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.
- (16) 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.
- (17) 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 structural improvements made within the creek channel and the creek buffer to the west would be funded by the Applicant/Home Owners' Association.
- (18) The project improves water quality in the site area and reduces discharge and runoff of sediment pollution into Arroyo Burro Creek.
- (19) The project results in the creation of a new riparian corridor on the site, improving the existing drainage deficiencies on the site.
- (20) The project improves the Arroyo Burro Creek ecosystem quantitatively and qualitatively by removal of numerous invasive species, and permanent replacement 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.

- (21) The project would provide for fair share mitigation funding for vehicle intersection improvements that would benefit the area. In addition, the City would likely direct these 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 impacted intersections which may not be fully funded for some time. This will assist in the timely completion of a project that would help reduce traffic congestion in the area in the foreseeable future.
- (22) The project includes two housing units affordable to upper-middle-income homebuyers. The provision of two housing units affordable to upper-middle-income homebuyers would provide an important and needed housing type in the City that may not otherwise be provided.

11. The City is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of Santa Barbara regarding this determination.

BE IT FURTHER RESOLVED that the City Council will require the Project Sponsor and successors to offset all costs, City staff and private sector staff costs associated with the implementation of and monitoring of the Mitigation Monitoring and Reporting Program and shall require the Project Sponsor and its successors to implement all programs as identified.

**VERONICA MEADOWS SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PROGRAM
January 16, 2005 (Updated March, 14, 2008)
City of Santa Barbara, Community Development Department**

I. PURPOSE

The purpose of the Veronica Meadows Specific Plan Mitigation Monitoring and Reporting Program (MMRP) is to ensure compliance with all EIR mitigation measures and subsequent Conditions of Approval to mitigate or avoid potentially significant adverse environmental impacts resulting from the proposed project. The implementation of this MMRP shall be accomplished by City staff and the project developer's consultants and representatives. The program shall apply to the following phases of the project:

1. Applicant prepares engineering, landslide stabilization, bank repair, and creek restoration, and stormwater pollution prevention plans and specifications
2. City reviews and approves plans
3. City issues grading and building permits
4. Pre-construction conference with City
5. Construction (inspection and monitoring by City)
6. Post-construction inspection by City

2. RESPONSIBILITIES AND DUTIES

A qualified representative of the developer, approved by the City Planning Division and paid for by the developer, shall be designated as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of this mitigation monitoring and reporting program to the City. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in this program.

It is the responsibility of the contractor to comply with all mitigation measures listed in the attached MMRP matrix. Any problems or concerns between monitors and construction personnel shall be addressed by the PEC and the contractor. The contractor shall prepare a construction schedule subject to the review and approval of the PEC. The contractor shall inform the PEC of any major revisions to the construction schedule at least 48 hours in advance. The PEC and contractor shall meet on a weekly basis in order to assess compliance and review future construction activities.

3. IMPLEMENTATION

3.1 Plan Review and Approval

The City shall review and approve the following plans (among others) prior to issuance of grading and building permits:

- Landslide stabilization plan and supporting geotechnical studies.
- Site development plan (bridge, grading, drainage, landscaping, infrastructure, building, etc), including modified storm water treatment plan.
- Creek corridor restoration plan and supporting hydraulic, biological, and geomorphic analyses.
- Creek bank repair and restoration plan and supporting hydraulic, biological, and geomorphic analyses.
- Construction storm water pollution prevention plan.
- Construction traffic control plan.
- Construction fugitive dust and equipment emissions control plan.

3.2 Pre-Construction Conference

The PEC shall prepare a pre-construction project conference report. The report shall include a list of all mitigation measures and a plot plan delineating all sensitive areas to be avoided. This report shall be provided to all construction personnel.

The pre-construction conference shall be conducted by the PEC. The conference shall be attended by the PEC, construction manager, necessary consultants, Planning Division Case Planner, Public Works representative and all contractors and subcontractors associated with the project. Multiple pre-construction briefings shall be conducted as the work progresses and a change in contractor occurs.

The MMRP shall be presented to those in attendance. The presentation shall include project background, the purpose of the MMRP, duties and responsibilities of each participant, communication procedures, monitoring criteria, compliance criteria, filling out of reports, and duties and responsibilities of the PEC and project consultants. It shall be emphasized at this conference that the PEC and project consultants have the authority to stop construction and redirect construction equipment in order to comply with all mitigation measures.

Once construction commences, field meetings between the PEC and project consultants, and contractors shall be held on an as-needed basis in order to create feasible mitigation measures for unanticipated impacts, assess potential effects, and resolve conflicts.

3.3 Monitoring Activities

The PEC and required consultant(s) shall monitor construction activities and post-construction conditions per the EIR mitigation measures (see attached matrix) and Conditions of Approval. The frequency, location, and duration of monitoring is specified in the matrix.

3.4 Reporting Procedures

The PEC shall document compliance with the EIR mitigation measures and Conditions of Approval as specified in the attached matrix. Reporting shall include (at a minimum) the following:

- Master schedule of construction activities that is updated every two weeks.
- Weekly written progress reports to be submitted to the City. The reports would document field activities and compliance with EIR mitigation measures and Conditions of Approval
- Report at the completion of the bridge construction documenting compliance with EIR mitigation measures and Conditions of Approval
- Post-grading and landslide stabilization report to be submitted to the City upon completion of these major earthwork activities documenting compliance with EIR mitigation measures and Conditions of Approval
- Reports after every storm event of one inch over 24 hour period documenting compliance with SWPPP, EIR mitigation measures, and Conditions of Approval, and evaluating performance of stormwater BMPs
- Final report at the end of construction which includes the following: (a) A summary of all monitoring activities, dates, monitors, etc; (b) Complete set of progress reports; (c) An identification of non-compliance events and the manner in which they were corrected; and (d) Any technical reports required.

