

City of Lafayette
Regular Meeting Agenda
Creeks Committee

Monday March 19, 2012 (7:00 pm)
Lafayette City Offices, Conference Room 265
3675 Mt. Diablo Boulevard, Lafayette, California

1. Call to Order and Roll Call (7:00 pm)
2. Consent Calendar (7:00)
 - a. Approval of agenda
 - b. Approval of minutes from February 6, 2012 meeting.
3. Public Comments (7:05)
4. New Business (7:10)
 - a. Creek information updates (7:10)
 - b. Task group updates (7:15)
 - c. Contra Costa County Clean Water Program update (7:20)
 - d. Report on FEMA RiskMAP Discovery meeting (7:30)
 - e. Report on Downtown Specific Plan task group meeting with Resource Design Group and Council Liaisons (7:40)
 - f. Discuss Creeks Committee participation in April 22 Lafayette Earth Day Festival (7:50)
 - g. Discuss Creeks Committee participation in Downtown Design Guidelines subcommittee (8:00)
5. Old Business (8:10)
 - a. Discuss next steps for developing a “Downtown Creeks Preservation, Restoration and Development Plan” (8:10)
 - b. Discuss Creeks Committee input on vision map of Plaza Way overlay (8:30)
6. Agenda for April 2012 meeting (8:45 pm)
7. Adjourn (8:50 pm)

I, David Terhune, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Boulevard, Lafayette, CA.

- Any writings or documents pertaining to an open session item provided to a majority of the City Creeks Committee less than 72 hours prior to the meeting, shall be made available for public inspection at City Hall located at 3675 Mt. Diablo Blvd, Suite 210, Lafayette, CA, during normal business hours.

City of Lafayette

General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting.

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to David Terhune, Public Works Technician, 925-934-3908, at least 48 hours before the meeting, if possible.

Board Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 2010-29.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

¹ “Board” is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.

Memorandum

From: Lafayette Creeks Committee

To: Brandt Andersson and Don Tatzin (City Council liaisons), Jeanne Ateljevich (Planning Commission liaison), Niroop Srivatsa, David Terhune

Re: Draft DSP – Creek Elements/ Pro Bono Consult by Restoration Design Group

The Lafayette Creeks Committee approved the form of this Memorandum at its regularly scheduled meeting on February 6, 2012.

Background:

Incident to developing information helpful to assessing the Creek elements in the Draft DSP, and associated issues raised by the Planning Commission during its consideration of the Draft DSP, the Lafayette Creeks Committee was referred by a Committee member to Restoration Design Group, LLC (“RDG”), a creek/riparian corridor restoration design consultant. Representatives of the Creeks Committee met with principals of RDG and walked both the Shield Block and Golden Gate Way. RDG proposed providing limited services on a pro bono basis, seeking cost reimbursement only. A copy of their June 30, 2011 proposal is attached.

The Creeks Committee was advised by Staff that it needed City Council approval and direction regarding the consult. At the Committee’s last annual joint meeting with City Council in August 2011, it was suggested that a meeting be arranged with our Committee’s City Council liaisons and representatives of RDG. Given the Planning Commission is nearing the end of its review of the Draft DSP, and will be shortly addressing the creek elements, with recommendations to City Council, it would seem this is a propitious time to meet with RDG.

Comment:

The Creeks Committee requests that a meeting be arranged among City Council liaisons to the Creeks Committee, the Planning Commission liaison to the Creeks Committee, members of the Creeks Committee Task Group on the Draft DSP (Scott Honegger and Peter Gutzwiller) and the Creeks Committee Chair (Will Elder), a representative of City Planning and Public Works, and representatives of RDG to discuss and arrange pro bono services. This group can perhaps also identify any further critical pieces of information which will be prospectively helpful in the development of the Draft DSP.

Drew Goetting, a principal of RDG, is available most of this upcoming Monday, March 5, and the afternoon of Thursday, March 8, to meet. The Creeks Committee Task Group suggests a meeting mid-afternoon on Monday. Please let me know if you would be available any of these days and times. If a meeting can be arranged, we would also need to reserve a small conference room.

Respectfully submitted,

Will Elder
Chair, Lafayette Creeks Committee

Memorandum

To: Jeanne Ateljevich, Chair
Lafayette Planning Commission

From: Lafayette Creeks Committee Draft DSP Task Group

Re: Draft DSP – Public Realm/Creeks: amendment and comments

This memorandum is submitted by the Creeks Committee Draft DSP Task Group, Scott Honegger and Peter Gutzwiller, and the Creeks Committee Chair, Will Elder. The Creeks Committee has changed its regular meeting time to the third Monday of each month from the first Monday. Any questions or requests regarding this Memorandum can be addressed by the Creeks Committee at its regular meeting on March 19, 2012.

1. Recommended Change in Language: Goal 15 Public Realm - Creeks

Program 15.2.1, at page 93, calls for the preparation of a Downtown Creeks Preservation, Restoration and Development Plan. There is then stated a list of bulleted items that the Plan “should” address. Omitted from that list is either “preservation” or “restoration”! Accordingly, it is recommended that an additional bulleted item, “preservation and restoration”, be inserted before the bulleted item “creek stewardship”.

2. Comments

A. Goal 12 Public Realm – Streetscape

In prior appearances and submissions to the Planning Commission, the Creeks Committee has recommended inclusion of a “Green Streets” program. “Green Streets” is a sustainable stormwater strategy that meets clean water regulatory compliance and resource protection goals by using a natural systems approach to manage stormwater, reduce flows, improve water quality, and enhance watershed health. The Creeks Committee again suggests that this program be included in the Streetscape elements of the Draft DSP.

B. Creek Corridor Protection Pending Adoption of a Downtown Creeks Plan

There may be a significant period of time before final adoption of the DSP, and then perhaps an even more significant period of time before development and adoption of a Downtown Creeks Preservation, Restoration and Development Plan. During this hiatus, and without legally sufficient

safeguards to protect the creeks, development proposals may be submitted which could impact the very creek corridors being sought to be protected and impair the ability of the City to achieve a vision of creek restoration and improvement. It is the opinion of some of the Creeks Committee that the City's existing ordinances are inadequate or unenforceable for the specific purpose of protecting the environment and habitat of creek corridors. Other communities have developed what are sometimes called "creek corridor protection" or "riparian buffer" ordinances for such purpose. This could be implemented through appropriate amendment of the City's current creek setback ordinance, which has as one of its stated purposes the protection of the natural environment along creeks, but at the moment has no implementing provisions or standards for such purpose. This need not be part of the DSP and could be implemented before determination of "setback" elements under an eventual Downtown Creeks Preservation, Restoration and Development Plan which can address what type of development may occur *within a creekside buffer zone that has already been protected.*

Respectfully Submitted:

Will Elder, Chair