

SUMMARY OF RECOMMENDED REVISIONS FOR THE DRAFT PARK PLAN

This chapter is divided into two sections. Section A identifies changes made to the Draft Martial Cottle Park State Park General Plan and County Park Master Plan (Park Plan), published January 19, 2010, based on input received and staff-directed changes during the public review process. These changes resulted in a Draft Final Plan which was submitted to the County of Santa Clara Parks and Recreation Commission on November 3, 2010 and to the County of Santa Clara Board of Supervisors on February 8, 2011. The Draft Final Plan will also be presented to the State Park and Recreation Commission on March 2, 2011. Section B identifies recommended changes to be made to the Draft Final Plan subsequent to its release and review by the County of Santa Clara Parks and Recreation Commission.

Minor revisions to Plan language and graphics for the purposes of improving the overall clarity and accuracy of the document are not identified in this chapter. The revisions identified in this Chapter are all based on the responses to comments presented in Chapter 3 of the Final Environmental Impact Report (Final EIR) or input from agencies and individuals, as noted for each change. In each section, revisions are organized according to page numbers, and text additions are underlined, and deletions are shown in ~~strike-through format~~.

A. Revisions to the January 19, 2010 Draft Plan

This section identifies changes made to the Draft Plan dated January 19, 2010 based upon direction provided by County staff.

Page 46 - 47. Williamson Act Contracts. The discussion of Williamson Act contracts was revised to improve accuracy, based on staff-directed changes. (Staff-directed changes)

The County of Santa Clara County has elected to participate in the Williamson Act program, ~~and the Santa Clara County Planning Office administers the program in Santa Clara County.~~ The County's Williamson Act ~~Program~~ Guidelines establish certain requirements for agricultural use of parcels depending on the size and land characteristics (prime versus non-prime lands) of the parcels. The guidelines also limit compatible uses and development such as barns and paved roads to require that 60 percent of each parcel under contract be devoted to commercial agricultural production and that no more than 10 percent (not to exceed 5 acres) of the parcel is developed with compatible uses such as

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~~barns and paved roads.~~ According to State law, Williamson Act contracts can be terminated by filing a nonrenewal notice or applying for cancellation of the contract, paying a large fine for immediate termination. Contracts are not terminated until nine years from the January 1 renewal date following the filing of the nonrenewal notice. The cancellation process requires the County Board of Supervisors to make certain findings and the payment of a cancellation fee equal to 12.5 percent of the property's unrestricted value.

The County and State-owned Park properties remain under Williamson Act contracts. However, the contracts covering the two County-owned parcels were non-renewed and will terminate non-renewal periods that were initiated for the two County-owned parcels will expire in 2017 and 2019, and the contract for the State-owned parcel will expire terminate in 2018. The remaining fourth parcel of the Park which is still part of the Life Estate Area will remain under Williamson Act until a future time when the County is able to initiate the contract nonrenewal. During the nonrenewal process, park uses and development will be limited by the County's Williamson Act Contract Ordinance and Program Guidelines. Park phasing and development will comply with the County ~~Planning Office and the County Division of Agriculture's interpretation's application~~ of these guidelines.

Page 94 - 95. Circulation Plan. An additional non-vehicular entrance was included based upon input from City of San Jose Parks, Recreation & Neighborhood Services. The additional entrance creates a stronger future connection to the City of San Jose Trail system. (Comment on Draft Park Plan from City of San Jose Parks, Recreation & Neighborhood Services)

There will ultimately be ~~seven~~ eight non-vehicular entrances from the perimeter of the Park to the multiple use trails that lead to the Park and Recreation Zone.

The entrances are to be sited at the following locations:

- ◆ The corner of Snell Avenue and Branham Lane.
- ◆ Near the Park entrance on Snell Avenue.
- ◆ Near the eastern service road on Chynoweth Avenue.
- ◆ From the Blossom Hill VTA Station south of the Park via Canoas Creek.
- ◆ Under the Highway 85 overpass, connecting to Blossom Hill Road.
- ◆ At the terminus of the western segment of Chynoweth Avenue.

