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STATE OF CALIFORNIA -- THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION
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Staff: AT-V
Staff Report: 6/20/08
Hearing Date: 7/10/08

STAFF REPORT: APPEAL
SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Carpinteria

LOCAL DECISION: Approval with Conditions

APPEAL NO.: A-4-CPN-08-024

APPLICANT: City of Carpinteria Public Works Department

APPELLANTS: Jean Reardon, Duffy Hecht, Beverly Pope, Judy Pearce, Amrita Salms, Beverly Grant, Chuck McQuary, Sandy Vandeman, Robert W. Hanson, and Louise Hansen

PROJECT LOCATION: City right-of-way at the terminus of Calle Ocho and Eighth Street over Carpinteria Creek, City of Carpinteria.

PROJECT DESCRIPTION: Demolish existing wooden pedestrian bridge and remove six wooden support piers in the stream bed and construct a clear span steel arch-style bridge 165-feet in length, 5.5-feet wide, with an arch extending 16-feet, 6-inches at the highest point, construct new abutments at the top of the creek banks, grade 100-150 cubic yards (all fill) outside of the creek banks, remove three willow trees and 1 sycamore, and replace existing storm drain located on the Calle Ocho side of the bridge with a new inlet basin and drainage pipe.

SUMMARY OF STAFF RECOMMENDATION: SUBSTANTIAL ISSUE DOES NOT EXIST

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal has been filed. The **motion** and **resolution** for a "no substantial issue" finding are found on **page 4**. The appellants contend that the approved project is not consistent with policies and provisions of the certified Local Coastal Program and applicable policies of the Coastal Act with regard to habitat protection and sensitive resources, visual resources and community character, and flood hazards. The standard of review at this stage of an appeal requires the Commission to determine whether the project, as approved, raises a substantial issue with respect to its conformity to the standards set forth in the certified Local Coastal Program or the public access policies of the Coastal Act that the appellants raise in their appeal (see Page 8 for criteria).

The proposed project does not raise a substantial issue and will be consistent with the relevant LCP policies. It will be consistent with the policies related to protection of riparian vegetation in the vicinity of Carpinteria Creek because the existing bridge with obstructions in the creek bed will be removed and replaced with a free-span bridge, a re-vegetation and monitoring plan is part of the

project, and tree replacement mitigation is provided for the removal of 3 willow trees (5:1) and 1 sycamore tree (10:1). The project will be consistent with LCP visual resources and community character policies because views of the riparian canopy will not be blocked, the City provided a thorough analysis of design alternatives; and the City provided factual support indicating that the bridge is consistent with LCP flood protection policies.

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EXHIBITS

SUBSTANTIVE FILE DOCUMENTS: City of Carpinteria Local Coastal Program; Proposed Final Mitigated Negative Declaration and Attachments for the Eight Street Pedestrian Bridge Replacement Project (07-1385), Eight Street & Calle Ocho at Carpinteria Creek.

I. APPEAL PROCEDURES

A. APPEAL JURISDICTION

Under Section 30603 of the Coastal Act, development approved by a local government may be appealed to the Commission if it is located within the appealable areas, such as those located between the sea and the first public road paralleling the sea, within 300 feet of the inland extent of any beach or of the mean high-tide line of the sea where there is no beach, whichever is greater, on state tidelands, or along or within 100 feet of any wetland, estuary, or stream. Further, any development approved by a coastal county that is not designated as the principal permitted use within a zoning district may also be appealed to the Commission, irrespective of its geographic location within the coastal zone. Finally, development that constitutes major public works or major energy facilities may also be appealed to the Commission.

The City of Carpinteria's final local action is appealable to the Commission pursuant to Section 30603(a)(2) because the City approved development within the 100-foot wide corridor on either side of the Carpinteria Creek, a stream specifically identified in the City's Local Coastal Program (LCP).

B. APPEAL PROCEDURES

The Coastal Act provides that after certification of Local Coastal Programs, a local government's actions on Coastal Development Permits in certain areas and for certain types of development may be appealed to the Coastal Commission. Local governments must provide notice to the Commission of their coastal permit actions. During a period of 10 working days following Commission receipt of a notice of local permit action for an appealable development, an appeal of the action may be filed with the Commission.

1. Grounds for Appeal

Pursuant to Section 30603(b)(1) of the Coastal Act, the grounds for appeal of development approved by the local government and subject to appeal to the Commission are limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in the Coastal Act (Sections 30210-30214 of the Public Resources Code).

2. Substantial Issue Determination

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue exists with respect to the grounds on which the appeal was filed. When Commission staff recommends that no substantial issue exists with respect to the grounds listed for an appeal, the Commission will hear arguments and vote on the issue of whether a substantial issue is raised. A majority vote of the members of the Commission is required to determine that the Commission will not hear an appeal. If the Commission determines that no substantial issue exists, then the local government's coastal development permit action will be considered final.

3. De Novo Review Stage of the Hearing

Should the Commission find that the appeal does raise a substantial issue, the Commission will consider the City's action *de novo*. The applicable test for the Commission to consider in a de novo review of the project is whether the proposed development is in conformity with the certified Local Coastal Program. If a de novo review is conducted as part of the hearing, testimony may be taken from all interested persons.

C. LOCAL GOVERNMENT ACTION AND FILING OF APPEAL

On April 14, 2008, the Carpinteria City Council approved Conditional Use Permit/ Coastal Development Permit # 07-1385 to demolish the existing wooden pedestrian bridge over Carpinteria Creek connecting the termini of Eight Street and Calle Ocho and replace it with a clear span arch-style bridge. The Notice of Final Action for the project was received by Commission staff on April 21, 2008. A ten working day appeal period was set and notice was provided beginning April 22, 2008 and extending to May 5, 2008.

An appeal of the City's action was filed by Jean Reardon, Duffy Hecht, Beverly Pope, Judy Pearce, Amrita Salms, Beverly Grant, Chuck McQuary, Sandy Vandeman, Robert W. Hanson, and Louise Hansen during the appeal period, on May 1, 2008. Commission staff notified the City of Carpinteria, the City of Carpinteria Public Works Department (the applicant), and all interested parties that were listed on the appeals. The City waived its right, under Section 30621, to require the Commission to act within 49 days of the filing of the appeal.

II. STAFF RECOMMENDATION OF NO SUBSTANTIAL ISSUE

MOTION: ***I move that the Commission determine that Appeal No. A-4-CPN-08-024 raises NO substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act.***

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

RESOLUTION TO FIND SUBSTANTIAL ISSUE:

The Commission hereby finds that Appeal No. A-4-CPN-08-024 raises **no substantial issue** with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified LCP.

III. FINDINGS AND DECLARATIONS FOR NO SUBSTANTIAL ISSUE

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

On April 14, 2008, the Carpinteria City Council approved, on appeal from the action of the Carpinteria Planning Commission, a coastal development permit for the demolition of the existing wooden pedestrian bridge crossing Carpinteria Creek and connecting Eight Street and Calle Ocho and replacement with a clear span arch-style bridge.

The project site is located at the western and eastern ends of Calle Ocho and Eighth Street, respectively, at Carpinteria Creek. The existing 172-foot long wooden bridge spans the creek, connecting these two streets and serves as a pedestrian linkage between the Concha Loma and Downtown neighborhoods. The project site is bounded on all four sides by residential development, including single family residential and multi-family condominiums and apartments. Carpinteria Creek is a natural creek with dense riparian vegetation along its length within the City. It is considered an important regional wildlife movement corridor as it provides water, foraging habitat, cover, and a direct connection between coastal resources and the upstream foothills through an area dominated by agricultural and urban uses. The creek is known to contain steel head trout, tidewater goby, red-legged frogs, and over 200 bird species.

The existing wooden bridge has a five and one-half foot wide deck and has six supporting frames constructed of wooden piles driven approximately 30-40 feet down into the creek bottom. The elevation of the existing bridge is 23-25 feet above the creek and is capable of passing the 50-year flood event. The original date of construction is unknown, but was most likely constructed in the late 1950's and then rebuilt in the 1970's after the 1969 floods. The existing bridge is in a deteriorated condition and is beyond the point of repair. Regular inspections are conducted by the City to monitor the safety of the bridge.

The approved new pedestrian arch-style bridge (Exhibits 6 and 7) would be 165 feet long, 5.5-feet in width, and would be situated along the same approximate alignment as the existing bridge. The bridge will be ADA accessible. The arch would be anchored into footings at the top of both banks and would provide support for the deck. Total vertical rise of the arch is 22.5 feet from abutment to mid-span. The height from the deck of the bridge to the highest point of the arch at mid-span would be 16 feet 6 inches. The bridge arch tube would be about twelve inches in diameter and would be constructed of a self-weathering steel that will oxidize to form a protective layer that is dark red brown. Handrails, posts, and deck flooring would be constructed using Forest Stewardship Council-certified sustainably harvested ipê hardwood (*Tabebuia* sp.). The individual planks on the deck flooring will be closely spaced (approximately 1/8th inch spacing). A wooden picket railing will extend between the deck handrails for safety. The wood framing would be supported underneath by self-weathering steel framing members ("I" beams) attached by cable/rods to the arches. The bridge will have a width of five and one-half feet (subject to engineer's approval), rather than a 6-foot width as proposed.

The bridge will be anchored by a concrete abutment at each end. The abutment will be constructed on top of steel concrete-filled piles which will be drilled into the ground and the abutments will encapsulate the pile heads. The abutments will be finished with a river rock stone veneer and treated with a weather seal paint. About 100-150 cubic yards of fill material will be used to slightly raise the grade at the bridge approach to provide a gentle transition from Eighth Street and Calle Ocho. The actual location of the abutments on the east bank may be moved upstream or downstream during final design and construction for the purpose of reducing possible effects to buried cultural resources and, based on the final approved project at the March 14, 2008 City Council hearing, to avoid removal of the southern trunk of the triple-trunked sycamore.

Vegetation in the project area will have to be removed to provide sufficient clearance from the bridge for safety and maintenance. Four trees will be cut down, including three arroyo willow trees and one sycamore tree. Two willows are four feet south of the existing bridge location, one willow is ten feet south, and one sycamore is under the bridge. The southern trunk of a second sycamore tree, a three-trunked sycamore tree, was also originally supposed to be removed, but the City Council's approval on March 14, 2008 requires avoiding the removal of that tree trunk. Further, the tree stumps and root systems will be left in place to allow re-sprouting. Additionally, mitigation for the loss of these trees is proposed as part of the project. The city would replace the sycamore tree at a 10:1 ratio and the willows at a 5:1 ratio. All non-native weeds within the work area will be removed during project implementation. A re-vegetation plan for disturbed areas within the project site is included in the project description. This plan is included in the mitigation measures identified in the Proposed Final Mitigated Negative Declaration.

Overhead utility lines above the existing bridge are proposed to be relocated within a utility conduit supported on the floor beams under the deck. The existing water main that underlies the creek under the bridge is planned to be relocated to the underside of the bridge deck as well. The bridge will be too narrow for automobiles; however, bollards to prevent vehicle use would be placed at both entrances, spaced to allow access by wheelchair and electric handicap scooters. Safety signage will be added and lighting is not proposed. Additionally, as part of the project, the existing storm drain located on the Calle Ocho side of the bridge would be removed and replaced with a new inlet basin and drainage pipe which would include an oil/water/trash separation and removal system. The new storm drain would discharge onto a rock mat at the existing bottom of the creek bed.

The new bridge would be constructed using the existing bridge deck as a platform, or false-work. The old bridge may need to be temporarily supported between the current spans using wood timbers to bear the weight of the new bridge elements. This temporary support would be in place for two to four weeks. Demolition of the existing bridge would occur once the false-work was no longer needed and would require approximately two to three days to complete. A major portion of the demolition is the removal of the existing wooden piers, which extend approximately 30 to 40 feet below the creek bed. The concrete reinforcement at the surface on each pier would be removed using a jack-hammer or other similar methods. The concrete debris material would be removed from the creek. The wooden piers would then be cut three feet below

the creek bed and the upper portions removed. The lower portions would remain intact and buried below the existing stream gradient. Areas where the piers and concrete have been removed would be backfilled with local materials to match the existing contour of the creek bed.

Equipment needed for construction will include a drilling rig, delivery trucks, concrete trucks, and dirt and debris removal via a back-hoe and dump trucks. Approximately 15-20 truck loads of fill material would be delivered to the site using back-end dump trucks to level the ground at both abutments. Construction of the new bridge is anticipated to take approximately two to four months, and would commence in late summer or early fall when creek flows are minimal (July through November).

B. LOCAL PERMIT HISTORY

On February 4, 2008, the City of Carpinteria Planning Commission hearing on the subject conditional use permit and coastal development permit resulted in a procedural denial of the Eight Street Bridge Replacement project because of a split 2-2 Commission vote. The City Manager, acting on behalf of the City Public Works Department, the applicant, appealed the Planning Commission's procedural denial to the City Council. The City Council heard the appeal on March 10, 2008, but did not vote on the project. Instead, the City Council directed City staff to analyze an alternative to the proposed arch-style design, a truss bridge design advocated for by members of the public. The City presented an analysis of the truss design. However, the City Council voted to approve the proposed arch-style bridge replacement project, with conditions, on April 14, 2008. The City Council's Resolution and Approval with Conditions of Project No. 07-1385-CUP/CDP are attached as Exhibits 1-3.

