

January 29, 2015 | Draft Supplemental EIR

The Homes at Deer Hill (Terraces of Lafayette Project Alternative) for the City of Lafayette



SCH # 2011072055

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Volume 2: Appendices



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In Association With:
TJKM Transportation Consultants
Environmental Collaborative
Knapp Architects

A P P E N D I X A

NOTICE OF PREPARATION (NOP),
INITIAL STUDY, AND
NOP COMMENT LETTERS



APPENDIX A I:
NOTICE OF PREPARATION

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CITY OF LAFAYETTE

NOTICE OF PREPARATION

To: State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

From: City of Lafayette
3675 Mount Diablo Boulevard, Suite 210
Lafayette, CA 94549

gwolff@ci.lafayette.ca.us

Subject: Notice of Preparation of a Draft Supplemental Environmental Impact Report

The City of Lafayette will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval of for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study is attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Greg Wolff at the address shown above. We will need the name for a contact person in your agency.

Project Title: Homes at Deer Hill (Terraces of Lafayette Project Alternative)

Lead Agency: City of Lafayette

Date:

6/12/2014

Signature:

Niroop K. Srivatsa

Name, Title: Niroop K. Srivatsa, Planning & Building Director

Telephone: (925) 284-1976

HOMES AT DEER HILL (TERRACES OF LAFAYETTE PROJECT ALTERNATIVE) SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

Summary: The City of Lafayette is preparing a Supplemental Environmental Impact Report (EIR) for the Homes at Deer Hill project (proposed project), which is the Terraces of Lafayette Project Alternative. The Supplemental EIR is a supplement to the EIR prepared for the Terraces of Lafayette project (SCH #2011072055, certified August 12, 2013).

Additional information about the Project may be found at <http://www.ci.lafayette.ca.us/terraces-pa>.

Project Location: 3233 and 3312 Deer Hill Road

Project Description: The proposed project would redevelop the 22.27-acre project site (Assessor's Parcel Number (APN) 232-150-027) with 44 single-family, detached homes and a community park. In addition, as part of the project, a dog park would be created on a 3-acre site on the north side of Deer Hill Road on APN 232-140-016.

The site plan for the proposed project is attached as Figure 1. The homes would be located on two interior roadways in the central portion of the parcel on the south side of Deer Hill Road. Main vehicular access to the homes would be via a driveway at the western end of the project site's Deer Hill Road frontage. A new roundabout would be constructed at the project driveway. Two additional driveways would be provided on Deer Hill Road that would be limited to emergency vehicles.

In the northern portion of the project a new, all-weather soccer and lacrosse field would be developed with restrooms, a playground, and parking lot. The parking lot would be accessible by eastbound Deer Hill Road lane and southbound Pleasant Hill Road. The parking lot would include a designated student drop-off area. Bus turnouts would be provided on Deer Hill and Pleasant Hill Roads.

A 10-foot-wide multi-use trail would traverse the southern portion of the project site.

The site plan for the proposed dog park is illustrated in Figure 2. The dog park would be accessed by a new roundabout that would be constructed on Deer Hill Road at the Project driveway as part of the proposed Project. As shown in Figure 2, there are two design plans for the dog park. Phase One of the dog park would be developed by the Project applicant along with the other components of the proposed Project. The future enhancements of the dog park would be developed by other parties at a later date. The precise timeframe for the future phase has not yet been determined.

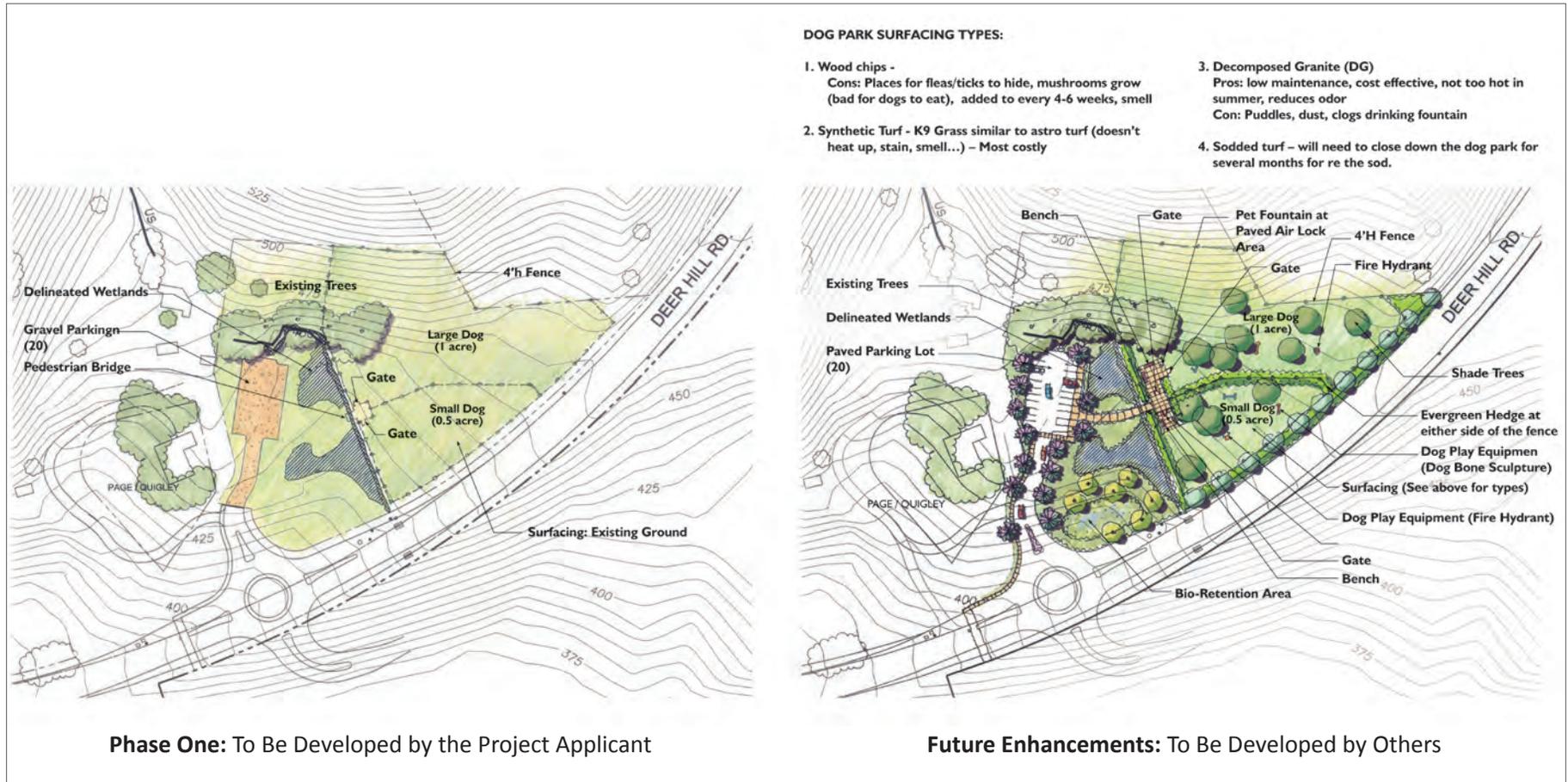
Phase One of the dog park development would include a gravel driveway and parking lot. Existing buildings on the site would be demolished to allow for the development of the parking lot and driveway. Existing ground materials would be maintained as the surface for the dog park. Delineated wetlands on the dog park site would remain on the site and a pedestrian bridge would provide a crossing from the parking lot to the fenced dog areas, which include a half-acre area for small dogs and 1-acre area for large dogs. The dog areas would be accessed by gates in the center of the dog park site. The dog areas would be surrounded by 4-foot fences.

Future enhancements of the dog park would include a paved driveway and parking lot. A bio-retention area would be provided on site to treat stormwater runoff from the paved areas. As under Phase One, delineated wetlands on the dog park site would remain on the site and a pedestrian bridge would provide a crossing from the parking lot to the fenced dog areas, which include a half-acre area for small dogs and 1-acre area for large dogs. Future enhancements would include a sidewalk along the park driveway and walkway leading from the parking area to the pedestrian bridge crossing. A paved area would be provided at the entrance to the dog areas that would contain benches, a drinking water fountain for pets, and dog play equipment.



Source: Gates + Associates, June, 2014.

Figure 1
Revised Project Proposed Site Plan



Source: Gates + Associates, March 6, 2014.

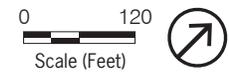


Figure 2
Proposed Dog Park Site Plan

Environmental Effects to be Addressed in the EIR: An Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15063. The Initial Study is included as an attachment to this NOP. As shown in the attached Initial Study, the following environmental topic areas will be analyzed in the Supplemental EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use
- Noise
- Transportation/Traffic

APPENDIX A2:
INITIAL STUDY





**City of Lafayette
Initial Study Checklist
The Homes at Deer Hill Project
(Terraces of Lafayette Project Alternative)**

INTRODUCTION

The proposed Homes at Deer Hill Project (Terraces of Lafayette Project Alternative) is a project under the California Environmental Quality Act (CEQA). This Initial Study was prepared by PlaceWorks for the City of Lafayette (City), Planning & Building Department. This Initial Study was prepared pursuant to the CEQA (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Section 15000 et seq. of the California Code of Regulations).

1. **Title:** The Homes at Deer Hill Project
(Terraces of Lafayette Project Alternative)
2. **Lead Agency Name and Address:** City of Lafayette
Planning & Building Department
3675 Mount Diablo Boulevard #210
Lafayette, CA 94549
3. **Contact Person and Phone Number:** Greg Wolff
Senior Planner
(925) 299-3204
4. **Location:** 3233 and 3312 Deer Hill Road
Lafayette, CA 94549
5. **Applicant's Name and Address:** O'Brien Land Company, LLC
3569 Mount Diablo Boulevard, Suite E
Lafayette, CA 94549
6. **General Plan Land Use Designations:** Administrative/Professional/Multi-Family Residential (3233 Deer Hill Road)
Low-Density Single-Family Residential (3312 Deer Hill Road)
7. **Zoning:** Administrative/Professional Office (APO) (3233 Deer Hill Road)
Single Family Residential District-20 (R-20) (3312 Deer Hill Road)
8. **Description of Project:** See page 6 of this Initial Study
9. **Surrounding Land Uses and Setting:** See page 3 of this Initial Study
10. **Other Required Approvals:** The City of Lafayette requires discretionary permits and approvals for the proposed Project. See page 9 of this Initial Study.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

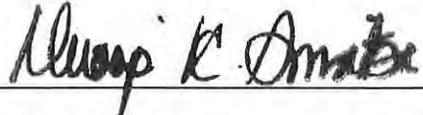
The environmental factors checked below would be potentially affected by the proposed Project, involving at least one impact that is a Potentially Significant Impact, as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology & Water Quality |
| <input checked="" type="checkbox"/> Land Use | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities & Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

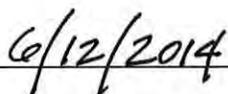
DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the City. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) will be prepared.
- I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.



Signature



Date

Niroop Srivatsa

Printed Name

Planning & Building Director

Title

OVERVIEW AND BACKGROUND

This Initial Study checklist was prepared to assess the environmental effects of The Homes at Deer Hill Project (Terraces of Lafayette Project Alternative), herein referred to as the “Revised Project.” This Initial Study consists of a depiction of the existing environmental setting and the project description followed by a description of various environmental effects that may result from construction and operation of the Revised Project.

An Environmental Impact Report (EIR) was prepared for the Terraces of Lafayette Project and was certified on August 12, 2013 (SCH #2011072055). The Draft and Final EIRs for the Terraces of Lafayette Project are referenced throughout this Initial Study and herein are together referred to as the “Certified EIR.” This Initial Study evaluates the potential environmental impacts of the Revised Project and identifies sections of the Certified EIR that address or mitigate potential impacts associated with the Revised Project. Where potential impacts cannot be mitigated by the measures contained in the Certified EIR, this Initial Study identifies environmental topics for which a detailed analysis will be required in a Supplemental EIR.

A detailed project description and environmental setting is provided below.

LOCATION AND SETTING

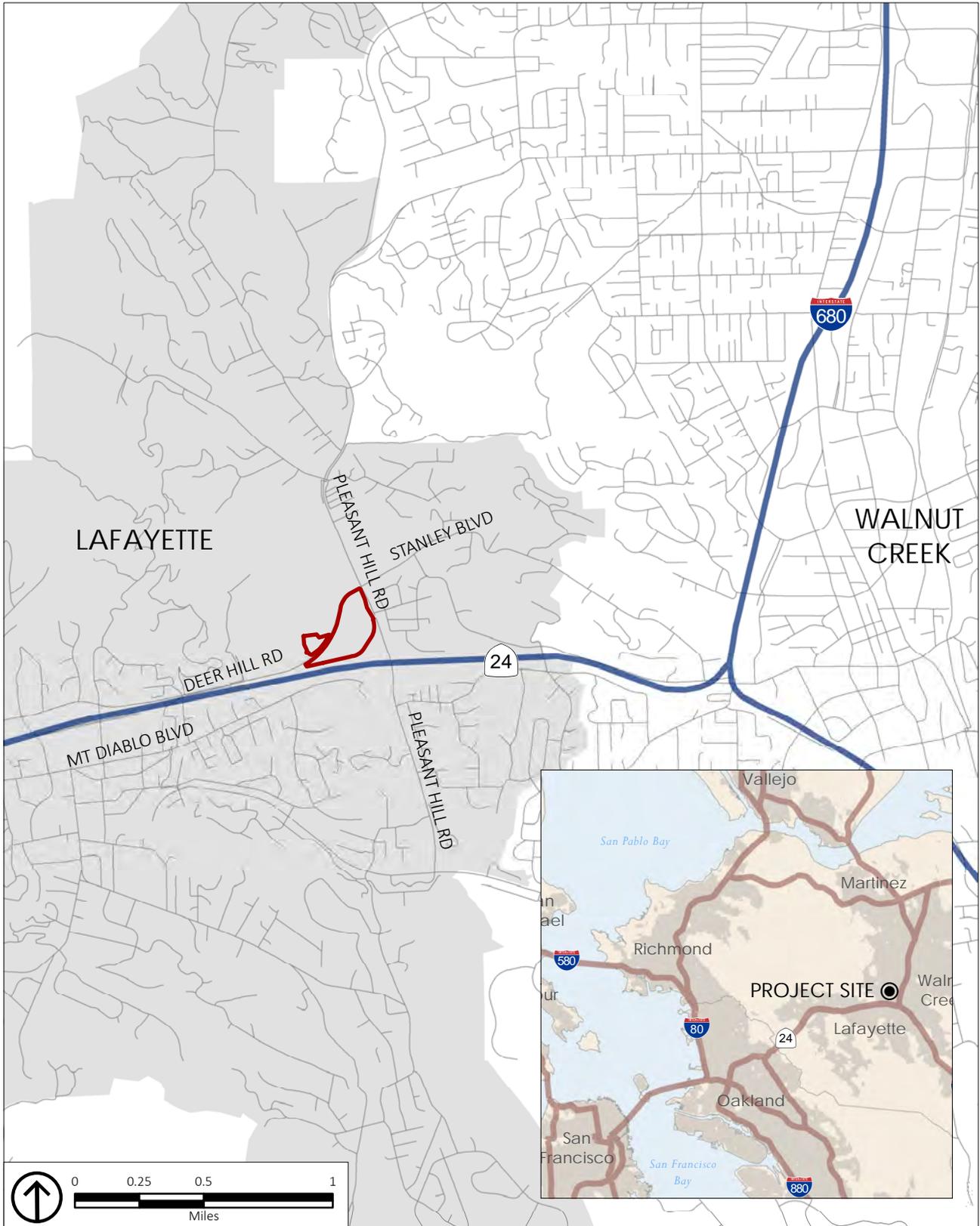
A. REGIONAL LOCATION

As shown on Figure 1, the Revised Project site is located in the City of Lafayette, approximately 18 miles northeast of San Francisco. Lafayette is situated in central Contra Costa County east of the City of Orinda, north of the Town of Moraga, and west of the City of Walnut Creek. The Terraces of Lafayette Project site (herein referred to as the Project site) is located on an approximately 22.27-acre parcel at 3233 Deer Hill Road in east central Lafayette, south of Deer Hill Road, west of Pleasant Hill Road, and north of State Highway 24. Properties located to the north and west of the Project site are owned by the Project applicant with the exception of APN 232-150-021. As part of the Revised Project, a dog park would be created on an approximately 3-acre parcel on the north side of Deer Hill Road across from the Project site. The Project site and dog park site are together referred to as the Revised Project site in this Initial Study.

