

**ATTACHMENT B**

**RESPONSE TO COMMENTS ON LAFAYETTE DOWNTOWN CREEKS PLAN (AUGUST 2016 DRAFT)**

**April 4, 2017 version**

Note: Additional comments addressed non-substantive items, such as minor wording changes, and typographic or format errors. These are not included on this table, but will be corrected in the Final Draft. An Executive Summary will also be added to the Final Draft.

	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
	<b>Parks, Trails &amp; Recreation (PTR) Commission</b>		
1	Are there priorities for creek enhancements? PTR Commission does not have priorities for any of its downtown projects.	Progress on creek enhancements is made when opportunities occur since most affect private property. The City can initiate creek enhancements on the property it owns. A high-priority project is the West Reach Catalyst Project. The City owns this highly visible stretch of Lafayette Creek that can be used to demonstrate the benefits of creek enhancements to the public and downtown property owners. This project can also be used to troubleshoot the permit process with regulatory agencies. P. 67 describes a process for project prioritization.	P. 67: Revise “Project Prioritization” section to address only City –sponsored projects, include a table describing these projects, their priorities for implementation and the basis for the priorities. See table of City-sponsored projects attached to this Response to Comments matrix.

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2	For the Library Park, removal of the flood control channel should be explored as part of the park’s master plan.	<p>P. 41, column 1: “A hydraulic study would be necessary to determine the impacts of altering the channel wall at this location to provide a more naturalized or terraced creek bank at the park site.” Further discussion follows.</p> <p>P.42, “The Flood Control District’s 50-Year Plan supports the concept of replacing the channel with a more natural flood protection facility integrated into a redeveloped urban landscape.”</p> <p>Flood Control District has agreed to include the Lafayette Creek flood control channel in its current study of conceptual alternatives for more naturalized flood control channels.</p>	<p>Table 8-2, P. 73: Under Implementation Actions 2.D, add policy: <i>Any modification to the concrete channel shall be prepared in cooperation with the Contra Costa County Flood Control District and shall require preparation of a hydraulic study of the creek to determine flow velocity, potential for flooding, and any upstream and downstream impacts.</i></p> <p>Add action: <i>Report to City Council on progress with Flood Control District’s 50-Year Plan.</i></p> <p>P. 42: Include mention of study underway by Flood Control District to develop conceptual alternatives for a naturalized flood control channel.</p>
3	How will we ensure access to creek beds is provided in a safe manner?	Specific access/safety issues will be addressed when individual projects are designed.	<p>P. 20: add text describing how safety issues were addressed in the public access improvements at confluence of Las Trampas Creek and Grizzly Creek. Require that safety issues be addressed during the design phase of each project.</p> <p>P. 20 (West Reach) and P. 25 (East Reach 3): add text recommending installation of measures such as signs to prohibit access during high water events.</p>
4	The PTR Commission supports the Shield Block Trail as described in <i>the Downtown Creeks Plan (Plan)</i> . This trail should be for pedestrians only. A 5-foot wide trail is ample.	P. 32, graphic and text: this trail is described as a “5’ wide pedestrian path”.	P. 32: Reference the <i>Trails Master Plan</i> and <i>Trails Implementation Plan</i> for details on the trail design process.

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5	The PTR Commission is open to the idea of considering other trails proposed in the <i>Plan</i> for inclusion in the <i>Trails Master Plan</i> . New trails may also be candidates for the <i>Master Walkways Plan</i> . The Chair of the Trails Subcommittee said these new trails may also be candidates for the <i>Master Walkways Plan</i> , which is under the jurisdiction of the Circulation Commission. The Circulation Commission annually updates the <i>Walkways Master Plan</i> .	See Comment #39 for Circulation Commission comments on the proposed trails. The PTR Commission is currently updating the <i>Trails Master Plan</i> .	P. 69: Describe the role of the PTR Commission in implementation and maintenance of trail improvements described in the <i>Plan</i> . Table 8-2, P. 74: Under Implementation Actions 3.A, add policy: <i>Develop list of trails appropriate for including in the Trails Master Plan update.</i>
6	Most trails are 3-feet wide and are dirt, so current trail maintenance needs are minimal. The PTR Commission has an annual maintenance budget for some trail maintenance (mostly spraying and pruning). The PTR Commission also works with volunteers on maintenance issues (e.g. Eagle Scout projects).	The design and maintenance responsibilities of any trail improvement that is also included in the <i>Trails Master Plan</i> will be addressed by the PTR Commission.	See Comment #5 for responsibilities of the PTR Commission.
7	The City takes liability for existing trails <i>on a city easement</i> .	The liability for any trail improvement that is also included in the <i>Trails Master Plan</i> will be addressed by the PTR Commission.	See Comment #5 for responsibilities of the PTR Commission.
8	PTR Commission is open to the idea of endorsing the <i>Plan</i> , but they want to review it after revisions are made to address any comments on the current draft. The PTR Commission would make a motion to endorse the <i>Plan</i> , and staff would write a letter to the City Council indicating this support.	Proposed revisions to the August draft are documented in this Response to Comments matrix and will be submitted to the PTR Commission, Design Review Commission (DRC), Circulation Commission, and Downtown Street Improvement Master Plan Committee for their endorsement.	No revisions needed.
9	The end of the trail along the flood control channel in East Reaches 1 and 2 is unclear. Show on a map (figure).	Text on pp. 40-41 indicates that the trail along the north side of the channel would extend to the courtyard of the mixed use property shown on the graphic. The Flood Control District is being consulted on the ability to extend the trail to connect with the EBRPD trail at Gazebo Park.	Maps in the <i>Plan</i> will be revised to show the east end of the proposed trail.
10	PTR Commission will have its subcommittees review the <i>Plan</i> and provide us comments by the end of September.	No response needed.	No revision needed.