4. MMRP MATRIX

The following MMRP Matrix describes each EIR mitigation measure, monitoring activities and the responsibilities of the various parties, along with the timing and frequency of monitoring and reporting activities. The MMRP matrix is intended to be used by all parties involved in monitoring the EIR mitigation measures, as well as project contractors and others working in the field. The matrix should be used as a compliance checklist to aid in compliance verification and monitoring requirements. A copy of the MMRP matrix shall be kept in the project file as verification that compliance with all mitigation measures has occurred.

**VERONICA MEADOWS SPECIFIC PLAN
MITIGATION MONITORING AND REPORTING PLAN – JANUARY 2005 (UPDATED MARCH 14, 2008)**

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>W-1. The proposed drainage system shall be modified to provide at least four or more drain outlets to the creek to reduce the magnitude of the discharge at each location compared to the proposed drainage outlets. The new outlets shall be equally distributed along Arroyo Burro Creek to the extent feasible. In addition, the proposed drainage system shall be modified to provide infiltration areas that are distributed along the stream terraces of Arroyo Burro Creek in such a manner as to facilitate infiltration through the banks to support riparian vegetation and contribute to base flows. A preliminary design of the drainage system shall be reviewed and approved by the Community Development Department and Public the Works Department before completing final design for submittal to the Building Department. Examples of design elements to be considered under this mitigation are presented as the Alternative Drainage and Stormwater Treatment Plan (EIR Section 4.11). (A portion of this mitigation measure has been incorporated into the 2008 project design which now includes 5 drain outlets to the creek)</p>	Applicant/ Contractor	City Staff	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division/ Public Works Dept.	
<p>W-2. The applicant shall prepare detailed plans on the methods to remove giant reed and other exotics from the banks of Arroyo Burro Creek as part of the proposed creek corridor restoration effort, as well as for the stabilization and restoration of the two areas of bank erosion. The plans shall include analyses and calculations that demonstrate how the removal and replacement of the undesirable plants can be accomplished without destabilizing the creek banks and increasing bank erosion. The plans for both exotic removal and bank repair shall include considerations of hydraulic and geomorphologic factors along the creek, such as flow velocities, sediment carrying capacity, bank failure modes, and shear stress factors. They shall describe and show bank stabilization methods and materials, as well as any anticipated long-term weeding and bank maintenance. The plans for bank repair shall evaluate whether maintaining the existing vegetation on the eroded banks would be more stable than the proposed filling of the eroded areas. Only bio-technical bank stabilization shall be used in these efforts – that is, methods and materials that are based on using plants for long-term bank protection. The plans for bank repair shall also include an evaluation of the need to stabilize the base of the creek banks, where the original bank failure occurred, in order to achieve long-term stabilization. All creek bank stabilization associated with the project shall not reduce channel capacity or create new flood hazards. The creek restoration and bank repair plans shall be reviewed and approved by the Community Development Department, Parks &</p>	Applicant/ Contractor.	City Staff	Review and approve plans; inspect in field; direct field personnel as necessary	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division/ Parks & Recreation Dept./Public Works Dept.	
		PEC	Inspect in field	Daily, during restoration activities; weekly, to ensure success of restoration efforts	PEC Reports	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>Recreation Department (Creeks Division), and the Public Works Department before completing final design for submittal to the Building Department.</p>						
<p>W-3. The following measures shall be incorporated into the project Storm Water Pollution and Prevention Plan (SWPPP), which must meet state NPDES General Construction Permit requirements, and must be approved by the Building Department. The SWPPP shall incorporate all feasible Best Management Practices (BMPs) to reduce erosion from construction activities, to prevent sediment in stormwater discharges, and to minimize non-stormwater pollutants at the project site to the maximum extent possible.</p>	Applicant/ Contractor	City Staff	Review and approve plan; inspect in field; direct personnel as necessary	Prior to issuance of building permit(s); regular inspections	Building & Safety Division	
<p>g) The following earthwork activities shall be restricted to the period April 1 to November 1 in order to avoid work during the rainy season: grading and earthwork for slope stabilization, mass grading, site grading for roads and building pads, trenching for utilities, and creek bank stabilization. Clearing and grubbing the site for earthwork shall also be restricted to the same time period.</p>						
<p>h) Construction of the bridge across Arroyo Burro Creek shall be restricted to the period July 1 to November 1 when runoff is low.</p>		PEC	Inspect in field	Confirm SWPPP preparation prior to work; monitor implementation of BMPs prior to work; daily monitoring during rainy season	PEC Reports	
<p>i) A dewatering and flow by-pass plan for construction of the bridge over Arroyo Burro Creek shall be submitted to the Building Department for review and approval.</p>						
<p>j) The following construction activities involving minor earthwork and grading may occur in the winter months provided special measures are implemented to address stormwater runoff during the work: (1) construction of pedestrian paths in the creek corridor; (2) weeding, plant removal, and planting in the creek corridor as part of the habitat restoration effort; and placement of caissons. The applicant must prepare specific erosion control and stormwater management plans for these activities if they are planned for the period November 1 to April 1. The plans shall be submitted to the Building Department for review and approval.</p>						
<p>k) Temporary stockpiles at the project site shall be protected from erosion by the combined use of surface stabilization, upslope runoff diversions, temporary berms around the perimeter, perimeter interceptor ditches, and temporary downstream catchments, as necessary and appropriate. Stockpiles that are present during the winter season (November 1 to April 1) shall be protected from erosion due to direct precipitation or runoff during the winter by the use of surface stabilization (such as erosion control blankets or temporary seed cover).</p>						
<p>l) BMPs to prevent discharge of construction materials, contaminants, washings,</p>						