B. LOCAL SETTING

The Project site is located at the southwest corner of the Deer Hill Road/Pleasant Hill Road intersection and is bound by Pleasant Hill Road to the east, Highway 24 to the south and Deer Hill Road to the west and north. The dog park site is bound by Pleasant Hill Road to the south and is adjacent to a residential property to the west and open space to the north and east. Land uses designated on the General Plan Map as Medium Density Single Family Residential (up to 6 du/acre) (MDR) and Community Facilities/Civic Uses, and zoned Single-Family Residential District-10 (R-10) and Two-Family Residential District-1 (D-1), lie to the east of the Project site across Pleasant Hill Road. Existing land uses to the east include a gas station and single-family residential, as well as Acalanes High School, which is located at the northeast corner of the Deer Hill Road/Pleasant Hill Road intersection. Land uses designated on the General Plan Map as MDR and zoned Multiple-family Residential/Professional Office One-story District (MRP), General Commercial District (C-1), and Planned Unit District (P-1) are located to the south and southeast of the Project site across Highway 24. Uses to the west and north of the Project site include a residential to the west of the dog park site and vacant land designated Rural Residential Single-Family (up to 0.1 du/acre) and Low Density Single-Family Residential (up to 2 du/acre), and zoned Low-Density Residential District (LR-10) and Single-Family Residential District-20 (R-20).

The Lafayette Ridge Trail Staging Area into Briones Regional Park is located approximately 1,800 feet north of the Deer Hill Road/Pleasant Hill Road Intersection. Springhill Elementary School is adjacent to the Staging Area. The surrounding land uses are illustrated in Figure 2.



Source: PlaceWorks, 2014.

-  Lafayette City Limit
-  Project Site

Figure 1
Regional and Vicinity Map



Source: Google Earth Pro, 2011.

Figure 2
Local Setting Map

C. EXISTING SITE CHARACTER

The Project site is currently developed with approximately 27,000 square feet in paved surfaces and approximately 5,000 square feet in various structures, including a vacant single-family residence, two small office buildings, a garage, a cargo storage box, and a construction trailer. The primary access point to the vacant residence and existing buildings in the eastern portion of the Project site is a paved driveway off Deer Hill Road. A gravel road from Deer Hill Road provides access to the middle portion of the Project site, where a former quarry was permitted¹ and operated from 1967 to 1970. Contra Costa County issued an earlier permit² in 1962 that allowed grading on the site. Materials taken from the Project site were used for the construction of Pleasant Hill Road, Deer Hill Road, and BART. A part of the north-east portion of the Project site has served as a seasonal Christmas tree lot since 1997. The remainder of the Project site is vacant.

Approximately 85 percent of the Project site has either been graded or disturbed as a result of previous uses. Vegetation on the site is dominated by a cover of non-native and native grasslands, with stands of planted and remnant native oak woodland, scattered ornamental tree plantings around the existing residence and outbuildings, and riparian woodland and scrub along a creek that traverses the northern portion of the property. The majority of the site is currently grass-covered and approximately 100 trees are concentrated near the driveway and drainage in the eastern portion of the site. Most of the coast live oak trees were planted in a row along the existing and original driveways onto the site, presumably around the time Deer Hill Road was developed in the early 1970s. One mature valley oak growing next to the existing vacant residence and several nearby younger valley oaks and coast live oaks to the southeast appear to be naturally occurring. Historic aerial photographs show that the mature valley oak predates the 1950s. This oak has a trunk diameter of 58 inches, with a canopy radius of 30 to 50 feet, and the tree is estimated to be over 200 years old by the Project applicant's arborist.³

The majority of the Project site is characterized as a steep hillside that slopes downhill in a southward direction. On-site topography is generally uneven and consists of four relatively flat-lying areas (terraces) ranging in elevation from 330 to 463 feet above mean sea level (msl). As shown on the City's Lafayette Ridge Area Map, the southern terminus of Lafayette Ridge is located immediately southeast of Deer Hill Road. The original topography of the site has been altered due to grading for Deer Hill Road, State Highway 24, and the on-site quarry operations in the late 1960s.

The dog park site contains a vacant one-story single-family home and multiple accessory structures. The City's Lafayette Area Ridge Map/Hillside Overlay District Map shows a Class I Ridgeline Setback located on a portion of the Project site and dog park site.

D. PROJECT DESCRIPTION

The Revised Project would redevelop the 22.27-acre Project site with 44 single-family detached homes and a community park. The site plan for the Revised Project site is attached as Figure 3. Each home would be on an approximately 4,500-square-foot lot located along new interior roadways on the western portion of the parcel on the south side of Deer Hill Road. Vehicular access to the homes would be via a driveway at the western end of the Project site's Deer Hill Road frontage. A new roundabout would be constructed at the Project driveway. Two additional driveways would be provided on Deer Hill Road; one driveway would provide access to a drop-off area for the proposed park and the other would provide access to the proposed parking lot.

In the northern portion of the Revised Project site a new all-weather multi-use soccer/lacrosse/rugby field would be developed along with restrooms, bicycle racks, a playground, plaza, nature area, and drop-off area and parking lot. The parking lot would be accessible by eastbound Deer Hill Road and southbound Pleasant Hill Road. The parking lot would include a designated student drop-off area. Bus turnouts would be provided on Deer Hill and Pleasant Hill Roads. A 10-foot-wide multi-use trail would traverse the southern portion of the Project site.

The site plan for the proposed dog park is illustrated in Figure 4. The dog park would be accessed by the new roundabout that would be constructed on Deer Hill Road as part of the Revised Project. As shown in Figure 4, there are two design plans for the dog park. Phase One of the dog park would be developed by the Project applicant along with the other components of the Revised Project. The future enhancements of the dog park would be developed by other parties at a later date as a function of time,

¹ Contra Costa County Land Use Permit 82-67.

² Contra Costa County Grading Permit G-1267.

³ Traverso Tree Service, March 15, 2011. *Tree Inventory and Assessment for the Deer Hill and Pleasant Hill Road Project.*



Source: Gates + Associates, June, 2014.

Figure 3
Revised Project Proposed Site Plan

funding, and community interest. The precise timeframe for the future phase(s) has not yet been determined. The design of the future enhancements is conceptual and subject to revision as the precise design plans for the future dog park enhancements are developed. Future enhancements of the dog park are evaluated in this Initial Study as proposed in Figure 4. Additional analysis for future enhancements may be required as future phases are planned and designed if they differ substantially from Figure 4. Mitigation measures included in this Initial Study would apply to future enhancements which are consistent with Figure 4.

Phase One of the dog park development would include a gravel driveway and parking lot. Existing buildings on the site would be demolished to allow for the development of the parking lot and driveway. Existing ground materials would be maintained as the surface for the dog park. Delineated wetlands on the dog park site would remain on the site and a pedestrian bridge would provide a crossing from the parking lot to the fenced dog areas, which include a half-acre area for small dogs and 1-acre area for large dogs. The dog areas would be accessed by gates in the center of the dog park site and would be surrounded by fences.

Future enhancements of the dog park would include a paved driveway and parking lot. A bio-retention area would be provided on site to treat stormwater runoff from the paved areas. As under Phase One, delineated wetlands on the dog park site would remain on the site and a pedestrian bridge would provide a crossing from the parking lot to the fenced dog areas, which include a half-acre area for small dogs and 1-acre area for large dogs. Future enhancements could include a sidewalk along the park driveway and walkway leading from the parking area to the pedestrian bridge crossing. An area would be provided at the entrance to the dog areas that would contain benches, a pet fountain, and dog play equipment.

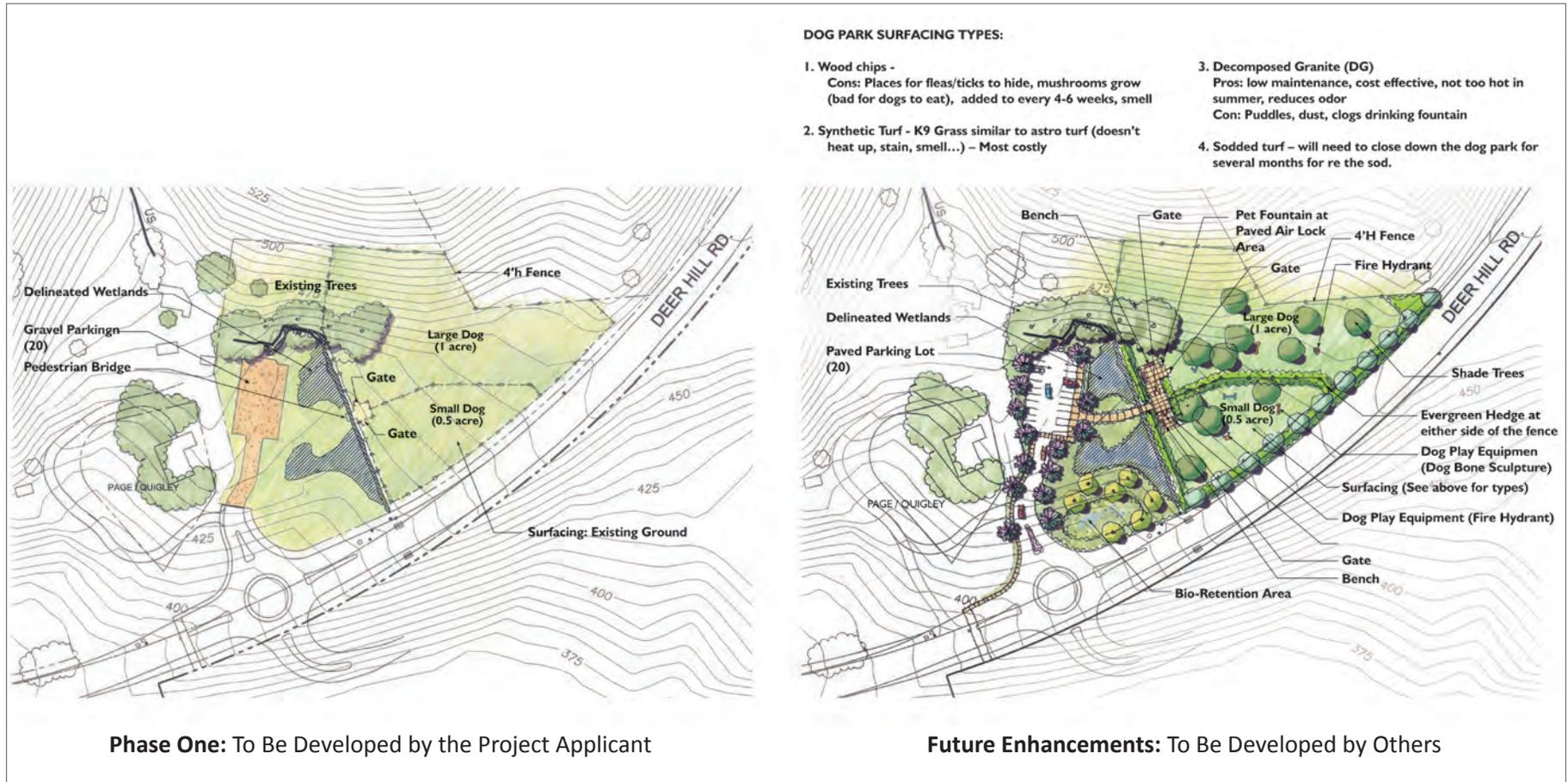
E. REQUIRED PERMITS AND APPROVALS

The City of Lafayette requires the following permits and approvals for the proposed Project:

1. General Plan Amendment from Administrative/Professional Office (APO) to Low Density Single Family Residential (LD-SFR).
2. Zoning amendment for the proposed Planned Unit Development (P-1) Zoning.
3. Land Use Permit for the proposed dog park in the R-20 Zone.
4. Hillside Development Permit for development within the Hillside Overlay District, under Chapter 6-20, Hillside Development, Lafayette Municipal Code (LMC).
5. Design Review of the aesthetic elements of the Revised Project (e.g. site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, landscaping, and lighting plans), under LMC Title 6, Article 5, Design Review.
6. Tree Permit for the removal of protected trees, under LMC Section 6-1706.
7. Grading Permit for proposed grading of the Revised Project site.

Under CEQA Guidelines Section 15381, "Responsible Agencies" include all public agencies other than the Lead Agency which have discretionary approval over a project.

- » California Department of Fish and Wildlife
- » City of Lafayette
- » Contra Costa County Building Inspection Department
- » Contra Costa County Fire Protection District
- » San Francisco Bay Regional Water Quality Control Board
- » US Army Corps of Engineers
- » US Fish and Wildlife Service



Source: Gates + Associates, March 6, 2014.

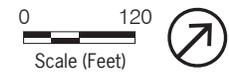


Figure 4
Proposed Dog Park Site Plan

ENVIRONMENTAL CHECKLIST

I. AESTHETICS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	■	□	□	□
b) Substantially degrade the existing visual character or quality of the site and its surroundings?	■	□	□	□
c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	■	□	□	□
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	■ (lighting)	■ (glare)	□	□

DISCUSSION:

a) As described on page 4.1-9 of the Terraces of Lafayette Draft EIR, the City of Lafayette values hills and ridges as part of its semi-rural character and sense of identity. The City protects two basic types of scenic views that are relevant to the Revised Project: residential entryways, and hills and ridgelines. The Project site is located at the Pleasant Hill Road Residential Entryway as designated by the General Plan. The City's Viewing Elevation Map illustrates areas from which views of scenic hillsides and ridgelines are considered. The Project site is also visible from a number of protected locations. The Certified EIR identifies a significant and unavoidable impact as the Terraces of Lafayette Project would obstruct a Scenic View Corridor.

The Homes at Deer Hill Project would redevelop the Revised Project site, which is located at the Pleasant Hill Road Residential Entryway and visible from several scenic viewpoint locations. This is a *potentially significant* impact that will be addressed in the Supplemental EIR.

b) As described on page 4.1-40 of the Terraces of Lafayette Draft EIR, the visual character of the Revised Project site vicinity ranges from suburban to semi-rural. As stated on page 4.1-41 of the Draft EIR, the visual character of the Project site is currently that of open space, either graded or rolling hillsides, that many members of the community consider to be a visual resource. While the Terraces of Lafayette Project would redevelop the Project site with 315 multi-family housing units in 14 two- and three-story buildings, the Homes at Deer Hill Project would redevelop the Project site with 44 single-family homes, each with a lot size of approximately 4,500 square feet (approximately one-tenth acre). Nevertheless, as under the Terraces of Lafayette Project, under the Homes of Deer Hill Project the Project site would redevelop a site with the appearance of open space to a suburban residential and multi-use public site. This is a *potentially significant* impact that will be addressed in the Supplemental EIR.

c) As described on page 4.1-41 of the Terraces of Lafayette Draft EIR, the Project would have a significant impact if it would substantially damage scenic resources from State Highway 24, a State-designated Scenic Highway.⁴ The Project site is visible from State 24 in the westbound direction, and is partially visible in the eastbound direction. Although the Revised Project has been designed to screen proposed homes from lower elevations, the Revised Project would have the potential to affect views from State Highway 24. This is a *potentially significant* impact that will be addressed in the Supplemental EIR.

d) As described on page 4.1-41 of the Draft EIR, the Project site is currently largely undeveloped and construction of the Project would add new sources of light and glare to the site and surrounding area. Under the Terraces of Lafayette Project, the primary source of new light would be from multi-family residential buildings and exterior lighting in parking and

⁴ California Department of Transportation website, http://www.dot.ca.gov/hq/LandArch/scenic_highways/, accessed on March 27, 2014.

landscaped areas. Glass and metal for building windows, roofing, and parked car windshields, as well as potential photovoltaic panels to supply solar energy, would be potential sources of glare under the Terraces of Lafayette Project. Nighttime lighting modeling conducted for the Terraces of Lafayette Project showed that lighting would be screened by proposed landscaping and trees such that impacts would be less than significant. Lighting impacts associated proposed homes, parking areas, and landscaping under the Homes at Deer Hill Project will be evaluated in the Supplemental EIR to determine if nighttime lighting would be sufficiently screened under the Revised Project. This impact is considered to be *potentially significant* and will be evaluated in the Supplemental EIR.

