

LAND USE AND PLANNING

4.7 LAND USE AND PLANNING

An Initial Study was prepared for the Revised Project (see Appendix A of this Draft Supplemental EIR). Based on the analysis contained in the Initial Study, it was determined the Revised Project would result in less-than-significant impacts associated with division of an established community, consistency with Habitat Conservation Plans, and land use conflicts. This section therefore focuses on potential conflicts with land use plans and policies. This section describes the regulatory framework and existing conditions in the Project area related to land use planning, and the potential land use policy conflicts of the Revised Project.

4.7.1 ENVIRONMENTAL SETTING

4.7.1.1 REGULATORY FRAMEWORK

This section identifies and describes the local plans, policies, and regulations applicable to the Revised Project.

City of Lafayette General Plan

The Lafayette General Plan, adopted in 2002, guides development in the city over the course of its 20-year planning horizon. The Land Use Element of the General Plan regulates land use within the city limits, establishing specific land use designations to express the desired pattern and intensity of development. The Land Use Element contains a General Plan Land Use Map, which designates the Project site as Administrative/Professional/Office/Multi-Family Residential. This land use designation provides for a mixture of professional office and multifamily residential uses adjacent to the downtown that are close to public transit, shopping, and public facilities. The maximum height allowed under this designation is 35 feet, the maximum density for multi-family residential uses is 35 dwelling units per acre, and the maximum floor area ratio (FAR) is 0.40. The General Plan designates the dog park site as Low Density Single Family Residential, which has a maximum density of two dwelling units per acre.

General Plan goals and policies intended to guide land use in the city are listed in Table 4.7-1 (see Section 4.7.4). Under this section, a detailed consistency analysis is provided for each goal and policy applicable to the Revised Project.

The General Plan also establishes 11 Residential Entryways to the city which are intended to be distinctive and attractive, establish a positive image of the community, and reflect the semi-rural residential character of the community.

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City of Lafayette Municipal Code

Zoning Regulations

Contained in Title 6, Planning and Land Use, of the Lafayette Municipal Code, the City's zoning regulations implement the land use goals and policies established in the General Plan. The zoning regulations identify specific zoning districts within the city and describe the development standards which apply to each district. The Project site is zoned Administrative/Professional Office (APO) and the dog park site is zoned Single Family Residential District-20 (R-20) in the Lafayette Municipal Code (LMC).

Within the APO district, multi-family buildings are allowed with a permit and height limits range from 22.97 to 36.09 feet depending on the location within the Project site. As shown on Figure 3-4 in Section 3, Project Description, building height limits, measured from the lowest point where the lowest foundation wall intersects with the ground, are established as follows:

- Height Area I (36.09 feet)
- Height Area II (22.97 feet)
- Height Area III (29.53 feet)
- Height Area IV (32.81 feet)

Additionally, the zoning regulations stipulate that 20 percent of a lot in the APO district must be planted and maintained with growing plants.

Within the R-20 district, publicly owned parks and playgrounds, multiple pet activity on parcels of land 20,000 square feet in size or larger, and a recreation court are allowed with a land use permit.

City of Lafayette Hillside Development Requirements

Chapter 6-20 of the Lafayette Municipal Code outlines Hillside Development requirements intended to preserve the distinctive hillside viewsheds that characterize Lafayette and minimize the potential for damage from environmental hazards. The purpose of this chapter is to:

- Maintain the semi-rural character and beauty of the city by preserving its open and uncluttered topographic features in their natural state;
- Encourage an alternate approach to conventional flat land development practices;
- Minimize grading and cut and fill operations consistent with the retention of the natural character of the hillsides;
- Achieve land use densities in keeping with the general plan while retaining the significant natural features of hillside areas through densities that diminish as the slope of terrain increases;
- Minimize water runoff and soil erosion when terrain is graded to meet onsite and offsite development needs;

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- Maintain steep slopes, riparian areas, and woodlands in as nearly natural a condition as is feasible;
- Prohibit development on significant ridgelines and prohibit development which when viewed from lower elevations protrudes above these ridgelines;
- Preserve the predominant views both from and of the hillsides;
- Regulate the development of hillside and ridgelines areas by imposing standards for ridgeline setbacks, streets, trails and other improvements consistent with the purpose of this chapter; and
- Regulate the development of hillside and ridgeline areas in a manner so as not to take private property without just compensation.

Article 2 of the Hillside Development requirements establishes the Hillside Overlay District, a special zoning district with specific regulations applicable to development of ridgeline, hillside, and other rural residential areas of Lafayette. These regulations apply to residential lots existing on July 8, 2002, to subdivisions of land into two or more lots, and to lot line adjustments under certain conditions. Uses permitted by right and by discretionary permit in the Hillside Overlay District are the same as those permitted in the underlying zoning district; however, Hillside Overlay District regulations take precedent over the regulations of the underlying principal zoning district in the event of conflict. As shown in Figure 3-5 in Section 3, Project Description, both the Project site and dog park site are within the Hillside Overlay District.

The Hillside Development requirements also establish three classes of ridgeline in Lafayette, depending on ridgeline location, height, and significance in relation to other nearby topographical features. Classification also considers the impact that development on or near the ridgeline would have on scenic views of ridges and hillsides and the protection of open space, wildlife corridors, and native grassland, oak woodland, chaparral, and riparian areas.

Hillside Development requirements stipulate ridgeline setbacks for Class I, II, and III ridgelines. For Class I ridgelines, no development is allowed within 400 feet (measured in plan view) of the ridgeline. For Class II ridgelines, no development is allowed within 250 feet of the ridgeline. The Lafayette Planning Commission may grant exemptions from the ridgeline setback requirement provided that certain findings can be made and that no portion of any building located within a Class I or Class II ridgeline setback is higher than a plane sloping downward at an angle of 15 degrees from the horizontal intercept of the ridgeline. For Class III ridgelines, no structure may be erected adjacent to the ridge that is higher than a horizontal plane that intercepts the ridgeline. The horizontal plane shall be measured at the nearest point of development to the ridgeline, and shall be perpendicular to the ridgeline or have an arc of 90 degrees from the endpoint of the ridgeline.

Creek Setback Requirements

Section 6-18, Article 5 of the Lafayette Municipal Code outlines creek setback requirements designed to protect property in the vicinity from landslides. Creek setbacks apply to buildings and structures bordering

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unimproved creek channels. No permanent structure other than fences, drainage features, or erosion protection improvements may be built within the setback area, which is determined according to the formula set forth in Section 6-1841. Landscaping with trees and shrubs, however, is permitted.

Design Review Requirements

As described above, the Project site is zoned Administrative/Professional Office (APO), a designation that requires design review for new construction that will be visible from public property.¹ The proposed dog park site is zoned as Single Family Residential District-20 (R-20). The proposed public park use would require a Land Use Permit, and review of the design and aesthetics of the park would be part of this review.

According to the Municipal Code, design review will look at a variety of aesthetics-related aspects of the Project, including, but not limited to, building form, site layout, circulation, and contextual design, to assure that the final development design meets the City's standards.² Design review is conducted by the City of Lafayette Design Review Commission. Through the design review process, the Commission provides oversight of project design and evaluates compatibility with the existing visual character or quality of a proposed development's site and its surroundings. The required findings that must be met are:

- The approval of the plan is in the best interest of the public health, safety and general welfare;
- General site considerations, including site layout, open space and topography, orientation and location, building vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development;
- General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings; and
- General landscape considerations, including the location, type, size, color, texture, and coverage of plant materials, provisions for irrigation, maintenance, and protection of landscaped areas and similar elements have been considered to ensure visual relief, to complement buildings and structures and to provide an attractive environment for the enjoyment of the public.