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- ◆ On the north bank of the Canoas Creek channel on the Park's western boundary.
- ◆ At the terminus of Vistapark Drive on the Park's western boundary.

Page 95. Circulation Plan. The discussion regarding trails at Martial Cottle Park was expanded to clarify that emergency access for the SCVWD would be retained. (Comment received on Draft Park Plan from SCVWD)

Pedestrian-only trails will be located within the Main Park Complex, the Western Use Area, and the Habitat Enhancement Area. Trails in proximity to Canoas Creek and the Santa Clara Valley Water District's maintenance road will be designed both to ensure safety for visitors and emergency access for the District. The trail network will provide access between park elements, and will allow the public to enjoy the park's agricultural setting. Because the Park is essentially flat, it is expected that all trails will offer the same low level of difficulty.

Page 97. Fundamental Parkwide Goals. The second fundamental parkwide goal was changed as shown below based on staff-directed changes which stated that Park and recreational uses should be the primary function of the project site to comply with the grant deed. This change required minor changes to all text referencing this goal, including Natural Resource Management and Protection goals. (Staff-directed changes)

The Park's focus will be education and commemoration of Santa Clara County's agricultural history. Portions of the Park will be under agricultural use, and portions under educational and cultural uses, all related to the Park's recreational and interpretive purpose. Research and commercial agricultural uses will be limited to those that are reasonably related to the history of farming in the Santa Clara Valley. ~~The Park will be used primarily for agricultural purposes, including educational and cultural uses, for the enhancement of local agriculture. Research and commercial agricultural uses will be limited to those that are reasonably related to the history of farming in the Santa Clara Valley.~~

Page 99. Guidelines for Plant Life. A Plant Life guideline was modified to ensure that watershed-specific plants would be used for plantings in riparian and wetland areas of the Park, and other areas when possible, based upon input received from SCVWD. (Comment received on Draft Park Plan from SCVWD)

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PLANT.3 Plant landscaped areas, including buffers and hedgerows, with species that, where possible, are native to the region and complement the Park's agricultural activities. Plantings in riparian and wetland areas, and other areas where possible, shall be watershed specific. In addition, Plants selected will attract beneficial insects and wildlife, but will not be known to attract agricultural pests nor be invasive.

Page 101. Guidelines for Soil and Geologic Resources. Two of the guidelines for soil and geologic resources were changed based upon input provided by the County of Santa Clara Department of Agriculture, indicating that SOIL.2 should be more inclusive of potential partners, and input from the Santa Clara County Farm Bureau members expressing concern that avoiding the use of synthetic fertilizers could have a negative impact on agricultural operations. (Input from the County of Santa Clara Department of Agriculture and members of the Santa Clara County Farm Bureau regarding the Draft Plan)

SOIL.2 Work with the soil conservation and agricultural partners (i.e. Natural Resources Conservation Service, the Santa Clara County Farm Bureau, etc.) to develop and implement a plan to improve soils in areas to be used for agriculture.

SOIL.4 Enrich soils with compost, compost tea and other natural soil amendments, and avoid synthetic fertilizers to the extent feasible.

Page 102. Guidelines for Water Resources. Guidelines regarding water efficiency were revised per input received from SCVWD on the Water Supply Assessment conducted for the project. (Comment from SCVWD on the Water Supply Assessment)

HYDRO.1 Employ high-efficiency irrigation systems, controllers and schedules in agricultural, recreational and other areas of the Park requiring irrigation. Where applicable, the County will apply the County's Water Conservation in Landscaping Ordinance.

HYDRO.2 Minimize irrigation in non-agricultural areas through water conservation techniques such as the use of high-efficiency irrigation equipment, appropriate design, proper installation, proper maintenance, and appropriate irrigation schedules.

Page 107. Guidelines for Circulation and Access. A Circulation and Access guideline was added to ensure coordination with SCVWD regarding trails along Canoas Creek, with the understanding that emergency access for the SCVWD would be retained. (Comment received on Draft Park Plan from SCVWD)

CIRC.7 Work with the Santa Clara Valley Water District and the City of San Jose to develop and connect trails along Canoas Creek.