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	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
	<b>Property Owners</b>		
11	Attendees were concerned about graphics and their potential implications of specific properties. Don't mention specific setback distances, and don't have cross sections apply to specific properties without providing more detailed analysis of the affected parcels.	Graphics are meant to represent concepts and not reflect requirements on specific properties.	P. 35: Delete the cross section mark on the View Map. Add the phrase <i>Conceptual Cross Section</i> to the title of the cross section.
12	There was concern about any loss of parking.	Table 8-2, P. 75, Implementation Action 3.F. and P. 74, Implementation Action 3. A, last bullet: proposed policies address mitigation for loss of parking. See Comment #45 regarding role of Circulation Commission and Parking Ordinance Committee.	Table 8-2, P. 75, modify Implementation Action 3.F: <i>Mitigate for the loss of parking from creek enhancements, such as by replacing parking with other conveniently located spaces or improving management of the existing supply (e.g., pricing, time restrictions, consolidation of adjacent parking lots).</i>
13	Who will pay for the creek enhancements? Will the <i>Downtown Creeks Plan</i> contain text that says the City will provide full compensation in some way for any creek enhancements that are imposed on private property?	The creek enhancements on public property will be paid for by funds obtained by the City. The creek enhancements on private property largely reflect guidance already contained in the <i>Downtown Specific Plan (DSP)</i> , <i>Downtown Design Guidelines (DDG)</i> and <i>Trails Master Plan</i> which are applied during the review of development applications. Property owner contributions would be determined at that time. The natural resource protection measures (e.g. creek revegetation) in Chapter 5 are new requirements to be funded by the property owner.	Where appropriate, add text describing which proposed creek enhancements reflect current City policies/guidance and existing policies/guidance that need to be amended. Add Appendix D, which recommends amendments to Downtown Design Guidelines, zoning code, tree protection ordinance, Trails Master Plan, and other ordinances that are needed for achieving the desired creek enhancements. (Appendix D is attached to this Response to Comments matrix).

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14	Are the <i>Plan's</i> recommendations requirements, a Specific Plan, or are they policies?	The <i>Plan's</i> recommendations that affect private property vary. The North Reach Shield Block Trail is adopted policy in the <i>DSP</i> and the <i>Trails Master Plan</i> . The <i>Creeks Plan</i> recommends other creek side trails be added to the <i>Trails Master Plan</i> . The open spaces on private property (e.g. Town Green and Library Park) are adopted policy in the <i>DSP</i> , which acknowledges that these open spaces will occur in conjunction with adjacent development since the City will not use eminent domain to acquire these parcels. The <i>Creeks Plan</i> recommends the City offer incentives to property owners to achieve these public benefits. Other creek enhancements can be achieved through existing or amended <i>DDG</i> applied during the review of development applications. Low impact development (LID) measures will be required by city ordinance.	See Comment #13 for new text describing which proposed creek enhancements reflect current policies, and Appendix D which describes the regulatory amendments needed for the desired creek enhancements.
15	Are the <i>Downtown Design Guidelines</i> considered requirements or guidance for property owners? Attendees preferred the <i>Downtown Creeks Plan</i> to be policy-oriented and emphasize design concepts, not requirements.	The <i>DDG's</i> are applied during the review of development applications. The zoning code requires the applicant to “substantially comply” with the <i>DDG</i> . Proposed creek enhancements on private property in the <i>Downtown Creeks Plan</i> are conceptual.	Where appropriate, add text explaining that representation of creek enhancement projects on private property in the <i>Plan</i> is conceptual. See Comment #13 regarding proposed amendments to <i>DDG</i> .
16	The City should indicate where its priorities are with these creek enhancements.	See Response to Comment #1 on project priorities. P. 67 describes a process for project prioritization. For all properties in the Planning Area, the <i>Plan</i> is recommending revegetation with native riparian plant species, and LID measures.	P. 67: Add a reference to the City's process for adopting its Capital Improvement Program. See Comment #1 for revisions to project prioritization.

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	<b>Design Review Commission (DRC)</b>		
17	The <i>Plan</i> needs a commitment to design quality. Standards for hardscape materials have the potential to bring the creek environment alive. The materials and furnishings should be more exciting and naturalistic.	P. 57 describes desired characteristics of site furnishings and hardscape, and processes to oversee the final design and quality of materials and site furnishings. Materials and furnishings in new creekside development will be reviewed by the DRC using the <i>DDG</i> . Some amendments to the <i>DDG</i> are needed to provide consistency with the outcomes in the Downtown Creeks Plan.	P. 69: Add text describing the role of the DRC in implementation of creek enhancements described in the <i>Plan</i> . Additional photos of desired materials and furnishings will be provided. Photos of inappropriate materials and furnishings will be deleted. Guidance for pervious pavement and lighting will be removed from Chapter 6 since use of these materials is adequately addressed in existing City procedures. Guidance for riparian vegetation will be added. (Revisions to Chapter 6 are attached to this Response to Comments matrix). See Comment #13 for proposed amendments to <i>DDG</i> .
18	Are we planning to accommodate bike access? How can bicyclists be part of the creek experience?	Removal of invasive vegetation and native species revegetation of the downtown creeks will increase their visibility from public rights-of-way, including creek crossing areas and along the West Reach, improving visual access for cyclists. Generally, proposed top-of-bank trails lack sufficient space to be wide enough to accommodate bicyclists. The City’s parking requirements do not address bicycles. The <i>DDG</i> address accommodation of bicycles.	Add the following measure to Table 8-2, Implementation Action 3.A: <i>Consider revising the Downtown Design Guidelines, Parking &amp; Circulation guidance for bicycles, to include placement of bicycle parking at the entrance to pedestrian zones. See new Appendix D for proposed changes to DDG for bike access.</i>

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19	Plant materials are addressed, but what about creek wildlife and aquatic life?	P. 13 describes Special Status Species. The western pond turtle is the only endangered species known to exist in the Planning Area. The <i>Downtown Creeks Plan</i> recommends creek revegetation with native species, which improves habitat value for creek wildlife and aquatic life. Additionally, proposed rain gardens and LID features (e.g. pervious paving) will improve the creeks' water quality, further enhancing habitat values.	No revision needed.
20	It would help if the <i>Downtown Creeks Plan</i> provided some standards or metrics that could be the basis for DRC findings for determining a project's consistency with the <i>Downtown Creeks Plan</i> . This type of checklist would tell the DRC what to look for when evaluating projects. Perhaps there needs to be coordination between the DRC and the Creeks Committee when reviewing projects that border downtown creeks.	See Comment #13 for existing guidance from the DDG used by the Design Review Commission. See Comment #17 on amendments to existing City plans and regulations	See Comment #13 regarding proposed amendments to DDG, and #17 for role of DRC.
21	Goals should be set by the Creeks Committee so we (the DRC) know how to make creeks an important part of the downtown.	See Comment #13 for guidance from existing plans and regulations. See Comment #18 for existing guidance on bicycle access.	Add an executive summary for the Downtown Creeks Plan to emphasize key features of the plan See Comment #13 regarding new text for creek enhancements that reflect current policies and where existing policies need to be amended, adding Appendix D, and #17 regarding new text for role of DRC.