Tree Protection Regulations

Chapter 6-17 of the Lafayette Municipal Code pertains to tree protection. Please see Section 4.3, Biological Resources, for a detailed description of the City's tree protection requirements.

¹ LMC Title 6, Part 3, Chapter 6-10, Article 1, Administrative/Professional Office District.

² LMC Title 6, Part 1, Chapter 6-2, Applications and Permits.

4.7.1.2 EXISTING CONDITIONS

Revised Project Site Characteristics and Existing Land Uses

3233 Deer Hill Road

The majority of the Project site is undeveloped grassland of relatively flat terraces, and steep hillsides, which slope downward and to the south. An unimproved intermittent creek channel traverses the northeast corner of the Project site. A prominent manmade feature of the site's topography is the terracing of the hillside, which includes four relatively flat terraces ranging in elevation from 310 to 463 feet above mean sea level. The site has significant areas of cut, fill, and other disturbance. The review of historic records indicates the Project site operated as a quarry between 1967 and 1970. It is likely the quarry was used as a source of borrow material for the local road and highway improvements.³

Currently, there are approximately 27,000 square feet of paved roadways and parking areas on the Project site, as well as several small structures totaling approximately 5,000 square feet in area. Existing on-site structures include two single-story office buildings, a vacant single-family home, a garage, a cargo storage container, and a construction trailer clustered near the center of the site. The lower portion of the site adjacent to Pleasant Hill Road has been the site of an annual Christmas tree lot since 1997.

There are two types of easements existing on the Project site. East Bay Municipal Utilities District (EBMUD) has two parallel tunnel easements that run through the site in an east-west direction, as shown in Figure 4.7-1. These easements ensure a setback from the two water transmission pipelines installed approximately 200 feet below the ground surface.⁴ The terms of the EBMUD easements stipulate that the grantor may not use or permit the land to be used in any way that would interfere with, damage, or endanger the EBMUD tunnels. Additionally, there is a cut and fill easement in the western portion of the site that was granted to the California Department of Transportation (Caltrans) during the construction of State Highway 24 and Deer Hill Road. The Caltrans cut and fill easement, which provides access to the Caltrans parcel (APN 232-140-014), is also shown in Figure 4.7-1.

The Hillside Overlay Area Map from the Lafayette General Plan, shown in Figure 3-5 in Section 3, Project Description, shows the eastern end of Lafayette Ridge extending onto the Project site. As shown, the 400-foot Class I Ridgeline Setback associated with Lafayette Ridge extends to the center of the Project site.

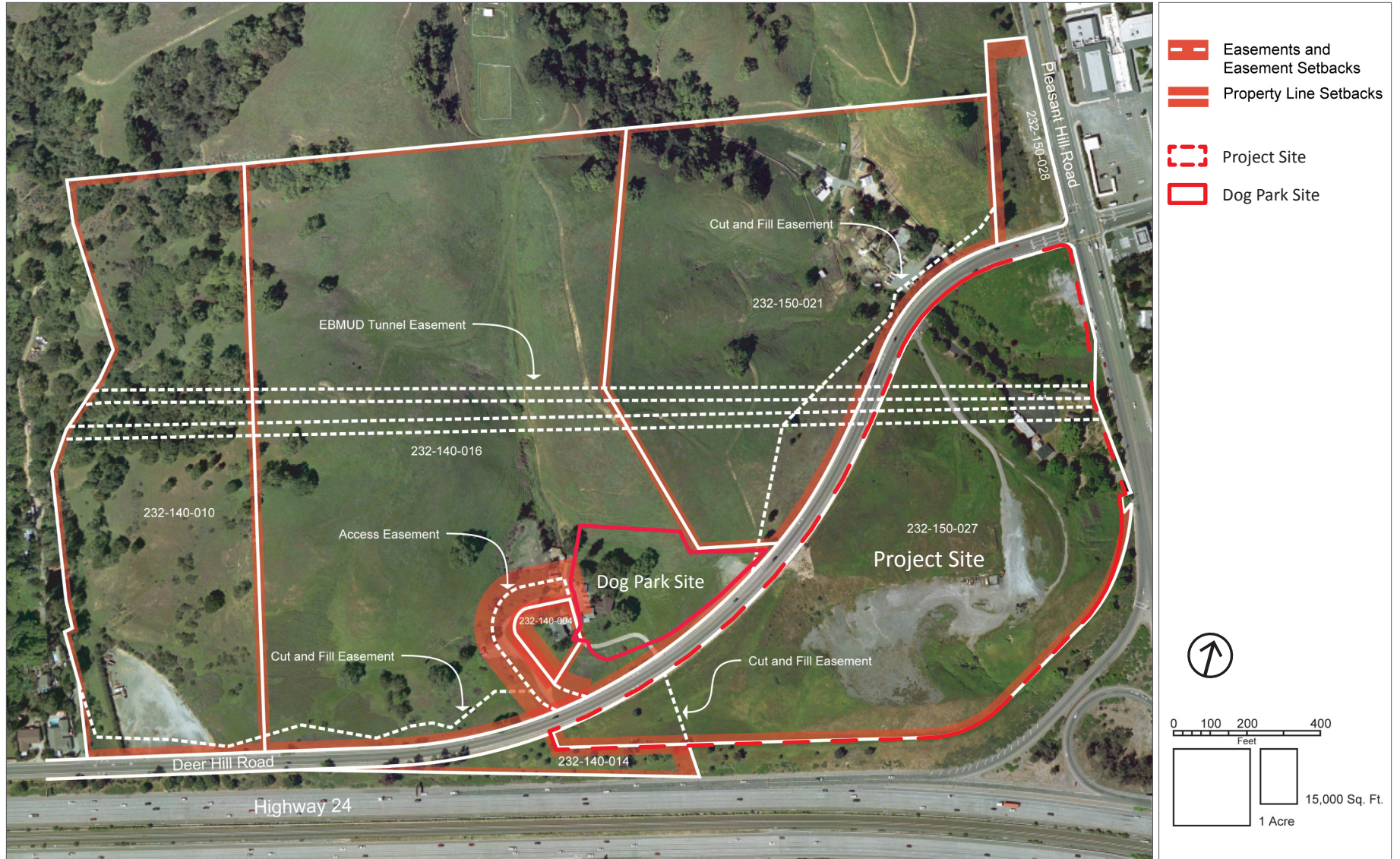
Although existing on-site structures were probably developed in conformance with the applicable regulations of the day, today many of these structures are legally non-conforming given their location within a Class I Ridgeline Setback as established in the Municipal Code.

³ Phase I and Phase II Environmental Site Assessment prepared by ENGEO, Incorporated on June 21, 2011 (see Appendix K of this Draft EIR).

⁴ City of Lafayette, Eastern Deer Hill Opportunities and Constraints Analysis, August 2006, page 18.