C. APPELLANTS' CONTENTIONS

The appeal filed by Jean Reardon, Duffy Hecht, Beverly Pope, Judy Pearce, Amrita Salms, Beverly Grant, Chuck McQuary, Sandy Vandeman, Robert W. Hanson, and Louise Hansen is attached as Exhibit 2. The appeal asserts that the arch bridge design will be inconsistent with policies and implementation measures of the City of Carpinteria's Local Coastal Plan because it will: (1) allow for the removal of a trunk of a giant specimen sycamore tree and impact sensitive creek resources, (2) obstruct views by placing two 12" diameter pipes overhead of the bridge, and (3) create a public safety hazard by placing critical bridge support structures below the 100-year flood flow level. The appeal also contends that the H-truss bridge design is a better alternative that avoids these impacts and inconsistencies with the LCP.

D. ANALYSIS OF SUBSTANTIAL ISSUE

Pursuant to Sections 30603 and 30625 of the Coastal Act, the appropriate standard of review for this stage of the subject appeal is whether a substantial issue exists with respect to the grounds raised by the appellant relative to the project's conformity to the policies contained in the certified LCP. The appellants contend that the project, as approved by the City does not conform to the policies of the LCP with regard to habitat protection and sensitive resources, visual resources and community character, and flood hazards.

Based on the findings presented below, the Commission finds that a substantial issue does not exist with respect to the grounds on which the appeal has been filed. The approved project is consistent with the policies of the City of Carpinteria certified LCP for the specific reasons discussed below.

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. The Commission's regulations indicate simply that the Commission will hear an appeal unless it "finds that the appeal raises no significant question" (Cal. Code Regs., title 14, section 13115(b)).

In evaluating the issue of whether the appeals raise a substantial issue, the Commission considers the following factors:

(1) The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP;

(2) The extent and scope of the development as approved or denied by the local government;

(3) The significance of coastal resources affected by the decision;

(4) The precedential value of the local government's decision for future interpretation of its LCP; and

(5) Whether the appeal raises only local issues, or those of regional or statewide significance.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development approved by the City does not raise a substantial issue with regard to the appellants' contentions.

1. Habitat Protection and Sensitive Resources

The project approved by the City Council includes the removal of an existing wooden pedestrian bridge and six wooden support piers from the stream bed and replacement with a new clear span steel arch-style bridge. New bridge abutments will be constructed at the top of the creek banks and will require 100-150 cubic yards of grading and removal of three willow trees and 1 sycamore tree to the base of the trunk.

The appellants assert that the project, as approved by the City, raises issues with respect to its consistency with the following objectives and implementation policies of the City of Carpinteria Local Coastal Plan relating to protection of sensitive habitat.

Land Use Element Policy LU-2b:

> ***Regulate all development, including agriculture, to avoid adverse impacts on habitat resources. Standards for habitat protection are established in the Open Space, Recreation & Conservation Element Policies.***

Circulation Element Policy C-1b:

The City shall strive to improve the vehicular and pedestrian over crossings of the freeway and the various creeks while respecting their habitat value and sensitivity.

Community Design Element Objective CD-12:

Development should fit quietly into the area's natural and introduced landscape, deferring to open spaces, existing natural features and native and sensitive habitats.

Open Space, Recreation & Conservation Element Policy OSC-1a:

Protect Environmentally Sensitive Habitat Area(s) (ESHA) from development and maintain them as natural open space or passive recreational areas.

Open Space, Recreation & Conservation Element Policy OSC-1b:

Prohibit activities, including development, that could damage or destroy ESHA.

Open Space, Recreation & Conservation Element Policy OSC-1d:

Property including ESHA should be designated with a zoning category that allows for protection of, and access to, the resource area, such as Open Space/Recreation or Public Facility zoning. Any development on property including ESHA should be designated and conducted to protect the resources. Within environmentally sensitive habitat only uses dependent upon those resources shall be allowed and the resources shall be protected against any disruption.

Open Space, Recreation & Conservation Element Policy OSC-1f:

Protect and restore degraded wetlands, butterfly habitat, native plant communities, and sensitive rare, threatened or endangered species habitat on City-owned land to the maximum extent feasible.

Open Space, Recreation & Conservation Element Implementation Policy 2:

Form an Open Space and Conservation Advisory Committee to provide, at the pleasure of the City Council, recommendations concerning preservation and management of local natural resources and habitat.

Open Space, Recreation & Conservation Element Implementation Policy 7:

Determine appropriate methods for the preservation of sites that include ESHA. These methods may include land purchase, tax relief, purchase development rights, or other methods. Where these methods are not feasible, the city should ensure through permit review that development does not result in any significant disruption of habitat identified on a site or adjacent sites.

Open Space, Recreation & Conservation Element Implementation Policy 8:

> ***Regulate all development, including agricultural development, adjacent to ESHA, in or adjacent to ocean-fronting parks or recreation areas, or contiguous to coastal waters, to prevent adverse impacts on habitat resources. Regulatory measures shall include, but are not limited to: setbacks, buffer zones, grading controls, noise restrictions, lighting restrictions, requirements for wildlife permeable fencing, and maintenance and establishment of native vegetation.***

Open Space, Recreation & Conservation Element Implementation Policy 9:

> ***Prior to issuance of a development permit, all projects shall be found to be in compliance with all applicable habitat protection policies of the General Plan/Local Coastal Plan and implementing policies and regulations of the Coastal Access and Recreation program, Carpinteria Bluffs Access Recreation Master Open Space Program, and any other implementation plan for these policies that has been certified as an amendment to the City's LCP.***

Open Space, Recreation & Conservation Element Policy OSC-6a:

> ***Support the preservation of creeks and their corridors as open space, and maintain and restore riparian habitat to protect the community's water quality, wildlife diversity, aesthetic values, and recreation opportunities.***

Open Space, Recreation & Conservation Element Policy OSC-6d:

> ***Carry out and maintain all permitted construction and grading within stream corridors in such a manner so as to minimize impacts on biological resources and water quality such as increased runoff, creek bank erosion, sedimentation, biochemical degradation or thermal pollution.***

Open Space, Recreation & Conservation Element Implementation Policy 27:

> ***Prepare and implement a Watershed Management plan in coordination with the County and Carpinteria Valley Water District with an emphasis on: erosion control, natural waterway restoration and preservation, wildlife habitat restoration, including steelhead runs, and water quality.***

Open Space, Recreation & Conservation Element Implementation Policy 28:

> ***Prohibit all development within stream corridors except for the improvement of fish and wildlife habitat, development necessary for flood control purposes, (where no other method to protect existing structures in the floodplain is feasible and where protection is necessary for public safety), and bridges and trails (where no alternative route/location is feasible and, when supports are located within stream corridor setbacks, such location minimize impacts on critical habitat). All development shall incorporate the best mitigation measures feasible to minimize impact to the greatest extent.***

Open Space, Recreation & Conservation Element Implementation Policy 29:

> ***Limit all development within stream corridors, including dredging, filling and grading, to activities necessary for the construction specified in policy #28 (see above) and to public hiking/biking and equestrian trails. When such activities require removal of riparian plant species, revegetation with local native riparian plants shall be required. Minor clearing of vegetation may be permitted for hiking/biking and equestrian trails.***

Open Space, Recreation & Conservation Element Implementation Policy 34:

> ***Develop an ordinance for the protection of native oak, walnut, sycamore, and other native trees with the provisions for the design and siting of structures to minimize the impact of grading, paving, construction of roads, runoff and erosion on native trees. In particular, require that grading and paving not adversely affect root zone aeration and stability of native trees.***

The appellants assert that the approved arch-style pedestrian bridge is inconsistent with the above policies and that a better design alternative, the H-truss, was presented at the April 14, 2008 hearing. According to the appellants, the H-truss bridge design alternative would have minimized impacts to sensitive resources because this design would not require the removal of one trunk of a large three-trunked Sycamore tree on the east bank of Carpinteria Creek. The appeal states, "two bridge replacement options were provided at the city council 4/14/08 meeting. Both were represented as viable and feasible and both were clear span designs that would remove support piers from the creek and riparian area. The Arch bridge design was selected by the City Council. That design, however, could allow the removal of the southern trunk of a giant specimen sycamore tree with full riparian canopy and thermal protection for steelhead trout migration. Per the testimony of the city's Acting Public Works Director at the 4/14/08 meeting it is the placement of the arches that interfere with the southernmost sycamore tree trunk. Expert testimony at that hearing by a member of the city's Tree Advisory Board (TAB) warned that removal of that trunk threatened the structure of the entire tree. Loss of the entire tree would cause severe erosion on the east bank of Carpinteria Creek. The alternative design, the modified H-truss, would not require the removal of the tree trunk." The appeal also states the project is inconsistent with the above cited policies because "[t]he Arch Bridge design will allow removal of existing native plants, further threaten native plants, and remove sensitive habitat and would obstruct public views of the riparian canopy. The Arch Bridge does not fit quietly into the surroundings but imposes a large structure upon the landscape. The modified H-truss design better fits into the open space and better defers to native and sensitive habitats."

Additionally, the appellants assert that, pursuant to Implementation Policy OSC-IP 2 (above), if the City had formed the required Open Space and Conservation Advisory Committee, it could have identified natural resources and habitats in the area of Carpinteria Creek and could have reviewed plans and further advised the City Council on recommendations related to the design affording the best resource protection. Further, under Implementation Policy OSC-IP 27, the appellants assert that, had the City developed a Watershed Management Plan, it could have guided the decision

making process between the two design alternatives to select the design that best preserves wildlife habitat including steelhead runs.

The City provided the following analysis with regard to the project's consistency with the above cited LCP objectives and implementation policies in its March 10, 2008 staff report:

Staff Report Analysis of Land Use Policy LU-2b:

The proposed bridge replacement project would have several long-term beneficial impacts to the surrounding creek environment including the removal of the existing piers from the creek bed and banks, the replacement of the existing storm drain and outlet on the Concha Loma side of the bridge and the restoration of the surrounding area with native plants. Short-term impacts anticipated during construction or as a result of the bridge construction have been identified in the project's MND and adequately mitigated such that the project would be consistent with both of these Land Use Element Policies.

Staff Report Analysis of Circulation Element Policy C-1b:

The proposed project would improve the existing pedestrian over crossing of Carpinteria Creek at Eight Street/Calle Ocho by lessening the potential for flood damage to the bridge and surrounding properties through the removal of the existing piers, the raising of the deck height of the bridge, bringing the bridge up to code relative to building and safety standards and by replacing the existing failing bridge with a new, more durable, and less maintenance-intensive bridge. Although the bridge replacement would involve short-term impacts to the immediately-surrounding habitat, in the long-term the bridge would result in several beneficial impacts: the existing obstructions within the creek would be removed; the new bridge would require less ongoing maintenance within the creek bed; the existing storm drain would be upgraded to include an oil/water/trash separation device; and the project area would be re-vegetated with native plants.

Staff Report Analysis of Community Design Element Objective CD-12:

In order to accommodate the new bridge, three willows, one mature sycamore and one trunk from a multi-trunked sycamore would need to be removed (although staff is exploring options for altering the location of the eastern abutment in order to spare the 3-in-1 sycamore entirely as noted in the previous staff report). The loss of these trees would be mitigated however, with the planting of new willows and sycamores at 5:1 and 10:1 replacement rations. The new replacement trees along with the remaining existing riparian trees in the area would make up the primary elements of the habitat restoration plant for the area immediately surrounding the bridge. Other replacement plantings include blackberry, California wild rose, mugwort, spikerush, cattails, and nettle. All of these species were selected because they are native to the area and naturally occur in the riparian creek settings. With respect to Objective CD-12, the new bridge would span the creek and the creek banks, which is the most non-disruptive design possible. The bridge would not require any significant alterations to the banks for adjacent grades, which helps to maintain the existing natural features.

Staff Report Analysis of Open Space, Recreation & Conservation Element Policy OSC-1a and OSC-1b:

The proposed bridge replacement project has been designed to minimize impacts to ESHA and to result in several long-term beneficial impacts including removing fish passage obstructions, reducing flood hazards, decreasing the potential for erosion impacts (both from the piers and the storm drain outlet), removing non-native vegetation from the project area and replacing the non-natives with native plants with native plants adapted to the riparian environment. The MND prepared for the project did not identify any significant impacts to the environment that could not be adequately mitigated to less than significant levels. Therefore, the project can be found consistent with these objectives and policies.

Staff Report Analysis of Open Space, Recreation & Conservation Element Policy OSC-1f:

The MND prepared for the bridge replacement project identified potentially significant impacts to: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hazardous Materials/Safety, Noise, Transportation and Parking, and Water/Flooding. Mitigation measures have been required to ensure that impacts have been avoided or fully mitigated. One of the mitigation measures related to Biological Resources involves the implementation of a habitat restoration plan which would require all non-native vegetation to be removed from the project area and replaced with native, riparian plant species. The successful implementation and completion of the restoration component of the project would ensure consistency with the above noted policies. Similarly, mitigation measures to protect sensitive, rare, threatened and endangered species during construction have been included in the project description and conditions of approval. Removal of existing piers from the creek bed would result in a beneficial impact with respect to Steelhead trout which are one of the federally-listed endangered species known to reside in Carpinteria Creek.

Staff Report Analysis of Open Space, Recreation & Conservation Element Implementation Policy 8:

Consistent with the above policies, the proposed project including the removal of the tree willows, one sycamore and one trunk from the "3-in-1" sycamore (if necessary) has been reviewed by the City Biologist and found to not have the potential to result in significant disruption of habitat values. The California Department of Fish and Game has also reviewed the project (as it does involve work within the creek and below the top of the banks) and granted their conditional approval. Consistent with Implementation Policy 8, a number of requirements for noise control measures, restrictions on any future lighting, erosion control measures and habitat restoration have been incorporated into the project description, mitigation measures and/or conditions of approval.