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22	The DDG guidance for landscaping is not limited to the areas outside the native riparian zone. Edges are important and there is a blending between ornamental and native riparian landscapes, although it can be abrupt in urban situations. Knowing where the setback is can help determine this. Further, the stated goal can be accomplished using native plant species.	The <i>Plan</i> will rely on the DRC to apply the plant palette in Table 5-2 of the <i>Plan</i> for riparian zones during the development review process.	Amend <i>DDG</i> to include Table 5-2. P. 71, Table 8-2, add the following measure to action 1.A: <i>Consult with the RWQCB, CDFW, Resource Conservation District and the Walnut Creek Watershed Council to develop a Riparian Vegetation Restoration Manual that would include a riparian zone map, planting plan, protocols for installing and maintaining plants and an outreach program.</i> See Comment #13 on proposed amendments to <i>DDG</i> .
23	The plant palette in the <i>Downtown Creeks Plan</i> is basic. How about trees? Could there be more grasses? Commissioners will provide comments on the draft plant palette.	Pages 46 and 48 discuss creek revegetation. A palette of native riparian plant species is provided, but the <i>Plan</i> states on p. 46, column 2, "This list can be expanded and adjusted as necessary based on input from a qualified restoration specialist or landscape architect experienced in native revegetation."	P. 48, Table 5-2: Add plant species identified in the vegetation analysis of the riparian zone land unit (Las Trampas and Grizzly Creeks) in the <i>Community Park Master Plan</i> . Add text that indicates most vegetative coverage consists of a limited plant palette, which changes over time based on the amount of shade. See Comment #22 on <i>Riparian Vegetation Restoration Manual</i> .
24	What is trying to be accomplished by Chapter 6? Rather than have "decoration", we have an opportunity to get good design here in a natural environment. What should the transition at the edges of hardscape look like? How do we get development to make enhancements that really capitalize on the creek? Don't be prescriptive, but provide policies and standards. Give the designers latitude to be creative. Materials and furnishings need to be coherent. Materials and furnishings need to be resilient. What happens to the riparian landscaping during a drought – what will it look like? Provide some standards and opportunities for interaction between the DRC and the Creeks Committee when appropriate.	Native riparian vegetation is adapted to drought conditions. The <i>Plan</i> will rely on the DRC to review development applications of creekside parcels using the DDG with amendments recommended by the <i>Plan</i> . See Comment #17 on proposed amendments to <i>DDG</i> .	See Comment #13 for proposed amendments to <i>DDG</i> and #17 on revisions to Chapter 6 (Materials & Furnishings).

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25	More research is needed on maintenance issues. The project summary table in the staff report needs a new column describing mitigations for the disadvantages of each project. There needs to be a commitment to design quality.	The issues raised will be clarified as the projects are proposed and designed. Maintenance issues are addressed on P. 73 in Table 8-2 (Implementation Actions 1.C, 1.D, 1.F and 2.A thru C) and will be affected by final design choices. Recommendations are provided in Table 8-2 to address the disadvantages or impacts of the proposed creek enhancements. Lafayette has a commitment to design quality through its development review procedures.	See Comment #22 on proposed amendments to <i>DDG</i> . P. 117 (Appendix C): Add annual maintenance costs for creek enhancements on public property using the City’s current annual maintenance costs (\$1.30/sq.ft. in 2012). Add a Project Development section to Chapter 8 – Implementation, that describes how conceptual designs of publicly-sponsored projects will be refined through a project-development stage were specific designs are proposed for public review and comment and specific concerns (e.g. parking impacts, maintenance requirements, etc.) are resolved.
<b>Public Art Committee (Two representatives)</b>			
26	Some photos in Chapter 6 (Materials & Furnishings) are examples of acceptable representations and some are not. For fencing, the treatment does not need to be uniform throughout the Planning Area, but fencing along one reach (or property) should relate to fencing on other reaches (or properties), and all fencing should be “organic”.	P. 74, Table 8-2, Implementation Action 3.A, fifth bullet, proposes consulting with the Flood Control District on new fencing for the Lafayette Creek flood control channel. See Comment #17 Chapter 6 (Materials & Furnishings).	See Comment #17 on revisions to Chapter 6 (Materials & Furnishings).
27	An entire fence does not need to be public art. One section of a fence could be public art and the remaining fence sections should relate to and provide an effective backdrop for the public art fence section. Having the entire fence be made of the same material is a way to have the fence sections relate to each other.	Several of the options shown on page 57 are panels that can be singular or continuous. They are intended as examples; many excellent designs are possible. Comment #19 states: “Give the designers latitude to be creative”. See Comment #17 on Chapter 6 (Materials & Furnishings).	See Comment #17 on revisions to Chapter 6 (Materials & Furnishings).
28	Dannenfelser will provide the Creeks Committee with additional photos of fencing that are good representations of public art.	No response needed.	No revision needed.