The Homes at Deer Hill Project includes park uses that were not analyzed in the EIR for the Terraces of Lafayette Project. The proposed dog park, neighborhood park, and field would not be illuminated at night, therefore there would be no light and glare impact associated with the park. As a result, the impact from lighting at park uses would be *less than significant* impact, and thus will not be evaluated in the Supplemental EIR.

The Certified EIR for the Terraces of Lafayette Project finds that potential glare from photovoltaic panels would be a significant impact and contains the following mitigation measure:

Mitigation Measure AES-4: Proposed photovoltaic panels shall be designed to ensure the following:

- » The angle at which panels are installed precludes, or minimizes to the maximum extent practicable, glare observed by viewers on the ground.
- » The reflectivity of materials used shall not be greater than the reflectivity of standard materials used in residential and commercial developments.
- » Panels shall be sited to minimize their visibility from Mount Diablo Boulevard, Pleasant Hill Road, and Deer Hill Road.

With the implementation of Mitigation Measure AES-4 from the Terraces of Lafayette Project Certified EIR, glare impacts associated with potential photovoltaic panels would be *less than significant with mitigation incorporated*. Since this impact would be less than significant with mitigation, this issue will not be addressed in the Supplemental EIR.

II. AGRICULTURE AND FORESTRY RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or of conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

- a) As stated on page 4 of the Initial Study published as Appendix A2 of the Certified EIR, Lafayette does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, there would be *no impact*. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- b) As stated on page 4 of the Initial Study published as Appendix A2 of the Certified EIR, Lafayette does not contain any agricultural zoning or Williamson Act contracts. Therefore, there would be *no impact*. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- c) As stated on page 4 of the Initial Study published as Appendix A2 of the Certified EIR, Lafayette does not contain any forest land or timberland zoning. Therefore, there would be *no impact*. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- d) As stated on page 4 of the Initial Study published as Appendix A2 of the Certified EIR, the Project site does not contain forest land. The dog park site also does not contain forest land. Therefore, there would be *no impact*. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- e) As described in Sections II.a) through II.d), above, the Revised Project site does not contain any farmland. Therefore, there would be *no impact*. Since no impact would result, this issue will not be addressed in the Supplemental EIR.

III. AIR QUALITY

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under applicable federal or State ambient air quality standards (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

- a)-c) The Revised Project would involve the construction and subsequent occupancy of 44 housing units, as well as the development and operation of a ball field, playground, and dog park. The maintenance and occupancy of residential uses, and the use of public park facilities, do not typically directly result in the generation of criteria or other pollutants in such manner as to conflict with a regional air quality plan, violate air quality standards, or otherwise create an air quality impact. Nevertheless, vehicle trips associated with the construction of the Project and with the vehicle trips of eventual residents and visitors could result in the generation of criteria or other pollutants in excess of pertinent federal and/or regional air quality standards. The Revised Project includes fewer residential units and structures than were evaluated in the Certified EIR but would create new park uses that were not evaluated in the Certified EIR. Potential air quality impacts are considered to be *potentially significant* and will be evaluated in the Supplemental EIR.

- d) The Project site is located adjacent to Highway 24. The high volume of vehicular traffic on this major roadway would result in the creation of substantial pollutant concentrations to which future users of the proposed Project could potentially be exposed. Exposure of sensitive receptors to substantial pollutant concentrations could thus result in a potentially significant impact. An Operational Health Risk Assessment (HRA) was prepared for the Certified EIR that evaluated potential health risks from off-site emission sources within 1,000 feet of the Project site along the Project site boundary and at the locations of the proposed residential apartment buildings. The Revised Project includes changes to the proposed type of residential uses and on-site building configuration that would require a revised Operational HRA. For example, unlike the multi-family buildings evaluated in the Certified EIR, the single-family residential uses of the Revised Project would have backyards that would be treated as sensitive outdoor areas for the revised Operational HRA. The addition of the proposed park would also result in new outdoor sensitive receptors that would need to be evaluated. Potential impacts are considered to be *potentially significant* and will be evaluated in the Supplemental EIR.
- e) As stated on page 4.2-33 of the Terraces of Lafayette Draft EIR, the proposed project is not a type of project that has the potential to generate substantial odors or be subject to odors that would affect a substantial number of people. The proposed park uses proposed by the Revised Project would also not have the potential to generate substantial odors. Therefore, *no impact* would occur. Since no impact would result, this issue will not be addressed in the Supplemental EIR.

IV. BIOLOGICAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	■	□	□	□
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	■	□	□	□
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	■	□	□	□
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	■	□	□	□
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	■	□	□	□
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?	□	□	□	■

DISCUSSION:

- a) As stated in page 4.3-30 of the Terraces of Lafayette Draft EIR, the Terraces of Lafayette Project would result in a significant impact due to the potential to impact off-site mitigation locations (including the dog park site) to offset on-site impacts to biological resources. The Revised Project would also have the potential to require off-site mitigation, which could

result in a similar impact. In addition, as described on pages 4.3-30 to 4.3-31 of the Terraces of Lafayette Draft EIR, the Project site has the potential to contain special-status bird and/or bat species. Construction, demolition, and ground disturbing activities on the Project site would have the potential to affect such species. In addition, as described in response to Comment ORG1-184 in the Terraces of Lafayette Project Final EIR, the parcel on which the proposed dog park is proposed has been the subject of previous biological resource mitigation investigations. Response to Comment ORG1-184 states, “Until systematic surveys have been conducted through the flowering period of species suspected to possibly occur on the AMD property [i.e., the parcel on which the dog park is proposed], many of which become inconspicuous during the late summer and fall months, a determination on whether any occurrences of special-status plant species is not possible.” The potential for impacts to plant and animal species on the properties that would be developed under the Revised Project, or potential off-site locations, would be a *potentially significant impact* that will be evaluated in the Supplemental EIR.

- b) As described on pages 4.3-31 to 4.3-32 of the Terraces of Lafayette Draft EIR, the stands of blue wildrye grassland on the Project site are considered a sensitive natural community. As under the Terraces of Lafayette Project, development of the Revised Project would result in the removal of grasslands. This is a *potentially significant impact* that will be evaluated in the Supplemental EIR.
- c) As described on page 4.3-18 of the Terraces of Lafayette Draft EIR, an intermittent creek channel and small tributary ephemeral drainage traverse the Project site. Development of the Revised Project would include new creek crossings and pedestrian trails that would have the potential to adversely affect the creek channel. This is a *potentially significant impact* that will be evaluated in the Supplemental EIR.
- d) As described on page 4.3-35 of the Terraces of Lafayette Draft EIR, the Terraces of Lafayette Project would alter the existing habitat on the site, eliminating most of the oak woodland and converting grass and ruderal cover to structures, roadways, parking areas, and ornamental landscaping. The Revised Project would similarly develop park uses in areas of the Project site containing grasslands and oak woodland. This is a *potentially significant impact* that will be evaluated in the Supplemental EIR.
- e) As described on page 4.3-36 of the Terraces of Lafayette Draft EIR, the Terraces of Lafayette Project conflicted with several General Plan policies, as well as the City’s Tree Protection Ordinance. The Revised Project site plan avoids or lessens some of the policy conflicts of the Terraces of Lafayette Project. However, the Revised Project would have the potential to conflict with General Plan policies and the Tree Protection Ordinance. This is a *potentially significant impact* that will be evaluated in the Supplemental EIR.
- f) As stated on page 4.3-42 of the Terraces of Lafayette Draft EIR, no habitat conservation plans have been prepared addressing the Project site and surrounding lands. Therefore, there would be *no impact*. Since no impact would result, this issue will not be addressed in the Supplemental EIR.

V. CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	■	□	□	□
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	□	■	□	□
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	□	■	□	□
d) Disturb any human remains, including those interred outside of formal cemeteries?	□	■	□	□

DISCUSSION:

- a) As described on page 4.4-11 of the Terraces of Lafayette Draft EIR, the buildings on the Project site are not historical resources for the purposes of CEQA. Therefore, the alteration, moving, or demolition of on-site buildings under the Revised Project would not cause a significant impact.

The Revised Project includes a dog park on the north side of Deer Hill Road on a parcel containing existing structures that could be considered to be historical resources. This is a *potentially significant* impact that will be evaluated in the Supplemental EIR.

- b) As described on page 4.4-11 of the Terraces of Lafayette Draft EIR, although no known archaeological sites are present on the Project site, the potential for unrecorded sites exists, especially in the northeastern portion of the site near the intermittent creek channel. Therefore, the potential exists that the Revised Project’s construction could disturb unknown resources. In addition, the dog park site on the north side of Deer Hill Road was not evaluated in the Certified EIR and has the potential to contain archaeological resources. The Certified EIR for the Terraces of Lafayette Project finds that potential disturbance to archaeological resources would be a significant impact and contains the following mitigation measure:

Mitigation Measure CULT-1: In the event that archaeological materials are discovered during Project construction activities, the applicant shall inform its contractor(s) of the archaeological sensitivity of the Project site by including the following italicized measures in contract documents. The City shall verify that the following language is included in the appropriate contract documents:

If prehistoric or historical archaeological deposits are discovered during Project activities, all work within 25 feet of the discovery must stop and the City shall be notified. A qualified archeologist shall inspect the findings within 24 hours of discovery, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Project personnel should not collect or move any archaeological materials or human remains and associated materials. Archaeological resources can include flaked-stone tools (e.g. projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e. midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone-milling equipment (e.g. mortars, pestles, hanstones). Prehistoric archaeological sites often contain human remains. Historical materials can include wood, stone, concrete, or adobe footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, metal, and other refuse. Cultural resources shall be recorded on California Department of Parks and Recreation (DPR) Form 523 (Historic Resource Recordation form). If it is determined that the proposed Project could damage unique archaeological resources, mitigation shall be implemented in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines. Possible mitigation under Public Resources Code Section 21083.2 requires that reasonable efforts be made for resources to be preserved in place or left undisturbed. If preservation in place is not feasible, the Project applicant shall pay in lieu fees to mitigate significant effects. Excavation as mitigation shall be limited to those parts of resources that would be damaged or destroyed by the Project. Possible mitigation under CEQA emphasizes preservation in place measures, including planning construction avoid archaeological sites, incorporating sites into parks and other open spaces, covering sites with stable soil, and deeding the site into a permanent conservation easement.

With the implementation of Mitigation Measure CULT-1 from the Terraces of Lafayette Project Certified EIR, archaeological resource impacts would be *less than significant with mitigation incorporated*. Since this impact would be less than significant with mitigation, this issue will not be addressed in the Supplemental EIR.

- c) As described on page 4.4-12 of the Terraces of Lafayette Draft EIR, while the likelihood of unknown paleontological or geologic resources existing in the Project area is expected to be low due to previous disturbance and grading at the site, and its earlier use as a quarry, the Pleistocene sediments that underlie the Project site have the potential to contain paleontological resources. Therefore, the potential exists that the Revised Project's construction could disturb unknown resources. In addition, the dog park site on the north side of Deer Hill Road was not evaluated in the Certified EIR and has the potential to contain paleontological resources. The Certified EIR for the Terraces of Lafayette Project finds that potential disturbance to paleontological resources would be a significant impact and contains the following mitigation measure:

Mitigation Measure CULT-2: In the event that fossils are discovered during Project activities, the applicant shall inform its contractor(s) of the paleontological sensitivity of the Project site by including the following italicized language in contract documents. The City shall verify that the following language is included in the appropriate contract documents:

The subsurface at the construction site may be sensitive for paleontological resources. If paleontological resources are encountered during project subsurface construction, all ground-disturbing activities within 25 feet must stop and the City shall be notified. A qualified paleontologist shall inspect the findings within 24 hours of discovery, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Project personnel shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Vertebrate land mammals may include bones of mammoth, camel, saber tooth cat, horse, and bison. Paleontological resources also include plant imprints, petrified wood, and animal tracks. If it is determined that the proposed Project could damage unique paleontological resources, mitigation shall be implemented in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines. Possible mitigation under Public Resources Code Section 21083.2 requires that reasonable efforts be made for resources to be preserved in place or left undisturbed. If preservation in place is not feasible, the Project applicant shall pay in lieu fees to mitigate significant effects. Excavation as mitigation shall be limited to those parts of resources that would be damaged or destroyed by the Project. Possible mitigation under CEQA emphasizes preservation in place measures, including planning construction avoid archaeological sites, incorporating sites into parks and other open spaces, cover-ing sites with stable soil, and deeding the site into a permanent conservation easement.

With the implementation of Mitigation Measure CULT-2 from the Terraces of Lafayette Project Certified EIR, paleontological resource impacts would be *less than significant with mitigation incorporated*. Since this impact would be less than significant with mitigation, this issue will not be addressed in the Supplemental EIR.

- d) As described on page 4.4-12 of the Terraces of Lafayette Draft EIR, while the likelihood of unknown human remains existing in the Project area is expected to be low, Native Americans have historically inhabited the Lafayette area, especially around creeks. Therefore, the potential exists that the Revised Project's construction could disturb unknown human remains. In addition, the dog park site on the north side of Deer Hill Road was not evaluated in the Certified EIR and has the potential to contain human remains. The Certified EIR for the Terraces of Lafayette Project finds that potential disturbance to human remains would be a significant impact and contains the following mitigation measure:

Mitigation Measure CULT-3: Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e) (CEQA). According to the provisions in CEQA, if human remains are encountered at the site, all work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. The Contra Costa County Coroner shall be notified immediately. The Coroner shall then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner shall notify the NAHC within 24 hours, who will, in turn, notify the person the NAHC identifies as the most likely descendent (MLD) of any human remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains fol-

lowing notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, re-inter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC.

With the implementation of Mitigation Measure CULT-3 from the Terraces of Lafayette Project Certified EIR, impacts to human remains would be *less than significant with mitigation incorporated*. Since this impact would be less than significant with mitigation, this issue will not be addressed in the Supplemental EIR.

VI. GEOLOGY AND SOILS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: <ul style="list-style-type: none"> i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides, mudslides or other similar hazards? 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

- a.i) As described on page 4.5-18 of the Terraces of Lafayette Draft EIR, none of the faults mapped in the City of Lafayette are considered to be active or potentially active, defined by the City of Lafayette's General Plan as having recorded earth movement or displacement within the last 10,000 years. In addition, the California Geological Survey does not include Lafayette on its list of cities affected by Alquist-Priolo Fault Zones.⁵ As stated on page 4.5-19 of the Terraces of Lafayette Draft EIR, the active faults with the potential for surface rupture are not known to be located directly beneath or projecting toward the Project site. Therefore, the potential for surface rupture is considered to be low for the Revised Project and the impact is *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- a.ii) As described on pages 4.5-19 to 4.5-20 of the Terraces of Lafayette Draft EIR, an earthquake of moderate to high magnitude in the San Francisco Bay Region could cause considerable ground shaking in the Project area. New construction un-

⁵ California Department of Conservation, <http://www.conservation.ca.gov/cgs/rghm/ap/Pages/affected.aspx>, accessed on April 7, 2014.

der the proposed Project would be required to comply with the California Building Code (CBC) at a minimum, taking into consideration the proposed use of the structures. Structures built under the CBC are designed to: 1) resist minor earthquakes without damage, 2) resist moderate earthquakes without structural damage but with some nonstructural damage, and 3) resist major earthquakes without collapse but with some structural as well as non-structural damage. With adherence to the mandatory CBC requirements, impacts associated with ground shaking would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

- a.iii) As described on page 4.5-20 of the Terraces of Lafayette Draft EIR, although a portion of the Project site is susceptible to liquefaction, soils encountered during test pit drilling located stiff to very stiff clay and therefore the potential for liquefaction is low. The dog park site is not mapped as being susceptible to liquefaction.⁶ Due to the low potential for liquefaction at the site, the potential for lateral spreading is also considered low. Therefore, strong ground shaking associated with a large earthquake on a nearby fault would not trigger soil liquefaction and associated ground failures on the Project site and impacts would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

- b) As described on page 4.5-21 of the Terraces of Lafayette Draft EIR, development of the Project site would involve grading and excavation that could result in erosion and/or loss of topsoil. The City's Stormwater Pollution Prevention Plan (SWPPP) contains Best Management Practices to control erosion and sediment dispersion from new construction. As under the Terraces of Lafayette Project, under the Revised Project the Project applicant would be required to submit an SWPPP to the State Water Resources Control Board and a Stormwater Control Plan, hydrology/hydraulic report, grading plan, and erosion control plan to the City's Engineering Services Division. With these procedures and controls, impacts would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

- c) As described on pages 4.5-22 to 4.5-23 of the Terraces of Lafayette Draft EIR, site preparation and grading activities to develop the Project site would consist of excavation and recompaction of on-site soils, and foundation settlement could occur due to the consolidation and compression of weak soil under the weight of new fill and structural loads of the Terraces of Lafayette Project. The Revised Project would involve similar activities and potential soil impacts. Site preparation for the proposed dog park on the north side of Deer Hill Road would involve less extensive activities, but would involve site work to prepare the park driveway, parking area, and on-site walking path and future sitting area. As described in the Terraces of Lafayette Draft EIR, Project site locations with existing fill have the greatest potential for moderate settlement or ground cracking to occur, and relatively shallow groundwater is present at the Project site at times. The Certified EIR for the Terraces of Lafayette Project finds that potential soil instability impacts associated with fill and shallow groundwater would be significant and contains the following mitigation measure:

Mitigation Measure GEO-1: Prior to issuance of the grading permits, development of the final grading plans shall be coordinated with a City approved Geotechnical Engineer and Engineering Geologist in order to tailor the plans to accommodate known soil and geologic hazards and to improve the overall stability of the site. The final 40-scale grading plans for the Project shall be reviewed by the City-approved Geotechnical Engineer. Grading operations shall meet the requirements of the Guide Contract Specifications included in Appendix D of the *Geotechnical Exploration: The Terraces of Lafayette*, prepared by ENGEO Incorporated on August 18, 2011 and revised September 2, 2011, and shall be observed and tested by the City-approved Geotechnical Engineer

With implementation of Mitigation Measure GEO-1 from the Terraces of Lafayette Project Certified EIR, geologic impacts would be *less than significant with mitigation incorporated*. Since this impact would be less than significant with mitigation, this issue will not be addressed in the Supplemental EIR.