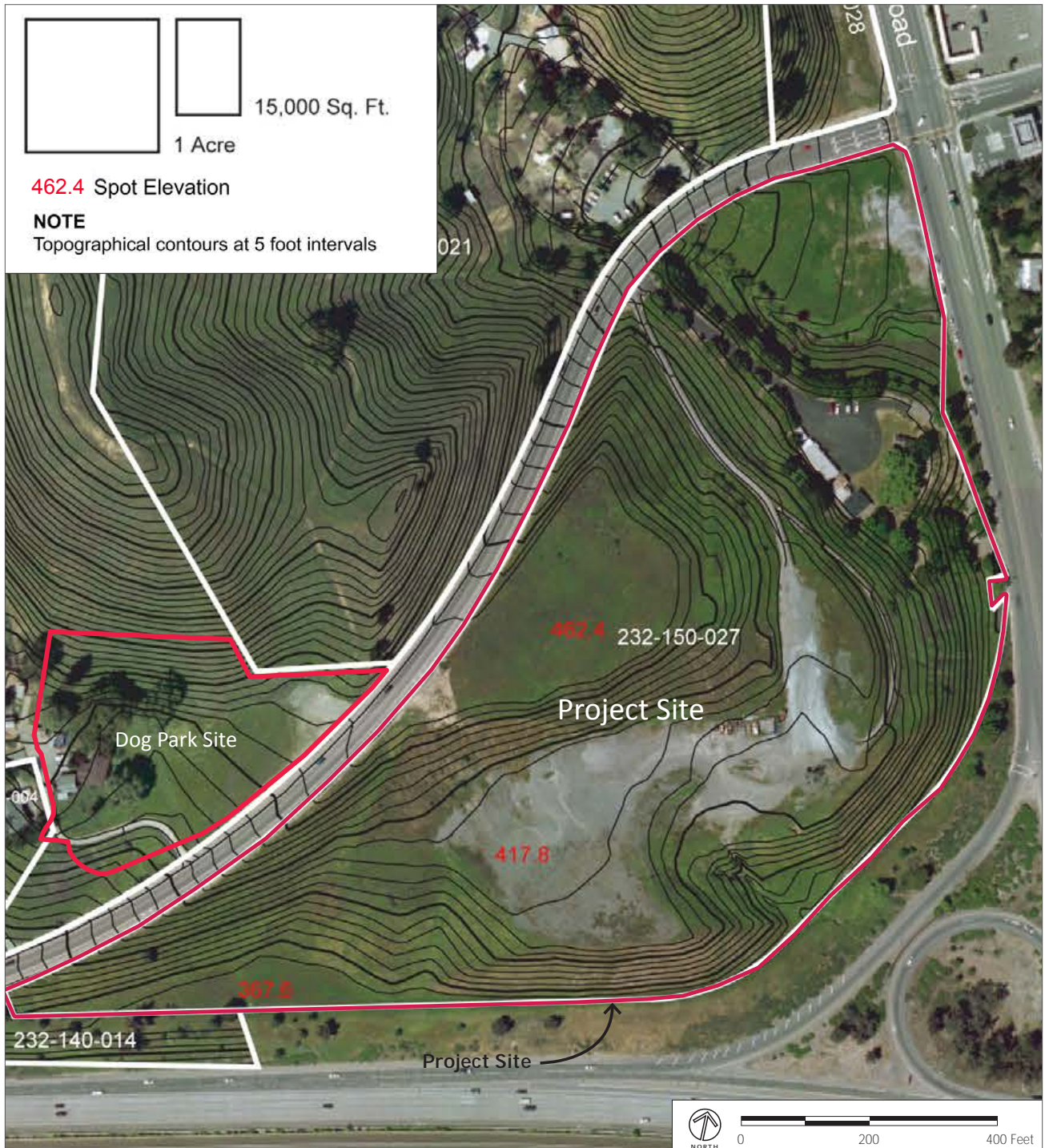
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Source: MHA Environmental Consulting, Inc., Eastern Deer Hill Opportunities and Constraint Analysis, August 2006.

Figure 4.7-1
Existing Easements

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Source: MHA Environmental Consulting, Inc., Eastern Deer Hill Opportunities and Constraint Analysis, August 2006.

Figure 4.7-2
Project Site Topography

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The Revised Project includes a request to rezone the Project site to Planned Unit Development which would include an exemption from the prohibition on development within a Class I ridgeline setback.

3312 Deer Hill Road

The dog park site is mostly open space except for a vacant single-family residential property with multiple accessory structures on the western edge of the site.

As shown in Figure 3-5 in Section 3, Project Description, the 400-foot Class I Ridgeline Setback associated with Lafayette Ridge extends to the northern portion of the dog park site. Figure 3-5 also shows that the dog park site is within the Hillside Overlay District.

As shown in Figure 4.7-1, an access easement for the single-family residence to the west of the dog park site covers a portion of the dog park site.

Surrounding Land Uses

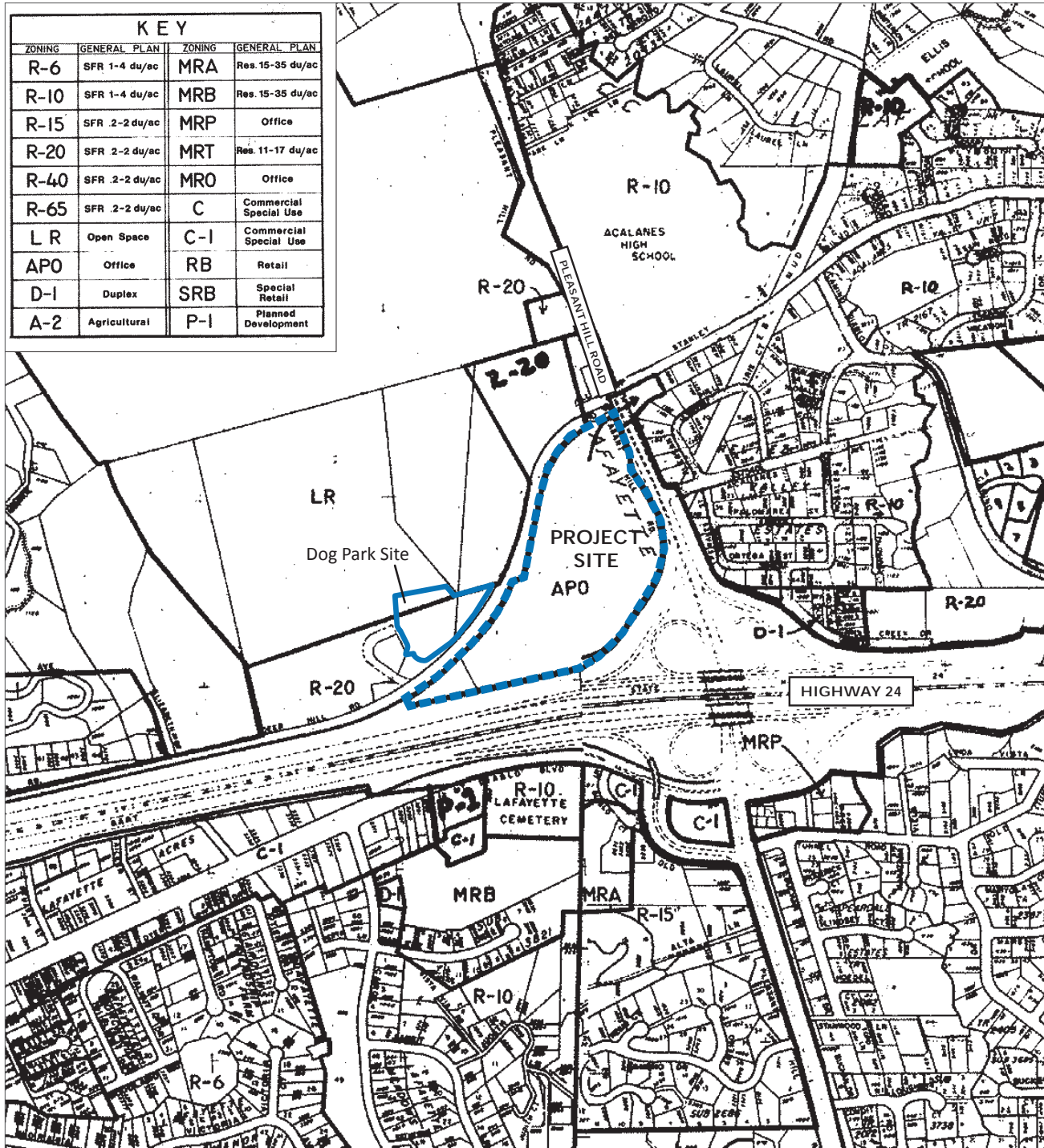
The triangular-shaped Project site is bounded by State Highway 24 to the south, Pleasant Hill Road to the east, and Deer Hill Road to the north and west. The dog park site is located on the north side of Deer Hill Road, across Deer Hill Road from the Project site.