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29	<p>Consultation with the Public Art Committee should be in regard to a specific project rather than a general request on public art. The creek icon would be a good project to start with. The public art commissioned for the Jennifer Russell Building is a good example of how the Public Art Committee could assist with a specific creek enhancement project. Design competitions can be expensive. The Public Art Committee used the Request for Proposal process more frequently when commissioning public art projects. The Public Art Committee can provide a “consistent eye” for all public art along downtown creeks.</p>	<p>The <i>Plan</i> will rely on the Public Art Committee to address the public art proposals in the <i>Plan</i> and opportunities to use furnishings (e.g. creek icons, signage, lighting, fencing, and seating) to help showcase the natural resources in our downtown creeks.</p>	<p>P. 69: Add text describing the role of the Public Art Committee in incorporating public art in the creek enhancements described in the <i>Downtown Creeks Plan</i>. See Comment #13.</p>
<b>Downtown Street Improvement Master Plan Implementation Committee (DSIMPIC)</b>			
30	<p>Some photo simulations do not reflect the appropriate character for their neighborhood. For example, the photo simulation for the West Reach Catalyst Project is too urban. A design that reflects a more natural or rural character would be more appropriate. Without these photo-simulations, however, it would be difficult to comment on the draft plan. Maybe the photo-simulations should be considered “prototype images” and are not meant to convey the intended design for the project. The <i>Plan</i> should provide some guidance on the intended design, maybe in text form. For example, the design for the West Reach should reflect a “rustic” character. Terms for the appropriate design character might be semi-rural, natural, organic, softness, whimsy, fun. Terms for inappropriate design character might be urban, too trite, too designy, condo-complex.</p>	<p>Photo-simulations are intended to illustrate preliminary concepts. Design and character refinement can occur as the project is developed. Community input will be an important component of any major project that goes forward. Proposed projects will be subject to review by the appropriate commissions and/or committees. Design character is discussed in the <i>DSP</i> and <i>DDG</i>.</p>	<p>Add text to the <i>Plan</i> that emphasizes the conceptual nature of the images and project descriptions.            Chapters 3 &amp; 4: Add a description of the recommended design character from the <i>DDG</i> that would apply to each creek reach.            Photos will be revised where appropriate.</p>
31	<p>The <i>Downtown Design Guidelines</i> divide the Mt Diablo Blvd corridor into segments and describes a design character for each segment. Refer to the <i>DDG</i> for this guidance.</p>	<p>The <i>Plan</i> is intended to work in conjunction with the <i>DSP</i> and the <i>DDG</i>.</p>	<p>See Comment #13 for proposed amendments to <i>DDG</i> and #30 design character of each creek reach.</p>

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32	The <i>Plan</i> should refer to guidance from the <i>Trees for Lafayette</i> , the City’s master tree plan. Specifically, the trees used in the riparian portion of a project should be consistent with the tree palette described in <i>Trees for Lafayette</i> .	The trees mentioned on pp. 46 and 48 are on the <i>Trees for Lafayette</i> list of trees for riparian woodlands.	P. 46, column 2, revise to say: “This list can be expanded and adjusted as necessary based on guidance from <i>Trees for Lafayette</i> or a qualified restoration specialist or landscape architect experienced in native revegetation.” Omitted trees ( <i>Acer macrophyllum</i> , <i>Alnus rhombifolia</i> , and <i>Juglans hindsii</i> ) will be added to Table 5-2.
33	Examples of appropriate materials/furnishings for fencing include the railing by Chow on the perimeter of the La Fiesta Square parking lot, and the railings at Costanoa in Pescadero.	Photo of simple cable rail fencing such as that at La Fiesta Square can be added if desired.	Photo of railing by Chow to be added. See Comment #17 on revisions to Chapter 6 (Materials & Furnishings).
34	DSIMPIC is responsible for reviewing landscape and hardscape improvements in the public right-of-way proposed by specific projects when preliminary plans are presented to DSIMPIC. DSIMPIC does not comment on riparian areas so it is important to know where the boundary is for riparian areas.	This must be determined on a case by case basis at the time a project is proposed. See p. 12, end of column 2 for how riparian zones are defined. Table 8-2, P. 71, Implementation Action 1.A: “Consult with RWQCB regarding mapping the boundaries of the native riparian habitat in the Planning Area.”	P. 69: Add text describing the role of DSIMPIC in implementation of landscape and hardscape improvements in the public right-of-way relative to the proposed improvements described in the <i>Plan</i> . See Comment #22 regarding <i>Riparian Vegetation Restoration Manual</i> .
35	An entire fence does not need to reflect a particular design, but rather one section the fence (e.g. maybe a central section) can reflect a certain design that is interesting, while the rest of the fence can be low-key (not what is noticed and that doesn’t detract from the creek, which is what you want people to notice).	Fencing can be transparent and subtle, not necessarily naturalistic, rustic or organic. See Comment #27 on fence design and #33 on rail fencing.	See Comment #17 on revisions to Chapter 6 (Materials & Furnishings).
36	DSIMPIC would prefer to review a table or matrix that describes the comments received and how the Creeks Committee proposes to change the <i>Plan</i> to respond to these comments. DSIMPIC will consider a motion to endorse the <i>Plan</i> after reviewing this table/matrix. Don’t prepare a new version of the <i>Plan</i> for this follow-up review.	This document is a consolidation of all comments received and responses to those comments.	No revision needed.

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	<b>Circulation Commission</b>		
37	The <i>General Plan</i> Circulation Element and the <i>DSP</i> “Getting Around” chapter provide goals, policies, and programs to guide proposed improvements in the <i>Plan</i> that could affect the public transportation network, including those that would require connections to, or through, private property. This guidance should be specifically acknowledged in the <i>Plan</i> .	<i>The Downtown Creeks Plan</i> relies on existing City commissions, committees and procedures to guide proposed improvements to the public transportation network and their relationship to these plans.	P. 10, add text referencing the role of the Circulation Commission in reviewing projects for consistency with City transportation plans and policies. See Comment #25 regarding the project development process.
38	Where proposed trails or walkways begin or terminate near active parking lots, driveways, and roadways, ensure there would be minimal conflict between vehicular and non-vehicular users. Provide specific analysis of opportunities and constraints related to property access where new trails and walkways are proposed.	These details would be refined when projects are developed, consistent with requirements of the <i>Trails Master Plan</i> and the <i>Master Walkways Plan</i> .	P. 10, add text referencing the <i>Master Walkways Plan</i> See Comment #37 on the role of Circulation Commission.
39	Where proposed trails are on, or adjacent to, private property, the <i>Plan</i> could benefit from added language recognizing feasibility constraints, including obtaining adequate access agreements or otherwise achieving support from property owners. With respect to possible trail inclusion in the <i>Master Walkways Plan</i> , City policy distinguishes walkways from trails. The trails in question tend to also be oriented toward recreation rather than transportation network or mobility enhancement. In this context, proposed trail improvements would be more appropriately identified for inclusion in the <i>Trails Master Plan</i> . In that context, the PTR Commission should be consulted regarding design details such as surface material. Pedestrian connections in the <i>Plan</i> not associated with a parallel street or roadway would be trails, not walkways.	See Comment #37 regarding the roles of City commissions and committees. The PTR Commission has been consulted and is open to the idea of considering other trails proposed in the <i>Downtown Creeks Plan</i> for inclusion in the <i>Trails Master Plan</i> . See Comment #5 regarding consultation with the PTR Commission.	See Comment #5 on the role of the PTR Commission, and the list of trails appropriate for inclusion in the <i>Trails Master Plan</i> . See Comment #25 regarding the project development process.