Staff Report Analysis of Open Space, Recreation & Conservation Element Policy OSC-6a:

The proposed bridge replacement project would improve the natural environmental qualities of Carpinteria Creek by removing the existing piers from the creek bed and banks and replacing all of the existing non-native plants with native riparian species. The existing piers have the potential to pose both a flood hazard and a fish passage obstruction when debris flow is trapped against them during a storm event. The piers also increase the potential for erosion of the creek bed and banks. Removal of the piers would not only improve the natural qualities of the creek but would improve the creek flow, thereby reducing the potential for flood damage to neighboring properties, consistent with the intent of Policy OSC-6b.

While the project would require the removal of three existing willows, one sycamore and possibly one trunk from a separate multi-trunked sycamore, the overall impacts to the riparian corridor would be minimized. The loss of five trees would be mitigated by the planting of five new willows for every one removed and 10 new sycamores for each removed or damaged sycamore. Performance criteria are included in the revegetation plan to ensure that the replacement landscaping successfully establishes itself.

Staff Report Analysis of Open Space, Recreation & Conservation Element Policy OSC-6d:

As part of the project, a number of preventative measures have been developed to avoid impacts on biological resources and water quality. These measures include conducting wildlife surveys prior to initiating construction, maintaining a biological monitor on site during construction, providing training to construction workers and implementation of standard erosion control/water quality BMPs such as having designated washout and equipment staging areas and using materials such as gravel bags, silt fences, coir rolls, and erosion control blankets to prevent loose earth and other materials from entering into the flowing creek. The reconstruction of the storm drain inlet at the Calle Ocho end of the bridge to include an oil/water/trash filter and the relocation of the storm drain outlet to the bottom of the creek bank would help to improve water quality and lessen erosion impacts resulting from urban runoff.

Staff Report Analysis of Open Space, Recreation & Conservation Element Implementation Policy 28 and Policy 29:

Consistent with the policies and implementation measures of the Creeks Preservation Program and Implementation Policy 28 (above), the proposed new project would locate the bridge supports (in this case the TGI piles and concrete abutments) at the top of the creek banks rather than within the creek bank. Such placement helps to minimize impacts to riparian habitats and the need for grading/filling within the stream corridor. New grading and fill would only be used to ramp down from the bridge deck to the existing street improvements at an ADA compliant slope. As noted previously, the project would have beneficial long term impacts to the creek environment: 1.) Removing the existing piers would improve opportunities for fish passage and help to reduce potential flood/erosion hazards; 2.) The reconstruction/relocation of the storm drain inlet and outlet would improve water quality and decrease erosion impacts associated with urban runoff; 3.) Non-

native vegetation within the riparian corridor would be removed and replaced with appropriate native species. The new bridge would require the removal of up to five existing riparian trees (partially or entirely), riparian trees of the same species; and 4.) Relocating overhead utility lines and underground water main to the underside of the bridge deck would avoid the need for any further topping of trees in the riparian area and would allow the utility infrastructure to be more easily accessible in the event of necessary repairs/maintenance.

Repairing or replacing piers or other structures associated with a bridge within the creek banks or creek bed would be more injurious to the creek habitat and would do nothing to improve fish passage or lessen the risk of flood hazards along Carpinteria Creek. Therefore, the proposed clear span replacement bridge is the superior alternative with respect to these policies.

The City also analyzed the impacts of the arch bridge design compared with the H-truss design. According to the April 14, 2008 City staff report, the H-truss design alternative would include a seven-foot high truss comprised of 10-inch by 10-inch top and bottom rails connected by eight-inch by eight-inch vertical and diagonal beams. Approximately three feet of the truss structure would be placed below the bridge deck and four feet of the truss structure would be placed above the bridge deck. The decking would be constructed of wood and the remainder of the structure would be steel. The deck for the truss bridge would be raised two feet higher than the deck height for the proposed arch bridge in order for the bottom rail of the H-truss to maintain two feet of vertical clearance above the projected water level during a 100-year flood event. The City found that the two-foot increase in deck height would require the importation of more fill material at each bridge end than what is required for the arch bridge in order to ramp up onto the truss bridge. An additional two vertical feet of fill requires a larger fill footprint. Part of this expanded fill pad footprint would result in more grading within the riparian corridor than what is required for the arch bridge and the expanded fill footprint for the H-truss design could require the removal of additional trees along the west bank of the creek just upstream from the existing bridge. The deck of the bridge would also need to tie into a ramp or approach at each bridge end meeting Americans with Disabilities Act requirements. For the arch bridge design, the deck of the bridge would sit over three feet higher than the pavement at Calle Ocho. The height difference between the street ends and the bridge deck from the arch bridge could be accommodated with linear ramps from the street ends. However, according to the staff report, because the H-truss design must be constructed two-feet higher than the arch bridge, the two-foot vertical increase in deck height increases the deck height difference between the sidewalk at the end of Eighth Street and the bridge deck to approximately five vertical feet and the height difference between the deck and the street end at Calle Ocho would increase to approximately three-feet. This height increase would require more stairs and switch-back ramps, resulting in more earthwork and impacts to vegetation in the riparian corridor.

In this case, the City has provided a high degree of factual and legal support for the local government's decision that the proposed arch-style bridge is consistent with the certified LCP relating to the resource protection policies and implementation measures cited by the appellants. The City has thoroughly addressed relevant policies and implementation measure and has provided factual support showing that several aspects of the project will have an overall beneficial impact on creek resources in comparison

with other alternative designs. The above analysis provides evidence that creek habitat value will be enhanced by removing existing obstructions within the creek (six piers), the new bridge would span the creek and would not require ongoing maintenance within the creek bed, the project includes a native plant restoration and monitoring plan, mitigation will be provided for three willow trees and one sycamore tree, and the existing storm drain would be upgraded to include an oil/water/trash separation device. The H-truss design option, as advocated for by the appellants, could have more adverse impacts to resources due to the need for more earthwork to support the truss structure and access points to the street ends.

Further, the City Council approved the arch-style pedestrian bridge with more protections for stream resources than proposed as part of the project presented by City staff. The City Council approved the project and adopted Resolution 5114 with revisions providing that: existing native trees within the construction zone are to receive the utmost protection during construction and that construction is to be expedited in order to minimize impacts to the adjacent neighborhoods and the environment. The City Council also adopted a measure for the protection of the three-trunked sycamore tree. The City Council approved the project with a revision to Condition #1, to read, in part: "[t]he actual location of the concrete footing on the east bank may be moved upstream or downstream during final design and construction for the purpose of reducing possible effects to buried cultural resources and/or to~~, if possible,~~ avoid the removal of the southern trunk of the triple-trunked sycamore that is located immediately north of the existing bridge." Thus, one major concern of appellants, the removal of one trunk of a three-trunked sycamore, is not an issue because the project, as approved, will not impact or require removal of the three-trunked sycamore tree.

Additionally, there is no evidence that the City would have come to a different decision and chosen a different bridge design with less impacts if the City had formed an Open Space and Conservation Advisory Committee (as required by Implementation Policy OSC-IP 2) or if the City had developed a Watershed Management Plan (as required by Implementation Policy OSC-IP 27). The LCP policies, described above, provide protections for natural resources and creek habitat. The staff report adequately assessed these policies and explained how the arch design would minimize impacts to surrounding vegetation and habitat compared with other alternatives.

In analyzing other factors relevant to the issue of whether this appeal raises a substantial issue with respect to habitat protection, the extent and scope of the project is relatively minor. It involves only a small (165-foot long, 5.5-foot wide) pedestrian bridge. The coastal resources affected by the decision are also minimal. Three willow trees and one sycamore tree will be removed and replaced (5:1 and 10:1 mitigation ratio, respectively) and 100-150 cubic yards of grading will be required for construction and placement of the free-span bridge. The City's decision to replace the deteriorating wooden pedestrian bridge with a free-span arch bridge will have an overall beneficial impact on Carpinteria Creek and is consistent with the City's LCP policies relating to protection of creek habitat as analyzed by the City. Further, this appeal raises issues only relating to consistency with local creek protection policies, community character and visual resources, it does not establish dramatic new interpretations of those policies, and, because of the location of the bridge in a residential area, the project does not have regional or statewide significance. Given these factors, this appeal does not

raise a substantial issue relating to habitat protection. The project is consistent with the requirements of the LCP that were adopted to insure that development does not have significant adverse impacts on coastal resources.

2. Visual Resources and Community Character

The appeal asserts that the project, as approved by the City, raises issues with respect to its consistency with the following objectives and implementation policies of the City of Carpinteria Local Coastal Plan relating to visual resources and community character.

Community Design Element Policy CDS2-a:

> ***Ensure that new intensified land uses within the Downtown remain consistent with the city's "small beach town" image.***

Open Space, Recreation & Conservation Element Policy OSC-13a:

> ***Preserve broad, unobstructed views from the nearest public street to the ocean, including but not limited to Linden Avenue, Bailard Avenue, Carpinteria Avenue, and U.S. Highway 101. In addition, design and site new development on or adjacent to bluffs, beaches, streams, or the Salt Marsh to prevent adverse impacts on these visual resources. New development shall be subject to all of the following measures***
>
> > ***a. Height and siting restrictions to avoid obstruction of existing views of visual resources from the nearest public areas.***
> >
> > ***b. In addition to the bluff setback required for safety, additional bluff setbacks may be required for oceanfront structures to minimize or avoid impacts on public views from the beach…***
> >
> > ***c. Special landscaping requirements to mitigate visual impacts.***

Open Space, Recreation & Conservation Element Implementation Policy 59:

> ***Amend the Zoning Ordinance to include view preservation design standards including the listing of specific locations where maximum building height and mass standards will be applied, and areas where minimum open space buffers will be required.***

The appellants assert that the approved project is inconsistent with the above policies because the arch design will obstruct views of the riparian canopy. Specifically, the appeal states that:

> ***[t]he Arch Bridge is a highly engineered structure with 12" diameter pipe supports swooping 17' up in the air. As such, it is significantly different than the existing wooden footbridge. During city public hearings neighbors and citizens testified as to the better consistency of both the existing bridge and***

> ***the modified H-truss design to the concept of 'small town charm.' Given that the bridge must be replaced, however, the modified H-truss design appears to be more consistent with 'small town charm' because it does not have the large overhead arches. Viewers from the nearest public place (that is, approaches to the bridge and on the bridge itself – very few, if any viewers will see the bridge from the side unless the are down in the creek bed itself, and there is difficult access, at best down to the creek bed) will see large overhead swooping pipes with the arch bridge and only 48" high top rail chords at the side with openings in the truss structure to view below, with the modified H-truss design.***

Further, the appeal asserts, with respect to Open Space, Recreation & Conservation Element Implementation Policy 59, that if the City had amended the Zoning Ordinance then design standards may have been in place to preserve views of the riparian canopy and guide the selection of the bridge design.

The City provided the following analysis with regard to the project's consistency with the objectives and implementation policies of the LCP cited by the appellants relating to visual resources and community character in its March 10, 2008 staff report:

Staff Report Analysis of Community Design Element Policy CDS2-a and other Community Design Element objectives:

> ***Given that the distance that has to be spanned (165 feet) without any piers the design options for a new bridge are limited and typically involve major structural supports placed above the bridge deck (such as a box truss, arch or suspension bridge). The new arch style pedestrian bridge most closely resembles the look of the existing bridge while ensuring that all structural supports are removed from the creek bed. The wooden decking, handrails and picket railings of the six-foot deck width and three-and-one-half foot railing height are appropriately scaled to the pedestrian. The alignment of the bridge would roughly follow that of the existing bridge which helps to maintain visual connectivity across the bridge to each street. The steel arches and deck understory would be constructed of a self-weathering steel, which achieves a rust-colored patina that would blend in with the surrounding riparian woodland and complement the ipê hardwood bridge decking and rails. Overall, replacing the bridge with a new and improved structure would help to preserve and enhance an existing physical connection between the Concha Loma and Downtown/Old Town neighborhoods. Therefore, this project can be found consistent with the above-noted objectives and policies for both Sub-Areas.***

Staff Report Analysis of Open Space, Recreation & Conservation Element Policy OSC-13a and other OSC Policies:

> ***…[T]he new bridge structure would feature materials intended to blend into the surrounding area, including using a sustainably harvested, natural hardwood (left unpainted) for the bridge decking, pickets and handrails, using self-weathering steel for the bridge and arch structures (which maintains a rust colored patina) and utilizing a creek rock veneer for the exposed portions***

of the bridge abutments. The existing overhead utility lines would be relocated to the underside of the bridge structure which improves the visual character of the surrounding skyline. The project also proposed to re-landscape the project area with native landscaping, including mitigating (at a 10:1 ration and a 5:1 ratio, respectively) for the loss of three willows, one sycamore and (if it needs to be removed), one trunk of the "3-in-1" sycamore anticipated as a result of the project. As the new vegetation fills in over the years (performance criteria are included in the Mitigation Measures of the MND to ensure the survival of the replacement planting), the bridge would again become largely screened from the surrounding areas similar to the current existing conditions.

The City Council directed City staff to pursue the arch bridge design as this was deemed most similar to the existing bridge in character, while meeting the other design objectives of keeping structural elements, such as piers, outside of the creekbed. Although the new bridge places must of its structural support in the air above the deck rather than below the bridge deck, the small diameter of the arch tubes (approximately 12-inch diameter maximum near the base of the arches) and the 16 and one half foot spacing between the cable stays help to minimize obstructions of views of the creek, both from and through the bridge. The bridge would be maintained as a pedestrian-only bridge, thereby maintaining the deck width at six feet rather than eight feet as would be required for a bicycle bridge and keeping the hand rails at a height of three and one half feet. The overall size and scale of the bridge is meant to be sympathetic to the character of the surrounding community and natural areas, while meeting minimum building code and accessibility requirements.