Figures 3-3 and 4.7-3 show the General Plan land use designations and zoning for the Revised Project site vicinity, respectively. Downtown Lafayette is located to the south of the Project site, on the other side of State Highway 24. The General Plan land use designations for the East End of Downtown Lafayette directly south of the Project site are East End Commercial and Community Facilities / Civic Uses. Applicable zoning districts in this same portion of Downtown include Single-Family Residential (R-10), Multiple-Family Residential A (MRA), Multiple-Family Residential B (MRB), Planned Unit Development (PUD), and General Commercial 1 (C-1).

Across Pleasant Hill Road, to the east of the Revised Project site, is a residential neighborhood. Existing land uses include single-family residences, Acalanes High School, and a gas station. The General Plan land use designations for this area are Medium Density Single-Family Residential and Community Facility / Civic Uses. Applicable zoning districts include Single-Family Residential (R-10) and Two-Family Residential 1 (D-1).

Parcels located on the north side of Deer Hill Road near the dog park site are generally undeveloped and abut Briones Regional Park to the north. Uses on these parcels include Sienna Ranch, which offers outdoor classes and a summer camp for children and is located directly north of the Project site across Deer Hill Road, northeast of the dog park site. Parcel 232-140-004, immediately west of the dog park site, is developed with a vacant single-family residential structure. Its General Plan land use designation is Single-Family Residential and it is zoned Single-Family Residential (R-20). The larger surrounding parcel, APN 232-140-016, on which the dog park is proposed, is largely undeveloped open space, although there are

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Source: City of Lafayette, 1981, Zoning and General Plan Land Use Designation Map.

Figure 4.7-3
 Zoning for Project and Surrounding Area

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several existing accessory structures on it, as well as a telecommunications facility. This parcel has two General Plan land use designations: Single-Family Residential in its southern portion and Low Density Residential in the north. It is also split-zoned: Single-Family Residential (R-20) in the south and Low Density Residential 10 (LR-10) in the north. The adjacent parcel to the east of the dog park site, APN 232-150-021, also has two General Plan land use designations: Single-Family Residential in its eastern portion and Low Density Residential in the west. Similarly, it is also split-zoned with Single-Family Residential (R-20) in the east and Low Density Residential 10 (LR-10) in the west.

Planning Context

The Project site is located at the intersection of Deer Hill Road and Pleasant Hill Road, one of 11 Residential Entryways to the city identified in the General Plan. The General Plan stipulates that the Residential Entryways should be distinctive and attractive, establish a positive image of the community, and reflect the semi-rural residential character of the community. Additionally, the Project site itself is identified as the most significant undeveloped property in the City, due to its prominent location and its proximity to major thoroughfares. Given the importance of the Project site and its immediate vicinity, the General Plan recommends a Specific Plan be prepared for the area in order to ensure that any development is consistent with the semi-rural character of the community.

The General Plan designates the area on both sides of Deer Hill Road between Pleasant Hill Road and Elizabeth Street, including the Project site, as the Eastern Deer Hill Road Planning Area and establishes the following goal, policies, and programs to guide development within its boundary:

- Goal LU-13: Ensure that the Eastern Deer Hill Road area near the intersection of Pleasant Hill Road is developed, where development is appropriate, in a manner consistent with Lafayette's community identity.
- Policy LU-13.1: Preserve and enhance the semi-rural single-family residential character north of Deer Hill Road where not adjacent to Pleasant Hill Road.
- Policy LU-13.2: Consider options for development south of Deer Hill Road and north of Deer Hill Road where adjacent to Pleasant Hill Road.
- Program LU-13.2.2: Prepare through a community planning process an Eastern Deer Hill Road Specific Plan that includes the following requirements:
 - a. Protect and enhance the rural character of the area north of Deer Hill Road where not adjacent to Pleasant Hill Road.
 - b. Preserve prominent views.
 - c. Include development standards that maintain the semi-rural character of the area and the community.

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- d. Utilize the property south of Deer Hill Road to help communicate the image of Lafayette as a semi-rural community.

However, subsequently after several years of consideration and discussion at public hearings, the City Council determined that a Specific Plan for the Eastern Deer Hill Road Planning Area was not required, and on June 8, 2009, directed City staff to initiate General Plan and zoning amendments for several of the subject properties in order to ensure that development in the area would be compatible with adopted General Plan goals and policies.⁵ This directive resulted in a Planning Commission recommendation that the City Council:

- Certify and adopt a 2011 Addendum to the Lafayette General Plan Revision Final Environmental Impact Report demonstrating that the proposed General Plan and zoning amendments will not result in any new impacts or increase the significance of potential impacts and will not impact or reduce the City's ability to comply with the Housing Element and provision of housing;
- Amend General Plan Land Use Map I-1 to reclassify the proposed Project parcel's Land Use to Rural Residential Single Family-5.
- Amend the General Plan to revise the text regarding Eastern Deer Hill Road and the preparation of a Specific Plan and General Plan Land Use Map I-1 to remove the boundary line and notation for "Eastern Deer Hill Road Study Area;" and
- Rezone the Project parcel to Low Residential (LR-5), which allows for 1 dwelling unit per 5 acres.

Since this directive, the City Council has reconsidered the timing of processing the General Plan Amendment and rezoning and has tabled the matter pending final action on the Project.⁶ Given this and because the Eastern Deer Hill Road Specific Plan was never prepared or adopted, Project consistency with the policies listed above is not discussed below. However, Project consistency with the General Plan's Residential Entryways standards described above is discussed below.

4.7.2 CHANGES IN THE REVISED PROJECT RELATED TO LAND USE AND PLANNING

Whereas the Certified EIR involved the development of 315 multi-family units on the Project site, under the Revised Project, the Project site would be redeveloped with 44 single-family homes and a community park. The 22.27-acre Project site would be redeveloped with approximately 4,500-square-foot lots for each single-family home, which would be located on the western portion of the parcel, with newly developed

⁵ Christine Sinnette, Senior Planner, City of Lafayette Staff Report, August 15, 2011, page 4. The direction given by the Planning Commission included changes to Land Use and Zoning for all of the parcels that made up the proposed Eastern Deer Hill Road Specific Plan area; however, only the Project site is discussed in this EIR.

⁶ Malathy Subramanian, City Attorney, 2012, Staff Report to the City Council Re: Eastern Deer Hill Road Area General Plan Amendment and Rezone Process Update.

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internal vehicular access and a new roundabout on Deer Hill Road to support the proposed residential development. Two new additional driveways would be provided on Deer Hill Road, one to provide access to a drop-off area for the proposed community park and another to the proposed parking lot.

The proposed community park would be developed with an all-weather multi-use field with restrooms, bicycle racks, a playground, plaza, nature area, drop-off area, and parking lot. The parking lot for the proposed park, accessible by Deer Hill Road and Pleasant Hill Road, would include a designated student-drop off area, as well as new bus turnouts on Deer Hill and Pleasant Hill Roads. Also, a 10-foot-wide multi-use trail would be provided near the southern portion of the Project site.

The Revised Project also includes a proposed dog park that was not evaluated in the Certified EIR. The dog park would be located on a site on the north side of Deer Hill Road, with its driveway at the proposed roundabout on Deer Hill Road. The proposed dog park would be developed in multiple phases. Phase One would include a gravel driveway and parking lot, and would be developed concurrently with the Project site. Fenced dog areas would be accessed by gates in the center of the dog park site. A delineated wetland would remain on the site, with a pedestrian bridge providing a crossing from the parking lot to the fenced dog area. Future enhancements in a subsequent phase would include a paved driveway and parking lot, and could include a sidewalk along the park driveway, walkway leading from the parking area to the pedestrian bridge crossing, and other functional features, including benches, and other dog play equipment.