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40	<p>The <i>Plan</i>, as proposed, includes a mid-block crossing at the Moraga Rd/Moraga Blvd intersection, approximately 50 feet north of the existing signalized intersection. Such an uncontrolled crossing would adversely impact traffic operations at the proximate intersection. We also question the viability of such a crosswalk on several levels, including safety. It is noted the proposed bulb-out to accommodate the mid-block crossing would entail removal of on-street parking and appears to impinge on space reserved for the existing, southbound Class II bicycle lane. The alternative is to omit the mid-block crossing in favor of a new crosswalk on the north leg of the Moraga Rd/Moraga Blvd intersection. While this alternative may be more feasible in some ways, remaining constraints include the fact that the western terminus of a new north leg crosswalk would terminate adjacent to two active driveways to off-street parking lots. This alternative crosswalk would require restricting access to one or both of those driveways, in order to meet current design standards and preserve the safety of crossing pedestrians. This could effectively render the parking lot unserviceable.</p>	<p>Design of improvements adjacent to public roadways will be consistent with City design standards and policies, and subject to review by the Circulation Commission.</p> <p>Note: there is no Class II bicycle lane at this location. This segment is proposed in the <i>Bikeway Master Plan</i> as a Class III bicycle route. There is an existing bulb-out in front of the Fed-Ex store on Moraga Rd between the proposed bulb-out location and Mt. Diablo Blvd.</p>	<p>Remove mid-block crossing from public property improvements shown on pp. 22-23. Suggest that if the private parking lot adjacent to the creek is redeveloped as a creek overlook patio, a new crosswalk on northern leg of Moraga Rd be considered. Include requirement for further study of traffic/parking/safety implications at the time this improvement is proposed.</p> <p>Recommend that if the proposed bulb-out is infeasible due to traffic considerations, this creek crossing be highlighted with decorative sidewalk paving.</p> <p>See Comment #37 regarding Circulation Commission oversight of transportation-related projects.</p> <p>See Comment #25 regarding the project development process.</p>
41	<p>Preserve children’s safety, particularly Moraga Rd/Moraga Blvd intersection. Replacing the south leg crossing at that intersection with a north leg crossing would require an additional crossing, in order to access the west side of Moraga Rd.</p>	<p>See Comment #40 regarding Circulation Commission oversight.</p>	<p>See Comment #40 regarding review of new crosswalks.</p> <p>See Comment #25 regarding the project development process</p>
42	<p>Where changes to physical infrastructure within the public right-of-way are concerned, such as bulb-outs and walkway improvements featuring rain gardens, detailed design layouts for such projects should return to the Circulation Commission for review and feedback. The current concepts have not been adequately developed and engineered to allow understanding of their impacts on existing conditions and planned projects.</p>	<p>See Comment #40 regarding Circulation Commission oversight.</p>	<p>See Comment #37 regarding Circulation Commission oversight of <i>the Master Walkways Plan</i>, and Circulation Commission oversight of transportation-related projects, and #25 regarding the project development process.</p>

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43	Ensure bicycle facilities are not adversely impacted by bulb-outs and rain gardens. The bulb-out proposed north of Moraga Rd/Moraga Blvd intersection was cited as particular concern with respect to existing bike access. Ensure ADA accessibility on trails. Bulb-outs create problems for the visually impaired.	See Comment #40 regarding Circulation Commission oversight.	See Comment #37 regarding Circulation Commission oversight of transportation-related projects, #40 regarding feasibility of proposed bulbouts, and #25 regarding the project development process.
44	Identify the potential amount of net on-street parking lost to proposed improvements. Where parking is proposed to be removed, or otherwise altered, on private lots, the matter should be forwarded to the Parking Ordinance Committee for review.	See Comment #12 regarding proposed policy to mitigate for loss of parking.	See Comment #12 regarding modification of proposed policy to mitigate for loss of parking, and #25 regarding the project development process. P. 69: Add text describing the Parking Ordinance Committee's oversight of improvements described in the Plan.
45	Several commissioners prefer not to lose any parking as a result of creekside improvements, particularly across from the Veterans' Building, in the Shield Block, the Methodist Church and on Moraga Rd near Moraga Blvd.	See Comment #12 regarding proposed policy to mitigate for loss of parking.	See Comment #12 regarding modification of proposed policy to mitigate for loss of parking, #37 regarding Circulation Commission oversight of transportation-related projects, and #25 regarding the project development phase process.
46	The recommended new trails will make it easier for pedestrians to get to businesses and parking.	This is an intended benefit.	No revision needed.
47	A commissioner was concerned about adding public art to the creek projects and its potential to compete with an otherwise beautiful natural setting.	The <i>DSP</i> contains considerable guidance for including public art in spaces adjacent to downtown creeks. Table 8-2, P. 74, Implementation Actions 3.D calls for the Public Art Committee to be involved in placement and selection of public art. See Comment #29 regarding the role of the Public Art Committee.	See Comment #29 regarding new text describing the potential role for the Public Art Committee in creek enhancement projects.
48	Recognize potential long-term maintenance costs and the need for consistency of maintenance.	Table 8-2, P. 72, Implementation Action 1.F; P. 73: Implementation Actions 2.A and 2.C; and P. 74: Implementation Action 3.A. all recognize the need to seek strategies for funding and to address maintenance needs.	See Comment #25 on adding maintenance costs for improvements on public property.