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>concrete, fuels, and oils will include the following measures:</p> <ol style="list-style-type: none"> 8. Ensure that all construction vehicles and equipment that enter the construction and grading areas are properly maintained (off-site) to prevent leaks of fuel, oil and other vehicle fluids 9. Implement measures and provide materials to contain any accidental spills or leakage during the fueling of construction equipment at the site 10. Prepare a spill prevention/spill response plan for the project site that includes training, equipment and procedures to address spills from construction equipment, refueling operations, and stored fluids (if any) 11. Place all stored fuel, lubricants, paints and other construction liquids in secured and covered containers within a bermed or otherwise contained area at least 200 feet from the creek 12. Refuel only in bermed areas with impermeable surfaces at least 200 feet from the creek 13. Prohibit equipment washing and major maintenance at the project site, except for washdown of vehicles to remove dirt 14. Remove all refuse and construction debris from the site as soon as possible 						
<p>g) In order to reduce tracking of sediment from the construction site onto public roads, a stabilized construction entrance/exit shall be constructed and maintained at entrances to the site. Tracking control shall be achieved by either gravel or metal plates.</p> <p>i. Two weeks prior to the beginning of the winter season (November 1), erosion control BMPs shall be installed at the site, and approved by the City Building Department in anticipation of rain events. Due to the extensive area and volume to be graded at the project site, erosion control shall include more than the placement of silt fences. Additional control shall be included such as temporary grass cover, interceptor ditches, and temporary downstream catchment basins.</p>		City Staff	Review and approve plans; review private CC&Rs; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division/ Public Works Dept.	
<p>W-4. The proposed stormwater treatment system shall be expanded and modified as described below. Examples of several design elements in this mitigation measure are presented in the Alternative Drainage and Stormwater Treatment Plan (EIR Section 4.11).</p> <p>i) Runoff from the western off-site watershed should be separated from the runoff from the project site. This runoff from this watershed shall be conveyed through</p>	Applicant/ Contractor/ Homeowners					

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>the center of the site in an open earthen channel with small check dams to facilitate infiltration of low flows. The site grading plan for Lots 8-11 and 13-24 shall be modified to convey runoff from the lots towards the road into a separate stormwater treatment system.</p> <p>j) Stormwater detention basins or bioswales shall be constructed to treat runoff from Lots 1-7 and the private driveway to these lots, as well as from Lot 12 and the bridge.</p> <p>k) All stormwater from developed areas of the site shall be treated in accordance with the City's requirements in the current SWMP, and supplemented as necessary, with the design standards for detention basins and bioswales contained in Santa Barbara County's SWMP.</p> <p>l) The site plan and architectural design shall be modified during final design to include, to the extent practicable, stormwater management design elements, also known as low-impact design features. Examples include: roof drainage that is direct 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 instead of concrete in roadway ribbon gutters; and small depressions in front yards to collect roadside runoff for infiltration.</p> <p>m) The proposed homeowners association shall have the responsibility, authority, and ongoing funding to monitor and maintain the stormwater management facilities located in the public open space areas of the site and on private lots (if present) which would include detention basins, bioswales, and infiltration basins. The association shall have the authority to levy fees as necessary to maintain, repair, or replace stormwater management facilities. The City shall have responsibility for maintaining Lane "A" and any associated stormwater treatment feature such as permeable ribbon gutters or swales.</p> <p>n) The proposed homeowners association shall periodically issue educational materials to homeowners, tenants, and occupants that address topics such as proper handling, use, and disposal of household chemicals, fertilizers, pesticides, and herbicides; legal impacts of illegal dumping or disposal; household waste collection programs; oil recycling programs; alternative household products; and pet waste management.</p> <p>o) The proposed homeowners association shall prepare a water quality management plan for the four open space areas at the project site: Lot 27 (hillside open space), Lot 25 (central open space with tributary drainage channel), and Lots 26 and 28 (creek corridor with pedestrian path). The plan shall incorporate the principles,</p>		PEC	Inspect in field	Daily, during installation activities	PEC Reports	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>methods, and approach of the City's Integrated Pest Management (IPM) Plan (as it is revised and updated in the future) in order to minimize the use of pesticides and herbicides for landscape maintenance to the extent feasible. The plan shall also include trash cans, informational signage, and muft mitts along the creek corridor pedestrian path.</p> <p>p) The applicant shall submit a draft Stormwater Management Plan and an Open Space Water Quality Management Plan with the above elements to the Community Development Department and Public Works before completing final project design for submittal to Building Department.</p>						
<p>Biological Resources</p> <p>BIO-1. The proposed native habitat restoration plans shall be modified as follows to ensure the successful long-term establishment of new and enhanced native habitats at the project site, including the creek corridor restoration, upland habitat restoration in Lots 26, 27, 28, and 31, and creek bank repair and restoration sites. A comprehensive habitat restoration plan for these project elements shall be submitted to the Community Development Department and the Parks & Recreation Department (Creeks Division) for review and approval prior to incorporation into the final grading and landscaping plans to be submitted to the Building Department for final review and approval. The comprehensive habitat restoration plan shall include the following elements (among others):</p> <ul style="list-style-type: none"> ▪ Precise restoration objectives for each habitat type and location ▪ Detailed schedule of tasks and milestones for site preparation, planting, and maintenance ▪ Plans that show grading and soil preparation, and any areas that will require slope stabilization or temporary erosion control ▪ 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 ▪ Plans that show the boundaries of each habitat type to be restored, with precise acreages and plant densities ▪ Description of source of plant materials, with a commitment to utilize plant material from the South Coast region, and preferably from the Las Positas Valley 	Applicant/ Contractor.	City Staff	Review and approve plans; inspect in field; direct field personnel as necessary	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division/ Parks & Recreation Dept.	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>Performance criteria that include survivorship, percent native plant cover, percent noxious weed cover, and percent naturalized species cover</p> <ul style="list-style-type: none"> 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 A description of a watering approach to ensure successful plant establishment and long-term productivity, including methods to provide supplemental water 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 A long-term rodent management plan that avoids or greatly reduces the use of pesticides or poisons Plans and a description of 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 Plans and a description of how to establish and maintain riparian habitats in the creek corridor open space with ongoing public uses along the pedestrian path 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 as described in Mitigation Measure W-2. <p>The plan may include non-native ornamental trees in selected portions of the hillside and central open space areas for aesthetic reasons, provided the number of these locations is low and the non-native trees would not displace native plants over time.</p> <p>The plan shall also include a maintenance and monitoring program to be implemented by the homeowners association with a description of the authority and mechanism to secure sufficient funding to ensure long-term success. The program must be a minimum of 5 years or until performance criteria are achieved and there must be an ongoing program to ensure that the invasive giant reed or other highly invasive species are kept under control consistent with performance criteria perpetually.</p>						