The City also analyzed the visual impacts of the arch bridge design compared with alternative designs, including the H-truss design, and determined that the arch bridge is more appropriately scaled. The City's April 14, 2008 staff report states that the arch bridge railings would be six inches shorter than the truss railing and that, because the overhead arches provide the main structural support, the railings of the arch bridge can be constructed of much smaller members than what is proposed for the alternative truss bridge style. Additionally, the City staff report states that the deck for the truss bridge would be raised two feet higher than the deck height for the proposed arch bridge in order for the bottom rail of the H-truss to maintain two feet of vertical clearance above the projected water level during a 100-year flood event. The deck of the bridge would need to tie into a ramp or approach at each bridge end meeting Americans with Disabilities Act requirements. As explained above, this height increase for the H-truss design would require more stairs and switch-back ramps, resulting in more earthwork and more visual impacts at each approach.

In this case, the City has provided a high degree of support for the local government's decision that the development is consistent with the certified LCP relating to visual resources and community character. City staff analyzed the impacts of the arch bridge design compared with the H-truss design and provided a thorough factual analysis of each design. The City's analysis demonstrates how the project protects the "small beach town" image of the area and prevents adverse impacts on the views of the stream and the riparian vegetation. The City Council had adequate support for its decision to choose the arch free-span bridge design. Additionally, in analyzing other factors to determine whether this appeal raises a substantial issue with respect to visual

resources and community character, the Commission takes into consideration the extent and scope of the project. In this case, as also explained above, removing a deteriorating wooden pedestrian bridge with pilings in the creek and replacing it with a five and a half foot-wide free-span pedestrian bridge in almost the same location and same bulk and size is a relatively minor development project. The project may have minor public view impacts of the riparian canopy above the bridge due to the two 12-inch tube arches supporting the bridge, but no public views of the riparian canopy will be blocked. Moreover, this riparian canopy is only visible from the street end approaches, the bridge, and the stream corridor, so that it is not among the more significant coastal resources protected by the Coastal Act. As for the bridge structure, the City Council used its discretion in choosing the design that will be compatible with community character. Further, this appeal raises issues only relating to consistency with local policies relating to creek protection, community character and visual resources, it does not establish dramatic new interpretations of those policies, and, because of the location of the bridge in a residential area, the project does not have regional or statewide significance. Given these factors, this appeal does not raise a substantial issue relating to visual impacts and impacts to community character.

3. Flood Hazards

The 100-year flow capacity of Carpinteria Creek is 12,000 cfs, with a surface elevation of approximately 25 feet, according to the March 10, 2008 City staff report. The existing wooden pedestrian bridge sits at an elevation of 23 to 26 feet and does not meet the flood zone requirements of two vertical feet of clearance above the 100-year flow capacity.

The appellants' appeal asserts that the project, as approved by the City, raises issues with respect to its consistency with the following objectives and implementation policies of the City of Carpinteria Local Coastal Plan relating to flood hazards.

Safety Element Policy S-4a:

> ***All new development proposed in the 100-year floodplain must adhere to the County of Santa Barbara Floodplain Management Ordinance, Chapter 15-A of the County Code.***

Safety Element Policy S-4b:

> ***The development of critical facilities within the 100-year floodplain should be discouraged.***

Safety Element Implementation Policy 10:

> ***Compliance with the City's Floodplain Management Measures will be required prior to issuance of building permits for any type of individual development project proposed in the 100-year floodplain.***

The appellants assert that the approved project is inconsistent with the above policies because the arch design violates the two foot clearance above the 100 year flood flow levels in the Flood Overlay District as it places the ends of the arches that attach to the abutments directly below, not above, the 100 year flood flow level. The appeal states that the H-truss design provides for a two foot clearance above the 100 year flood flow level and is in compliance with the Flood Overlay District criteria.

The City provided the following analysis with regard to the project's consistency with the following objectives and implementation policies of the LCP cited by the appellants relating flood hazards in its March 10, 2008 staff report:

Staff Report Analysis of Safety Element Policy S-4a and S-4 Implementation Policy 10:

The proposed bridge replacement would be consistent with the above-noted objectives and policies. The established Base Flood Elevation (or 100-year storm flow elevation) for the project site has been established at 25 feet. The bottom of the deck structure of the new bridge deck would be at approximately 27 feet, thereby meeting the required two-feet of vertical clearance (freeboard) above the 100-year flood level (or Base Flood Elevation) as established by FEMA. By removing the existing piers from the creek bed, the bridge replacement lowers the water surface elevation and also improves the hydrology of the site as the piers have the adverse effect of increasing hydraulic forces that cause bank erosion and habitat disturbance. The City Public Works Director is the flood plain administrator for the City and has determined that the proposed bridge elevation would comply with the minimum freeboard requirements.

Further, City staff provided additional information to Commission staff indicating that the bottom of the arch tubes at the abutment are placed below the bridge deck and encroach into the 100 year flood plain but these areas are not considered in contributing to the hydraulic capacity of the Channel. [1] Further, the removal of the six piers in the creek bed will have a positive effect on the flood plain and water surface elevation.

In this case, the City has provided a high degree of support for its decision that the development is consistent with the flood hazard policies of the certified LCP. The City approved the project with the evidence that the project has been reviewed and conditionally approved by the City's Floodplain Manager, according to the City's staff report, and that the project will adhere to the County of Santa Barbara Floodplain Management Ordinance, Chapter 15-A of the County Code. Additionally, in analyzing other factors to determine whether this appeal raises a substantial issue with respect to flood hazards, the Commission takes into consideration the extent and scope of the project. In this case, the proposed project is a free-span pedestrian-only bridge and, while important for the local community, is not a vital circulation corridor or a substantial development project. Further, the project will not have any adverse effect on flooding risks. Finally, as explained above, this local government action does not have a significant precedential effect for future interpretation of the City's LCP, and the appeal raises only local issues and does not have regional or statewide significance.

[1] Email from Ken Taylor to Nick Bobroff, Assistant Planner, City of Carpinteria, Friday, May 9, 2008.

E. CONCLUSION

For the reasons discussed above, no substantial issue is raised with respect to the consistency of the approved development with the policies of the City's certified LCP regarding habitat protection and sensitive resources, visual resources and community character, and flood hazards, which are the only grounds raised in the appeal. Applying the factors identified on page 8, the Commission finds that the City has adequately supported its position that the proposed project will not conflict with LCP policies. The existing bridge with obstructions in the creek bed will be removed and replaced with a free-span bridge, a re-vegetation and monitoring plan is proposed, and mitigation is provided for the removal of 3 willow trees (5:1) and 1 sycamore tree (10:1), which will minimize impacts to sensitive resources; the project will be consistent with LCP visual resource and community character policies because views of the riparian canopy will not be blocked, and the City provided a thorough analysis of design alternatives and the City Council appropriately used its discretion in applying these policies; and, the City provided factual support to indicate that the bridge is consistent with LCP flood protection policies. In addition, the development is relatively minor in scope, doesn't have a significant adverse effect on relatively significant coastal resources, has little precedential value, and doesn't raise issues of regional or statewide significance. Therefore, the Commission finds that the appeal filed by Jean Reardon, Duffy Hecht, Beverly Pope, Judy Pearce, Amrita Salms, Beverly Grant, Chuck McQuary, Sandy Vandeman, Robert W. Hanson, and Louise Hansen does not raise a substantial issue as to the City's application of the cited policies of the LCP.

4-CPN-08-024

NOTICE OF FINAL LOCAL ACTION ON COASTAL DEVELOPMENT PERMIT

CITY OF CARPINTERIA

5775 CARPINTERIA AVENUE, CARPINTERIA, CA 93013

RECEIVED
APR 21 2008
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Date of Notice: April 16, 2008

Notice Sent to (via certified mail):
California Coastal Commission South-Central Coast District Office
89 South California Street, Suite 200
Ventura, CA 93001

Please note the following **Final City of Carpinteria Action** on a Coastal Development Permit (all local appeals have been exhausted for this matter):

Project Information

Project #: 07-1385-CUP/CDP; Eights Street Pedestrian Bridge Replacement Project
Project Applicant: City of Carpinteria Public Works Department
Agent: N/A
Project Location: Eighth Street/Calle Ocho at Carpinteria Creek APN: N/A
Project Description: Demolish the existing wooden pedestrian bridge (including the removal of the existing piers) and replace it with a new clear span steel arch-style bridge. The new 165-foot long arch bridge would be anchored into new abutments constructed at the top of the creek banks on each side. The new bridge would allow for the future relocation of the existing overhead utility lines and underground water main to the underside of the new bridge deck. The project also includes minor site grading and importation of 100-150 cubic yards of fill outside of the creek banks for the bridge approaches/abutments. The existing storm drain inlet and outlet located at the west end of Calle Ocho would be replaced and upgraded as part of the project. Finally, the project includes a riparian restoration plan for the construction area.

Final Action Information

Final Local Action: ☐ Approved ☑ Approved with Conditions ☐ Denied
Final Action Body: ☐ Community Development Director ☐ Planning Commission ☑ City Council

Required Materials Supporting the Final Action	Enclosed	Previously Sent (date)
Adopted Staff Reports: March 10, 2008, Item 12 April 14, 2008, Item 6	X	
Adopted Findings and Conditions: City Council Resolution No. 5114	X	
Project Plans	X	

Coastal Commission Appeal Information

This Final Action is:

☐ **NOT appealable** to the California Coastal Commission. The Final City of Carpinteria Action is now effective.

☑ **Appealable** to the California Coastal Commission. The Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this Final Action. The Final Action is not effective until after the Coastal Commission's appeal period has expired and no appeal has been filed. Any such appeal must be made directly to the California Coastal Commission South-Central Coast District Office in Ventura, CA; there is no fee for such an appeal. Should you have any questions regarding the Coastal Commission appeal period or process, please contact them at (805) 585-1800.

Copies of this notice have also been sent via first-class mail to:

- Applicant
- Agent
- Interested parties who arranged for mailing of notice

Prepared by: Nick Bobroff, Assistant Planner

EXHIBIT 1
4-CPN-08-024
Final Local Action Notice

ATTACHMENT C: CONDITIONS OF APPROVAL

***Revised 4/15/08 to reflect City Council Motion**

CITY COUNCIL HEARING
PROJECT NO. 07-1385-CUP/CDP
Calle Ocho and Eighth Street at Carpinteria Creek
April 14, 2008

Eighth Street Pedestrian Bridge Replacement Project

The Conditions set forth in this permit affect the title and possession of the real property which is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions, and restrictions herein imposed shall be binding upon and inure to the benefit of the owner (applicant, developer), his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner (applicant, developer) and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on the owner (applicant, developer) by this permit.

COMMUNITY DEVELOPMENT DEPARTMENT
General Conditions

1. This Conditional Use Permit and Coastal Development Permit is based upon and limited to compliance with the project description, the hearing exhibits (Exhibit 1, Attachment B to the staff report dated April 14, 2008), and conditions of approval set forth below.

   Any deviations from the project description, exhibits or conditions must be reviewed and approved by the City for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

   The project description is as follows:

   The new pedestrian arch bridge would be 165 feet long and would be situated along the same approximate alignment as the existing bridge. The arch would be anchored into footings at the top of both banks and would provide support for the deck. Total vertical rise of the arch is 22.5 feet from abutment to mid-span. The height from the deck of the bridge to the highest point on the arch (at mid-span) would be 16 feet six inches. The bridge arch tube would be about 12 inches in diameter and would be constructed of a self-weathering steel (such as COR-TEN® steel) that will oxidize (rust) to form a protective layer that is a dark red brown. Handrails, posts and deck

flooring would be constructed using Forest Sterwardship Council-certified sustainably harvested ipê hardwood (*Tabebuia* sp.). The individual planks on the deck flooring will be closely spaced (approximate 1/8-inch spacing). A wooden picket railing will extend between the deck and handrails for safety purposes. The wood framing would be supported underneath by self-weathering steel framing members ("I"-beams) attached by cable/rods to the arches. The bridge would have a clear deck width of five and one-half feet (pending approval of reduced width by project engineers) and a railing height of at least 42 inches.

The bridge is anchored at each end to an abutment. The concrete abutment would be constructed on top of steel concrete-filled piles which are drilled into the ground. The abutments would encapsulate the pile heads. The abutments would be finished with a river rock stone veneer, then treated with a weather seal paint (such as Blok-Guard® & Graffiti Control II) to reduce graffiti. The outer edge of the abutments would be above current ground level and a total of about 100 - 150 cubic yards of clean backfill would be used to slightly raise the grade at the bridge approach to provide a smooth, gentle transition from Eighth Street and Calle Ocho. The actual location of the concrete footing on the east bank may be moved upstream or downstream during final design and construction for the purpose of reducing possible effects to buried cultural resources and/or to avoid the removal of the southern trunk on the triple-trunked sycamore that is located immediately north of the existing bridge.

The new bridge would improve the creek hydraulics by removing all existing piers thereby lowering the water surface elevation (Willdan, January 2007). Overhead utility lines above the existing bridge are proposed to be relocated within a utility conduit supported on the floor beams under the deck. The existing water main that underlies the bridge is planned to be relocated to the underside of the bridge deck as well. The conduit and water pipe would be color matched to the beams (not painted).