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	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
49	Remove mounted viewfinders at creek overlooks, as they could invade home privacy.	See proposed revision.	P. 19, remove viewfinder.
50	Moraga Rd is a critical corridor in the on-going <i>Downtown Congestion Study</i> . The rain gardens and bulb-outs on Moraga Rd use right-of-way that may be needed to relieve vehicular congestion.	This intersection will require thorough study by Circulation Commission, DRC and DSIMPIC. Public safety is paramount.	See Comment #37 regarding Circulation Commission oversight of transportation-related projects., and #25 regarding the project development process.
51	Personal safety may be an issue in creek bed access areas, especially if waters rise. Signage and protective measures such as gates could address this concern.	See Comment #3 regarding creek access safety issues.	See Comment #3 regarding creek access safety issues.
52	Other bicycle comments: (1) East Reach 3 new bridge should be designed to accommodate bicycles; (2) West Reach removal of on-street parking spaces is adjacent to bike lane, which receives a lot of weekend bicycle traffic.	At the West Reach, the proposed project would eliminate conflicts between car doors and bicycles.	P. 25, add text recommending that if the bridge is replaced, it should accommodate bicycles.
53	Public-private property improvements should have clear guidelines for incentives to allow for consistent application to creekside projects throughout the Planning Area.	P. 17 of the <i>Plan</i> addresses projects involving both public and private property. Elements of the project may be undertaken in phases, or a partnership agreement between the City and the private property owners may be crafted that accomplishes the project as a whole.	P. 17, add text indicating the <i>DSP</i> supports public-private partnerships to implement improvements.
54	This <i>Plan</i> should address storm surge protection and how overtopping of banks might be prevented, particularly as it may concern flooding in streets and roads.	P. 3 acknowledges <i>DSP</i> Program 15.1.1 which requires evaluation of projects within and adjacent to the creek corridors according to the <i>DSP</i> priorities, and the highest priority is flood protection. The <i>Plan</i> includes flood hazard maps and calls on projects that alter creek channels to prepare a hydraulic study of the project to determine flow velocity, potential for flooding, and any upstream and downstream impacts.	Add text regarding the ability to control releases from Lafayette Reservoir during heavy rains.

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	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
	<b>Parking Ordinance Committee (POC)</b>		
55	The <i>Plan</i> is too specific. The <i>Plan</i> needs to include the ability to adjust proposed projects to account for other factors that may develop in the future. For example, if we want to proceed with a road diet on Mt. Diablo Blvd in the vicinity of the West Reach creek enhancements, that may require revising the design currently shown in the <i>Plan</i> and as a result, we could potentially retain the existing on-street parking spaces.	The <i>Plan</i> has a long-term planning horizon, and it is anticipated that adjustments will occur. The project plans shown are conceptual, and meant to convey a vision. Design refinement will be appropriate when project opportunities arise. The concepts shown for the West Reach can be implemented in the context of a road diet.	See Comment #30 on indicating the conceptual nature of photo simulations, and #25 regarding the project development process.
56	Implementation of the Town Green project (includes part of the improvements to the North Reach) will require addressing the employee parking that currently occupies the site.	The <i>Plan</i> acknowledges the Town Green, a proposal of the <i>DSP</i> . Parking trade-offs will need to be considered. See Table 8-2, P. 75 Implementation Action 3.F: “Seek ways to minimize parking losses during the design phase of creek enhancements.”	See Comment #12 regarding modification of proposed policy to mitigate for loss of parking, and #25 regarding the project development process.
57	Rather than propose specific projects, the <i>Plan</i> should illustrate principles that should be followed with redevelopment of parcels adjacent to downtown creeks. What are the key features we want for creekside parcels?	A key feature of creek enhancements in Chapters 3 and 4 is creek access and creek viewsheds. General principles for creek protection, preservation and restoration are articulated in Chapter 5 (creek revegetation and LID measures). Common design features for all projects are described in Chapter 6, Materials & Furnishings. Chapter 8, Implementation, discusses goals and principles in the context of project prioritization, desired outcomes and implementation actions. Proposed projects are conceptual in nature.	See Comment #21 regarding adding an executive summary to emphasize key features of the <i>Plan</i> . See Comment #13 regarding existing City policies and guidance and revisions to that guidance in Appendix D, #17 on revisions to Chapter 6 (Materials & Furnishings), #22 on <i>Riparian Vegetation Restoration Manual</i> , and #30 on new text regarding the conceptual nature of the images and project descriptions.

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	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
58	<p>An alternative to recommending specific projects would be to incentivize creekside enhancements that any property owner could use. The POC is considering using incentives to encourage consolidation of downtown parking lots. How do we incentivize the South Reach creek daylighting project, allow for additional building height, density, reduced parking requirements? Look at historic preservation programs to see how they use incentives to encourage restoration of historic structures.</p>	<p>Table 8-2, P. 75, Implementation Actions 3.E addresses incentives for construction of public access, amenities and gathering areas along creek corridors. See Comment #14 regarding implementation of downtown amenities in <i>DSP</i>.</p>	<p>See Comment #13 regarding new creek setback provisions of the flood damage prevention ordinance in Appendix D.</p>
59	<p>Consider implementing creek enhancements incrementally, maybe focusing on public improvements, and see if property owners follow these examples.</p>	<p>See Comment #1 regarding project prioritization.</p>	<p>See Comment #1 regarding revisions to project prioritization.</p>
60	<p>The Chamber of Commerce may not be willing to support removal of parking for creek enhancements.</p>	<p>An objective of the creek enhancements is to create a better pedestrian environment which encourages people to linger and patronize local businesses. See Comment #12 regarding proposed policy to mitigate for loss of parking.</p>	<p>See Comment #12 regarding modification of proposed policy to mitigate for loss of parking, and #25 regarding the project development process.</p>
61	<p>Unlike parking which benefits private businesses, creek improvements are primarily for the benefit of the public and the City. As such, the City should take the lead in paying for these improvements and should also offer incentives to private property owners to make these improvements.</p>	<p>Table 8-2, P. 72: Implementation Action 1.F lists actions the City can take to expedite projects and seek grant funds; P.74: Implementation Action 3.A. lists actions the City can take to advance creek projects. See Comment #14 regarding existing City policies and guidance and #58 regarding incentives.</p>	<p>See Comment #13 regarding new creek setback provisions for the flood damage prevention ordinance in Appendix D.</p>
62	<p>With nearly 5,000 downtown parking spaces, losing 90-100 parking spaces from creek enhancements is very minor. Pedestrian bridges over creeks can improve access to existing parking.</p>	<p>Improving pedestrian connectivity along and across downtown creeks is one of the <i>Plan's</i> objectives.</p>	<p>No revision needed.</p>