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>The plan would apply to portions of the City-owned parcel on the east side of Arroyo Burro Creek. Hence, the restoration approach and plan for this element of the project shall be approved by the City Parks and Recreation Department. The applicant shall maintain the restoration areas on City property for a minimum of 5-years or until the performance criteria have been achieved, at which time the City will assume responsibility for maintenance.</p> <p>BIO-2. Oak trees to be removed shall be replaced at a 10:1 ratio at the project site. The replacement trees shall range in size from one gallon to 15-gallon trees. Planting locations shall be appropriate for oak trees, as determined by the arborist or restoration ecologist, and included in the habitat restoration plans. The number of oak trees to be removed shall be confirmed on the final plans. The plans shall include an oak and riparian tree protection drawings and specifications that require the following:</p> <ul style="list-style-type: none"> ▪ Prior to grading, temporary protective fencing (4 feet high) shall be installed three feet outside the dripline of all oak and riparian trees to be preserved. Fencing shall be maintained during the entire construction period. ▪ Heavy equipment shall not be used or packed within three (3) feet of oak tree driplines, except where approved by a qualified arborist, and after protective fencing has been installed. ▪ Soil, rocks, or construction material shall not be stored or placed within the dripline of oak trees. 	Applicant/ Contractor.	City Staff	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division	
<p>BIO-3. The area of temporary disturbance associated with installation of the bridge over Arroyo Burro shall be minimized to the maximum extent feasible. The limit of temporary disturbance upstream and downstream of the bridge shall not exceed 25 feet. All disturbed areas shall be restored with native riparian trees and shrubs. The disturbed banks shall be stabilized, as necessary, with biotechnical methods to prevent post-construction erosion. Native perennial plants that are tolerant of shade shall be planted under the bridge span. To the extent feasible, tall riparian trees shall be planted that will grow adjacent to the edge of the bridge and provide cover.</p>	Applicant/ Contractor	City Staff	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division	
<p>BIO-4. To partially offset the permanent habitat losses at the bridge site, the open space area north of the entrance road and south of Lots 11 and 12 and the area between Las Positas Road and the creek from the bridge to the condominiums shall be restored to a native oak-riparian area dedicated to wildlife habitat, particularly riparian breeding birds and raptors. The restoration of this site shall be included in</p>	Applicant/ Contractor	City Staff	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>the comprehensive native habitat restoration plan for the proposed project (see Mitigation Measure BIO-1).</p>		PEC	Inspect in field	Daily, throughout project duration	PEC Reports	
<p>BIO-5. Phase I grading and earthwork within 100 feet of the outer edge of the existing riparian corridor (as mapped in the EIR) shall not occur during the period 1 March through 15 July in order to avoid disturbance to breeding birds. Prior to removal of any oak, eucalyptus, or native riparian tree, a qualified biologist shall carefully examine the tree to determine that no active bird nests are present. If a nest is located, tree removal shall be delayed until all chicks have fledged.</p>	Applicant/ Contractor	City Staff	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division PEC Reports	
<p>BIO-6. The limits of disturbance in areas with native or naturalized vegetation shall be minimized to the extent feasible. Limits of clearing and grubbing, grading, and vehicular access shall be marked at the site with orange exclusion fencing.</p>	Applicant/ Contractor	City Staff	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division PEC Reports	
<p>BIO-7 The following measures shall be implemented to reduce impacts of residential development on riparian resources in the creek:</p> <ul style="list-style-type: none"> ▪ The lowest output lighting permissible on all roadways and common areas of the development shall be used. All street and common lighting shall be shielded so that stray light effects are minimized, and to avoid direct illumination of the riparian corridor, except as needed for public safety. Decorative night lights shall not be directed into trees within the riparian restoration area. 	Applicant/ Contractor	City Staff & Architectural Board of Review	Review and approve plans; review private CC&Rs; inspect in field	Daily, throughout project duration	PEC Reports	
<ul style="list-style-type: none"> ▪ The pedestrian path in the creek open space corridor shall be sited to provide views and an aesthetic enjoyment of the creek environment. However, the alignment of the path shall not substantially interfere with the primary objective of providing wildlife habitat and native plant cover along the creek corridor. The path shall also include interpretative signs informing the public of the sensitive resources in the creek, and asking the public to refrain from entering the creek channel, or letting pets enter the channel. The final design for the creek open space shall also include a consideration of low-profile fencing at the top of the creek bank or in sensitive habitat areas. 		PEC	Inspect in field	Weekly, until full compliance is confirmed	PEC Reports	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<ul style="list-style-type: none"> ▪ The proposed gazebo to be located along the pedestrian path shall be situated as far as possible from the creek (a minimum of 50 feet), and the location shall be selected to minimize impacts to riparian resources. ▪ The proposed homeowners association shall prepare and implement (with long-term funding assurances) a habitat maintenance and management plan for the four open space areas at the project site: Lot 27 (hillside open space), Lot 31 (central open space with tributary drainage channel), and Lots 26 and 28 (creek corridor with pedestrian path). The plan shall incorporate the principles, methods, and approach of the City's Integrated Pest Management (IPM) Plan (as it is revised and updated in the future) in order to minimize the use of pesticides and herbicides for landscape maintenance to the extent feasible. The plan shall include measures to monitor and remove the amount and extent of non-native invasive plants, particularly ensuring ongoing control of the aggressive giant reed; maintain the riparian plantings in good health; and contingency plans for replacement planting. It shall also include measures to monitor and manage public access to prevent unanticipated impacts to riparian and aquatic habitats in the creek from public uses. Violations shall be strictly enforced and citable, using the City's Administration Program or other appropriate methods. 						
<p>BIO-8. The width of the proposed bridge shall be reduced by only including a sidewalk on one side, if this modification does not create unsafe conditions for pedestrians and bicyclists, as determined by the City Transportation Division.</p>	Applicant/ Contractor	City Staff	Review and approve plans; inspect in field	Prior to issuance of building permit(s)	Transportation Division /Planning Division	
<p>BIO-9. The bridge design and/or materials shall be modified to minimize the effects of vehicle noise on the adjacent riparian habitat. Possible design modifications could include eliminating openings along the bridge or using road surface materials that reduce wheel noise, and installing wildlife crossing signs and speed bumps.</p>	Applicant/ Contractor	City Staff	Review and approve plans; inspect in field	Prior to issuance of building permit(s)	Transportation Division /Planning Division	
<p>G-1. The stabilization of landslide above Lot 12 will involve the excavation of a deep shear key. This excavation shall be expanded to assess the presence or absence of the nearby Lavigia Fault in accordance with City requirements. The excavation shall be inspected by a Certified Engineering Geologist to identify possible features associated with the nearby Lavigia Fault. If evidence of faulting is detected, the likelihood of faulting affecting the structures at Lot 12 shall be evaluated and appropriate measures shall included into the design to accommodate possible future movements, if necessary, in accordance with City requirements.</p>	Applicant/ Contractor	City Staff; Certified Engineering Geologist	Review and approve plans	Prior to issuance of building permit(s); as necessary	Building & Safety Division; Geologist	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>G-2. The potential for liquefiable conditions underlying Lots 7 through 24 shall be evaluated by a geotechnical investigation during final design of the project. This investigation shall include additional borings at depth and locations approved by the City Building Department. Areas that are susceptible to liquefaction shall be identified. Appropriate design and construction techniques to address this condition (e.g., ground improvement, drainage) shall be included in the final design to be reviewed and approved by the Building Department. The applicant shall also provide evidence that the construction of deep shear keys using engineered fills as part of landslide stabilization for other lots will reduce the potential for seismic liquefaction at these locations to an acceptable level.</p>	Applicant/ Contractor	City Staff	Review and approve plans	Prior to issuance of building permit(s); as necessary	Building & Safety Division	