The bridge is currently signed noting that no motor vehicles are allowed. The bridge, although widened would still be too narrow for automobiles; however bollards to prevent vehicle use would be placed at both entrances, spaced to allow access by wheelchair and electric handicap scooters. Safety signage regarding bicycle use on the bridge ("walk bikes on bridge") would be added as well. Pedestrian lighting is not currently proposed for the new bridge, however it may be added in the future. Finally, as part of the project, the existing storm drain located on the Calle Ocho side of the bridge would be removed and replaced with a new inlet basin and drainage pipe which would include an oil/water/trash separation and removal system. The new storm drain would discharge onto a rock mat at the bottom of the creek bed, thereby reducing current bank erosion caused by the existing drain and its downstream sediment effects. The storm drain would be stenciled with, "Do Not Dump: Drains Directly to Creek/Ocean."

2. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitations period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.

3. Any and all damage or injury to public property resulting from this development, including without limitation, City streets, shall be corrected or result in being repaired and restored to its original or better condition.

4. All requirements of the City of Carpinteria (including but not limited to public improvements as defined in the City of Carpinteria Municipal Code (CMC), Section 15.16.110) and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met.

5. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.

6. All buildings, roadways, parking areas, landscaping and other features shall be located substantially as shown on the approved plans.

7. The standards defined within the City's adopted model Building Codes (UBC; NEC; UMC; UFC; UPC; UHC) relative to the building and occupancy shall apply to this project.

8. Any minor changes may be approved by the Community Development Director. Any major changes will require the filing of a modification application to be considered by the City Council.

9. Approval of the Conditional Use Permit and Coastal Development Permit shall expire two years after approval, unless prior to the expiration date a building permit has been issued or the permittee has diligently worked toward building permit issuance. The decision maker with jurisdiction over the project may grant a time extension for good cause.

10. When not specified herein, all conditions shall be satisfied prior to the issuance of Building Permits or prior to occupancy when allowed by the Director of Community Development.

11. An approval granted by the City Council does not constitute a Building Permit or authorization to begin any construction. An appropriate permit issued by the Building Division must be obtained prior to constructing, enlarging, moving, converting, or demolishing any building or structure within the City.

12. If, at any time, the City or City Council determines that there has been, or may be, a violation of the findings or conditions of this Conditional Use Permit/Coastal Development Permit, or of the Municipal Code regulations, a public hearing may be held before the City Council to review this permit. At said hearing, the City Council may add additional conditions, or recommend enforcement actions, or revoke the permit entirely, as necessary to ensure compliance with the Municipal Code, and to provide for the health, safety, and general welfare of the City. The applicant shall reimburse the City for all costs associated with gaining compliance with the original conditions of approval.

13. All project conditions shall be listed on a sheet included as part of the construction plans submitted for review and approval by the City prior to issuance of a Building Permit/Grading Permit. The approved set of plans shall be retained at the construction site for review by the Building Inspector during the course of construction.

Mitigation Measures from the Project MND

14. **AES-1: Lighting.** Future lighting shall comply with City standards including no spotlights or floodlights, directing lighting downward and at the minimum wattage required by law enforcement for safe passage on the bridge, but not more than 60 watts within each individual fixture.

    Plan Requirements and Timing: Any future lighting shall be reviewed and approved by the ARB and Community Development Department (CDD) prior to issuance of building permits for said lighting.

    Monitoring: CDD shall check fixtures for compliance after installation.

15. **AQ-1: Fugitive Dust Prevention.**
    - During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible.
    - Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
    - If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to construction initiation.

Plan Requirements and Timing: Construction plans shall contain the above measures as specifications prior to the City bid process.

Monitoring: Public Works Department (PWD) shall check the construction specifications for the required text. PWD shall periodically inspect the site during construction for compliance with the above measures.

16. **BIO-1: Environmental Training/On-Site Biological Monitor.** A qualified biological monitor shall be provided by the City during construction activities to ensure that protective measures listed herein are fully implemented. The biological monitor's duties shall include:
    - Conducting environmental training of all construction personnel prior to construction activity;
    - Observing construction activities and providing direction to the supervisor of construction crews as needed to ensure that protective measures are implemented;
    - If any breach in protective fencing occurs, the monitor shall order all work suspended until the fence is repaired or replaced.

    Plan Requirements and Timing: DPW and CDD shall review training materials prior to initiation of construction.

    Monitoring: DPW will contract with a qualified biologist to conduct the construction monitoring work.

17. **BIO-2: Bird Nesting Surveys.** If vegetation clearing or other project construction is to be initiated during the bird breeding season (March 1 through September 15), final pre-construction/grading surveys shall be conducted by a qualified ornithologist (a person with a biology degree and/or established skills in bird recognition). Surveys shall occur no earlier than 14 days and no later than three days prior to initial construction or grading activity, and shall include an area of 500 feet from the

proposed construction. If listed species are discovered to be present, surveys shall begin no later than June 1. Surveys shall be conducted every seven days for eight consecutive weeks until at least July 1. If raptors are observed nesting within 500 feet of construction/grading areas, or if other bird species are observed nesting within 300 feet of construction/grading areas, the breeding habitat/nest site shall be buffered from construction activities by a fence and the buffer area shall not be disturbed until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area and the young will no longer be impacted by the project.

Plan Requirements and Timing: DPW to contract with a qualified biologist prior to the initiation of construction. Survey to be conducted only as necessary during the breeding season.

Monitoring: Survey report to be provided to CDD prior to the initiation of construction.

18. **BIO-3: Wildlife Pre-Construction Surveys.** Two weeks prior to initiating construction, an approved and qualified biologist shall survey the construction area for sensitive species, specifically California Red-legged Frog, Two-striped Garter Snake, Southern Pacific Pond Turtle, Steelhead/Rainbow Trout, and Tidewater Goby. The biologist shall be on site during initiation of operations and shall survey for species prior to construction. If a sensitive species is found, the biologist shall notify the DFG. All non-listed sensitive species shall be moved outside of the project area to appropriate habitat. If listed species or other fully protected species are observed, consultation with the Department of Fish and Game, US Fish and Wildlife Service, and/or NOAA National Marine Fisheries Service shall be conducted. A plan shall be prepared for relocation or avoidance of the animal. An authorized biologist with the appropriate 10(a)1(A) scientific take permit shall be retained if necessary to relocate or assist with species avoidance measures under the guidance of the Department of Fish and Game, US Fish and Wildlife Service, and National Marine Fisheries Service.

    Plan Requirements and Timing: DPW to contract with a qualified biologist(s) prior to the initiation of construction. Survey to be completed prior to construction, and biologist to be on site at initiation of construction.

    Monitoring: Pre-construction survey report to be provided to CDD prior to the initiation of construction.

19. **BIO-4: Regulatory Compliance.** Prior to start of construction, any required regulatory permits, such as the CDFG Streambed Alteration Agreement, Section 404 permit, or Section 401 Certification, shall be acquired.

Plan Requirements and Timing: A copy of the regulatory permits shall be submitted to CDD prior to approval of the grading permit.

Monitoring: CDD is to review permit copies at time of grading plan approval.

20. **BIO-5: Revegetation Plan.** The disturbed areas within the project site shall be revegetated with native plants. Willow cuttings from the removed material shall be utilized onsite to provide replacement trees. It is recommended that where feasible, sycamores and willow trees that are removed shall be cut to the ground with the stumps left in place to allow re-sprouting. If the trees are damaged or removed they shall be replaced at a 10:1 ratio with plants acquired from a local source with Santa Barbara coastal genetic heritage. Willow revegetation shall be either from cut sprigs from existing onsite willows (minimum 5:1 ratio) or from one gallon container plantings with Santa Barbara coastal genetic heritage at a 5:1 ratio. Revegetation shall include, but not be limited to the following components:

Site Preparation:

During construction, all non-native plants in the construction zone shall be removed. Where feasible, native trees and shrubs with diameters at breast height (DBH) of three inches or less shall be cut to ground level only as low as needed with hand operated power tools. Willow branches are recommended for use as cuttings for on site sprigging. All other vegetation removed from within the work area will be disposed of offsite and not within the stream channel or adjacent bank areas.

Performance criteria:

All planting shall have a minimum of 80% survival, by species, the first year and 90% survival thereafter or shall attain 75% cover after three years. Prior to the restoration effort being determined successful, all plants shall be entirely without supplemental irrigation for a minimum of two years. In addition, no single species shall constitute more than 50% of the vegetative cover, no woody invasive species shall be present, and herbaceous invasive species shall not exceed 15% cover. If the survival and cover requirements have not been met, the City is responsible for replacement planting to achieve these requirements. Plantings shall be monitored with the same survival and growth requirements for three years after planting.

Irrigation method/schedule:

The City shall provide either drip or manual irrigation when natural moisture conditions are inadequate to ensure survival of planted material. Irrigation shall be provided for a period of at least one year from planting. Irrigation shall be phased out during the fall/winter of the first year unless unusually severe conditions threaten survival of plantings. All plants must survive and grow for at least two years without supplemental water for the restoration phase of the project to be completed.

Plan Requirements and Timing: A revegetation plan shall be submitted and approved by the CDD and DPW prior to the initiation of construction.

Monitoring: CDD shall site inspect throughout the implementation and maintenance periods.

21. **BIO-6: Construction Zone Demarcation.** Important resources (e.g., native vegetation) located within the construction area that are to be preserved shall be clearly marked on site to avoid the accidental removal of such resources. The ground disturbance zone shall either be fenced with orange construction fencing or appropriately flagged prior to activity within the creek area. This material shall be removed at the end of construction.

    Plan Requirements and Timing: Fencing/flagging shall be done prior to the initiation of any earth movement at the site.

    Monitoring: CDD shall perform site inspections throughout all grading and construction activities.

22. **CR-1: Archaeological Finds.** A qualified archaeologist and a Chumash representative shall be present at the start of footing and piling construction to exam the boring cuttings and graded material for further evidence of archaeological remains. The monitors shall be present at all times that subsurface earth work is in progress. Cultural resources unearthed during project construction shall be evaluated in the field by the archaeologist, and if potentially significant artifacts are unearthed, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until the monitoring archeologist has evaluated the nature and significance of the find pursuant to Phase 2 investigations of the City Archaeological Guidelines. If resources are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with City Archaeological Guidelines and funded by the City. After the find has been appropriately mitigated, work in the area may resume.

    Plan Requirements and Timing: Construction plans shall contain the above measures as specifications prior to the City bid process. A recovery plan if needed shall be submitted and approved by the CDD prior to the re-initiation of ground disturbance at the find area.

    Monitoring: CDD shall ensure compliance on site during construction.

23. **CR-2: Coroner Notification.** If human remains are unearthed, State of California Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are

determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission.

Plan Requirements and Timing: Construction plans shall contain the above measures as specifications prior to the City bid process.

Monitoring: DPW shall approve construction plans.

24. **CR-3: Paleontological Finds.** In the event that paleontological resources are unearthed during project construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until a paleontologist has evaluated the nature of the find. After the find has been appropriately mitigated, work in the area may resume.

    Plan Requirements and Timing: Construction plans shall contain the above measures as specifications prior to the City bid process. A recovery plan if needed shall be submitted and approved by the CDD prior to the re-initiation of ground disturbance at the find area.

    Monitoring: CDD shall ensure compliance on site during construction.

25. **CR-4: Pre-Construction Education.** Prior to construction activity, all construction personnel shall receive environmental training concerning the potential for cultural material to be present and the need to stop work in the event that resources are unearthed during construction activities.

    Plan Requirements and Timing: DPW and CDD shall review training materials prior to initiation of construction.

    Monitoring: CDD shall ensure compliance on site during construction.

26. **HAZ-1: Construction Staging Area.** A staging area for equipment maintenance and re-fueling shall be designated outside of the creek corridor and at least 100 feet from the flowing creek. The creek corridor is defined as the creek and its minimum prescribed buffer strip, which is 50 feet back from the top of bank or riparian edge, whichever is greater. Staging areas will be located to avoid blocking driveway access into adjacent residential units. Staging areas shall conform to this definition and be shown on construction plans reviewed by City staff prior to issuance of any permits.

    Plan Requirements and Timing: Construction plans shall contain the above measures as specifications prior to the City bid process.

Monitoring: City staff shall verify in the field that staging areas are located outside the prescribed buffer area.

27. **N-1: Construction Activity Restrictions.** Construction activity shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday, and 8:00 a.m. – 4:00 p.m. on Saturdays. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as painting are not subject to these restrictions.

    Plan Requirements and Timing: Construction plans shall contain the above measures as specifications prior to the City bid process

    Monitoring: City staff shall check plans prior to issuance of any building or grading permits and shall spot check in the field for compliance.

28. **T-1: Detour.** Prior to construction, information shall be provided to residents living in the surrounding neighborhoods indicating when the bridge will be closed to the public. The starting date and completion date of bridge replacement shall be included. During construction, the City shall provide signs to alert pedestrians and bicyclists of a detour or alternative route that crosses over Carpinteria Creek.

    Plan Requirements and Timing: Construction plans shall contain the above measures as specifications prior to the City bid process

    Monitoring: City staff shall verify in the field that detour signs are correctly located and maintained until completion of the project.

29. **UT-1: Waste.** Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., segregate concrete and asphalt from wood materials).

    Plan Requirements and Timing: This requirement shall be printed on grading and construction plans. Materials shall be recycled as necessary throughout construction.

    Monitoring: City staff shall inspect the work site for compliance.