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	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
63	The POC has not identified locations for more parking lots or structures. Instead, POC is looking at the overall supply of downtown parking and how it can be used more efficiently through comprehensive and cost-effective strategies that address parking needs for shoppers and employees. However, parking lost to creek improvements should be compensated in a way that benefits the downtown parking situation.	The plan illustrates projects that would remove 2% of the downtown parking. This loss would be offset by increasing parking efficiency and overall public accessibility of the downtown. Consolidation of parking lots in the Shield Block may result in more efficient parking. See Comment #12 regarding proposed policy to mitigate for loss of parking.	See Comment #12 regarding modification of proposed policy to mitigate for loss of parking, #25 regarding the project development process, and #37 regarding Circulation Commission oversight of transportation-related projects.
	<b>City Council / Planning Commission Study Session</b>		
64	Add property lines to the Plan Views in Chapters 3 and 4, especially on the Shield Block.	Chapter 3 & 4 plan views are intended to convey vision. Property lines are shown on maps in Appendix A.	Chapters 3 & 4 will reference Appendix A for additional information on each reach, including property lines.
65	Integrate the Project List with the Plan, include a “Key” to the project numbers so they can be tracked more easily in the Plan (e.g. add Project #'s to Figures 3-1 and 4-1).	The Staff Report, not the <i>Plan</i> , uses project numbers.	Add numbers to City sponsored projects and add a map to Appendix C that shows locations of referenced projects. Projects on private property are more conceptual and some can potentially occur on other properties. See Comment #11 where property owners requested the Plan avoid tying specific improvements to privately-owned parcels.
66	Could we establish a “mini Habitat Conservation Plan” with the regulatory agencies to create a streamlined process for their permitting? Would this provide certainty to property owners on what is required and give regulatory agencies opportunity for a periodic reality check? Could City be the property owner’s (permittee’s) agent to the regulatory agencies? Could permits be provided by the City if the agencies approve this Plan?	Several strategies to streamline permits have been investigated. Proceeding with the Lafayette Creek West Reach Catalyst Project will familiarize the regulatory agencies with the downtown riparian environment, and help identify streamlining opportunities. Review of creek revegetation projects can be streamlined by preparing a <i>Riparian Vegetation Restoration Manual</i> to guide the activities of property owners.	See Comment #1 regarding project priorities and #22 regarding <i>Riparian Vegetation Restoration Manual</i> .
67	Check with City Attorney to ensure that there is no language regarding private property that would give rise to inverse condemnation issues	City Attorney has reviewed the draft Plan	Revisions necessitated by comments from the City Attorney will be incorporated into the Final Draft.

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	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
68	Whether creek projects need to mitigate their parking impacts will depend on the circumstances of each project. For example, what impact will the West Reach project have on parking? It depends - the parking along Mt. Diablo Blvd. at the West Reach is currently used for overflow parking for events at the Veterans Memorial Center.	See Comment #12 regarding proposed policy to mitigate for loss of parking,	See Comment #12 regarding modification of proposed policy to mitigate for loss of parking, #25 regarding the project development process, and #37 regarding Circulation Commission oversight of transportation-related projects.
69	Consider Lafayette’s Complete Streets ordinance. Do the Plan’s trails need to comply? Are pedestrian-only trails an issue? Is the treatment of bicyclists in the Plan consistent with the Complete Streets ordinance?	“Complete Streets” policies have been amended into the General Plan Circulation Element through Resolution 2012-46. Complete Streets are defined as streets that serve everyone—pedestrians, bicyclists, transit riders, and drivers—and they take into account the needs of people with disabilities, older people, and children. This plan proposes new trails along or across creeks and are not part of a street right-of-way, so the Complete Streets ordinance does not apply. Several trails are proposed to access the creekbed. These trails are similar to other soft-surface trails in the City where ADA accessibility is not appropriate. See Comment #38 on details of trail design.	See Comment 38 regarding Circulation Commission oversight of transportation-related projects.
70	There are already incentives for private property owners contained in <i>the Downtown Specific Plan</i> – should work with those.	Aside from the existing incentives created by the <i>Downtown Specific Plan</i> (i.e. exception from the 35’ height limit), the <i>Downtown Creeks Plan</i> proposes to allow exceptions to the creek setback requirements if a structure in the setback area includes creek enhancements. See Comment #14 regarding existing policy to not use eminent domain for downtown amenities.	Table 8-2, P. 75, Implementation Actions 3.E: delete greater floor area ratio and reduced parking requirements as incentives. See Comment #13 regarding new creek setback provisions of the flood damage prevention ordinance in Appendix D.