<p>G-3. The potential for expansive soils underlying Lots 12 through 21 shall be evaluated by a geotechnical investigation during final design of the project. Appropriate design and construction techniques to address this condition shall be included in the final design to be reviewed and approved by the Building Department. The applicant shall also provide evidence that the construction of deep shear keys using engineered fills as part of landslide stabilization for other lots will mitigate the expansive soils at these locations to an acceptable level.</p>	Applicant/ Contractor	City Staff	Review and approve plans	Prior to issuance of building permit(s); as necessary	Building & Safety Division	
<p>G-4. The potential for high groundwater conditions in lots along the base of the hillside (Lots 1-7, and Lots 12 through 21) shall be evaluated by a geotechnical investigation during final design of the project. These investigations shall include additional borings. Appropriate drainage measures to address this condition shall be included in the final design to be reviewed and approved by the Building Department.</p>	Applicant/ Contractor	City Staff	Review and approve plans	Prior to issuance of building permit(s); as necessary	Building & Safety Division	
<p>G-5. To ensure that a significant impact due to landslide hazards is avoided throughout the life of the project, the applicant shall complete a geotechnical investigation that provides the basis for final design and construction. The investigation program shall include sufficient subsurface exploration, laboratory testing, and engineering analysis to fully characterize each landslide and to develop an appropriate design of shear keys and cast-in-ground caissons to allow construction to proceed safely and to provide sufficiently stable building sites against future landsliding under both static and dynamic loading conditions. The results of the study shall be subject to review and approval by the City Building Department, and an independent geotechnical engineer and geologist to provide a greater level of confidence in the proposed solutions. The investigation shall include borings at landslides 1, 2, 3, 8, 9, and 12 to provide suitable information to design stabilization programs for Lots 1 through 6, Lot 12, NW of Lot 19, and SW of Lots 20 and 21.</p>	Applicant/ Contractor	City Staff; geotechnical engineer and geologist	Review and approve plans	Prior to issuance of building permit(s); as necessary	Building & Safety Division; geotechnical engineer and geologist	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>Some of the borings shall be drilled along the proposed caisson wall alignments to provide a basis for the actual wall design, e.g., caisson diameter, spacings and depth prior to the start of construction. This is necessary because in several instances the proposed caisson depths are less than the estimated depth of sliding. The investigations shall also determine the diameter and spacing of caissons, as the proposed diameter (2 feet) spacing (4 or 5 pier diameters) may not be sufficient to resist the driving forces, particularly during seismic loading, due to the quasi-stable landslide mass. All shear key excavations shall be observed and mapped by a qualified geotechnical engineer or engineering geologist to verify design assumptions in accordance with Section 3317 of Appendix Chapter 33 of the 1997 Uniform Building Code (UBC)/1998 California Building Code (CBC).</p>						
<p>CR-1. Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, preparation and implementation of a Phase III Archaeological Resources Report in accordance with the City Master Environmental Assessment Guidelines for Assessment of Archaeological Resources and Historic Structures and Sites, etc. If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization. If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission to determine the disposition of the remains.</p>	Applicant/ Contractor	City Staff	Review and approve plans Inspect in field; report discoveries to City Staff	Prior to issuance of building permit(s) Daily, during grading activities	Planning Division PEC Reports	
<p>CR-2. The remnant oak trees at the project site shall be retained and incorporated into the project. Interpretive signage shall be placed near the trees along a path. The signage shall include a photograph of the buildings that were once located nearby.</p>	Applicant/ Contractor	City Staff; Historic Land-	Review and approve plans; inspect in	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building &	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
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 Historic Landmarks Commission), and the text will be prepared by a qualified historic preservation professional.		marks Commission PEC	field Inspect in field	Weekly, until full compliance is confirmed	Safety Division PEC Reports	
CR-3. A gazebo structure shall be constructed near the proposed pedestrian trail along the creek corridor. It shall be constructed to match the design, scale, and material of the original building that was associated with the water company. The gazebo structure shall contain a display of the history of Veronica Springs, including photographs, and advertising brochures from the water bottling plant in town and the Veronica Springs site itself. If artifacts are found through archaeological monitoring, those artifacts should be suitably displayed in the building. The gazebo design shall be reviewed and approved by the Historic Landmarks Committee and Architectural Board of Review. The proposed gazebo shall be situated as far as possible from the creek (a minimum of 50 feet) and the location shall be selected to minimize impacts to riparian resources.	Applicant/ Contractor	City Staff; Historic Landmarks Commission PEC	Review and approve plans; inspect in field Inspect in field	Prior to issuance of building permit(s); regular inspections Weekly, until full compliance is confirmed	Planning Division/ Building & Safety Division PEC Reports	
CR-4. Interpretive signs shall be placed along the public path along the creek corridor that describe the entry road to Veronica Springs and other historical elements on the site. The signs shall be reviewed and approved by the Historic Landmarks Committee and Architectural Board of Review.	Applicant/ Contractor	City Staff; ABR & HLC	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division	
CR-5. The name of the new development and streets within the development shall reflect the history of the Veronica Springs site (e.g., Veronica Springs, Veronica Meadows, Kimball Road, Hawley Heights, Clifton Way, Thomas Road). The street names shall be reviewed and approved by the Historic Landmarks Committee.	Applicant/ Contractor	City Staff & HLC	Review and approve plans; inspect in field	Prior to issuance of Certificate of Occupancy; regular inspections	Planning Division/ Public Works Dept.	