4.7.3 STANDARDS OF SIGNIFICANCE

The Revised Project would result in a significant land use impact if it would:

1. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

An Initial Study was prepared for the Revised Project (see Appendix A of this Draft EIR). Based on the analysis contained in the Initial Study it was determined that development of the Revised Project would result in less-than-significant environmental impacts for the following significance criteria. These criteria are, therefore, not discussed in this chapter:

- Physically divide an established community.
- Conflict with any applicable habitat conservation plan or natural community conservation plan.
- Create or exacerbate a conflict between land uses on the Project site and in the surrounding area.

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4.7.4 IMPACT DISCUSSION

This section analyzes potential impacts to land use and planning.

LU-1	The Revised Project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
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The Revised Project would create a significant impact to land use and planning if it would conflict with: General Plan land use designation use or density requirements; General Plan goals or policies; zoning regulations; Hillside Development requirements; or creek setback requirements.

General Plan Land Use Designations

The General Plan Land Use designation of the Project site is Administrative/Professional/Office/Multi-Family Residential, which allows 35 dwelling units per acre. The Revised Project proposes a General Plan amendment to re-designate the Project site as Low Density Single Family Residential, for which the maximum allowable density is two dwelling units per acre. The Revised Project would construct 44 homes on the 22.27-acre site, which represents an overall density of two dwelling units per acre, which is consistent with this designation. With the proposed General Plan amendment, the Revised Project would be consistent with the Low Density Single Family Residential designation.

The dog park site is designated as Low-Density Single-Family Residential. No housing is proposed for the dog park site. The dog park would contain a parking lot and park features, such as fencing, but would not be developed with any new buildings. The Revised Project would not conflict with the Low Density Single Family Residential designation.

The Revised Project would be *consistent* with the proposed General Plan land use designations.

General Plan Goals and Policies

Table 4.7-1 presents an evaluation of the Revised Project's consistency with applicable General Plan land use policies. As shown in Table 4.7-1, the Revised Project would be *consistent* with the Lafayette General Plan.

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TABLE 4.7-1 LAFAYETTE GENERAL PLAN POLICY CONSISTENCY ANALYSIS

Goal/Policy Number	Goal/Policy Content	Certified EIR Consistency Finding	Revised Project Consistency Discussion
Goal LU-2	Ensure that development respects the natural environment of Lafayette. Preserve the scenic quality of ridgelines, hills, creek areas, and trees.	Not Consistent	Consistent. The Revised Project would redevelop a predominantly disturbed site, preserve the intermittent creek, and revegetate disturbed areas of the site with native ryegrass. Construction of the Revised Project would result in the creation of impervious surfaces (roads, houses) that could alter surface runoff rates and drainage patterns from the site and increase surface runoff rates, peak flows, and sediment transport downstream. These potential impacts would be mitigated to less-than-significant levels through the implementation of Mitigation Measures HYDRO-1a, -1b, and -2 from the Certified EIR. The Revised Project would preserve the 200-year old valley oak located on the Project site. In addition, the Revised Project proposes a grading plan designed to minimize the visibility of proposed buildings. The Revised Project includes one- and two-story single homes that would be screened by topography and vegetation when viewed from off-site viewpoints, as show in Figures 4.1-11 through 4.1-24. Biological resource and aesthetic impacts of the Revised Project are evaluated in detail in Section 4.3, Biological Resources, and 4.1, Aesthetics, of this Draft Supplemental EIR.
Policy LU-2.1	Density of Hillside Development: Land use densities should not adversely affect the significant natural features of hill areas.	Not Consistent	Consistent. The Revised Project would redevelop the Project site with single-family homes at an overall density of 2 dwelling units per acre, which is a less intensive style of development than is called for in the City’s General Plan, which allows office and multi-family development at a maximum development of 35 dwelling units per acre and 35 feet in height. The Revised Project would maintain the northeastern corner of the Project site as park, parking, and open space uses that would not be highly visible from off-site locations. The Revised Project would require regrading the Project site and would redevelop the Project site such that the hillside would no longer appear undeveloped. Although the Project site has the appearance of a grassy, undisturbed hillside, 85 percent of the site has been graded or disturbed by previous uses and has been allowed to re-vegetate. Because the proposed residential density is in line with existing General Plan requirements (as well as the allowable density of the proposed Low Density Single Family land use designation), the Revised Project’s effects on the Project site’s sloped areas would not be considered an adverse effect.
Policy LU-2.2	Cluster Development: Preserve important visual and functional open space by requiring development to be clustered on the most buildable portions of lots, minimizing grading for building sites and roads.	Not Consistent	Consistent. The Lafayette Municipal Code defines clustering as the grouping of residential buildings on a parcel so as to create substantial contiguous open space that is separate from development on the parcel (Section 6-2003). The Revised Project would develop the southwestern portion of the Project site with 44 homes. The northern portion of the Project site would be maintained as open space, with a ball field, playground, parking, and undeveloped spaces. The existing grassy slopes viewed from lower elevations would persist

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TABLE 4.7-1 LAFAYETTE GENERAL PLAN POLICY CONSISTENCY ANALYSIS

Goal/Policy Number	Goal/Policy Content	Certified EIR Consistency Finding	Revised Project Consistency Discussion
Policy LU-2.3	Preservation of Views: Structures in the hillside overlay area shall be sited and designed to be substantially concealed when viewed from below from publicly owned property. The hillsides and ridgelines should appear essentially undeveloped, to the maximum extent feasible.	Not Consistent	<p>or be revegetated with native grasses and supplemented with larger native shrub and tree plantings</p> <p>Consistent. Please see discussion of consistency with Policy LU-2.1. Although the Revised Project would redevelop the Project site such that the hillside would no longer appear undeveloped, the proposed residential density is a less intensive style of development than is called for in the City’s General Plan, and the northeastern portion of the Project site would be maintained with uses that would not be highly visible from off-site locations. The grading and landscape plan of the Revised Project have been designed to screen proposed development when viewed from lower elevations and adjacent areas. The existing grassy slopes viewed from lower elevations would persist or be revegetated with native grasses and supplemented with larger native shrub and tree plantings</p>
Goal LU-3	Encourage well-designed residential development.	Consistent	<p>Consistent. Pursuant to section 6-271 of the Lafayette Municipal Code, the Revised Project would be subject to design review. Design review would be conducted by the Design Review Commission in order to evaluate the aesthetic elements of the Project, including: height, mass, lot coverage, setbacks, relationship of structures, site plan, continuity of design, relationship to neighboring properties and terrain, and other aspects. The Lafayette Municipal Code stipulates specific findings which must be made in granting final approval for a project. Therefore, compliance with the design review provisions of the Lafayette Municipal Code would ensure consistency with Goal LU-3 to the maximum extent practicable.</p>
Policy LU-4.1	Infrastructure Design: Public and private infrastructure should reinforce the semi-rural qualities of residential neighborhoods.	Consistent	<p>Consistent. As described above, the Project would be subject to design review and public and private infrastructure would be evaluated together with the other aesthetic elements of the Project at that time. In granting final approval for a project, specific findings must be made, including findings related to screening of exterior appurtenances and exterior lighting. Therefore, compliance with the design review provisions of the Lafayette Municipal Code would help to ensure consistency with Policy LU-4.1 to the maximum extent practicable.</p>
Goal LU-13	Ensure that the Eastern Deer Hill Road area near the intersection of Pleasant Hill Road is developed, where development is appropriate, in a manner consistent with Lafayette’s community identity.	Not Consistent	<p>Consistent. The General Plan Land Use Element defines Lafayette’s community identity as semi-rural. The Revised Project would develop the Project site with single-family homes and park uses. The northeast corner of the site would have no structures; instead it would have a surface parking lot with vegetative screening at the perimeter. These uses would be consistent with nearby residential, open space, and public uses, and are consistent with Lafayette’s semi-rural environment.</p>
Policy LU-13.2	Consider options for development	Consistent	<p>Consistent. The Project site is located south of Deer Hill Road adjacent to Pleasant Hill Road.</p>