- d) As described on page 4.5-23 of the Terraces of Lafayette Draft EIR, the Project site soils and bedrock vary from low to high shrink-swell potential, with variations in moisture content, which can result in damage to slab-on-grade, pavements, and structures founded in shallow foundations. The Certified EIR for the Terraces of Lafayette Project finds that potential impacts associated with expansive soils would be significant and contains Mitigation Measure GEO-1. With the imple-

⁶ United States Geological Survey, San Francisco Bay Region Geology and Geologic Hazards Susceptibility Map, <http://geomaps.wr.usgs.gov/sfgeo/liquefaction/susceptibility.html>, accessed on April 7, 2014.

mentation of Mitigation Measure GEO-1 from the Terraces of Lafayette Project Certified EIR, expansive soils impacts would be *less than significant with mitigation incorporated*. Since this impact would be less than significant with mitigation, this issue will not be addressed in the Supplemental EIR.

- e) As stated on page 4.5-23 of the Terraces of Lafayette Draft EIR, the Project site is served by the Contra Costa County Sanitary District and its wastewater facilities. No septic tanks are proposed to serve new development and there would be *no impact*. Since no impact would result, this issue will not be addressed in the Supplemental EIR.

VII. GREENHOUSE GAS EMISSIONS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

- a)-b) The Revised Project would involve the construction and subsequent occupancy of 44 housing units, as well as the development and operation of a ball field, playground, and dog park. Construction of the Project, and vehicle trips associated with the construction of the Project and with the vehicle trips of eventual residents and visitors would generate greenhouse gas (GHG) emissions. The Revised Project includes fewer residential units and structures than were evaluated in the Certified EIR but would create new park uses that were not evaluated in the Certified EIR. Potential GHG emissions impacts are considered to be *potentially significant* and will be evaluated in the Supplemental EIR.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

- a) As described on page 4.7-15 of the Terraces of Lafayette Draft EIR, multiple hazardous material generators and sites are located in the Project site vicinity, but none are within the Project site itself. The dog park site was not evaluated in the Terraces of Lafayette Draft EIR and also does not contain any hazardous generators or sites.⁷ As under the Terraces of Lafayette Project, the Revised Project would not include the routine transport or disposal of hazardous materials. Construction and operation of the Revised Project would involve the routine use and handling of small amounts of hazardous materials that would not be of a type or occur in sufficient quantities on site to pose a significant hazard to public health and safety or the environment. Therefore, the impact would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- b) Page 4.7-16 of the Terraces of Lafayette Draft EIR finds that potential hazards impacts associated with landscaping would be less than significant. Landscaping for the Revised Project would be of a similar nature as under the Terraces of Lafayette Project and would therefore also be less than significant.

As described on pages 4.7-16 to 4.7-16 of the Terraces of Lafayette Draft EIR, existing buildings on the Project site could contain asbestos-containing materials (ACM) and lead-based paints (LBP). Existing buildings on the dog park site could also contain ACM and LBP. ACM and LBP do not pose a health risk when left undisturbed, but result in hazardous exposure when deteriorated, damaged, or disturbed. The Certified EIR for the Terraces of Lafayette Project finds that potential hazards impacts associated with these materials would be significant and contains the following mitigation measure:

Mitigation Measure HAZ-1a: Hire the services of a CalOSHA certified qualified asbestos abatement consultant to conduct a pre-construction assessment for asbestos containing materials. Prior to the issuance of the demolition permit, the applicant shall provide a letter to the City Planning & Building Services Division from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If ACMs are found to be present, the hazardous materials shall be properly removed and disposed prior to demolition of buildings on the Project site in compliance with applicable federal, State, and local regulations, such as the U.S. EPA’s NESHAP regulation, BAAQMD Regulation 11, Title 8 of the California Codes of Regulations, the Unified Program, and the City’s General Plan Policies, as described in Section A.

⁷ California Department of Toxic Substances Control, EnviroStor, <http://www.envirostor.dtsc.ca.gov/public/Default.asp>, accessed on April 8, 2014; California State Water Resources Control Board, GeoTracker, <http://geotracker.waterboards.ca.gov/>, accessed on April 8, 2014; and United States Environmental Protection Agency, EnviroMapper for Envirofacts, <http://www.epa.gov/emefdata/em4ef.home>, accessed on April 8, 2014.

Mitigation Measure HAZ-1b: Hire the services of a qualified lead paint abatement consultant to conduct a pre-construction assessment of lead based paints. Prior to the issuance of the demolition permit, the applicant shall provide a letter to the City Planning & Building Services Division from a qualified lead paint abatement consultant that no lead paint is present in onsite buildings. If lead paint is found to be present on buildings to be demolished or renovated, the hazardous materials shall be properly removed and disposed in compliance with applicable federal, State, and local regulations, including the U.S. EPA's NESHAP regulation, Title 40 of the Code of Federal Regulations, Title 8 of the California Codes of Regulations, the Unified Program, and the City's General Plan Policies, as described in Section A.

With the implementation of Mitigation Measures HAZ-1a and HAZ-1b from the Terraces of Lafayette Project Certified EIR, hazardous materials impacts would be *less than significant with mitigation incorporated*. Since this impact would be less than significant with mitigation, this issue will not be addressed in the Supplemental EIR.

- c) As stated on page 4.7-17 of the Terraces of Lafayette Draft EIR, one school, Acalanes High School, is located within ¼-mile of the Project site. The Certified EIR finds that adherence to applicable regulations would prevent hazardous impacts during Project construction, and that operation of the Project would not generate hazardous materials or result in the type of handling or materials storage that would result in harmful impacts. The Revised Project would involve similar construction activities and uses and therefore would result in similar effects. Therefore, impacts would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- d) As described on pages 4.7-17 to 4.7-18 of the Terraces of Lafayette Draft EIR, the Project site itself is not listed as a hazardous materials site pursuant to Government Code Section 65962.5. The dog park site was not evaluated in the Terraces of Lafayette Draft EIR and also does not contain any hazardous generators or sites.⁸ Therefore, there would be *no impact*. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- e) As stated on page 4.7-18 of the Terraces of Lafayette Draft EIR, the Project site is not located within two miles of a public airport or airport land use plan. As such, *no impact* would occur. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- f) As stated on page 4.7-18 of the Terraces of Lafayette Draft EIR, there are no private airstrips within the vicinity of the Project site. As such, *no impact* would occur. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- g) The Contra Costa County Fire Protection District (CCCFFPD) will review the Revised Project site plan to ensure that it meets requirements for adequate emergency vehicle access. Potential impacts associated with interference with an adopted emergency response plan or emergency evacuation plan are considered to be *potentially significant* and will be evaluated in the Supplemental EIR.
- h) As shown in Figure 4.7-1 of the Terraces of Lafayette Draft EIR, the entire Project site is located in a "High" risk fire hazard severity zone, as designated by the California Department of Forestry and Fire Protection (CALFIRE). As described on page 4.7-19 of the Terraces of Lafayette Draft EIR, the Project applicant would be required to prepare a City-approved Vegetation Management Plan that includes native, drought tolerant, and fire resistant species, and mandatory compliance with the CBC would further reduce risks as a result of wildland fires. Therefore, impacts would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

⁸ California Department of Toxic Substances Control, EnviroStor, <http://www.envirostor.dtsc.ca.gov/public/Default.asp>, accessed on April 8, 2014; California State Water Resources Control Board, GeoTracker, <http://geotracker.waterboards.ca.gov/>, accessed on April 8, 2014; and United States Environmental Protection Agency, EnviroMapper for Envirofacts, <http://www.epa.gov/emefdata/em4ef.home>, accessed on April 8, 2014.

IX. HYDROLOGY AND WATER QUALITY

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table level?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

a), f) As described on page 4.8-14 of the Terraces of Lafayette Draft EIR, the construction of the Terraces of Lafayette Project could impact water quality through proposed grading, excavation, and cut and fill activities. Ground disturbance during construction could cause erosion of exposed surfaces during rainfall events, causing sedimentation of on- and off-site watercourses. The Terraces of Lafayette Project would create impervious surfaces (roads, structures, walkways) and change the local topography, which would have the potential to alter surface runoff rates and drainage patterns. The Revised Project would involve similar site preparation and construction activities, and would therefore result in similar potential impacts. The Terraces of Lafayette Draft EIR states on page 4.8-15 that, under the applicable National Pollutant Discharge Elimination System (NPDES) General Permit, the Project applicant would be required to submit a Notice of Intent to the State Water Resources Control Board (SWRCB) prior to beginning construction activities. Prior to issuance of grading permits a Stormwater Pollution Prevention Plan (SWPPP) would be prepared and submitted to the SWRCB, which would identify construction Best Management Practices (BMPs) to mitigate Project impacts. The Project applicant would be required to submit a Stormwater Control Plan, hydrology/hydraulic report, grading plan, and erosion control plan to the City of Lafayette’s Engineering Services Division. These reports would outline approved post-construction BMPs, including site-design and source- and treatment-control BMPs to reduce pollutants in post-development runoff. In addition, a Stormwater Control Operation and Maintenance (O&M) Plan would be submitted to the City and an Operations and Maintenance Agreement would be recorded prior to issuance of a building permit. The Revised Project would be required to implement these same measures and procedures. Therefore, as under the Terraces of Lafayette Project, the im-

impact for the Revised Project would be *less than significant*. Since these impacts would be less than significant, these issues will not be addressed in the Supplemental EIR.

- b) The Terraces of Lafayette Draft EIR states that the Project site is served by the East Bay Municipal Utilities District (EB-MUD), which obtains its water supply principally from surface waters, primarily the Mokelumne River watershed. The Revised Project site is not located over any significant groundwater basin as identified in by the San Francisco Regional Water Quality Control Board (RWQCB). If groundwater dewatering is required as part of the Revised Project and discharged to off-site to a storm drain or receiving water body, a site-specific NPDES dewatering permit would be obtained from the RWQCB and a Waste Discharge Authorization would be issued. Therefore, as under the Terraces of Lafayette Project, the impact for the Revised Project would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- c), d) As under the Terraces of Lafayette Project, the Revised Project would result in an increase in impervious surfaces, which could increase peak runoff rates at downstream drainage facilities and create downstream drainage and erosion problems, as described on page 4.8-22 of the Terraces of Lafayette Draft EIR. The Revised Project site plan includes an on-site drainage control and detention system to ensure that off-site runoff rates and volumes do not exceed pre-development levels. However, additional hydrologic analyses and detailed system design specifications would be provided to the City prior to the issuance of grading plans and would be needed to ensure that impacts would be less than significant. The Certified EIR for the Terraces of Lafayette Project finds that potential impacts associated with the altered drainage pattern of the site would be significant and contains the following mitigation measure:

Mitigation Measure HYDRO-1a: Prior to the issuance of grading permits, additional hydrologic analyses and detailed drainage design drawings for the bioretention basins shall be submitted in a Final Stormwater Control Plan to the City for review and approval. The analyses shall include:

- » 10-year peak flows.
- » Comparison of post-development peak flow rates and volumes to pre-development conditions.
- » Final calculations providing size, capacity, location, and infiltration rates for the proposed bioretention basins.
- » On-site storm drain system piping layout and pipe size calculations.

Mitigation Measure HYDRO-1b: An Operation and Maintenance (O&M) Plan and Schedule shall be prepared as part of the Final Stormwater Control Plan and submitted to the City of Lafayette. The property owner (or Homeowners Association) shall enter into a standard stormwater O&M agreement with the City, codifying their responsibility for O&M performance and reporting. An O&M Manual shall be prepared and submitted to the City prior to the issuance of grading permits. The O&M Manual shall specify that the design storage capacity of the basins will be maintained and that accumulated residual sediment and other material will be cleaned out. The detention basins shall be inspected at least once per year prior to the start of the rainy season and debris removal shall occur on an as needed basis.

With the implementation of Mitigation Measures HYDRO-1a and HYDRO-1b from the Terraces of Lafayette Project Certified EIR, the impact would be *less than significant with mitigation incorporated*. Since these impacts would be less than significant with mitigation, these issues will not be addressed in the Supplemental EIR.

- e) As under the Terraces of Lafayette Project, the Revised Project would result in an increase in impervious surfaces, which could increase peak runoff rates at downstream drainage facilities, as described on page 4.8-23 of the Terraces of Lafayette Draft EIR. The Revised Project site plan includes an on-site drainage control and detention system to minimize downstream pollution potential. However, site drainage flows from 10- and 100-year storm events may not be safely conveyed through the existing off-site storm drain system. The Certified EIR for the Terraces of Lafayette Project finds that potential impacts associated with the capacity of the existing stormwater drainage system would be significant and contains the following mitigation measure:

Mitigation Measure HYDRO-2: As part of the Final Stormwater Control Plan, the Project applicant shall provide to the City an analysis that shows the peak discharge from the Project site for the 10-year and 100-year storm and demonstrate that this discharge can be safely conveyed through the existing off-site storm drain system.

With the implementation of Mitigation Measure HYDRO-2 from the Terraces of Lafayette Project Certified EIR, the impact would be *less than significant with mitigation incorporated*. Since this impact would be less than significant with mitigation, this issue will not be addressed in the Supplemental EIR.

- g), h) As stated on page 4.8-24 of the Terraces of Lafayette Draft EIR, the Project site is not located within the 100-year or 500-year flood zone. The dog park site is also not located within a flood zone.⁹ Therefore, housing would not be constructed within a 100-year floodplain and no structures would be located within a 100-year floodplain that could impede flood flows. As a result, *no impact* would occur. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- i) As stated on page 4.8-24 of the Terraces of Lafayette Draft EIR, two reservoirs are located in close proximity to the Project site: the Lafayette Reservoir, located approximately 2.2 miles to the southwest; and the Leland Reservoir, located approximately 0.5 mile to the southeast. However, the Revised Project site is outside of the dam inundation zones for these reservoirs. Because the site is elevated, the risk for flooding is further reduced. Therefore, *no impact* would occur. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- j) The Revised Project site is located more than 10 miles from San Francisco Bay therefore would not be impacted by tsunamis. Similarly, because the Revised Project site is outside of dam inundation zones of Lafayette Reservoir and Leland Reservoir and there are no other large bodies of water in the area, there is no risk of inundation due to seiches. However, because the Project site is located on a hillside that is susceptible to landslides, there is a potential for mudflows. The Certified EIR finds that potential impacts would be less than significant with implementation of Mitigation Measure GEO-1. Mitigation Measure GEO-1 is also recommended for implementation with the Revised Project, as discussed in Section VI, Geology and Soils, above. Therefore, the impact would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

X. LAND USE AND PLANNING

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create or exacerbate a conflict between land uses on the Project site and in the surrounding area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

- a) The Certified EIR finds that the Terraces of Lafayette Project would have no impact associated with division of an established community because the Project is contained within a single parcel and would not create physical barriers for surrounding development. Similarly, the dog park site is located north of Deer Hill Road and would not create new barriers. Therefore, the impact would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- b) **General Plan Land Use Designations.** As described on page 4.9-16 of the Draft EIR, the General Plan Land Use designation of the Project site is Administrative/Professional/Office/Multi-Family Residential. The dog park site is des-

⁹ Federal Emergency Management Agency, 2009, National Flood Insurance Program, Flood Insurance Rate Map No. 06013C0288F.

ignated as Low-Density Single-Family Residential. The Revised Project would construct 44 homes on the approximately 22-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. **(Consistent)**

General Plan Goals and Policies. The Certified EIR includes Table 4.9-1, which lists relevant goals and policies from the Lafayette General Plan and provides a discussion regarding whether the Terraces of Lafayette Project would be consistent with each goal and policy. Table 1 reproduces Table 4.9-1 of the Certified EIR and compares the Revised Project's consistency with the General Plan to the consistency analysis in the Certified EIR. As shown in Table 1, the Revised Project would be consistent with the Lafayette General Plan. Therefore, the Revised Project would avoid Impacts LU-1 and LU-2 in the Certified EIR. **(Consistent)**

Zoning Regulations. Pages 4.9-21 to 4.9-24 of the Terraces of Lafayette Draft EIR discuss the consistency of the Terraces of Lafayette Project with the City's Zoning Regulations. The Project site is within the Administrative/Professional Office (APO) zoning district. The dog park site is within the Single Family Residential District-20 (R-20) district. The Revised Project proposes a zoning amendment to rezone the Project site as Planned Unit Development (P-1).