30. **WQ-1: Best Management Practices (BMPs).** Best available erosion and sediment control measures shall be implemented during grading and construction. Best available erosion and sediment control measures applicable to this project may include but are not limited to:

- Use of gravel bag barriers, filter fabric fences, block and gravel filters to protect storm drain inlets.
- Use of silt fences, geo-bags or geotextile fabric berms, erosion control blankets, coir rolls, jute net, and straw bales to prevent loose earth and other materials from entering into the flowing creek area.
- Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods.
- Per the City letter of October 29, 2007, an oil/water/trash separation removal system shall be provided at the reconstructed storm drain inlet on the east side of the bridge.
- After reconstruction of the drain outlet on the east side of the bridge, a stencil consistent with current City standards shall be painted at the inlet stating: "Do Not Dump: Drains Directly to Creek/Ocean."
- Maintain existing refuse containers at the ends of the bridge.

Plan Requirements and Timing: Construction plans shall contain the above measures as specifications prior to the City bid process. The plan shall be initiated prior to the commencement of grading/construction and implemented throughout the construction period.

Monitoring: City staff shall monitor the site for the use of BMPs during the construction period. City staff shall inspect the site at the end of construction for implementation of any required long term BMPs (stencils, refuse containers, storm drain inlet filters).

ESHA/Creek Conditions

31. The applicant shall prepare and submit a Construction Mitigation Plan to Community Development for review and approval prior to issuance of a Building Permit. This plan, which must be prepared by a City-approved professional biologist, arborist or landscape architect, shall include the following required measures (where applicable) to minimize construction impacts:

    - The limits of the construction area shall be clearly shown and fenced or flagged on the construction site. All construction activities shall stay within these limits;
    - Prior to commencement of construction activities, protective fencing shall be erected around the outermost limits of the protected zones of native trees and the required creek buffer. Such fencing shall remain in place until all construction is complete. For the purposes of this project, the protected zone of a native tree shall extend five feet from the tree dripline or 15 feet from the trunk of the tree, whichever is greater;

- No construction, grading, staging or materials storage shall be allowed within the fenced exclusion areas or within the protected zones of any on-site native trees;
- Important resources (e.g., native vegetation) located within the construction area that are to be preserved will be clearly marked on plans and on site to avoid the accidental removal of such resources;
- Construction activities shall be scheduled to avoid the breeding seasons of sensitive wildlife species located within 300 feet of the proposed improvements. Construction activities during the breeding season of sensitive wildlife species shall only be allowed under the following provisions:
  - In accordance with established multi-week protocols, a pre-construction survey for nesting and roosting activity shall be preformed by a qualified biologist for all improvements to existing development on parcels adjacent to Carpinteria Creek;
  - Only those improvements that, in the opinion of a qualified biologist, do not adversely affect the future use of the nesting or roosting trees shall be approved;
  - If nesting or roosting sensitive, rare, threatened, or endangered raptors are found within 300 feet of the proposed improvements, no construction activity shall occur within the nesting or roosting season, as applicable; and
  - Nesting or roosting trees are considered significant vegetation and shall only be altered or removed if it is determined by a qualified arborist that alterations or removal are necessary for the protection of public safety or the maintenance of the health of the affected tree, and there are no other feasible means of limiting the public hazard posed by the tree (e.g., fencing around the tree, supportive cabling of weak limbs). Removal of nesting or roosting trees shall be offset by planting of new trees at a ratio of 10:1. In no case shall nesting or roosting trees be removed or altered during the nesting or winter roosting season.
- Construction Phase Requirements from the City's Water Quality Protection Regulations shall be implemented to minimize impacts related to runoff, erosion and water quality; and
- The use of herbicides shall be minimized by using manual removal methods to eliminate undesired vegetation whenever possible.

Plan Requirements and Timing: Prior to issuance of a Building Permit, the applicant shall submit a construction mitigation plan, prepared by a City approved biologist, arborist, or landscape architect, to CDD for review and approval. CDD staff shall site inspect the construction area prior to the commencement of construction activities and throughout the construction period.

32. The Applicant shall provide a Post-Construction Mitigation Plan to the Community Development Department for review and approval prior to Building Permit issuance.

The plan shall contain, at a minimum, the following required measures (as applicable) to minimize post-construction impacts:

- Permanent native landscaping shall be provided to developed areas;
- The planting of any landscape plants listed on the California Exotic Pest Plant Council's Lists of Exotic Pest Plants of Greatest Ecological Concern in California is prohibited in any ESHA or creek setback area;
- Applicant shall provide informational materials to future occupants to ensure that protective standards/conditions of approval are recognized and complied with throughout the life of the project;
- Loud, stationary equipment shall be located away from or provided with enclosures to minimize potential impacts to wildlife;
- Post-Construction Requirements from the City's Water Quality Protection Regulations shall be implemented to minimize impacts to runoff, erosion, and water quality;
- All new fencing shall be wildlife permeable as defined by the following criteria:
  - Fences shall have a wooden (not wire) rail at the top;
  - Fences shall have a space greater than 14 inches between the ground and the bottom rail;
  - Solid or chain-link fences are prohibited.
- All exterior lighting shall be minimized, restricted to low intensity features, shielded and directed away from the creek to minimize impacts to wildlife. Permitted lighting shall conform to the following standards:
  - The minimum necessary to light walkways used for entry and exit to the structure, including parking areas on the site. This lighting shall be limited to fixtures that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Community Development Director;
  - Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent;
  - The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent;
  - A light, not to exceed 60 watts or the equivalent, at the entrance to any non-residential accessory structures;
  - No lighting around the perimeter of the site, no lighting for sports courts or other private recreational facilities and no lighting for aesthetic purposes is allowed.

Plan Requirements and Timing: Prior to issuance of a Building Permit, the applicant shall submit a Post-Construction Mitigation Plan, prepared by a CDD approved biologist, arborist or landscape architect, to CDD for review and approval. CDD staff shall site inspect the construction area. Proper maintenance shall be confirmed through site inspections.

Construction Conditions

33. To allow time for The Gas Company to locate and mark their facilities for the contractor, the applicant shall telephone Underground Service Alert (USA) toll free at 1-800-227-2600 a minimum of 48 hours prior to the start of construction. For best response, provide as much notice as possible, up to 10 working days.

34. No construction-related debris (mud, dust, paint, lumber, rebar, etc.) shall leave the project site unless transported to an approved disposal site.

35. During construction, washing of concrete trucks, paint, equipment or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches or creeks. Areas designated for washing functions shall be at least 100 feet from any storm drain, waterbody or sensitive biological resources. The location of the washout area shall be clearly noted at the construction site with signs.

    Plan Requirements: The applicant shall designate a washout area, acceptable to CDD, and this area shall be shown on the construction and/or grading and building plans. **Timing:** The wash off area shall be designated on all plans prior to issuance of a Grading or Building Permit. The washout area shall be in place and maintained throughout construction. CDD shall check plans prior to issuance of a Building Permit and staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area.

36. All new and existing utility services shall be placed underground and completed prior to any paving required for the project. No new utility poles shall be installed.

37. Existing and proposed easements for all utilities shall be located and described on the engineering plans or the architectural drawings prior to issuance of building permits.

Community Development Department Conditions

38. Prior to the issuance of any building permits, the project shall return to the Architectural Review Board for a review of final plans to include, lighting (if applicable), colors and exterior materials, landscaping and irrigation.

39. All materials and colors used in construction and all landscape materials shall be as represented to the Architectural Review Board and any deviation will require the express review of the Board.

40. The construction contract shall specify that all ipê hardwood used in the bridge construction shall be certified as being sustainably harvested by the Forest

Stewardship Council (FSC). The applicant shall submit a copy of the construction contract to CDD for review prior to issuance of building permits. The applicant shall also submit a copy of the receipt or other appropriate documentation of FSC certification of the purchased lumber.

41. In the event that lighting is proposed for the bridge, the ARB shall review all proposed exterior lighting for consistency with the lighting restrictions identified in the Post-Construction Mitigation Plan required by Condition # 15 (above). The applicant shall provide cut sheets for all proposed lighting along with manufacturers' specifications as part of the submittal packet for ARB review.

Departmental and District Condition Letters

42. Compliance with the attached Departmental and District letters is required as follows:
    a. Carpinteria Sanitary District letters dated July 19, 2007
    b. Santa Barbara County Air Pollution Control District letter dated July 12, 2007.

Written authorization to proceed and consent to conditions of approval by the legal owner of the property shall be provided to the City prior to Building Permit issuance.

I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY
WITH ALL ABOVE STATED CONDITIONS OF THIS PERMIT

_____

Applicant Date

RESOLUTION NO. 5114

A RESOLUTION OF THE CITY OF CARPINTERIA CITY COUNCIL APPROVING CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT NO. 07-1385-CUP/CDP TO REPLACE THE EXISTING EIGHTH STREET PEDESTRIAN BRIDGE WITH A NEW STEEL ARCH-STYLE BRIDGE WITH A CLEAR SPAN IN THE CITY RIGHT-OF-WAY AT THE TERMINUS OF CALLE OCHO AND EIGHTH STREET AT CARPINTERIA CREEK

PERMIT REQUESTED BY THE CITY OF CARPINTERIA, PUBLIC WORKS DEPARTMENT

WHEREAS, the Eighth Street Pedestrian Bridge Replacement project has been identified as a High priority in the City's approved Capital Improvement Program; and

WHEREAS, on February 4, 2008 the City of Carpinteria Planning Commission held a hearing to consider an application for a Conditional Use Permit and Coastal Development Permit filed by the City of Carpinteria Public Works Department to allow the demolition of the existing wooden pedestrian bridge crossing Carpinteria Creek at Eighth Street/Calle Ocho and the construction of a new 165-foot long steel arch style bridge in its place; and

WHEREAS, the City of Carpinteria Planning Commission voted 2-2 on the project, resulting in a procedural denial; and

WHEREAS, the City of Carpinteria filed an appeal of the Planning Commission's decision on February 7, 2008; and

WHEREAS, said appeal was filed in accordance with the provisions of Carpinteria Municipal Code Section 14.78; and

WHEREAS, the City Council has conducted properly noticed public hearings on March 10 and April 14, 2008 and received public comment on this Conditional Use Permit and Coastal Development Permit and has provided the appellant an opportunity to present evidence on this matter; and

WHEREAS, in accordance with the California Environmental Quality Act, the Community Development Director has provided public notice of the intent of the City to adopt a Mitigated Negative Declaration (MND) for this project, and the City Council has considered the proposed MND, together with any comments received during the public review process; and

WHEREAS, the City Council has reviewed the policies of the General Plan/ Coastal Plan and the Zoning Code standards that are relevant to the project.

NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

1. The appeal is granted, thereby overturning the Planning Commission's procedural denial of the Conditional Use Permit and Coastal Development Permit to replace the wooden Eighth Street Pedestrian Bridge with a new steel arch-style bridge with a clear span, making the Findings outlined in Attachment A.

2. The Conditional Use Permit and Coastal Development Permit for the project shown in Attachment B are approved subject to the conditions set forth in Attachment C.

PASSED, APPROVED AND ADOPTED this 14th day of April 2008, by the following called vote:

AYES:	**COUNCILMEMBERS:**	Stein, Carty, Ledbetter
NOES:	**COUNCILMEMBER(S):**	Clark, Armendariz
ABSENT:	**COUNCILMEMBER(S):**	None

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 14th day of April 2008.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

City Attorney

CITY of CARPINTERIA, CALIFORNIA

April 16, 2008

Tom Evans
Interim Public Works Director
City of Carpinteria

Re: Notification of City Council Action
Eighth Street Pedestrian Bridge Replacement Project; 07-1385-CUP/CDP
Calle Ocho/Eighth Street at Carpinteria Creek

Dear Mr. Evans:

On, April 14, 2008, the Carpinteria City Council took action on the following item:

> A request for a Conditional Use Permit and Coastal Development Permit to demolish the existing wooden pedestrian bridge crossing Carpinteria Creek at Eighth Street/Calle Ocho and replace it with a new clear span arch-style bridge. The project also includes minor site grading, the importation of 100-150 cubic yards of fill (for ramping on to the bridge deck), a riparian restoration component and the replacement and upgrade of the existing storm drain inlet and outlet at the end of Calle Ocho.

The City Council approved the project and adopted Resolution 5114 with the following revisions and direction:

- The clear deck width for the approved arch bridge is reduced from six feet wide to five and one-half feet wide (subject to engineer's approval);
- Existing native trees within the construction zone are to receive the utmost protection during construction;
- Construction is to be expedited in order to minimize impacts to the adjacent neighborhoods and the environment; and
- Condition #1 has been revised in part, to read: The actual location of the concrete footing on the east bank may be moved upstream or downstream during final design and construction for the purpose of reducing possible effects to buried cultural resources and/or to~~, if possible,~~ avoid the removal of the southern trunk of the triple-trunked sycamore that is located immediately north of the existing bridge.

Due to the project's location along Carpinteria Creek, the Council's decision to approve the project is appealable to the California Coastal Commission. The appeal period is ten working days commencing on the day of receipt by the Coastal Commission of the City's Final Local Action Notice (FLAN) and ending at 5:00 p.m., on the 10th working day. Any appeal of the City Council's decision must be submitted directly to the California Coastal Commission. As the project is located within the Coastal Appeals Overlay Zone, no submittal fees would be required for such an appeal.

EXHIBIT 3
4-CPN-08-101
City Council Revisions

Please sign and return the original of the last page of the attached Conditions of Approval to the Community Development Department. Should you have any questions or need further information regarding this action letter or the project, please contact Nick Bobroff at 684-5405, ext. 407.