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TABLE 4.7-1 LAFAYETTE GENERAL PLAN POLICY CONSISTENCY ANALYSIS

Goal/Policy Number	Goal/Policy Content	Certified EIR Consistency Finding	Revised Project Consistency Discussion
	south of Deer Hill Road and north of Deer Hill Road where adjacent to Pleasant Hill Road.		This location is where Policy LU-13.2 calls for development options. The Revised Project would provide a variety of uses serving the applicant, future homeowners, and the broader community in the form of single-family residence, a multi-use athletic field, park and parking lot.
Policy LU-20.1	Traffic Service Standards: Consider the level of service (LOS) goals and standards set forth in the Circulation Chapter when evaluating development proposals.	Not Consistent	Consistent. As described in Section 4.9, Transportation and Traffic, of this Supplemental EIR, the Brown Avenue/Deer Hill Road intersection would continue operating at an unacceptable LOS F during the AM and PM peak hours, with delay increases substantially higher than five seconds, which is considered to be a significant traffic issue. This impact would be mitigated to a less-than significant level with implementation of Mitigation Measure TRAF-1.
Policy LU-20.4	Fire: Review all development projects for their impacts on standards for fire service specified in the General Plan: fire stations three miles apart in urban areas, six miles apart in rural areas, with a five-minute response time. Require fair share payments and/or mitigation measures to ensure that these standards or their equivalent are maintained.	Consistent	Consistent. The Contra Costa County Fire Protection District would assess an impact fee of \$285 per dwelling unit ^a on the Project and collection of this fee would be sufficient to accommodate new development without further compromising the delivery of fire services in the vicinity of the Project site.
Policy LU-20.12	Growth Management Implementation: Review development projects for conformance with adopted performance standards and require mitigation measures where necessary to maintain adopted standards. Capital improvements shall be in place at the time of project implementation when necessary to maintain adopted performance standards.	Consistent	Consistent. The Revised Project is consistent with local and regional growth projections and would not result in unplanned growth. The Revised Project would connect to existing water, sewer, stormwater, natural gas, electrical, vehicular, pedestrian, and bicycle infrastructure and no new capital improvements would be required by the City or other agencies to support development of the Revised Project.

a. Leach, Ted. Fire Inspector, Contra Costa County Fire Protection District. Personal communication with Mark Kenegos, PlaceWorks. December 17, 2013.
 Source: Lafayette General Plan, 2002; PlaceWorks, 2014.

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Zoning Regulations

The Project site is within the Administrative/Professional Office (APO) zoning district. The Revised Project proposes a zoning amendment to rezone the Project site as Planned Unit Development (P-1). Under P-1 zoning, the Project applicant would submit a preliminary development plan to the City Council that would then become part of the rezoning for the property. As part of the preliminary development plan, the City may require special regulations, limitations, or restrictions designed to protect and maintain property values and community amenities that would foster and maintain the health, safety, and general welfare of the city. A final development plan would be prepared and submitted to the Planning Commission for approval.

- **Permitted Uses.** Any uses are permitted in the P-1 zone so long as the uses are in harmony with each other, fulfill the function of the planned development, and substantially comply with the General Plan. Proposed residential and park uses would be generally compatible and, as described above, the Revised Project would be consistent with the General Plan.
- **Building Heights and Setbacks.** Proposed building heights range from 16 feet 1 inches to 28 feet 9 inches. The final development plan for the Revised Project would stipulate the location, height, and number of stories of the Revised Project and would be subject to the approval of the City of Lafayette Planning Commission.
- **Landscaping.** The final development plan for the Revised Project would contain the location and design of proposed landscaping and would be subject to the approval of the City of Lafayette Planning Commission.

The dog park site is within the Single Family Residential District-20 (R-20) district. The Revised Project proposes a Land Use Permit to develop a park within the R-20 district.

- **Permitted Uses.** Publicly owned parks are permitted with a Land Use Permit in the R-20 zone.
- **Building Heights and Setbacks.** No buildings or structures are proposed for the dog park site.
- **Landscaping.** The R-20 zone does not contain any landscaping requirements that would apply to the proposed dog park.

With the proposed rezoning of the Project site to the P-1 zone and Use Permit for the dog park site, the Revised Project would be *consistent* with zoning land use requirements. The potential aesthetic impacts associated with proposed building heights, setbacks, and other built features are evaluated in Section 4.1, Aesthetics and Visual Resources, in this Supplemental EIR.

Hillside Development Requirements

Table 4.7-2 presents an evaluation of the Revised Project's consistency with applicable Hillside Development regulations. As shown in Table 4.7-2, the Revised Project is consistent with the City's hillside development regulations.

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TABLE 4.7-2 HILLSIDE DEVELOPMENT REQUIREMENTS CONSISTENCY ANALYSIS

Municipal Code Section	Summary of Requirement	Certified EIR Consistency Finding	Revised Project Consistency Discussion
Hillside Overlay District Provisions (Section 6-2013)	Historical photographs of the Project site indicate that existing structures, including the vacant single-family residence, have been present on-site since at least 1974. Additionally, the Administrative/Professional/Office/Multi-Family Residential General Plan Land Use designation applies to the site. The Low Density Single-Family Residential General Plan Land Use designation applies to the dog park site. The City of Lafayette’s Lafayette Area Ridge Map/Hillside Overlay District Map shows a Class I Ridge Setback covering a portion of both parcels of the Revised Project site, and identifies both parcels as entirely located in the Hillside Overlay District. As such, the provisions of the Hillside Overlay District (HOD) from the Lafayette Municipal Code apply to the Project site.	Consistent	Consistent. The Revised Project would construct 44 homes on the 22.27-acre site, which represents an overall density of two dwelling units per acre, which does not exceed the maximum density of 35 dwelling units per acre permitted in the Administrative/Professional/Office/Multi-Family Residential land use designation. No housing is proposed for the dog park site, for which the maximum allowable density is two dwelling units per acre. The Revised Project proposes a zoning amendment to rezone the Project site as Planned Unit Development (P-1). Any uses are permitted in the P-1 zone so long as the uses are in harmony with each other, fulfill the function of the planned development, and substantially comply with the General Plan. Proposed residential and park uses would be generally compatible, and as described in Table 4.7-1 the Revised Project is consistent with the General Plan. Publicly owned parks are permitted with a Use Permit in the APO and R-20 zones.
Ridgeline Setback Exception (Sections 6-2028, 6-2029, 6-2067, and 6-2071)	A portion of each of the Revised Project site parcels is located within a Class I Ridgeline Setback area. Findings Required for Grant of Exception: In granting an exemption to the prohibition on development with a Ridgeline Setback area, the Planning Commission must find that the Project would be consistent with the 15-degree declination restrictions and Hillside Development Permit Requirements (described below).	Not Consistent	<p>Consistent. As part of the proposed P-1 zoning, the applicant is requesting an exception to the 15-degree declination and ridgeline setback requirements. The purpose and intent of the City’s Hillside Development requirements (Municipal Code Chapter 6-20) is to:</p> <ol style="list-style-type: none"> 1. Maintain the semi-rural character and beauty of the city by preserving its open and uncluttered topographic features in their natural state; 2. Encourage an alternate approach to conventional flat land development practices; 3. Minimize grading and cut and fill operations consistent with the retention of the natural character of the hillsides; 4. Achieve land use densities in keeping with the general plan while retaining the significant natural features of hillside areas through densities that diminish as the slope of terrain increases; 5. Minimize water runoff and soil erosion when terrain is graded to meet onsite and offsite development needs; 6. Maintain steep slopes, riparian areas and woodlands in as nearly natural a condition as is feasible; 7. Prohibit development on significant ridgelines and prohibit development which when viewed from lower elevations protrudes above these ridgelines;