AQ-1. The following measures would reduce fugitive dust emissions related to construction activities and haul trucks. They are based on the standard dust mitigation measures of the APCD. k) Areas subject to clearing, grading, earth moving or excavation shall be kept sufficiently moist, through use of either water trucks or sprinkler systems, to prevent dust from leaving the site. Water trucks or sprinkler systems shall also be	Applicant/ Contractor	City Staff	Inspect in field	During regular inspections	Building & Safety Division	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>used to keep on-site roads (paved and unpaved) damp enough to prevent dust raised from leaving the site. At a minimum, this shall include wetting down these areas in the late morning and after work is completed for the day. At the end of the day, areas with disturbed soil shall be sufficiently moistened to create a crust. Increased watering frequency shall be required whenever the wind speed exceeds 15 mph. These areas must also be kept moist during weekends and days when no construction activities are occurring.</p> <p>l) Reclaimed water shall be used for dust control if the Public Works Director determines that it is reasonably available</p> <p>m) Stockpiles and barren areas at the project site that shall be disturbed on a periodic basis (at least once every 5 days) shall be kept sufficiently moist by the use of water trucks or sprinklers to prevent dust from leaving the site.</p> <p>n) Stockpiles and barren areas at the project site that shall remain undisturbed for more than 5 days shall be stabilized by the use of tackifiers, soil binders, or other measures. These stabilization agents shall be replenished throughout the dry season on an as-needed basis to prevent dust emissions.</p> <p>o) On-site vehicle speeds shall be limited to 15 miles per hour or less.</p> <p>p) Gravel pads or similar devices shall be installed at all access points to prevent tracking of mud on to public roads.</p> <p>q) Alan Road, Cliff Drive (between Alan Road and Las Positas Road), and Las Positas Road (between Cliff Drive and Veronica Springs Road) shall be inspected daily (midday and at the end of the day) during periods of truck hauling to determine if there is an accumulation of silt on the road that could cause fugitive dust. These road segments shall be kept clean of such silt by the use of a street sweeper or watering truck.</p> <p>r) Trucks transporting fill material to and from the site shall be tarped from the point of origin.</p> <p>s) Upon the completion of construction, all disturbed areas shall be stabilized by the use of rock protection or perennial vegetation.</p> <p>t) The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to initiation of construction. All dust control requirements shall be shown on grading and building plans.</p>		PEC	Inspect in field	Daily, during grading activities	PEC Reports	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>AQ-2. The following measures would reduce NO_x emissions from construction equipment and haul trucks. They are based on the standard mitigation measures of the APCD.</p> <ul style="list-style-type: none"> i) Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) should be utilized wherever feasible. j) The engine size of construction equipment shall be the minimum practical size. k) The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time. l) Construction equipment shall be maintained in tune per the manufacturer's specifications. m) Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. n) Catalytic converters shall be installed on gasoline-powered equipment, if feasible. o) Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed, if available and if determine to be reasonable and feasible by the City Public Works Department. p) Construction worker trips should be minimized by encouraging carpooling and by providing for lunch onsite. 	Applicant/ Contractor	City Staff	Inspect in field	During regular inspections	Building & Safety Division	
		PEC	Inspect in field	Weekly	PEC Reports	
<p>N-1. Clearing and grubbing, earthwork, drilling, concrete placement, and other major construction activities involving heavy equipment shall be restricted to 8 a.m. to 5 p.m. at the following locations: bridge site, landslide stabilization site above Lot 12, and landslide stabilization site above Lot 1.</p>	Applicant/ Contractor	City Staff; PEC	Inspect in field	During regular inspections; daily	Building & Safety Division; PEC Reports	
<p>N-2. No haul, dump, or supply trucks shall use Alan Road for access during Phase 2, except as need to construct residences at Lots 1 and 2. During Phase 1, all haul trucks, dump trucks, and heavy equipment traffic on Alan Road shall be restricted to the time period 9 a.m. to 4 p.m. during weekdays.</p>	Applicant/ Contractor	City Staff; PEC	Inspect in field	During regular inspections; daily	Building & Safety Division; PEC Reports	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>N-3. The following measures should be incorporated into the project contract specifications to minimize general construction noise impacts:</p> <p>k) Construction operations shall be limited to the hours 7 a.m. to 7 p.m. Monday through Friday or at any time on Saturday, Sunday or on holidays, consistent with the City of Santa Barbara Municipal Code. Holidays are defined as those days that are observed by the City of Santa Barbara as official holidays, and include New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the following Friday, and Christmas Day. Further restrictions on construction operations are provided in Mitigation Measure N-1.</p> <p>l) All noise-producing project equipment and vehicles using internal combustion engines (including haul trucks) shall be professionally fitted with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features. These devices shall be professionally maintained in good operating condition so as to meet or exceed original factory specification. Mobile or fixed "package" equipment (e.g., arc-welders, air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.</p> <p>m) Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from Alan Road and the Stone Creek Condominiums.</p> <p>n) The speed limit at the construction site during prior to completion of paved roads shall be 15 MPH.</p> <p>o) The use of noise-producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only.</p> <p>p) No project-related music system shall be audible at any adjacent receptor.</p> <p>q) Within 20 days of commencement of construction, the project applicant shall provide a notice of construction schedule to property owners, residents, and neighborhood organizations within 500 feet of the site boundary and post information on the site in a location visible to the public, including the hours of operation and contact person with a telephone number who can address questions and problems that may arise during construction.</p> <p>r) All project workers exposed to noise levels above 80 dBA shall be provided with personal protective equipment for hearing protection (i.e., earplugs and/or earmuffs); areas where noise levels are routinely expected to exceed 80 dBA shall</p>	Applicant/ Contractor	City Staff, PEC	Inspect in field	During regular inspections; daily	Building & Safety Division; PEC Reports	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>be clearly posted with signs stating "Hearing Protection Required in this Area."</p> <p>s) Survey work, construction within residential units with completed walls, and landscaping (manual labor only) may occur at the project site on Saturday. No construction work can occur on Saturday if involves the use of haul trucks or construction equipment (e.g., loaders, backhoes, generators, etc).</p> <p>i) Construction staging areas where vehicles may idle or other noise-generating activities take place shall be located as far from adjacent residential areas as feasible.</p>						
<p>VS-1. The applicant shall submit final architectural plans and color/material boards to the Architectural Board of Review (ABR) for review and approval. The color and texture scheme shall be designed to minimize visual contrast with the surrounding landscape.</p>	Applicant/ Contractor	City Staff & ABR	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division	
<p>VS-2. The final architectural plans for residences at Lots 1 and 2 shall be designed to minimize the contrast of height and mass between the proposed two-story homes and the adjacent one-story homes along Alan Road. These plans shall be submitted to the Architectural Board of Review (ABR) for review and approval.</p>	Applicant/ Contractor	City Staff & ABR	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division	
<p>VS-3. To prevent nighttime glare, any exterior lighting installed on the project site shall be of low intensity, low glare design, and be hooded to direct light downward and prevent spill over onto adjacent parcels. All light fixtures shall be shielded so that neither the lamp nor the related reflective interior surface is visible from any of the observation points. All light poles, fixtures, and hoods shall be dark colored (non-reflective). Security and street lighting shall be shielded so as not to create glare when viewed from the observation points. The light poles and fixtures shall not be obtrusive to travelers along Las Positas Road, the Alan Road neighborhood, or the public open space areas.</p>	Applicant/ Contractor	City Staff & ABR	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division	
<p>PS-1. A solid waste management plan identifying measures for reuse, source reduction, and recycling shall be developed for construction and operation of the proposed project, and submitted to the City's Environmental Analyst and the County's Solid Waste Division for review and approval prior to building permit issuance.</p>	Applicant/ Contractor	City Staff	Review and approve plan; review private CC&Rs; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division/ Public Works Dept.	PEC Reports
		PEC	Inspect in field	Weekly, during construction		