Sincerely,

Jackie Campbell
Community Development Director

Attachment: Revised City Council Resolution with Attachments

cc: Project file, 07-1385-CUP/CDP
IDAG Members
Design Consultant Team

A-4-CPN-08-024

STATE OF CALIFORNIA -- THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, *Governor*

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STRET, SUITE 200
VENTURA, CA 93001-4508
VOICE (805) 585-1800 FAX (805) 641-1732

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Jean Reardon
Mailing Address: 5455 8th St, #34
City: Carpinteria Zip Code: 93013 Phone: 805-684-1210

SECTION II. Decision Being Appealed

1. Name of local/port government:
City of Carpinteria

2. Brief description of development being appealed:
Demolition of an existing wooden pedestrian bridge crossing Carpinteria creek at 8th Street + Calle Ocho, and the construction of a new 165 foot long clear span bridge in its place.

3. Development's location (street address, assessor's parcel no., cross street, etc.):
8th Street / Calle Ocho, Carpinteria, CA

4. Description of decision being appealed (check one.):

☑ Approval; no special conditions

☐ Approval with special conditions:

☐ Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-4-CPN-08-024

DATE FILED: 5/1/08

DISTRICT: So. Central Coast

EXHIBIT 4
4-CPN-08-024
Appeal

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- ☐ Planning Director/Zoning Administrator
- ☑ City Council/Board of Supervisors
- ☐ Planning Commission
- ☐ Other

6. Date of local government's decision: 4/14/08

7. Local government's file number (if any): 07-1385-CVP/CDP

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

City of Carpinteria

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1)* Please note: all signatures of additional appelants who have asterisk next to name testified.

(2) Everyone who signed this appeal also signed a petition requesting city to choose bridge other than arch design &/or save current bridge & surrounding habitat. That petition had over 900 signatures on it.

(3)

(4)

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

See attached.

The City's approval of the Arch Bridge design for the Carpinteria Creek Footbridge replacement project violates numerous City of Carpinteria General Plan/Local Coastal Plan GP/LCP)(adopted April, 2003) Policies and Implementation Measures (IP).

The Arch Bridge design will:

1. Obstruct views (aesthetics) by placing two 12" diameter pipes overhead of the bridge, a public place.

2. Condition of Approval # 8 could allow for the removal of a trunk of a giant specimen sycamore tree. At the 4/14/08 hearing the city's Acting Public Works Director, Mr. Tom Evans, testified that the arches may interfere with the tree trunk, not the bridge deck and rails, and that the City needed to keep the possibility for tree trunk removal "open." Expert testimony at the City's Tree Advisory Board (10/23/07) meeting and oral testimony by Mr. Leland Walmsley, Tree Advisory board member, at the 4/14/08 City Council hearing advised that removal of the southern trunk will undermine the structural integrity of the entire tree, the whole tree would likely die, that tree's roots are "arming" the bank against erosion, and that, in turn, will effect bank stabilization and result in severe erosion on the eastern bank of Carpinteria Creek at the footbridge location. He has further indicated that it would take 100 years for newly planted trees to achieve the canopy of the present tree.

3. Create a public safety hazard by placing critical bridge support structures below the 100-year flood flow level.

An alternative design, the "modified H-Truss" design, was presented as a viable and feasible at the 4/14/08 meeting . That design is also a clear span bridge and will remove piers from the riparian area and would avoid or lessen these impacts and would avoid multiple violations of the City's GP/LCP Objectives, Policies and Implementation Measures (IP). The modified H-Truss design does not have arches that would interfere with the tree trunk. A modified H-truss bridge installation, "JFC Bridge and Concrete," has visited the site and has provided assurances that the tree trunk would not have to be removed for installation.

/

LU-2b. "Regulate all development...to avoid adverse impacts on habitat resources..."

Two bridge replacement options were provided at the city council 4/14/08 meeting. Both were represented as viable and feasible and both were "clear span" designs that would remove support piers form the creek and riparian area. The Arch bridge design was selected by the City Council. That design, however, could allow for the removal of the southern trunk of a giant specimen sycamore tree with full riparian canopy and thermal protection for steelhead trout migration. Per the testimony of the city's Acting Public Works Director at the 4/14/08 meeting it is the placement of the arches that interfere with the southernmost sycamore tree trunk. Expert testimony at that hearing by a member of the city's Tree Advisory Board (TAB) warned that removal of that trunk threatened the structure of the entire tree. Loss of the entire tree would cause severe erosion on the east bank of Carpinteria Creek. The alternative design, the modified H-truss," would not require the removal of the tree trunk.

Objective CD-12. "Development should fit quietly into the area's natural and introduced landscape, deferring to open spaces, existing natural features and native and sensitive habitats."

The Arch Bridge design would allow removal of existing native plants, further threaten native plants, and remove sensitive habitat and would obstruct public views of the riparian canopy. The Arch Bridge does not fit quietly into the surroundings but imposes a large structure upon the landscape. The modified H-truss design better fits into the open space and better defers to native and sensitive habitats.

CDS2-a. "Ensure that new intensified land uses within the Downtown remain consistent with the city's "small beach town" image."

The Arch Bridge is a highly engineered structure with 12" diameter pipe supports swooping 17' up in the air. As such, it is significantly different than the existing wooden footbridge. During city public hearings neighbors and citizens testified as to the better consistency of both the existing bridge and the modified H-truss design to the concept of "small town charm." Given that the bridge must be replaced, however, the modified H-truss design appears to be more consistent with "small town charm" because it does not have the large overhead arches. Viewers from the nearest public place (that is, the approaches to the bridge and on the

bridge itself – very few, if any, viewers will see the bridge from the side unless they are down in the creek bed itself, and there is difficult access, at best down to the creek bed) will see large overhead swooping pipes with the arch bridge and only 48" high top rail chords at the side with openings in the truss structure to view below, with the modified H-truss design.

C-1b. "The City shall strive to improve...pedestrian over crossings of...the various creeks while respecting their habitat value and sensitivity.

The Arch Bridge design could allow for the removal of habitat value (southernmost sycamore tree trunk) while the modified H-truss design would not.

OSC-1a. "Protect Environmentally Sensitive Habitat Area(s) (ESHA) from development and maintain them as natural open space..."

OSC-1b. "Prohibit....development...that could damage or destroy ESHA."

OSC-1d. "...Any development on property including ESHAS should be designed and conducted to protect the resources..."

Both the Arch Bridge and the modified H-truss designs will destroy some ESHA related to clearing of ground for installation of concrete abutments. Both designs are "clear span" and will remove piers from the creek. The Arch Bridge design, however, could allow for the removal of a large trunk of a specimen sycamore tree on the east bank. The canopy of this trunk affords riparian habitat and also thermal protection for migratory steelhead trout in the creek waters below. The modified H-truss design does not require sycamore trunk removal and selection of that design would have avoided these impacts and violation of the above policies.

OSC-1f. "Protect and restore...native plant communities, and sensitive rare, threatened, or endangered species habitat on City-owned land to the maximum extent feasible"

This Policy addresses native plant communities, of which riparian sycamore trees are a part, refers to City owned land, and requires

maximum protection feasible. The modified H-truss design as presented by staff is a viable and feasible alternative to the Arch Bridge design and would avoid or minimize impacts to ESHA because it would avoid removal of the sycamore tree trunk.

OSC-IP 2 "Form an Open Space and Conservation Advisory Committee to provide, at the pleasure of the City Council, recommendations concerning preservation and management of local natural resources and habitats. [5-year]"

If the City had formed the required Committee it could have identified natural resources and habitats in this area of Carpinteria Creek and could have reviewed the various plans, as well as the advice of the City's Tree Review Board, and further advised the City council on recommendations related to the design affording the best preservation.

OSC-IP 7 "determine appropriate methods for preservation of sites that include ESHA.....the city should ensure through permit review that development does not result in any significant disruption of habitat identified on a site or on adjacent sites."

OSC-IP 8 "Regulate all development...adjacent to ESHA...to prevent adverse impacts on habitat..."

OSC-IP 9 "Prior to issuance of a development permit, all projects shall be found to in compliance with all applicable habitat protection policies of the General Plan/Local Coastal Plan..."

Selection of the modified H-truss design would have best avoided the disruption of habitat and conflict with the General Plan/Coastal Plan. The H-truss design would have avoided threat of removal of the southernmost sycamore trunk, which includes loss of habitat for migratory birds and loss of thermal protection for migratory steelhead trout in the creek and would have avoided threats to the remaining two sycamore trunks and potential severe erosion of the eastern bank of Carpinteria Creek.

OSC-6a. " Support the preservation of creeks and their corridors as open space, and maintain....riparian habitat to protect the community's water quality, wildlife diversity, aesthetic values, and recreation opportunities."

OSC-6d. "Carry out and maintain all permitted construction and grading within stream corridors in such a manner so as to minimize impacts on biological resources and water quality such as increased runoff, creek bank erosion, sedimentation, biochemical degradation, or thermal pollution."

The Arch Bridge design approved by the city could allow for the potential removal of the southernmost trunk of the giant specimen sycamore tree on the eastern bank of Carpinteria Creek. Removal of this tree is contrary to the advice of the city's own Tree Review Board, comprised of 2 Arborists and a Landscape Architect. The Board found that removal of the trunk will weaken the root system of the remaining tree trunks and may result in loss of the entire tree which supports the creek bank here against erosion. All of these trunks provide habitat for migratory birds and thermal protection for migratory steelhead trout.

OSC-IP 27 "Prepare and implement a Watershed Management Plan in coordination with the County and Carpinteria Valley Water District with an emphasis on: erosion control, natural waterway restoration and preservation, wildlife habitat restoration, including steelhead runs, and water quality."

Had the City developed such a Plan it could have guided the decision making process between the two design alternatives to select the design that best preserves wildlife habitat including steelhead runs.

OSC-IP 28 "...All developments shall incorporate the best mitigation measures feasible to minimize impacts to the greatest extent."

The Arch Bridge design could allow for removal of a large specimen sycamore tree trunk. A viable and feasible alternative, the H-truss design, was presented at the 4/14/08 hearing that would have avoided tree trunk removal.

OSC-IP 29 "...When such activities require removal of riparian plant species, revegetation with local native riparian plants shall be required.

If the city determines it needs to remove the southernmost trunk to accommodate the steel arches then the city proposes to replace the

sycamore trunk removal with revegetation of small trees. It will likely take 100 years to achieve the full height of the canopy, the full migratory bird habitat, and the full thermal protection for steelhead trout while the modified H-truss design would not remove this section of canopy.

OSC-IP 34 "Develop an ordinance for the protection of native oak, walnut, sycamore, and other native trees with provisions for the design and siting of structures to minimize impacts...of erosion on native trees.[5-year]"

This IP addresses sycamore trees by name. If the city had developed such a native tree protection ordinance that ordinance could have guided the decision making process to select the bridge design that would avoid potential tree trunk removal.

OSC-13a. "...Design and site new development on or adjacent to...streams...to prevent adverse impacts on these visual resources. New development shall be subject to all of the following measures a. Height and siting restrictions to avoid obstruction of existing views of visual resources from the nearest public area..."

The Arch Bridge design will project 12" diameter rusty pipes 17' in the air over the bridge and obstruct views to the magnificent riparian canopy formed by the giant sycamore from walkers on the footbridge, a public place. The viable and feasible alternative presented, the modified H-truss, would not be supported by arches but by trusses at 48" high above the walking deck. With respect to potential removal of the sycamore tree trunk that is allowed for by the Arch Bridge approval, The city's MND mistakenly asserts that tree removal will open up views but **OSC 13a** clearly protects views of the riparian canopy.

OSC-IP 59. "Amend the Zoning Ordinance to include view preservation design standards...[5 year]"

If the city had amended the Zoning Ordinance then design standards may have been in place to preserve views of the riparian canopy and this could have helped guide the selection of bridge design to pick the design with the best preservation of views.

S-4a. "All new development proposed in the 100-year floodplain should be discouraged."

S4b. "The development of critical facilities within the 100-year floodplain should be discouraged."

S IP10. "Compliance with the City's Floodplain Management Measures will be required prior to issuance of building permits for any type of individual development project proposed in the 100-year floodplain."