- » **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 is consistent with the General Plan. Publicly owned parks are permitted with a Use Permit in the R-20 zone. **(Consistent)**
- » **Building Heights and Setbacks.** 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. No buildings or structures are proposed for the dog park site. **(Consistent)**
- » **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 R-20 zone does not contain any landscaping requirements that would apply to the proposed dog park. **(Consistent)**

Hillside Development Requirements. The Certified EIR includes Table 4.9-2, which lists relevant sections of the hillside development regulations set forth by the City's Municipal Code and provides a discussion regarding whether the Terraces of Lafayette Project would be consistent with each regulation. Table 2 reproduces Table 4.9-1 of the Certified EIR and compares the Revised Project's consistency with the hillside development regulations to the consistency analysis in the Certified EIR. As shown in Table 2, the Revised Project's consistency with the City's hillside development regulations will be evaluated in the Supplemental EIR. **(To Be Determined)**

Creek Setback Requirements. As described on page 4.9-30 of the Terraces of Lafayette Draft EIR, development should be setback 12 feet from the top of the creek bank on each side pursuant to Creek Setback Requirements. The Supplemental EIR will provide a detailed evaluation of the Revised Project's potential impacts to the creek corridor. **(To Be Determined)**

- c) As stated on page 4.9-30 of the Terraces of Lafayette Draft EIR, there are no habitat conservation plans or natural community conservation plans applicable to the Project Site. Therefore, there would be *no impact* with regard to conservation plan conflicts. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- d) As described on page 4.9-30 to 4.9-32 of the Terraces of Lafayette Draft EIR, the Project would create land use conflicts if land uses in the vicinity of the Project site would be adversely affected by proposed on-site uses, or if future residents of the Project would be affected by off-site land uses in the vicinity. The Revised Project would develop the Project site with single-family homes and park uses, and would develop the dog park site with a public parking lot and dog park. These uses would be consistent with nearby recreational uses at Briones Regional Park and Acalanes High School. One residential property would be directly abutted by the proposed dog park. However, planned future enhancements could 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. Therefore, the impact would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

TABLE 1 CERTIFIED EIR TABLE 4.9-1: 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	<p>Consistent. As discussed in Section IX, Hydrology and Water Quality, 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.</p> <p>The Revised Project reduces the tree removal impacts of the Terraces of Lafayette Project, and would preserve the 200-year old valley oak located on the Project site. In addition, whereas the Terraces of Lafayette Draft EIR proposes two-and-three story multi-family apartment buildings, the Revised Project proposes two-story single homes, which would be less visible from off-site viewpoints. Biological resource and aesthetic impacts of the Revised Project will be evaluated in detail in the Supplemental EIR.</p>
Policy LU-2.1	Density of Hillside Development: Land use densities should not adversely affect the significant natural features of hill areas.	Not Consistent	<p>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 opens pace uses that would not be highly visible from off-site locations. Therefore, although the Revised Project would redevelop the Project site such that the hillside would no longer appear undeveloped, the proposed residential density would not adversely affect the natural appearance of the Project site.</p>
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	<p>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 southern 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.</p>
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 undevel-	Not Consistent	<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 corner of the Project site would be maintained with uses that would not be highly visible from off-site locations. The Revised Project has been designed to screen</p>

TABLE 1 CERTIFIED EIR TABLE 4.9-1: LAFAYETTE GENERAL PLAN POLICY CONSISTENCY ANALYSIS

Goal/Policy Number	Goal/Policy Content	Certified EIR Consistency Finding	Revised Project Consistency Discussion
	oped, to the maximum extent feasible.		proposed homes when viewed from lower elevations.
Goal LU-3	Encourage well-designed residential development.	Consistent	Consistent. Pursuant to section 6-271 of the Lafayette Municipal Code, the proposed 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 the Design Review Commission must make 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.
Policy LU-4.1	Infrastructure Design: Public and private infrastructure should reinforce the semi-rural qualities of residential neighborhoods.	Consistent	Consistent. As described above, the Project would be subject to design review and the lighting plan would be evaluated together with the other aesthetic elements of the Project at that time. In granting final approval for a project, the Design Review Commission must make specific findings, 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.
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	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. These uses would be consistent with nearby residential, open space, and public uses.
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.	Consistent	Consistent. The Project site is located south of Deer Hill Road adjacent to Pleasant Hill Road. This location is where Policy LU-13.2 calls for development options.
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 pro-	Not Consistent	To Be Determined. Traffic impacts of the Revised Project will be evaluated in detail in the Supplemental EIR.

TABLE 1 CERTIFIED EIR TABLE 4.9-1: LAFAYETTE GENERAL PLAN POLICY CONSISTENCY ANALYSIS

Goal/Policy Number	Goal/Policy Content	Certified EIR Consistency Finding	Revised Project Consistency Discussion
	posals.		
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 \$591 per dwelling unit ¹⁰ 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. As described in Chapter 4.11 of the Terraces of Lafayette Draft EIR, the Terraces of Lafayette Project is consistent with local and regional growth projections and would not result in unplanned growth. The Revised Project involves less residential growth than was evaluated in the Certified EIR. Additionally, proposed utilities would connect to existing water, sewer, stormwater, natural gas, and electrical infrastructure and no new capital improvements would be required to support development of the proposed Project.

Source: Lafayette General Plan, 2002; PlaceWorks, 2014.

¹⁰ Contra Costa County Fire Protection District, 2005, Fire Facilities Impact Fee Study and Report, page 10, available online at http://lafayette.granicus.com/MetaViewer.php?view_id=&clip_id=1588&meta_id=22173, accessed on April 14, 2014.

TABLE 2 CERTIFIED EIR TABLE 4.9-2: 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 approximately 22-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 above the Revised Project is consistent with the General Plan. Publicly owned parks are permitted with a Use Permit in the R-20 zone.
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 Exemption: 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	Consistent. As part of the proposed P-1 zoning, the applicant is requesting an exception to the 15-degree declination and ridgeline setback requirements. Therefore, upon rezoning the Revised Project would be consistent with these hillside development requirements.
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	Consistent	Consistent. The proposed Planned Unit Development is designed to utilize the existing terraces to the maximum extent practicable. The rezoning to Planned Unit District (P-1) would provide for the 15-degree declination to not apply to the Revised 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 and would be subject to the approval of the City of Lafayette Planning Commission. Upon rezoning, this requirement would not apply to the Revised Project.

TABLE 2 CERTIFIED EIR TABLE 4.9-2: HILLSIDE DEVELOPMENT REQUIREMENTS CONSISTENCY ANALYSIS

Municipal Code Section	Summary of Requirement	Certified EIR Consistency Finding	Revised Project Consistency Discussion
	perpendicular to the ridgeline or as a radius from the endpoint of the ridgeline.		
Hillside Development Permit (Sections 6-2015, 6-2031 through 6-2034, 6-2067, and 6-2070)	<p>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:</p>		
	» 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.
	» 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 reduces the tree removal impacts of the Terraces of Lafayette Project, and would preserve the 200-year old valley oak located on the Project site. Biological resource impacts will be evaluated in detail in the Supplemental EIR.
	» 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.
	» 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. Proposed building heights were designed to comply with the height limits required under the City’s zoning code. Heights would be limited depending upon location within the Project site. 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.

TABLE 2 CERTIFIED EIR TABLE 4.9-2: HILLSIDE DEVELOPMENT REQUIREMENTS CONSISTENCY ANALYSIS

Municipal Code Section	Summary of Requirement	Certified EIR Consistency Finding	Revised Project Consistency Discussion
	» 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 proposed Project includes extensive grading but geology and hydrologic impacts would be mitigated to less-than-significant levels. Visual impacts will be evaluated in detail in the Supplemental EIR.
	» 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 Project would be required to meet design review findings.
	» 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 Project would contain residential uses that would not cause any unusual nuisances, hazards, or enforcement problems.
	» 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 Project would provide native replacement vegetation.
For projects on existing lots of record within the Hillside Overlay District, the following additional findings must be made:			
	» 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	To Be Determined. The Revised Project is requesting an exception to build within the ridgeline setback that covers a portion of the Project site. The Revised Project has been designed to screen proposed homes from lower elevations, including southbound Pleasant Hill Road and the Highway 24 westbound on-ramps. The Supplemental EIR will contain visual simulations to determine whether all structures would be substantially concealed when viewed from lower elevations from publicly owned properties.

TABLE 2 CERTIFIED EIR TABLE 4.9-2: HILLSIDE DEVELOPMENT REQUIREMENTS CONSISTENCY ANALYSIS

Municipal Code Section	Summary of Requirement	Certified EIR Consistency Finding	Revised Project Consistency Discussion
	» 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.	Not Consistent	To Be Determined. The Revised Project site plan would lessen impacts on-site natural resources. However, the Revised Project would involve extensive grading and would have the potential to adversely affect habitat and views of scenic vistas. These potential impacts will be addressed in detail in the Supplemental EIR.
	» 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.	Not Consistent	To Be Determined. These potential impacts will be addressed in detail in the Supplemental EIR.
	» 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 map as a guide; and - Not interfere with a ridgeline trail corridor or compromise the open space or scenic character of the corridor. 	Not Consistent	<p>To Be Determined. The Revised Project would preserve portions of the Project site as open space and would develop the Project site with an overall residential density that is 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>While the development of the Project site would not affect privacy for surrounding residents, the development of the dog park would create a public parking lot in close proximity to an existing home on the north side of Deer Hill Road. However, planned future enhancements could include tree planning along the western side of the dog park driveway and parking lot, which would help to provide privacy for the existing home. Although the Revised Project has been designed to screen proposed homes from lower elevations, the Supplemental EIR will include a detailed analysis to determine whether visual impacts would be created by the Revised Project.</p>

Source: Lafayette Municipal Code; PlaceWorks, 2014.

XI. MINERAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a), b) As stated on page 13 of the Initial Study published as Appendix A2 of the Certified EIR, Lafayette does not contain any known mineral resources. Therefore, there would be *no impact*. Since no impact would result, these issues will not be addressed in the Supplemental EIR.

XII. NOISE

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground-borne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a) The Project site is located adjacent to Highway 24 and the Pittsburg-Baypoint BART line. These two transportation rights-of-way, either alone or in combination, could result in the exposure of future residents to levels of noise in excess of applicable State or local standards. Therefore, the impact could be *potentially significant* and will be addressed in detail in the EIR.

b) Residential and park uses, such as those proposed by the Project, are not typically associated with the ongoing generation of excessive levels of vibration or groundborne noise from operations. Nevertheless, construction activities associated

with Project development have the potential to result in significant levels of vibration that may be perceptible at nearby sensitive receptors. Therefore the impact could be *potentially significant* and will be addressed in detail in the EIR.

- c) Residential and park uses, such as those proposed by the Project, are not typically associated with excessive, ongoing operations-related noise that would lead to substantial permanent increases in ambient noise levels. Nevertheless, since the project would result in an increase in vehicle trips and traffic on surrounding roadways, it could indirectly result in a substantial permanent increase to ambient noise levels, and the impact could therefore be *potentially significant* and will be addressed in detail in the EIR.
- d) Residential and park uses, such as those proposed by the Project, are not typically associated with excessive operations-related noise that would lead to substantial temporary or periodic increases in ambient noise levels. Nevertheless, construction associated with development of the project could lead to short-lived generation of excessive noise levels that could result in substantial temporary or periodic increases to ambient noise levels, and the impact could therefore be *potentially significant* and will be addressed in detail in the EIR.
- e) As stated on page 4.7-18 of the Terraces of Lafayette Draft EIR, the Project site is not located within two miles of an airport or airport land use plan. As such, *no impact* would occur. Since no impact would result, this issue will not be addressed in the Supplemental EIR.
- f) As stated on page 4.7-18 of the Terraces of Lafayette Draft EIR, there are no private airstrips within the vicinity of the Project site. As such, *no impact* would occur. Since no impact would result, this issue will not be addressed in the Supplemental EIR.

XIII. POPULATION AND HOUSING

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

- a) As stated on page 4.11-10 of the Terraces of Lafayette Draft EIR, the Project would result in a substantial and unplanned level of growth if estimated buildout would exceed local or regional growth projections. The Certified EIR finds that, because the Terraces of Lafayette Project would not result in as much growth as is permitted under the current zoning for the Project site, the Terraces of Lafayette Project would not result in a significant growth impact. With 44 homes, and assuming the average household size of 2.74 persons per household consistent with the 2010 Census estimate for owner-occupied households in Lafayette,¹¹ the Revised Project would result in a residential population of approximately 121 persons. Compared to the Terraces of Lafayette population growth of 658 residents, the Revised Project would result in less growth. Therefore, the impact for the Revised Project would also be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- b), c) As stated on page 4.11-12 of the Terraces of Lafayette Draft EIR, the Terraces of Lafayette Project would not displace any residents or housing because the one housing unit on the Project site is vacant. The Revised Project would affect an addi-

¹¹ U.S. Census Bureau, 2010 Census, Table H12.

tional housing unit, which is located on the dog park site. This housing unit is also vacant. Therefore, the impact for the Revised Project would also be *less than significant*. Since these impacts would be less than significant, these issues will not be addressed in the Supplemental EIR.

XIV. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

- a).i. As described on pages 4.12-7 to 4.12-8 of the Terraces of Lafayette Draft EIR, the Terraces of Lafayette Project would generate up to 658 residents. This population growth would increase demand for fire protection and emergency medical response services for the Contra Costa County Fire Protection District (CCCYPD), which is currently not meeting its target response time. However, as stated on page 4.12-8 of the Terraces of Lafayette Draft EIR, the CCCYPD has determined that the Terraces of Lafayette Project would not result in the need for new or expanded CCCYPD facilities. The Revised Project would generate a smaller residential population of 121 approximately residents; therefore, the impact for the Revised Project would also be *less than significant*.¹² As under the Terraces of Lafayette Project, the Revised Project would be required to pay a fire facilities impact fee. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- ii. As described on pages 4.12-13 to 4.12-15 of the Terraces of Lafayette Draft EIR, the Terraces of Lafayette Project would increase demands for the Lafayette Police Services Department (LPSD). With 16 sworn officers¹³ for a resident population of 23,893,¹⁴ the LPSD currently maintains a staffing level of 0.67 officers per 1,000 residents. As noted on page 4.12-14 of the Terraces of Lafayette Draft EIR, the LPSD staffing level was recently reduced from 0.7 due to budget cuts. The Revised Project would increase the service population by 121, which would not decrease the staffing level for the LPSD.¹⁵

¹² Ted Leach, Fire Inspector, Contra Costa County Fire Protection District, Personal communication with Kelly Cha, Planner at PlaceWorks, on May 13, 2014.

¹³ City of Lafayette Police Department website, <http://www.ci.lafayette.ca.us/index.aspx?page=107>, accessed on April 17, 2014.