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TABLE 4.7-2 HILLSIDE DEVELOPMENT REQUIREMENTS CONSISTENCY ANALYSIS

Municipal Code Section	Summary of Requirement	Certified EIR Consistency Finding	Revised Project Consistency Discussion
			<p>8. Preserve the predominant views both from and of the hillsides;</p> <p>9. Regulate the development of hillside and ridgelines areas by imposing standards for ridgeline setbacks, streets, trails and other improvements consistent with the purpose of this chapter; and</p> <p>10. Regulate the development of hillside and ridgeline areas in a manner so as not to take private property without just compensation.</p> <p>The City implements this intent through a variety of mechanisms, including, but not limited to, the Hillside Overlay District, Lafayette Area Ridge Map, ridgeline setbacks, 15-degree declination requirement, and design review process. The Revised Project is consistent with applicable General Plan policies and land use designation standards. The potential aesthetic impacts associated with proposed development within the ridgeline setback are evaluated in Section 4.1, Aesthetics and Visual Resources, in this Supplemental EIR. As described in Section 4.1, the Revised Project would not degrade the visual character of the Revised Project site and surrounding or significantly affect scenic vistas. The Revised Project would redevelop a predominantly disturbed site, and proposed development would be sited to preserve the intermittent creek and revegetate disturbed areas of the site with native ryegrass. Therefore, with the proposed rezoning the Revised Project would meet the overall intent of the City’s Hillside Development ordinance.</p>
15-Degree Declination Restriction	Applications for an exemption permitting development within a Class I Ridgeline Setback area are subject to the 15-degree declination restrictions established in the Hillside Development Requirements. The requirements stipulate that no development shall be approved that will result in any portion of a building within a Class I ridgeline setback that is higher than a plane sloping downward at a declination of 15 degrees from the horizontal intercept of the ridgeline as shown in Figure 4.9-5 of the Terraces of Lafayette Draft EIR. The measurement shall be made at the nearest point of the development to the ridgeline and measured perpendicular to the ridgeline or as a radius from the endpoint of the ridgeline.	Consistent	Consistent. As part of the proposed P-1 zoning, the applicant is requesting an exception to the 15-degree declination requirement. As part of the proposed P-1 zoning, the final development plan for the Revised Project would stipulate the location, height, and number of stories of the Revised Project and would be subject to the approval of the City of Lafayette Planning Commission. The proposed Planned Unit Development is designed to utilize the existing terraces to the maximum extent practicable and would preserve predominant scenic views. Therefore, the Revised Project would be consistent with the overall intent of the City’s Hillside Development Ordinance. The potential aesthetic impacts associated with proposed development are evaluated in detail in Section 4.1, Aesthetics and Visual Resources, in this Supplemental EIR.

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TABLE 4.7-2 HILLSIDE DEVELOPMENT REQUIREMENTS CONSISTENCY ANALYSIS

Municipal Code Section	Summary of Requirement	Certified EIR Consistency Finding	Revised Project Consistency Discussion
Hillside Development Permit (Sections 6-2015, 6-2031 through 6-2034, 6-2067, and 6-2070)	Building and grading permits would be required for construction of the proposed Project, and therefore, a Hillside Development Permit for an existing lot of record would also be required for construction within the HOD, pursuant to Sections 6-2015, 6-2031 through 6-2034, 6-2067, and 6-2070 of the Hillside Development Requirements. Upon issuance of this permit, the Project would be consistent with the Hillside Development Requirements. The following findings must be made for a Hillside Development Permit:		
	<ul style="list-style-type: none"> The development is consistent with the applicable goals and policies of the General Plan and is in conformance with applicable zoning regulations. 	Not Consistent	Consistent. As described above, the Project would be consistent with relevant goals and policies in the General Plan and zoning requirements.
	<ul style="list-style-type: none"> The development will preserve open space and physical features, including rock outcroppings and other prominent geological features, streams, streambeds and ponds, native vegetation, native riparian vegetation, animal habitats and other natural features. 	Not Consistent	Consistent. The Project would preserve the northern portion of the Project site with open space and physical features. The Revised Project would preserve the on-site creek and includes a grassland mitigation plan (see Appendix I). Biological resource impacts are evaluated in detail in Section 4.3, Biological Resources, of this Draft Supplemental EIR.
	<ul style="list-style-type: none"> The development and each associated improvement is located and designed to complement the natural terrain and landscape of the site and surrounding properties, and relates to the development pattern, including density and distribution, of the surrounding neighborhood. 	Not Consistent	Consistent. Although the Revised Project involves a large amount of grading, in large part to remediate soil conditions stemming from former quarry conditions, the Revised Project proposes a density and style of development that is consistent with the surrounding neighborhood. Also, the Revised Project proposes to cluster the urban uses in one area of the Project Site, which would lessen the impacts to surrounding areas and preserve more of the overall site without residential development.
	<ul style="list-style-type: none"> Structures in a Hillside Overlay District will, to the extent feasible, be located away from prominent locations such as ridgelines, hilltops, knolls and open slopes. 	Consistent	Consistent. The Project site is characterized by a series of slopes and terraces resulting from prior disturbance of 85 percent of the site. Proposed building heights were designed to comply with the height limits required under the City's zoning code and the Project Alternative Process Agreement. The Revised Project plans show predominantly one-story structures along the south and east edges of the residential portion of the Project. As part of the proposed P-1 zoning, the final development plan for the Revised Project would stipulate the location, height, and number of stories of the Revised Project.

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TABLE 4.7-2 HILLSIDE DEVELOPMENT REQUIREMENTS CONSISTENCY ANALYSIS

Municipal Code Section	Summary of Requirement	Certified EIR Consistency Finding	Revised Project Consistency Discussion
	<ul style="list-style-type: none"> ▪ Development grading will be minimized to reduce cut and fill, preserve existing geologic features, topographic conditions and existing vegetation, reduce short and long-term erosion, slides, and flooding, and abate visual impacts. 	Not Consistent	Consistent. The Revised Project includes extensive grading of the previously disturbed areas of the Project site. Geologic and hydrologic impacts would be mitigated to less-than-significant levels. Visual impacts are evaluated in detail in Section 4.1, Aesthetics and Visual Resources, of this Draft Supplemental EIR.
	<ul style="list-style-type: none"> ▪ Each structure proposed complies with the city's residential design guidelines, and development landscaping will ensure visual relief and complement each proposed structure to provide an attractive environment. 	Consistent	Consistent. The Revised Project would be required to meet design review findings. The landscaping plan for the Revised Project (see Appendix C) includes landscaping along the Project site perimeter to provide visual screening of proposed development and enhance the visual environment for users and passersby.
	<ul style="list-style-type: none"> ▪ The development will not create a nuisance, hazard, or enforcement problem within the neighborhood or the city, nor require the city to provide an unusual or disproportionate level of public services. 	Consistent	Consistent. The Revised Project would contain residential and recreational uses that would not cause any unusual nuisances, hazards, or enforcement problems.
	<ul style="list-style-type: none"> ▪ The new or replacement vegetation for the development is native to the surrounding area in areas abutting open space and natural areas, such as oak woodland, chaparral, grassland and riparian areas, excluding planting for erosion control or land stabilization. 	Consistent	Consistent. The Revised Project would provide predominantly native replacement vegetation. Biological resource impacts are evaluated in detail in Section 4.3, Biological Resources, of this Draft Supplemental EIR.
For projects on existing lots of record within the Hillside Overlay District, the following additional findings must be made:			
	<ul style="list-style-type: none"> ▪ When within a L-R-10 or L-R-5 district, within 100 feet of a restricted ridgeline area, or when an exception to a ridgeline setback has been granted, the development will result in each structure being substantially concealed when viewed from lower elevations from publicly owned property (including freeways, roadways, open space, parks and trails), using the viewing evaluation map as a guide to establish locations from which views are considered. 	Not Consistent	Consistent. As part of the proposed P-1 zoning, the Revised Project is requesting an exception to build within the ridgeline setback that covers a portion of the Revised Project site. The Revised Project has been designed to screen proposed homes from lower elevations on the Viewing Evaluation Map, including southbound Pleasant Hill Road and Highway 24. Figures 4.1-11 to 4.1-24 illustrate visual simulation photos showing proposed topography and landscaping for screening. Figures 4.1-23 and 4.1-24 shows the views from Highway 24, and the residential development on the Project site is substantially concealed by topography and landscaping proposed on the Project site. Various views simulated with the Revised Project show that the Revised Project would be substantially concealed from publicly-owned properties.