The Arch Bridge design violates the City's stated Floodplain development criteria of 2' clearance above the 100 year flood flow levels in the Flood Overlay District (FH) as it places the ends of the arches that attach to the abutments directly below, not above, the 100 year flood flow level. The modified H-truss design provides for a 2' clearance above the 100 year flood flow level and is in compliance with the FH overlay District criteria.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

* Signature of Appellant(s) or Authorized Agent

Date: 4/29/08

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

Additional Appelant Signatures

* Doffy Hecht	5455 8th St. #34 Carpinteria, Ca 93013
* Beverly Hope	5446 8th St. #8 CARPINTERIA, CA 93013
* Judy Pearce	5528 Canalino Dr Carpinteria CA 93013
* Emrich M. Soen	797 Arbol Verde St. Carpinteria, CA 93013
* Beverly Grant	5529 Canalino Dr, Carp. 93013
* Chuck McMurry	5522 Calle Arena Carp 93013
Dolores McMurry	5522 Calle Arena Carp 93013
	1619 San Leandro Ln., SB, CA 93108
Antoinette Greenside	3853 Crescent Dr. S.B. CA 93110
*Sandy Vandeman	5455 8th ST #35 Carp 93013
Susan Anderson for Carpinteria High School ECO Club	688 Oak Ave. Carp 93013
* Robert W Hansen	1498 Santa Ynez Carpinteria 93013
* Lorrai Hansen	670 Olive Ave, Carpinteria 93013
Geri Campopiano	5345 8th St Carpinteria, Ca 93013

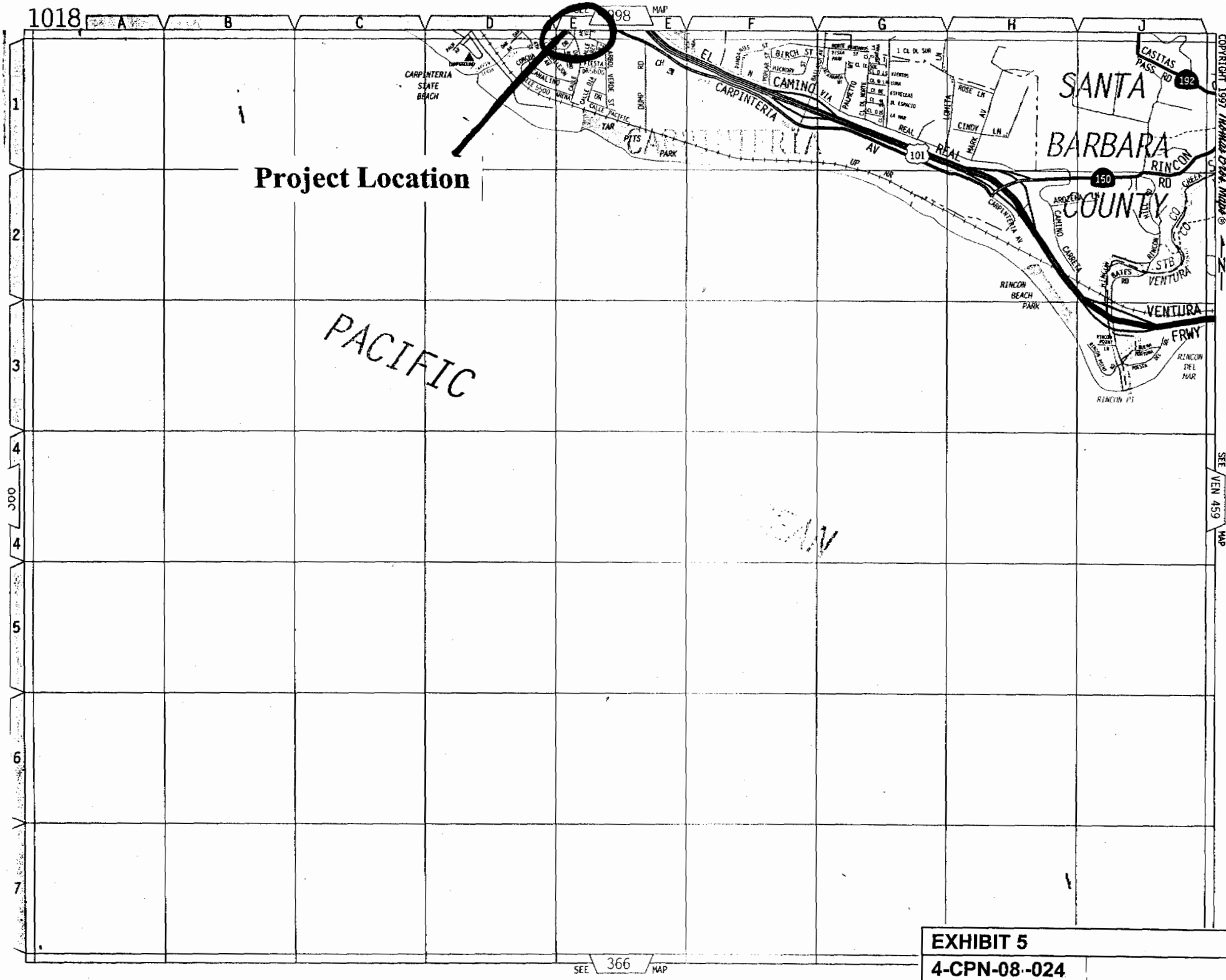
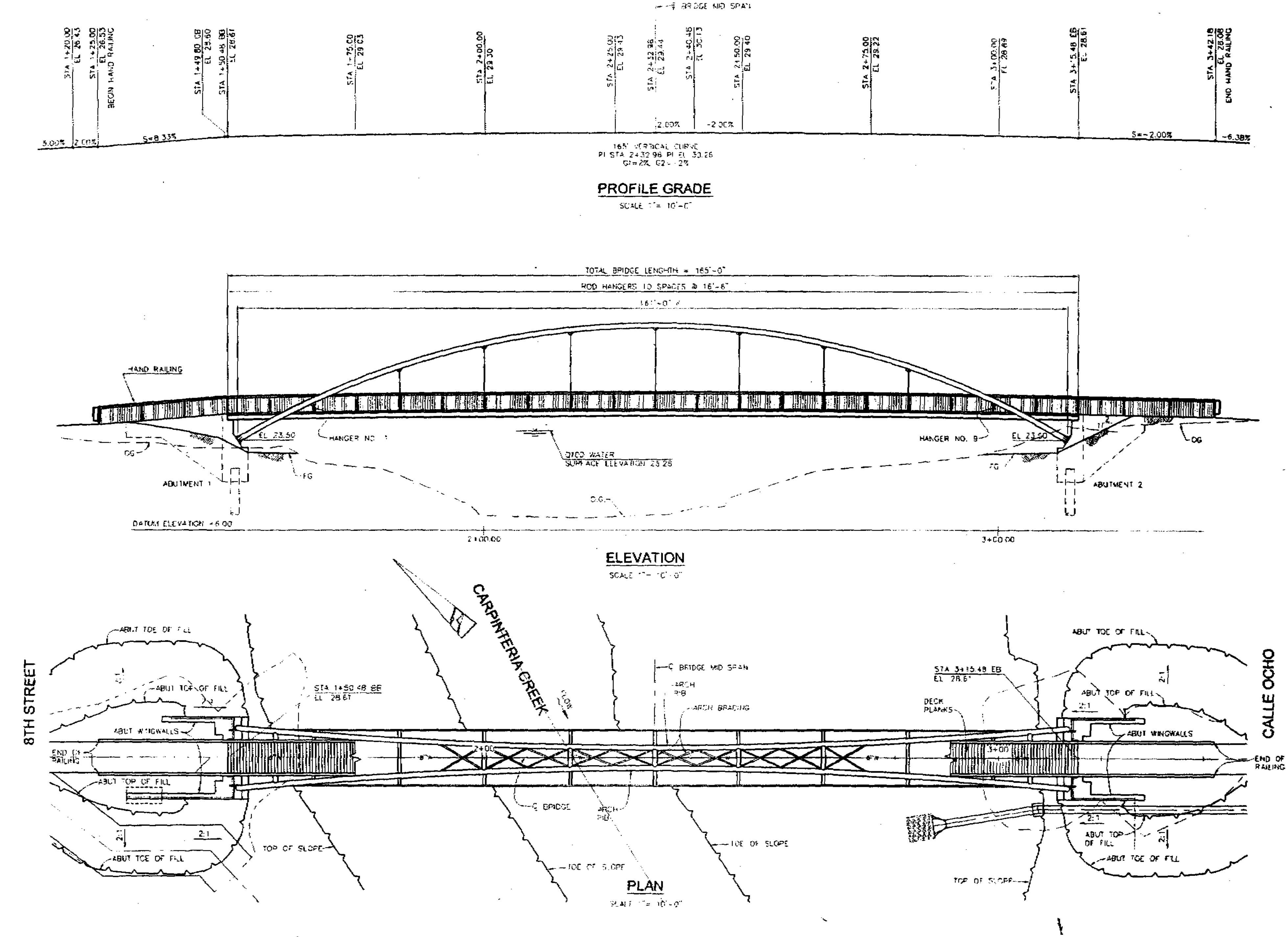


EXHIBIT 5

4-CPN-08--024

Thomas Guide Vicinity Map



UNDERGROUND SERVICE ALERT
CALL BEFORE YOU DIG
CALL TOLL FREE
1-800
422-4133
TWO WORKING DAYS BEFORE YOU DIG

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PREPARED UNDER THE SUPERVISION OF
ERIC A. JOHNSON R.C.E. 57355 DATE

SCALE: AS SHOWN
DRAWN BY: G.E. T.G.
DESIGNED BY: L.H. E.J.
CHECKED BY: P.T.
DATE: 1 SEPT 2007

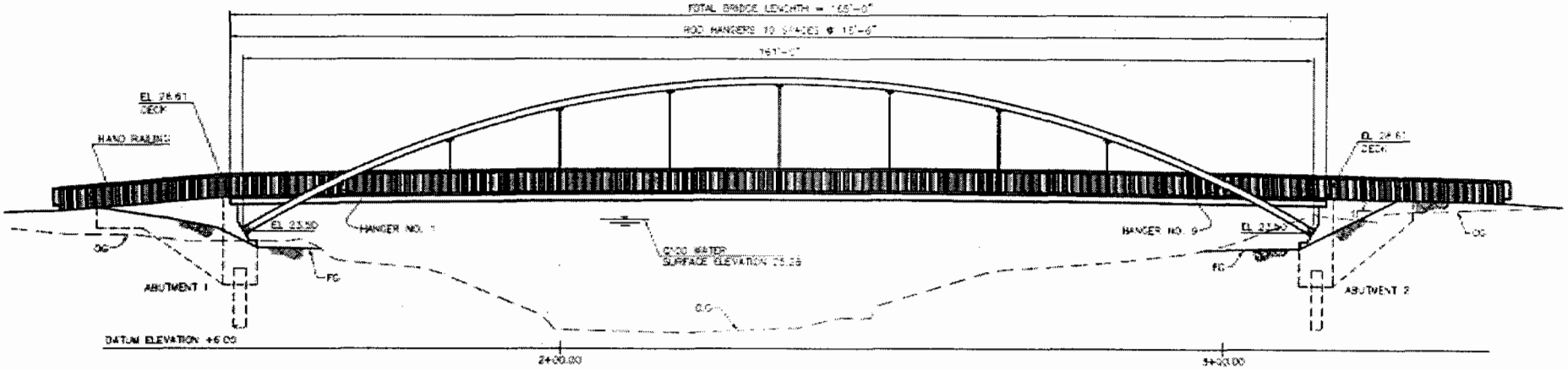
CITY OF CARPINTERIA

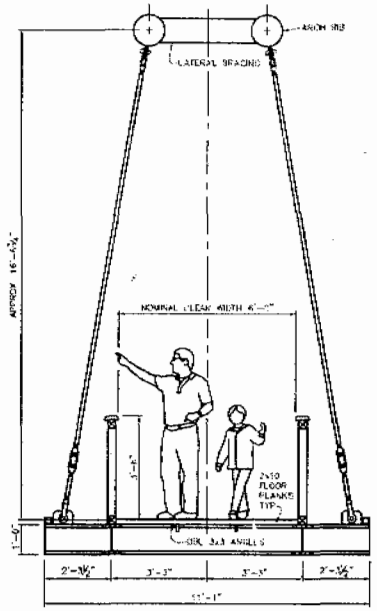
EXHIBIT 6

4-CPN-08-024

Approved Arch Bridge Plans

Arch Bridge



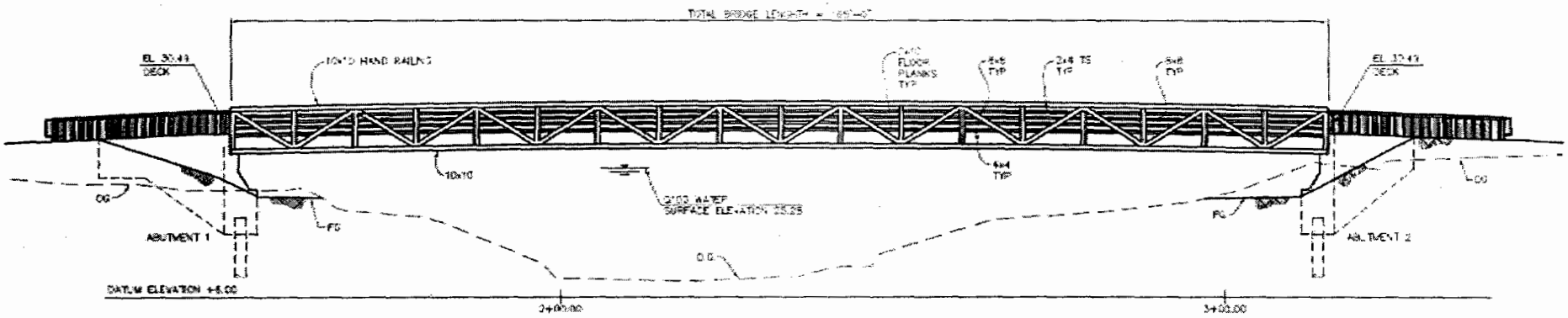


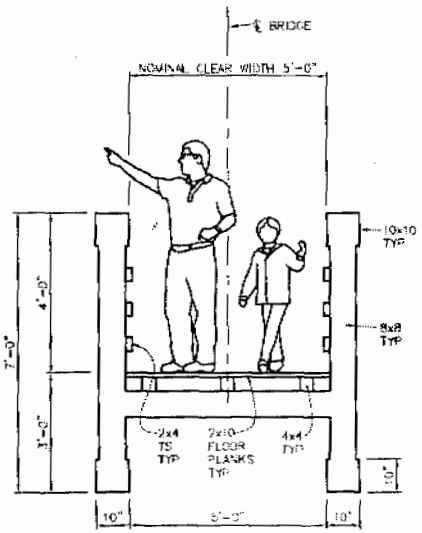
TYPICAL SECTION

SCALE ⅜" = 1'-0"

EXHIBIT 7
4-CPN-08-024
Approved Arch Bridge Design

Truss Bridge





TYPICAL SECTION

SCALE ½" = 1'-0"

EXHIBIT 8
4-CPN-08-024
Alternative Truss Design