¹⁴ U.S. Census, 2010, http://factfinder2.census.gov/faces/nav/jsf/pages/community_facts.xhtml#none, accessed on April 17, 2014.

¹⁵ 23,893 existing population + 121 revised Project residents = 24,014 service population. 16 officers / 23.985 = 0.67 officers per 1,000 population.

As stated on page 4.12-12 of the Terraces of Lafayette Draft EIR, the Lafayette General establishes a standard response time of three minutes for life-threatening calls and calls involving criminal misconduct, and seven minutes for non-emergency calls. The response time to Priority One calls is an average of four minutes, 50 seconds, and to Priority Two calls is six minutes, 50 seconds. Therefore, response times for Priority One calls are currently not meeting the standard established in the General Plan.

As stated on page 4.12-14 of the Terraces of Lafayette Draft EIR, General Plan Policy S-7.1 provides a framework for evaluating the potential impact of development on the delivery of law enforcement services and assessing impact fees as warranted. The City would prepare a nexus study to determine the appropriate fee that could support the LPSD's additional personnel and associated equipment. This would ensure that the Project impact fee would be sufficient to accommodate new development without further compromising the delivery of police services in the vicinity of the Project site. Although the Revised Project would not decrease LPSD staffing levels, the Revised Project could exacerbate the LPSD's existing inability to meet the response time standard established in the General Plan. In addition, as stated in the Terraces of Lafayette Draft EIR, the LPSD's staffing level is below the average officers' per capita ratio of 1.2 for Contra Costa cities¹⁶ and impacts the ability for pro-active community policing.¹⁷ Therefore, the impact would be *potentially significant* and mitigation would be required.

Mitigation Measure PS-1a: The Project's outdoor lighting plan shall be reviewed and approved by the Lafayette Police Services Department prior to the issuance of building permits by Contra Costa County.

Mitigation Measure PS-1b: The Project shall include a video surveillance system. The location and position of the video surveillance system shall be reviewed and approved by the by the Lafayette Police Services Department prior to the issuance of building permits by Contra Costa County.

Mitigation Measure PS-1c: The Project shall include the services of a private security company to routinely patrol the premises during construction of the proposed Project. A draft contract between a private security company and the Project developer shall be reviewed and approved by the Lafayette Police Services Department prior to the issuance of building permits by Contra Costa County.

Mitigation Measure PS-1d: The Project shall pay a police impact fee to the City prior to the issuance of building permits by Contra Costa County. The City would prepare a nexus study to determine the appropriate fee that could support the LPSD's additional personnel and associated equipment. If the impact fee assessment by the City is not in place at the time of building permit issuance for the Project, the Project applicant would be required to pay the fees after the building permit issuance when the City finishes the nexus study.

With the implementation of Mitigation Measure PS-1 from the Terraces of Lafayette Project Certified EIR, as modified above, police service impacts associated with Revised Project would be *less than significant with mitigation incorporated*. Since this impact would be less than significant with mitigation, this issue will not be addressed in the Supplemental EIR.

- iii. The Project site lies within the boundaries of the Lafayette School District (LAFSD) and the Acalanes Union High School District (AUHSD). Using the AUHSD's student yield rates for residential units ranging from 0.17 to 0.25,¹⁸ the Revised Project would generate eight to eleven high school students.¹⁹ Given that the capacity of Acalanes High School is 1,400 and the 2012-2013 school enrollment was 1,390,²⁰ the additional students as a result of the Revised Project could exceed the Acalanes High School's capacity. However, as stated on page 4.12-25 of the Terraces of Lafayette Draft EIR, given declining enrollment trends at other AUHSD schools, excess enrollment at Acalanes High School could likely be accommodated through transfers. Therefore, impacts to the AUHSD would be *less than significant*.

¹⁶ Lafayette Police Department, 2012, 2011 Yearly Activity Report, Presentation to City Council.

¹⁷ Hubbard, Mike. Chief of Police, Lafayette Police Department. Personal communication with The Planning Center | DC&E. October 19, 2011.

¹⁸ Learned, Chris. Associate Superintendant of Business Services, Acalanes Union High School District. Personal communication with PlaceWorks. October 25, 2011.

¹⁹ 0.17 students per household x 44 households = 7.5 students; 0.25 students per household x 44 households = 11 students.

²⁰ Acalanes Union High School District, 2012-13 School Accountability Report Card for Acalanes High School, <http://www.acalanes.k12.ca.us/cms/lib01/CA01001364/Centricity/domain/6/sarcs/AHSSARC.pdf>, accessed on April 17, 2014.

As stated on page 4.12-26 of the Terraces of Lafayette Draft EIR, the LAFSD does not have a student yield rate but, assuming a general yield rate of 0.20 students per residential unit,²¹ the Revised Project would generate approximately nine K-5 Grade students.²² The capacity of Springhill Elementary School is 530 students²³ and current enrollment is 492 students.²⁴ With nine new students, the capacity would not be exceeded.

The current enrollment of Stanley Middle School is 1,152 students,²⁵ and the school can accommodate up to 1,320 students. Assuming a general yield rate of 0.20, the Revised Project would generate approximately nine 6-9 Grade students. The additional students would not exceed the maximum capacity of Stanley Middle School. Therefore, the Revised Project would not require the construction or expansion of LAFSD facilities. Therefore, impacts to LAFSD would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

- iv. As described on page 4.12-43 of the Terraces of Draft EIR, there are three regional park facilities surrounding the Project area: Lafayette Reservoir, Briones Regional Park, and Las Trampas Regional Wilderness. Future residents of the Revised Project would be expected to use these three parks from time to time; however, given the vast size of the regional park facilities and the relatively infrequent usage that future residents would make of them, the Revised Project would not result in substantial deterioration. Built facilities, such as visitor centers, picnic areas, children's play areas, and parking facilities currently account for no more than 10 percent of EBRPD land. The modest increase in usage that could potentially result from construction of the Revised Project would not trigger need for new built facilities. Therefore, a *less-than-significant* impact would occur. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- v. The Project site is served by one library, the Lafayette Library and Learning Center (LLLC), located at 3491 Mount Diablo Boulevard, approximately one mile to the southwest of the Project site. The Revised Project would generate up to 121 residents, which may increase the use of library services within Lafayette and the need for library facilities. However, the LLLC currently does not experience any deficiencies. Furthermore, given physical and online access to 26 libraries in the Contra Costa County, the Revised Project would not require the LLLC to hire more staff or to expand existing facilities. Therefore, the impact would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

XV. RECREATION

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

²¹ The general yield rate of 0.2 is used in the adjacent Walnut Creek School District.

²² 0.20 students per household x 44 households = 8.8 students.

²³ Cadotte, Lenec. Chief Business Official, Lafayette School District. Personal communication with PlaceWorks. January 24, 2012.

²⁴ Lafayette School District, 2012-13 School Accountability Report Card for Springhill Elementary, <http://ses-lafsd-ca.schoolloop.com/file/1269552136764/1269552658424/6238189574854048052.pdf>, accessed on April 17, 2014.

²⁵ Lafayette School District, 2012-13 School Accountability Report Card for Stanley Middle School, <http://sms-lafsd-ca.schoolloop.com/file/1270299472408/1269552622196/8659279329570255735.pdf>, accessed on April 17, 2014.

DISCUSSION:

- a) As stated on page 4.12-41 of the Terraces of Lafayette Draft EIR, recreational facilities available to the public are currently used at full capacity. The Revised Project would generate up to 121 new residents and thus would create an additional demand of 0.61 acres for parks and recreational services.²⁶ The Project would provide open space and recreational facilities for residents. The 44 proposed homes would generate \$275,528 of Parkland Dedication Fees and \$280,720 of Park Facilities Fees.²⁷ In addition, the Revised Project would provide new recreational facilities that would be accessible to Project residents and the greater Lafayette community. Therefore, the project’s impacts on the City’s parks and recreational facilities would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

- b) The Revised Project would supply areas of active and passive recreational space for residents of the Project and greater Lafayette community, including a sports field, playground, dog park, trails, and open space uses. The environmental impacts associated with the construction of these facilities will be addressed in the Supplemental EIR. Given the park and recreational uses that would be available to Project residents on site, the Revised Project is not expected to greatly increase the use of off-site recreational facilities and the construction or expansion of new off-site recreational facilities would not be warranted. Therefore, a *less-than-significant* impact would occur. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

XVI. TRANSPORTATION/TRAFFIC

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

²⁶ 121 residents x 0.005 (5 acres of parkland per 1,000 residents) = 0.61 acres.

²⁷ Based on the City of Lafayette’s planning and development fees, effective September 26, 2008, <http://www.lovelafayette.org/modules/showdocument.aspx?documentid=499>, accessed on April 17, 2014.

DISCUSSION:

- a), b) The Revised Project includes 44 new homes, public park uses, and associated parking. The increase in area residents and subsequent vehicle trips caused by the Revised Project could result in changes to traffic volumes or levels-of-service (LOS) for surrounding roadways and intersections. Such changes in LOS could conflict with applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system, as well as with applicable congestion management programs. This is a *potentially significant* impact that will be addressed in detail in the Supplemental EIR.
- c) As stated on page 4.7-18 of the Terraces of Lafayette Draft EIR, the Project site is not located within two miles of a public or a private use airport, nor is it within the land use compatibility plan for any airport. Proposed residential buildings would be a maximum of 30 feet tall at the highest, and would have a height similar to other nearby structures and homes. Given that the Revised Project would not be located in close proximity to any facilities used by aircraft and since it would not be of sufficient height to interfere with typical aircraft operations, the project would not result in changes to aircraft patterns in terms of location. The Project would not itself generate air traffic, and the resulting increase in area residents would be insufficient to result in substantial changes to the volume of aircraft in the proximity of the Project site; therefore, a *less-than-significant* impact would occur. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- d) The proposed Project would include new Project driveways on Deer Hill Road and Pleasant Hill Road, new parking facilities, on-site trails, and a new roundabout on Deer Hill Road. The increase in traffic and potential for vehicle queuing resulting from the Project could potentially result in hazardous conditions on adjacent roadways, and Project driveways and the proposed roundabout could result in conflicts with pedestrians and bicyclists. This is a *potentially significant* impact that will be addressed in detail in the Supplemental EIR.
- e) Emergency vehicle access would be required to access both the residential and non-residential portions of the Revised Project. The Revised Project proposes new on-side roadways and driveways that will need to be evaluated to determine adequate access for emergency vehicles. This is a *potentially significant* impact that will be addressed in detail in the Supplemental EIR.
- f) The Revised Project could increase walking and bicycling in the Project site vicinity and would create new on-site walking and biking trails. The Revised Project also includes new traffic facilities that could pose conflicts with pedestrians and bicyclists, including new roadways, driveways, and a roundabout on Deer Hill Road. This is a *potentially significant* impact that will be addressed in detail in the Supplemental EIR.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, State, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

a) As stated on page 4.14-7 of the Terraces of Lafayette Draft EIR, the Project is a residential development, which would not involve industry that is likely to substantially increase pollutant loading levels in the sanitary sewer system. The Revised Project would also not involve pollutant loads that would be expected to exceed treatment standards established by the Regional Water Quality Control Board. Therefore, impacts to sanitary wastewater quality would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

b), e) The Central Contra Costa Sanitary District (CCCSD) provides wastewater collection services to the Project site. The Revised Project would generate substantially fewer residential units than permitted under the City's current zoning (44 residential units versus 779 residential units) assumed for the Project site in City's General Plan. As stated on page 4.14-8 of the Terraces of Lafayette Draft EIR, the CCCSD Collection Master Plan's five-year event, which determines the need for capital improvements, and the 20-year event analysis, which determines the necessary sizing for sewer improvements and the need for new or expanded treatment facilities, utilized land use assumptions based, in part, on General Plan projections. Therefore, the Project, by being within General Plan projections, is also within the capacity estimates used by CCCSD to determine future capacity. Accordingly, any off-site improvements required by the CCCSD have been accounted for in their recently updated CCCSD Collection System Master Plan. Improvements to the CCCSD's facilities that may be required as a result of new development will be funded from the applicable CCCSD fees and charges. The Project developer, as with all new connections, would be required to pay these fees and charges at the time of connection to the sewer system. As a result, there would be a *less-than-significant* impact on wastewater treatment facilities.

Water supply services are provided by the East Bay Municipal Utility District (EBMUD). EBMUD has developed the Water Treatment and Transmission Improvements (WTTI) Program to address water treatment capacity constraints in its service area. Under this program, the Lafayette water treatment plant (WTP) will be expanded and upgraded to allow it to meet forecasted future demand across a territory, which includes the Project site. The Revised Project would not require the construction of new facilities or the expansion of existing facilities that could result in significant physical impacts, over and above what is currently planned for the Lafayette WTP. As a result, the impact of the Project on water treatment facilities would be *less than significant*. Since these impacts would be less than significant, these issues will not be addressed in the Supplemental EIR.

c) The Project site is served by the City's storm sewer system. As under the Terraces of Lafayette Project, the Revised Project would result in an increase in impervious surfaces, which could increase peak runoff rates at downstream drainage facilities. The Revised Project site plan includes an on-site drainage control and detention system to ensure that off-site runoff rates and volumes do not exceed pre-development levels. Lafayette Municipal Code provisions pertaining to stormwater apply to all development within the city limits. These provisions ensure that larger projects detain or infiltrate runoff so that peak flows and durations match pre-project conditions. Additionally, regardless of the size or scope of the development, all project applicants are encouraged to adopt strategies for treating stormwater before it is discharged to creeks or municipal storm drains. These strategies are outlined in the City's Stormwater C.3 Guidebook, available to all developers. In addition, all new development projects that disturb one or more acres are required to incorporate water quality improvements into the site design, as per the Contra Costa County Stormwater C.3 requirements. The requirements include the minimization of impervious surfaces, measures to detain or infiltrate runoff from peak flows to match pre-development conditions, and agreements to ensure that the stormwater treatment and flow control facilities are

maintained in perpetuity. Associated impacts would therefore be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

- d) EBMUD's water demand projections account for anticipated future water demands within EBMUD's service boundaries, including the Project site, and for variations in demand-attributed changes in development pattern. However, EBMUD suggests that due to EBMUD's limited water supply, all customers should plan for shortages in time of drought. Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficient measures described in the regulation are installed at the proposed Project sponsor's expense. In addition, the Project would be required to comply with mandatory regulations set forth in the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). Therefore, the Project would result in a *less-than-significant* impact on water supplies. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- f) As stated on page 4.14-32 of the Terraces of Lafayette Draft EIR, Allied Industries collects solid waste from residences and businesses in Lafayette, transporting it to the Contra Costa Solid Waste Transfer and Recovery Station (CCSWTRS) in Martinez. Solid waste from the proposed Project site would be transferred to the Keller Canyon Landfill in Contra Costa County for ultimate disposal. The Central Contra Costa Solid Waste Authority's (CCCSWA) disposal rate in 2010 was 3.9 pounds of waste per person per day, which was well below the California Integrated Waste Management Board's (CIWMB) disposal target of 4.5 pounds of waste per person per day. Based on the average household size of owner-occupied homes from the 2010 Census, the Revised Project would generate 472 pounds of solid waste per day, plus additional waste at trash receptacles located in the recreational portion of the Revised Project. As stated on page 4.14-33 of the Terraces of Lafayette Draft EIR, the Keller Canyon Landfill is permitted to receive up to 3,500 tons of waste per day and currently receives about 2,500 tons of waste per day. Remaining capacity is over 63.408 million cubic yards. Therefore, the Keller Canyon Landfill has sufficient capacity to accommodate the Project's solid waste disposal needs. The Project's solid waste impacts would therefore be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.
- g) As stated on page 4.14-34 of the Terraces of Lafayette Draft EIR, the City's General Plan establishes a goal to comply with State requirements to reduce the volume of solid waste through recycling and reuse of solid waste. Additionally, Lafayette has adopted a Source Reduction and Recycling Element (SRRE), a Household Hazardous Waste Element (HHWE), and a Non-Disposal Facility Element (NDFE) in compliance with the California Integrated Waste Management Act. These programs ensure that future development in Lafayette would not compromise the ability to meet or perform better than State the mandated target. Additionally, construction and demolition associated with the Revised Project would generate significant solid waste. At least half of this waste would be expected to be diverted from landfill disposal by recycling in accordance with the City's construction debris ordinance. Per requirements of the Construction Debris Ordinance, the applicant would be required to prepare a waste management plan and summary report. Therefore, the proposed Project would comply with applicable statutes and regulations and the impact would be *less than significant*. Since this impact would be less than significant, this issue will not be addressed in the Supplemental EIR.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION:

- a), c) The Revised Project has the potential to degrade the environment, including the habitat of special-status species. The Revised Project could also cause adverse effects on humans, including through inadequate noise levels, air quality conditions, or safety conflicts. This is a *potentially significant* impact that will be addressed in detail in the Supplemental EIR.
- b) The Revised Project has the potential to result in cumulative air quality, GHG emission, noise, and traffic impacts. This is a *potentially significant* impact that will be addressed in detail in the Supplemental EIR.