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>H-1. Prior to issuance of building and grading permits, the applicant shall submit a pesticide management plan that addresses the selection, application, storage, and transport of herbicides, insecticides, and rodenticides that would be used in managing the public open spaces at the project site by the homeowner's association. The plan shall be consistent with the City's Integrated Pest Management (IPM) program, and shall be designed to minimize the use of pesticides over time and to avoid public exposure.</p>	Applicant/ Contractor	City Staff	Review and approve plan; review private CC&Rs; inspect in field	Prior to issuance of building permit(s); regular inspections	Planning Division/ Building & Safety Division	
<p>H-2. Prior to the issuance of building and grading permits, the applicant shall conduct a study to determine the potential for radon gas to be emitted from the project soils after grading. If it appears that radon is present, the building plans shall incorporate EPA-approved construction methods and design features to prevent the exposure of residents to the gas.</p>	Applicant/ Contractor	PEC	Inspect in field	Weekly, during construction	PEC Reports	
<p>TR-1. The following measures are recommended to minimize truck conflicts on Alan Road with passenger vehicles, bicycles, pedestrians, and parked vehicles during Phase 1 of the construction:</p> <ul style="list-style-type: none"> ▪ The project applicant shall prepare and implement a Traffic Control Plan that shall specify measures to ensure traffic safety on Alan Road. The plan shall include instructions and guidelines on signage, notification of residents, ingress/egress procedures for large trucks, contact person with phone number, possible need for traffic control attendant, and measures to avoid passage of two trucks on the narrow road. ▪ No trucks shall park or queue on Alan Road at any time ▪ The truck speed limit along Alan Road shall be 15 MPH ▪ Truck drivers shall be disciplined for non-compliance with safety regulations. All trucks shall be clearly marked with a number visible to residents on both sides of the road and from the rear in the event non-compliance needs to be reported. 	Applicant/ Contractor	City Staff	Review and approve plan; inspect in field	Prior to issuance of building permit(s); regular inspections	Transportation Division /Planning Division/ Building & Safety Division	
<p>TR-2. The proposed intersection at Las Positas Drive and project site entrance (Lane "A") shall consist of a stop-controlled intersection that meets all applicable Caltrans standards, including turn lane lengths, roadway widths and curb-return radii. Caltrans has indicated that a public road intersection with a southbound right-turn lane and northbound left-turn lane on Las Positas Road will be required at the intersection. Minor widening of Las Positas Road may be required to provide adequate width for the turn lanes. The project applicant shall acquire Caltrans'</p>	Applicant/ Contractor	City Staff	Review and approve plan; inspect in field	Prior to City Council action on the Specific Plan; prior to issuance of building permit(s); regular inspections	Transportation Division /Planning Division/ Building & Safety Division	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>conceptual approval of the intersection prior to final action by the City Council on the proposed Specific Plan. The project applicant shall also acquire all necessary Caltrans approval, including an encroachment permit, for the intersection prior to submittal of plans for City building and grading permits. The final design of the intersection improvements will be determine as part of the encroachment permit process.</p>						
<p>TR-3. The proposed intersection at Las Positas Road and the project site entrance (Lane "A") shall include pruning or otherwise modifying trees and other vegetation on the west side of Las Positas Road between the access connection and the Stone Creek condominium complex access connection to create sight distances that meet Caltrans standards.</p>	Applicant/ Contractor	City Staff	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Transportation Division /Building & Safety Division	
<p>TR-4. The entrance to the project site (Lane "A") from Las Positas Road shall be modified to permit adequate clearance for incoming trucks and vehicle queued on the outbound approach at the intersection waiting to exit the site vehicles. The modifications shall meet Caltrans standards.</p>	Applicant/ Contractor	City Staff	Review and approve plans; inspect in field	Prior to issuance of building permit(s); regular inspections	Transportation Division /Building & Safety Division	
<p>TR-5. The project applicant shall video document the pavement conditions on Alan Road, Cliff Drive, and Las Positas Drive before and after the construction project to determine the level of impact caused by the project. This documentation shall be provided to the City of Santa Barbara, Transportation Department. If the project traffic has caused damage to the roadway surface, the project applicant shall repair or resurface the affected reaches.</p>	Applicant/ Contractor	City Staff	Review and approve video and condition of road	Before and after the project construction	Transportation Division	
<p>TR-6. The applicant shall provide the City with a fair share contribution to fund capacity or operational improvements by the City or Caltrans to the intersections listed below, where the project would have a significant contribution to cumulative impacts.</p> <ul style="list-style-type: none"> ▪ Calle Real/Hwy 101 NB Ramps ; Las Positas Road/Hwy 101 SB Ramps; Las Positas Road/Modoc Road; Las Positas Road/Cliff Drive <p>These 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 Las Positas and Cliff Drive. At this intersection, the City proposes to install a roundabout to improve traffic conditions, if and when Highway 225 is relinquished to the City. The City has prepared a Project Study Report (PSR) for the roundabout project and has initiated the relinquishment</p>	Applicant	City staff	Confirm receipt of fund	Prior to issuance of certificates of occupancy	Planning Division/ Transportation Division	