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	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
71	Make more clear that the drawings/photosims are conceptual, we don't want to bind future review bodies to a particular design shown in the Plan.	See Comment #11 regarding conceptual graphics, #15 regarding conceptual improvements to private property and #30 regarding the conceptual nature of the photo simulations.	See Comments #11 on revised conceptual graphics, and #30 on revised conceptual graphics.
72	What funding sources are available for creek enhancements on private property?	P. 68 describes potential funding sources. Creek enhancement on private property are eligible for most of these sources, but such funding requires the property owner to dedicate such property to the purposes of the grant program for a set amount of time (e.g. 20 – 35 years)	P. 68, add text describing the availability of funding for private property owners.
73	Costs listed for creek enhancements on private property are high – are there lower cost projects that private owners could implement?	The creek enhancements described for private property are conceptual. Actual costs depend on the specifics of a development application. Two types of projects required by the plan, Riparian Vegetation Restoration and LID measures, are typically low cost. If the total cost estimate for Riparian Habitat Restoration (\$850k) were divided among all 51 creekside properties, the average cost would be under \$17K (this does not include maintenance costs).	Appendix C: Add cost of Riparian Vegetation Restoration to the Project Cost list.
74	What are the next steps? How will we implement the Plan?	Table 8-2 in Chapter 8 describes proposed policies, program and other measures as the next steps.	Modify Table 8-2 to indicate which steps are to be implemented near term. See Comment #1 regarding revised project priority process.
75	What about the regulatory agencies – have they been consulted? Would the regulatory agencies be cooperative, or an impediment?	Two meetings have been held with regulatory agencies to discuss the <i>Plan</i> . See Comment #1 regarding West Reach Catalyst Project and #66 regarding opportunities for permit streamlining.	See Comment #1 regarding revised project priorities and #22 regarding the <i>Riparian Vegetation Restoration Manual</i> .
76	Don't create an urban design for the creeks. They should be natural.	See Comment #30 regarding conceptual nature of projects.	See Comment #17 regarding DRC oversight and #30 regarding revisions to photo simulations.

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	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
77	Can Public Art funds be used for any of the elements?	A developer subject to the Public Art fee can use those fees to incorporate public art into a creek enhancement project on their property.	P. 68, add Public Art fee to this list of potential funding sources.
78	Coordinate with the Chamber of Commerce – they should support the Plan, they will benefit.	The Chamber of Commerce participated in the public outreach meetings organized for property owners within the planning area	P. 61: reference participation of the Chamber of Commerce in the Stakeholder meetings.
79	Remove references to a parking structure, which may not be easy to implement. Refer to possible off-site parking.	P. 62 lists the opportunity for a parking garage as part of the South Reach creek enhancements. It would not be appropriate to remove a public comment received at a community workshop. P. 90 lists the potential for a parking garage as a strategy for freeing up creekside parking lots for creek enhancements.	See Comment #12 regarding modifications to parking mitigations.
80	The channelized portion of Lafayette Creek is UGLY. We need to do something about it.	The plan describes several potential creek enhancements to the channelized portion of Lafayette Creek (i.e. East Reaches 1 and 2). See Comment #2 regarding the <i>50-Year Plan</i> and #26 regarding fencing along the flood control channel.	See Comment #2 that adds text on the conceptual flood control alternatives and #26 regarding modifications to Chapter 6 (Materials & Furnishings).
81	Provide better link between the <i>Plan</i> and the information in the Appendices.	The order of the chapters was changed from early drafts which resulted in inaccurate cross references.	A number of editorial changes will be considered in preparing the Final Draft to improve the linkage between the <i>Plan</i> and its appendices.
82	Identify which photo is associated with the red arrow in the View Maps.	Concur with comment.	Photos associated with the red arrows in the View Maps will be identified.
83	Move the Community Outreach chapter to the Appendices.	Since most funding sources seek projects that are a result of community outreach, it appears most appropriate to keep the Community Outreach chapter in the main body of the Plan.	No revision needed.
84	Clarify any relationship between the project ranking summary in Table 7-2 (p. 63) with the prioritization process on page 67.	Table 7-2 describes priorities of participants at a workshop, not the project priority process on page 67.	No revision needed.

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	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
85	Provide better link between opportunity maps in Appendix A and the proposed projects in the Plan (e.g. p. 90 and the proposed project for the North Reach).	See Comment #81 regarding editorial errors.	See Comment #81 regarding editorial revisions.
86	Why isn't the section of Happy Valley Creek through the Town Center one of the "identified creek reaches" in the Plan?	This section of Happy Valley Creek was addressed as part of a legal settlement to a lawsuit over a development project. This Plan cannot supersede a legal agreement.	No revision needed.
87	The Plan says English ivy is the invasive species found in the creeks; is it not Algerian ivy ( <i>Hedera algeriensis</i> )?	Several invasive ivy species exist in downtown creeks.	P. 47, Table 5-1 will be revised to include <i>Hedera algeriensis</i> .
88	What is the status of the City's Green Infrastructure Plan mentioned on page 13?	The NPDES permit administered by the Regional Water Quality Control Board requires the City to approve its framework or workplan for development of its <i>Green Infrastructure Plan</i> by June 30, 2017. The completed <i>Green Infrastructure Plan</i> shall be submitted with the NPDES permit <i>2019 Annual Report</i> .	P. 49, add text describing opportunities for expanding LID measures for downtown projects as a way to initiate the city's <i>Green Infrastructure Plan</i> activities. In Appendix D, add amendments to the stormwater management and discharge control ordinance to expand the use of LID for downtown development to improve water quality.
89	For the West Reach project: retain the on-street parking; the binocular stations impact privacy of adjacent properties; and the fence needs to be more transparent so it doesn't obstruct the view of the creek.	See Comment #17 regarding Chapter 6 (Materials & Furnishings), #30 regarding the preliminary nature of photo simulations,, #45 regarding proposed policies to mitigate for loss of parking and #55 the project design process.	See Comment #17 regarding revised Chapter 6 (Materials & Furnishings), #25 regarding the project development process, #45 regarding modification of parking mitigation measure, #49 regarding removal of view finders and #55 new text regarding conceptual nature of photo simulations.
90	P. 21: Do rain gardens need to be irrigated? Include project numbers in the description of the improvements.	Rain gardens would receive limited irrigation during the dry season. See Comment #65 regarding limitations of the project numbering system.	See Comment #65 regarding project map.
91	P. 32: Shield Block Trail should be 8' wide.	The space available for a trail is limited. The trail width is consistent with the Trails Master Plan. See Comment #4 regarding the project description.	See Comment #4 regarding role of the PTR Commission.

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	<b>COMMENTS</b>	<b>RESPONSE TO COMMENTS</b>	<b>PROPOSED REVISION</b>
92	P. 50: First paragraph, bioretention basins clean water, they don't clean the soil.	Concur with comment.	P. 50 will address this edit.