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TABLE 4.7-2 HILLSIDE DEVELOPMENT REQUIREMENTS CONSISTENCY ANALYSIS

Municipal Code Section	Summary of Requirement	Certified EIR Consistency Finding	Revised Project Consistency Discussion
<ul style="list-style-type: none"> ▪ The development uses site planning techniques to the extent feasible to preserve hillsides, knolls, and ridgelines and open space, minimize grading and impacts to habitat, and preserve on-site open space and vegetation, terrain, scenic vistas, streams or other courses, or other areas of ecological significance. 	<p>Not Consistent</p>	<p>Consistent. The Project site is characterized by a series of slopes and terraces resulting from prior disturbance of 85 percent of the Project site. As discussed in Section 4.1, Aesthetics and Visual Resources, the visual impacts would be substantially screened and impact would be less than significant. The Revised Project would involve extensive grading and would adversely affect habitat, especially with a sensitive natural community and tree removal. However, the significant impact from grading and tree removal can be mitigated to less-than-significant level with mitigation measures. Impacts on biological resources are discussed in detail in Section 4.3, Biological Resources, of this Draft Supplemental EIR.</p>	
<ul style="list-style-type: none"> ▪ The development provides adequate emergency vehicle access, including turn-around space, to the building site and surrounding on-site undeveloped or isolated areas while protecting trees, minimizing grading, and preserving to the extent feasible the natural hillside character of the site. 	<p>Not Consistent</p>	<p>Consistent. The Revised Project would be required to comply with applicable building regulations to provide adequate emergency vehicle access. The Revised Project and dog park would have a significant impact on the emergency access as the Project site plan does not comply with the Contra Costa County Fire Protection District (CCCFPD) requirements. However, the significant impact on the emergency vehicle access can be mitigated to less-than-significant level with Mitigation Measure TRAF-3. Although the Revised Project includes extensive grading of the Project site, the redevelopment of the Project site would not degrade the natural hillside character due to the previously disturbed nature of the site and previous quarry activities. Although the Revised Project involves removal of trees on the Project site, the Revised Project proposes to preserve the large valley oak and to establish a protection zone around the tree. New trees, shrubs, and groundcovers will be predominantly native.</p>	
<ul style="list-style-type: none"> ▪ The development, including site design and the location and massing of all structures and improvements will, to the extent feasible: <ul style="list-style-type: none"> – Preserve the open space and uncluttered topography of the city; – Minimize the loss of privacy to surrounding residents; – Not have a significant visual impact when viewed from lower elevations from publicly-owned properties (including freeways, roadways, open space, parks and trails), using the viewing evaluation 	<p>Not Consistent</p>	<p>Not Consistent. The Revised Project would preserve portions of the Project site as parkland and open space and would develop the Project site with an overall residential density and land uses that are consistent with surrounding neighborhoods. The Revised Project would also create a new dog park that would provide new publicly-accessible open space in Lafayette.</p> <p>The proposed topography and landscaping minimize visual impacts from lower elevations from publicly-owned properties, including from Highway 24. Visual and aesthetics are discussed in more detail in Section 4.1, Aesthetics and Visual Resources, of this Draft Supplemental EIR.</p> <p>While the development of the Project site would not affect privacy for surrounding residents, the development of the dog park would create a public</p>	

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TABLE 4.7-2 HILLSIDE DEVELOPMENT REQUIREMENTS CONSISTENCY ANALYSIS

Municipal Code Section	Summary of Requirement	Certified EIR Consistency Finding	Revised Project Consistency Discussion
	map as a guide; and – Not interfere with a ridgeline trail corridor or compromise the open space or scenic character of the corridor.		parking lot in close proximity to an existing home on the north side of Deer Hill Road. Planned future enhancements for the Revised Project include tree planting along the western side of the dog park driveway and parking lot, which would help to provide privacy for the existing home. However, the first phase of the dog park development would not screen the dog park parking lot and could create a loss of privacy for the single-family residence to the west of the dog park site.

Source: Lafayette Municipal Code; PlaceWorks, 2014.

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However, the Revised Project would conflict with the following City's hillside development requirement:

- **Municipal Code Section 6-2071(d)(1), Findings for hillside development permit on existing lots of record:** The development, including site design and the location and massing of all structures and improvements will, to the extent feasible[...] minimize the loss of privacy to surrounding residents. The first phase of the dog park development would not screen the dog park parking lot and could create a loss of privacy for the single-family residence to the west of the dog park site. This would be a *significant* impact.

Creek Setback Requirements

As described on page 4.9-30 of the Terraces of Lafayette Draft EIR, development should be set back 12 feet from the top of the creek bank on each side pursuant to creek setback requirements. Proposed modifications in the vicinity of the existing creek on the Project site would include two bridge crossings, and installation of native plantings to enhance the existing habitat value of the creek corridor. As described in Section 4.3, Biological Resources, of this Supplemental EIR, the Revised Project would have a significant impact associated with alterations to the existing habitat along the existing creek. Mitigation Measure BIO-6 would require that, with the exception of the two bridges, detention basins and other improvements shall be restricted outside a minimum setback distance of 25 feet from the creek centerline. This impact would be less than significant with the implementation of this mitigation measure. Therefore, the Revised Project would be *consistent* with the City's creek setback requirements.

Significance before Mitigation: Significant. As described above, the Revised Project would be consistent with the City's General Plan, zoning, and creek setback requirements, but would be inconsistent with the City's hillside development requirements.

4.7.5 CUMULATIVE IMPACTS

LU-2	Implementation of the Revised Project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to land use and planning.
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The Certified EIR found that cumulative land use and planning impacts would be less than significant. The Revised Project would not result in any new land use and planning impacts that could affect the cumulative setting. Therefore, the cumulative impact would be *less than significant*.

Significance before Mitigation: Less than significant.

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4.7.6 SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES

The Revised Project would result in the following significant impact to land use and planning.

LU-1	The first phase of the dog park development would not screen the dog park parking lot and could create a loss of privacy for the single-family residence to the west of the dog park site. The creation of this loss of privacy would be inconsistent with one of the City's hillside development requirements.
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Mitigation Measure LU-1: As part of Phase One of the dog park development, screening vegetation shall be planted along the western edge of the dog park driveway and parking lot, in order to provide a visual and noise buffer for adjacent residents. In addition, signage shall be installed to inform dog park visitors that the driveway leading to the home is private and not open to public access, and directing users of the park to use the public parking lot for the dog park.

Significance after Mitigation: Less than significant.

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