Mitigation Measures	Responsible Entity	Monitor	Action by Monitor	Timing & Frequency	Compliance Check	Verification
<p>request process with Caltrans.</p> <p>The applicant shall contribute fair share funding for improvements at all four intersections 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 0.77 volume/capacity (V/C) ratio. The fair share contribution shall be determined by multiplying the above percentages times the estimated construction costs of the intersection improvements, and then summing the amount for each intersection. The estimated fair share contribution for this project is \$88,850.</p> <p>The applicant shall execute a contract with the City prior to issuance of certificates of occupancy for the project that specifies the total fair share contribution, contract period, and the mechanism for transferring funds to the City and then making them available to Caltrans as needed. The fair share contribution shall be made prior to the issuance of the certificate of occupancy. The amount shall be \$88,850, unless refined construction estimates are developed for one or more of the intersection projects prior to the execution of the contract. The contribution shall be revised based on new construction estimates and utilizing traffic information in the Final EIR, but would not exceed a total contribution of \$88,850 or the amount established in the final project conditions of approval. The contract period shall be 10 years.</p> <p>The City shall allocate the funds to any of the four intersection projects if they are constructed during this 10-year timeframe only in the amounts as identified for each intersection mitigation, unless the City has adopted a fee mitigation program that allows the allocation of the entire contribution to one or more projects. Any unallocated funds at the end of 10 years shall be returned to the homeowners in proportion to their lot size.</p> <p>This measure may be superceded if a formal traffic mitigation fee program is adopted by City Council prior to the approval of this project, and the City determines that the mitigation under the program is consistent with this measure. The total contribution shall not exceed the amount established by project condition of approval.</p>						