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APPENDIX A3:
NOP COMMENT LETTERS

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Terraces of Lafayette Project Alternative

"The Homes at Deer Hill"

Supplemental EIR Joint Scoping Meeting

Planning Commission & Circulation Commission

July 21, 2014

Additional Public Comment Received After Publication of Staff Report

Wolff, Greg

From: Walker, Michael J. @ Oakland <Michael.Walker@cbre.com>
Sent: Monday, July 21, 2014 3:25 PM
To: Robbins, Joanne; Wolff, Greg; Planning Commission
Subject: Public Comment to Initial Study | Homes at Deer Hill

Ms. Robbins, Mr. Wolfe, and Members of the Planning Commission,

Please find below my comments to the Initial Study Checklist for the Homes at Deer Hill Project (formerly known as the Terraces of Lafayette), and agenda item for tonight's meeting:

Page 3, Para B, Line 2

- Note should be made that Highway 24 is not only a highway, but is a state of California designated scenic highway. It should be noted here.

Page 9, Comments below #7.

- Where is "Lead Agency" defined? The City of Lafayette is listed among the other Responsible Agencies. Who leads if not the City?
- Are we confident that the list of public agencies listed is complete?
 - Caltrans? Caltrans should be asked if the development would violate the previously negotiated Corridor Protection Program for Lafayette's Scenic Highway designation or conflict with their Routes of Regional Significance plan. Do they have oversight over impacts upon Pleasant Hill Road?
 - EBMUD? Impacts to underground easement? Approval to construct above easement?
 - Contra Costa Transportation Authority? Are not amendments to the General Plan subject to CCTA oversight to ensure the Pleasant Hill Road Action Plan is honored?
 - Others?

Page 11, I. Aesthetics, Subpara a)

- Reference is made here about the "City's Viewing Elevation Map (which) illustrates areas from which views of scenic hillsides and ridgelines are considered". There is also a General Plan View Corridors Map which should be considered. The City must clearly establish or state which views are required to be observed and portrayed in this process and it is my opinion that these maps should be utilized, as that was their intended purpose.

Page 11, I. Aesthetics, Subpara a)

- Reference to the visibility of this Project from Hwy 24 on lines 2 and 3 indicate the Project is only partially visible from the eastbound direction. I think that is incorrect. It will be clearly visible, eastbound will be at least as visible as seen from the westbound direction.
- Views shown in the current illustrations "Sections" (provided by applicant's architect, Gates Associates) indicate view positions at very low elevations and exclude notable important high points such as the City limits WB Hwy 24 from Walnut Creek at the "9-11 Patriots" bridge, or the peak of Mt Diablo Blvd at the cemetery. Public views

should include (among others) the Acalanes athletic field and track, Briones Park, and various streets within the City.

Page 11, Subpara d)

- There is no mention of lights likely to be included to serve the new playing field. Though then overall impact of lighting is already recognized as a Potentially Significant Impact, the contribution of playing field lights as a source of light from the Project should not be overlooked.

Page 12, Mitigation Measures, 3rd bullet.

- It is unreasonable to limit visibility to only views considered from Mt. Diablo Blvd, Pleasant Hill Rd, and Deer Hill Rd. What about Hwy 24? Other views from Lafayette Streets? If mitigation is to be proposed, it should be complete, and not limited to three street views.

Page 20, VI. Subpara e)

- There is no plan to deal with the obvious waste products to be generated by the dog park. There is no current plan to provide sanitary sewer to the property. Dogs will create both urine and solid waste in a confined area over time, posing a potential health hazard of accumulated untreated waste. This could be a significant impact.

Page 21, VIII, Subparas g) and h)

- The hills of California are subject to grass and wild land fires. This project is adjacent several thousand acres of regional park and must be considered at greater risk of fire.
- There is currently only one street of ingress egress offered to the proposed Project. A blockage at the entrance during an emergency could create a dangerous problem. Fire trucks may not be able to get to the project and residents may not be able to drive out.

Page 25, IX, Subpara i)

- What is the potential impact of a rupture of the EBMUD water easement beneath the Project? Is it under pressure and a flood risk?

Page 27, Goal LU-2

- Simply because the one and two story planned project is no longer a two and three story project does not mean that its "less visible" profile is consistent with Goal LU-2. Clearly, "less visible" means "still visible", and visible is not consistent with the directive of "Preserving the scenic quality of ridgelines, hills, etc.." The proposed Project is not (and cannot by nature of its design and density) "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.

Page 27, Goal LU-2.1

- There is no way to claim that the land use densities (do) not adversely affect the significant natural features of hill areas. Yet they claim that "the hillside would no longer look undeveloped, the proposed residential density would not adversely affect the natural appearance of the Project site." It would however affect the appearance of the hillside, the protection of which is the Goal of LU-2.1. Not consistent.

- The Goal reads in part.. "The hillsides and ridgelines should appear essentially undeveloped, to the maximum extent feasible." The Revised Project Discussion claims consistency essentially because the degree of development is less intensive than permitted in the General Plan. That is not the criterion used to judge consistency, appearance is. Not consistent.

New Addition, General Plan Program OS-3.2

- This program states "Preserve the predominant views of the hill areas: Require that structures in identified environmentally sensitive areas be substantially concealed by existing vegetation or terrain when viewed from lower elevations, to the maximum extent feasible." As currently designed, even the new Project will be widely seen from many important views of the property.

New Addition (not included in current Initial Study), guidance provided within the General Plan for this property (Page I-15).

OTHER LAND USES

Eastern Deer Hill Road Specific Planning Area: This designation includes two zones: (1) north of Deer Hill Road where not adjacent to Pleasant Hill Road is Rural Residential (up to 0.1 du/acre) and Single Family Residential (up to 2 du/acre); and (2) adjacent to Pleasant Hill Road, and south of Deer Hill Road is Administrative Professional Office (0.4 FAR, residential up to 35 du/acre).

Most importantly here is the specific reference to the Eastern Deer Hill Road Specific Planning Area, and subpara 2, which specifically defines and by reference includes the site within that Planning Area.

The proposed project would be inconsistent with direct guidance provided within the General Plan for this property (Page I-22). That guidance reads:

DEER HILL ROAD CORRIDOR

Deer Hill Road, a major arterial in Lafayette, runs parallel to Hwy 24 from Pleasant Hill Road to Happy Valley Road. As stated in the Circulation Element, the primary traffic generator along this arterial is the BART station and its attendant parking lots. Both the freeway and Deer Hill Road serve as dividing lines between the Downtown to the south and the semi-rural single-family residential neighborhoods to the north. The development allowed under current zoning along the Deer Hill Road corridor must be consistent with Lafayette's semi rural community identity.

Eastern Deer Hill Road (from Elizabeth Street east to Pleasant Hill Road)

This area, particularly the triangular shaped parcel south of Deer Hill Road, is the most significant undeveloped property in the community because of its high visibility, its location as an entryway to the community, and its proximity to major thoroughfares as well as regional open space. For these reasons, any development that occurs should be consistent with the semi-rural character of the community. This area deserves a careful and detailed analysis of all the opportunities and constraints that will form the basis of future land use decisions. It is therefore recommended that a specific plan be prepared for this area immediately following the adoption of the General Plan. (See Map I-1)

This directive could not be more important or specific. It admonishes those that might consider the development of the "triangular shaped parcel south of Deer Hill Road" as "the most significant undeveloped property in the community because of its high visibility, its location as an entryway to the community, and its proximity to major thoroughfares as well as regional open space" that "any development that occurs should be consistent with the semi-rural character of the community."

The proposed Project fails to meet the standard in all aspects required. Not consistent.

Municipal Code

Page 30, Table 2, Hillside Overlay District

- The proposed Project is inconsistent with current AOP zoning and the Hillside Overlay District. To claim the application is "consistent" on the basis of the applicant's potential success securing a General Plan amendment and new P-1 zoning is not to appreciate the current site attributes. The Project is inconsistent with current General Plan and zoning requirements. Not consistent.

Page 30, Table 2, Ridgeline Setback Exception

- As above, applicant acknowledges the need to be exempted from the 15 degree declination and ridgeline setback requirements, claiming consistency only after approval of their P-1 zoning and General Plan amendments. The Project is inconsistent with current requirements. Not consistent.

Page 30, Table 2, 15 Degree Declination Restriction

- As above, the Project does not conform to this restriction. Only after securing P-1 zoning and General Plan amendment might it conform, but only if the P-1 zoning includes such a waiver. Until then, the Project is not consistent.

Page 31, Hillside Development Permit, 1st bullet

- Applicant states "As described above, the Project would be consistent with relevant goals and policies in the General Plan." This is true only to the extent that "As described above" includes the assumptions that the General Plan is to be amended and P-1 zoning excluding these requirements are approved by the City. Until then, this Project is inconsistent with the goals and policies in the General Plan." (as I have outlined myself, above).

Page 31, Hillside Development Permit, 3rd bullet

- This property is a hillside with one home on it (two if you count the dog park). Across Deer Hill Rd is one neighboring home abutting a regional park. The density and style of the Project is of a density and style of wide variance to the most immediately identifiable surrounding neighborhood and is inconsistent. Not consistent.

Page 31, Hillside Development Permit, 4th bullet

- Again, the Project is inconsistent with current zoning and General Plan guidance. Unless and until P-1 zoning is passed and the General Plan is amended, applicant cannot claim consistency with the Hillside Overlay District. Until then, not consistent.

Page 32, 1st bullet

- The project requires massive cut and fill activities. Visual impacts, until completely mitigated, must be considered. Both must be considered "not consistent".

Page 32, 5th bullet

- Applicant is lowering expectations in an attempt to secure later amendments. "Substantially concealed" from "lower elevations" is not the standard by which this Project should be judged by current General Plan and zoning requirements. Not consistent.

Page 33, 1st bullet

- The Project will adversely affect scenic vistas, hillsides, knolls, and ridgelines. Not consistent.

Page 33, 2nd bullet

- The Project provides only one ingress/egress location to 44 homes. That is inadequate emergency access. The amount of grading and earth movement required for this Project is extensive, and will vastly modify the natural hillside character of the site. Not consistent.

Page 33, 3rd bullet

- Especially as defined in the last two sub bullets, this project will, by the nature of the setting have a significant impact when viewed from publicly owned properties (which includes Acalanes across the street, local roads and freeways, and Briones Park, etc.), and will compromise the scenic character of the corridor. Not consistent.

Page 34, XIV, Subpara iii

- Providing safe access to Springhill School is not addressed in these materials. This Initial Study predicts 9 students will walk between Springhill and the Project every school day. There is no safe direct path to do so. That is a potentially significant impact.

Page 38, XIV, Subpara iv

- The Initial Study is dismissive of the impact the potential deterioration of a visitor's experience when visiting nearby regional parks (Briones is particularly notable). Apparently the applicant believes that "relatively infrequent usage" diminishes the importance of maintaining the visitation experience to our regional parks. I believe the impact to be significant.

Page 40, XVI, Subpara c)

- The proposed roundabout is located in an extremely dangerous location, blind from the top of the hill until approximately 275' from the proposed location. The 45 MPH speed limit is way too fast for a roundabout. (What is the fascination with roundabouts?). The roundabout promises to substantially increase safety risk.
- There is no crosswalk from the bike path to the dog park side of Deer Hill Rd. Adding these likely pedestrians to a roundabout add significant increases in risk. These are potentially significant impacts.

I thank you in advance for considering my comments to the Initial Study. It is my hope that several modifications to the drafting of the Study will result from your review.

Very Respectfully,

Michael J. Walker
3275 Hillview Lane
Lafayette, CA 94549

Wolff, Greg

From: Ivor Silver <ISILVER@WEISNERSTEEL.COM>
Sent: Monday, July 21, 2014 3:17 PM
To: Wolff, Greg
Subject: RE: 6:30 PM - Terraces of Lafayette - SEIR Scoping 7/21

Greg

Unfortunately, a prior commitment prevents us from being at the meeting this evening.

I wish to again state my concerns on this project should it go forward. These include
The Aesthetics including the roofs of this project must be well below the top of the hill,
Road Safety,
Sound and Dirt pollution,
School and Busing considerations, - the list goes on and on.

Please make sure all these points are brought to the attention of the Board.

Sincerely

Ivor & Beryl Silver
1 Southampton Place
Lafayette 94549

From: Wolff, Greg [mailto:GWolff@ci.lafayette.ca.us]
Sent: Monday, July 21, 2014 3:05 PM
To: Wolff, Greg
Subject: 6:30 PM - Terraces of Lafayette - SEIR Scoping 7/21

Just a reminder that tonight's scoping meeting for the Terraces of Lafayette Project Alternative begins at 6:30 PM. You can view the agenda and staff report at http://lafayette.granicus.com/GeneratedAgendaViewer.php?event_id=151

From: Wolff, Greg
Sent: Thursday, July 03, 2014 4:52 PM
To: Wolff, Greg
Subject: Terraces of Lafayette - SEIR Scoping 7/21

You are receiving this email because you have previously indicated interest in the Terraces of Lafayette project.

In order to prepare the Supplemental Environmental Impact Report (SEIR) for the Terraces of Lafayette project alternative, the City's must 'scope' the SEIR to identify topics to be analyzed in the document. An Initial Study has been prepared to identify areas where the project may have the potential for a significant impact on the environment. The Initial Study is posted at the City's web site on the project at www.lovelafayette.org/terraces-pa and identifies the following topic areas for analysis in the SEIR.

Aesthetics, Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Land Use, Noise, Transportation/Traffic, and Mandatory Findings of Significance

A public hearing to receive comments on the scope of the SEIR was initially scheduled for Monday, July 7, 2014. The matter has been put on the consent calendar of the agenda for continuance, without discussion

that evening, to a joint meeting of the Planning Commission and Circulation Commission to be held on **Monday, July 21, 2014**.

You are invited to attend the scoping meeting on July 21st or submit written comments on the topic areas to be analyzed in the SEIR. If you have any questions or comments, please contact Greg Wolff, Senior Planner at GWolff@lovelafayette.org or at the number below.

Greg Wolff
Senior Planner
City of Lafayette
Direct: (925) 299-3204 | Main: (925) 284-1976
www.lovelafayette.org

Wolff, Greg

From: Colin Elliott <colin@chelliott.com>
Sent: Monday, July 21, 2014 12:01 PM
To: Wolff, Greg
Subject: RE: Terraces of Lafayette - SEIR Scoping 7/21

Dear Greg

I'm unable to make the meeting this evening, so would be grateful if you could forward the following couple of comments on my behalf:

- **Traffic and Circulation:** Obviously traffic impacts will form a major part of the study, but I would like the consultants to include potential off-site mitigation measures such as:
 - An extended turn lane from south-bound Pleasant Hill Road to Deerhill Road; this would help alleviate traffic congestion caused by the project.
 - A pedestrian footpath along the western side of Pleasant Hill Road from Deerhill Road to Springhill School; this would help ensure a safe path to the elementary school for any children living at the project.
 - A pedestrian crossing at 1st Street and Deerhill Road on the south side; currently there is no crossing here, so if one of the proposed benefits of the development is to have a trail through the project that leads to Deerhill Road and connects with BART, the Committees should ensure there is actually a continuous safe route to BART, which currently there is not.
 - Traffic lights that meter vehicles exiting the project during the commute hours; this would also help alleviate traffic congestion caused by the project.

- **Schools:** While impact on schools is not itself an environmental or planning consideration, I believe that the consultants should make an effort to study the impact on traffic in the area if the current schools are impacted and unable to accommodate additional students. For instance, if the school districts indicate that they many have to adjust the district boundaries or reallocate children to different schools, or even neighboring districts, that will likely generate additional traffic and pollution that should be considered as part of the EIR.

- **Hillside/Ridgeline Impact:** The plans should include a diagram showing which home are within the existing Ridgeline boundary. Also, the developers should be required to install story poles or some other indication showing the location and height of the homes proposed.

Sincerely

Colin Elliott
3356 Hermosa Way
Lafayette.

From: Wolff, Greg [<mailto:GWolff@ci.lafayette.ca.us>]
Sent: Thursday, July 03, 2014 4:52 PM
To: Wolff, Greg
Subject: Terraces of Lafayette - SEIR Scoping 7/21

You are receiving this email because you have previously indicated interest in the Terraces of Lafayette project.

In order to prepare the Supplemental Environmental Impact Report (SEIR) for the Terraces of Lafayette project alternative, the City's must 'scope' the SEIR to identify topics to be analyzed in the document. An Initial Study has been prepared to identify areas where the project may have the potential for a significant

impact on the environment. The Initial Study is posted at the City's web site on the project at www.lovelafayette.org/terraces-pa and identifies the following topic areas for analysis in the SEIR.

Aesthetics, Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Land Use, Noise, Transportation/Traffic, and Mandatory Findings of Significance

A public hearing to receive comments on the scope of the SEIR was initially scheduled for Monday, July 7, 2014. The matter has been put on the consent calendar of the agenda for continuance, without discussion that evening, to a joint meeting of the Planning Commission and Circulation Commission to be held on **Monday, July 21, 2014** at 7:00 PM.

You are invited to attend the scoping meeting on July 21st or submit written comments on the topic areas to be analyzed in the SEIR. If you have any questions or comments, please contact Greg Wolff, Senior Planner at GWolff@lovelafayette.org or at the number below.

Greg Wolff
Senior Planner
City of Lafayette
Direct: (925) 299-3204 | Main: (925) 284-1976
www.lovelafayette.org

July 20, 2014

Chair Lovitt, Lafayette Planning Commission
Chair Riggio, Lafayette Circulation Commission
Members of the Planning Commission and Circulation Commission
3675 Mt. Diablo Boulevard, Suite 210
Lafayette, CA 94549

RE: EIR Scoping for The Terraces of Lafayette Project Alternative

Dear Mr. Lovitt and Mr. Riggio and members of Planning and Circulation Commissions:

I have the following comments regarding the Scoping of the Supplemental EIR for The Terraces of Lafayette Project Alternative.

I b) AESTHETICS – Glare should be added as a Potentially Significant Impact as it cannot be easily mitigated. Lights from the housing and potentially from the ball fields and parking will reflect off the variety of impervious surfaces. This reflection (glare) will be seen from miles around, both above, equal to and below the project. It has not been shown how this significant glare can be mitigated.

V b) and c) CULTURAL RESOURCES – It is not known until the substantial grading occurs as to what Archaeological resources and Geologic features may be discovered. These items should be considered as Potentially Significant Impacts until proven otherwise. For example, there have been historic Indian bones from local tribes discovered in the Springhill Area hills adjacent to this parcel. Evidence of earthquake faults could be uncovered. The list goes on.

VI a, b, c and d) GEOLOGY AND SOILS – All of these categories should be checked as Potentially Significant Impacts. Under (a) There has been recently documented strong earth shaking in the immediate area from an earthquake and there have been recorded mudslides on this parcel and adjacent parcels. Under (b) if there is heavy rain, which is being projected for next year, during the grading period there could be substantial erosion, or loss of topsoil. Under (c) and (d), with the substantial grading required for this project, the enormous amount of loose soil will be difficult to contain and compact. The base under the soil is rocky, but given the four levels of project elevation, the grading could cause significant soils and runoff issues.

VIII h) HAZZARDS AND HAZZARDOUS MATERIALS – This parcel is adjacent to large open space parcels and could either be at risk from them, or could place them at risk for fire purposes. A fire on an adjacent parcel was less than a matter of minutes away from spreading throughout this entire area within the past three years. Fire in this area is of particular of concern given the 70-80 mile an hour winds that flow through this property on a regular basis.

XIV a) i. ii. iii) PUBLIC SERVICES - The impact of this project, particularly when including the Sports Court, Tot Lot and Dog Park, will definitely have Potentially Significant Impacts on Police Services, Fire Services and Schools. Already schools in the area are maxed out with students and even a relatively small additional increase in students could result in overcrowding, possible transportation of students to other areas, and unacceptable levels of student/teacher rations. With the lowest number of police officers per capita in the County forty-four additional homes could result in decreased levels of service elsewhere in the City, and/or the need for additional officers. The City's General Fund budget is already projecting deficits brought on by additional Police Service costs, and any increase in service, particularly out of the downtown, could significantly impact the City's ability to provide adequate police services. Regarding Fire protection, until the County and the City can resolve their funding issues, adequate fire protection will be a continual problem. And, as previously stated, the 70-80 mile an hour winds in this area will cause a fire to spread throughout the City and hillsides within a matter of minutes.

XVI c) TRANSPORTATION/TRAFFIC – Again, change in traffic flows, given only one way in and one way out of the project, will have a Potentially Significant Impact upon the safety of everyone who uses Deer Hill Road and Pleasant Hill Road. This project of 44 single family homes, which will each generate 12-16 vehicle trips per day, or 528-704 total daily vehicle trips, through one intersection with low visibility, steep grades, glare from the morning and evening sun, compounded by growing BART traffic will result in huge impact on traffic safety. When the vehicle trips from the Dog Park, the Sports Field, the Tot Lot, the parking lot are all added in, this project will approximate the traffic impacts of the previous apartment proposal.

In addition, I would like to point out that the environmental impacts of a traffic light should be considered in addition to the proposed roundabout for the ingress/egress from the project. A roundabout at this Deer Hill Road location is inappropriate. Also, the City Council indicated that the EIR should consider both the prior Dog Park location, as well as the new Dog Park location to determine the difference in impacts. Finally, height poles should be erected at the appropriate time to determine the visual impacts of the homes and other facilities.

Thank you for your consideration,

Guy Atwood
3345 Springhill Road
Lafayette, CA 94549

Wolff, Greg

From: Linda Riebel <linda.riebe1@earthlink.net>
Sent: Sunday, July 20, 2014 8:59 PM
To: Wolff, Greg
Subject: Terraces

To Whom it May Concern:

For the SEIR for the Homes at Deer Hill, please ensure that traffic concerns are addressed, including the proposed roundabout.

Also, please request that story poles be set up as soon as possible.

Finally, please clarify what the approval schedule is at present.

Sincerely, Linda Riebel
3350 Hermosa Way

Joseph M. Fox
3396 Angelo Street
Lafayette

Having reviewed the Staff Report: SEIR for the proposed alternative 'Homes at Deer Hill' project, I am led to make several comments:

1. I have considerable difficulty understanding what the real goal is of the sports field and play area portion of the project. Is this to provide a facility like the Little League field on St. Mary's Road that will be widely used by the public? If so, then the traffic and parking problems that this will impose need to be given very careful attention. If not, then what is the purpose of the sports field, which is certainly a very expensive undertaking requiring very extensive dirt removal and grading operations and will certainly require extensive maintenance. I see very little attention given to spectators aside from an indication that there will be a seat wall/bleacher on the uphill side. I can't really object to the children's play area except to note that this seems a very odd location for such a facility.
2. The same type of comment applies to the 'dog park'. It is bound to have a negative effect on traffic patterns and with Briones Park so close by, will this facility really be worth the expense?
3. I agree that a new traffic study is required and I most emphatically recommend that this be awarded to TJKM Consultants and not to Abrams Associates. Previous efforts by the latter have proven woefully inadequate.
4. The road system for the public area does not appear to have been well thought out. Is that a one way road bypassing the traffic light for right turners at Deer Hill and Pleasant Hill Road? I would think that the number of public access entries should be limited and hope the traffic study considers this carefully. Perhaps access should be through the project so there is only one entry.
5. I have read Susan Candell's letter to City Council of July 16th and agree with her comments on grading, visibility and sight lines and on the issue of the roundabout vs. a traffic light.
6. If this project goes ahead, I believe that it is the responsibility of the developer to make it a project that Lafayette can point to with pride. The area should be kept natural and attractive from a distance and the homes should be models of efficiency and concern for the environment. I hope that this will not be rows of identical homes but each home suited to its particular location. And there should be a consideration for making some of them more affordable.
7. Greg Wolff's introductory letter says that the responses of several agencies which were asked to comment are attached to the report. I did not find them and hope they can be produced. Otherwise, I found this a good report.

Sincerely,

Joe Fox
7/18/2014

Joanne Robinson
JRobbins@lovelafayette.org
City Council of Lafayette

July 16, 2014
Re: Homes at Deer Hill Alternative Plan

Dear Honorable Mayor Tatzin and Members of the City Council,

A couple of items to consider for the EIR for the latest Alternative Plan:

1. Grading of newest proposal, plus
2. Roundabout
3. Viewpoints selected by developer for key site lines

First, here is an illustration of the Dec 2013 and June 2014 proposals.



Roundabout

Much discussion about Roundabouts has occurred for City Council and other meetings, and the conclusion has been overwhelming against roundabouts.

For this location, it does seem that a traffic light would be far superior to a roundabout, since a roundabout slows EVERYONE down all of the time, and a traffic light can be metered to prefer one direction over another at strategic points in the day and for certain days of the week, i.e. morning school traffic.

I far prefer a traffic light at this location, as it will not slow everyone down, which may encourage people to take Pleasant Hill Road rather than Deer Hill in the morning to drop students off for Acalanes. The turn-out for buses and student drop off should be encouraged, not discouraged.

Viewpoints for Key Site Lines

In the 'Landscape – Part 1 2014-03021.pdf' file, key line of site visuals are being presented ONLY from 5 locations, all of which are directly BELOW the property, either on Pleasant Hill road, or the 24 westbound on-ramp.

The key visualizations of the entire property come from Lane 1 of Westbound 24 between the '9-11' overpass and Pleasant Hill Road off-ramp. The entire parcel is visible from above and level, and by far the most people will view the property from this angle. It is literally the Gateway to Lamorinda, and it needs to be protected.

The second key visualization site is from the Lafayette Park Hotel and neighboring cemetery. Both of these elevations are also equal/above parts of the parcel.

The next images are of the sites where the developer proposes, and my proposals are below.



KEY MAP A



KEY MAP B



KEY MAP C



KEY MAP D



KEY MAP
E

Existing View points for the property. Each of these site lines is from BELOW the property, so hiding of structures takes advantage of the natural steep grading of the property.

Instead of, or in addition to the above Key Maps, we need to add the following key maps. First, a mock-up of where we need site lines from Highway 24.



Next from the Cemetary and Lafayette Park Hotel.



Thank you very much,

Susan Candell
1352 Martino Road
Lafayette

1352 Martino Road, Lafayette, CA 94549
Phone: 925.299.2337
scandell@xradia.com, thecandells@comcast.net



July 21, 2014

Mr. Greg Wolff
City of Lafayette
Planning Services Division
3675 Mount Diablo Boulevard, Suite 210
Lafayette, CA 94549

Subject: The Terraces of Lafayette (The Homes at Deer Hill) Supplement EIR
3233 and 3312 Deer Hill Road, Lafayette
CCCFPD Project No.: P-2014-05797

Dear Mr. Wolf:

We have reviewed the vesting tentative map plans for the preparation of a draft supplemental impact report for an alternate plan to the Terraces of Lafayette project by proposing a 44-lot single-family residential subdivision with a public-access sports field, parking lot and dog park at the subject location. The following is required for Fire District approval in accordance with the 2013 California Fire Code (CFC), the 2013 California Building Code (CBC), the 2013 California Residential Code (CRC), and adopted ordinances and standards:

1. **Access as shown on Sheet C3.0 of the vesting tentative map, dated 3/6/14, does not comply with Fire District requirements.**
 - a. The median at the entrance to the subdivision does not allow for the minimum required unobstructed access width of 20 feet. Because the median length is not excessive, the Fire District would accept each lane on either side of the median to be a minimum of 12 feet wide. (503) CFC, Contra Costa County Ordinance 2013-22
 - b. Access throughout the proposed subdivision does not appear to meet the minimum required outside turning radius of 45 feet and the minimum inside turning radius of 25 feet. (503) CFC, Contra Costa County Ordinance 2013-22
 - c. Dead-end emergency apparatus access roadways in excess of 150 feet in length are required to be provided with approved provisions for the turning around of Fire District apparatus. Contact the Fire District for approved designs. (503.2.5) CFC
2. **NO PARKING – FIRE LANE** signs **or** red curbs with the words **NO PARKING – FIRE LANE** shall be provided throughout the subdivision to maintain a minimum unobstructed emergency apparatus access width of 20 feet. (22500.1) CVC, (503.3) CFC
3. **The proposed number of hydrants and spacing as shown on Sheet C5.0 of the vesting tentative map does not meet Fire District requirements.**

Hydrants shall be located such that all points on streets and access roads adjacent to a building are within 250 feet of a hydrant, and all portions of property frontage on dead end roadways shall be no further than 150 feet from a hydrant. Additionally, hydrants shall be provided on Deer Hill Road at the entrance to the subdivision and at the entrance to the handicap parking/sports field drop-off location. (C103.1) CFC

4. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1,000 GPM. Required flow must be delivered from not more than 1 hydrant flowing for a duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC
5. The developer shall submit a minimum of two (2) copies of **revised** site improvement plans indicating proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. **Final placement of hydrants shall be determined by this office.** (501.3) CFC
6. **Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.** (501.4) CFC

Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 37 tons.

7. The developer shall submit a computer-aided design (CAD) digital file copy of the subject project to the Fire District upon final approval of the site improvement plans or subdivision map. CAD file shall be saved in the latest AutoCAD® .DXF file format. (501) CFC
8. The homes as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2013 edition of NFPA 13D or Section R313.3 of the 2013 California Residential Code. A minimum of two (2) sets of plans shall be submitted to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CRC
9. The developer shall submit a minimum of two (2) complete sets of building plans and specifications of the restroom/storage buildings to the Fire District for review and approval **prior to** construction to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (107) CBC

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,



Ted Leach
Fire Inspector

File:P-2014-05797.ltr

From: Lynn Hiden [mailto:dandhiden@comcast.net]
Sent: Wednesday, July 23, 2014 4:40 PM
To: jmfoxiii@comcast.net; Greenblat, Leah; Srivatsa, Niroop
Cc: Susan Candell; Reilly Traci; Mark Mitchell
Subject: Ltr fm Mr. Fox/ Re: Traffic Study for Homes at Deer Hill (Terraces) Project

Dear Mr. Fox and Susan,

I am forwarding this letter to both Mrs. Niroop Srivatsa, our City's Planning Director, and Ms. Leah Greenblat, our Transportation Planner. The uses that the field will receive are certainly important and if they have not to date been agreed upon as one of the activities that needs addressing in various aspects, by the Supplemental EIR consultants, I'm sure that these two will ensure that that happens.

Included in the Cc will be City Council members Traci Reilly and Mark Mitchell, both of whom are liaisons to the Circulation Commission.

Niroop and Leah, would you please copy Mr. Fox's letter, below, to the commissioners?
Please scroll down.

Thank you.

Lynn Hiden

From: jmfoxiii@comcast.net
Sent: Wednesday, July 23, 2014 2:04 PM
To: dandhiden@comcast.net
Cc: Susan Candell
Subject: Traffic Study for Homes at Deer Hill (Terraces) Project

Dear Ms Hiden,

Further to my remarks at the joint meeting on Monday to set the basis for the supplemental EIR, Susan Candell tells me that she attended a meeting of the Parks and Recreation Committee where our local soccer, lacrosse, rugby, and baseball reps all spoke about the proposed new field on Deer Hill Road. The field, for now, is designated priority for soccer and lacrosse, and will be heavily used every day after school and all weekend days for both games and practice. If this is indeed the case, then it is very important that this information be included in the instructions for the SEIR so the traffic study can be done properly. It should also cause us to reevaluate the facilities being provided at the field, which contain very little consideration for spectators and no changing room for the players.

As you well know, during the period from about 3:30 to 6 PM, traffic from BART causes back-ups on Deer Hill Road that would impede access to the field and

Pleasant Hill Road going north is often backed up to the point where access to the off ramp from Route 24 is impeded. It seems to me that whatever reduction in traffic impact from the housing development is achieved has been more than replaced with the potential impact of this new sports field.

I certainly respect the Park and Recreation Committee's stated need for new facilities but surely there must be a better location for this field. The proposed location will require a lot of earth moving, extensive grading will be needed for it to look attractive and consideration needs to be given to the possibility of earth movement during rainy weather. I believe that a realistic traffic study will also back up my recommendation.

Sincerely,

Joe Fox
3396 Angelo Street
Lafayette, CA
925-284-5035