Page 115. Guidelines for Utilities and Infrastructure. Guidelines regarding water efficiency were revised per input received from SCVWD on the Water Supply Assessment conducted for the project. (Comment from SCVWD on the Water Supply Assessment)

UTIL.1 Encourage use of recycled/reclaimed water where appropriate, and harvest rainwater and greywater for use in non-agricultural irrigation where feasible. New infrastructure should allow for potential future connection to recycled water sources.

UTIL.2 Utilize high efficiency, low water-use indoor infrastructure such as toilets and urinals.

Page 133. Non-Profit Organizations. Since potential non-profit partners cannot be named specifically, staff directed changes to modify “Our City Forest” throughout the document, including in the Implementation Chapter as shown below. (Staff-directed changes)

Urban Forestry Programs. An urban forestry program, such as the programs operated by Our City Forest, could add to the opportunities provided at the Park. ~~Our City Forest is a non-profit organization based in San Jose with a mission to “cultivate a greener, healthier urban environment and a renewed sense of community by involving Silicon Valley residents in the understanding, planting and care of the urban forest.” Our City Forest may be able to~~Urban forestry programs may provide materials and volunteer hours to contribute to establishing and maintaining trees at Martial Cottle Park.~~The educational and community outreach mission of Our City Forest is, and could complement compatible with~~ UCCE activities.

Page 144. Net Operating Costs and Cost Recovery. A description of the cost recovery was added to the Implementation discussion in response to comments

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received from the Task Force Committee. (Comments from Task Force Committee on the Draft Plan)

The cost recovery ratio, or the percentage of the annual operating budget that could potentially be funded by Park revenues, is estimated at approximately 23 percent. The cost recovery ratio of Martial Cottle Park is anticipated to differ from that of other County parks due to the range of revenue-generating features proposed for Martial Cottle Park.

Page 158. Planting. Additional text was added to the Design Guidelines to clarify that fire-prone plant species should not be planted along the west buffer. This change was recommended by consultant staff to address CEQA issues associated with wildland fires. (Staff-directed changes)

New plantings outside of leased agricultural areas shall include the species identified on Table 6-1 and 6-2, Master Plan Plant Lists. Plants listed may be complemented with additional species as appropriate for the individual area and design goals associated with its use. Due to the proximity of residences to the West Buffer, plantings in this area shall be low growing and shall not include any fire-prone species.

B. Recommended Revisions to the November 3, 2010 Draft Final Plan

This section identifies recommended changes to the Draft Final Plan based upon comments received on the Draft EIR. Relevant comments are identified for each recommended change.

Page ix. Executive Summary. Compatible Land Use Determination completed by County Parks found that the project would be presumptively compatible with the agricultural use of the contracted land. Since related development such as new buildings and structures, roads, paved areas, and trails would be needed in order to comply with the deed and Donor's vision, and Williamson Act Program guidelines are not strict regulations, language regarding the Williamson Act should be modified to allow Phase I components to be presumptively compatible with the agricultural uses. (Comment PUB11-2)

The Plan should be implemented in two phases. The first phase, which extends from 2011 to 2019, would take place during the Williamson Act contract

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non-renewal period and therefore must comply with contract requirements to the extent possible with consideration to grant deed restrictions and the Donor's vision.

Page 13. F. Environmental Review: *Environmental Impact Report*. Language regarding the County and the State's approval process for the project should be clarified. (Staff-directed changes)

~~The County Parks and Recreation Commission; the Board's Housing, Land Use, Environment and Transportation (HLUET) Committee; The County Board of Supervisors and the California State Park and Recreation Commission will consider this the Park Plan and the EIR jointly for approval adoption,~~ with respect to their property ownership and jurisdiction under the Joint Powers and Operating Agreement.

Page 13. b. Technical Advisory Committee. Language regarding the number of times that the TAC met should be revised to reflect the actual meetings identified in Appendix B.

The TAC met at five ~~six~~ key decision points during the planning process.

Page 48. Williamson Act Program. Language regarding the Williamson Act should be modified to allow Phase I components to be presumptively compatible with the agricultural uses. (Comment PUB11-2)

During the nonrenewal process, park uses and development will be limited by the County's Williamson Act Contract Ordinance and Guidelines. Park phasing and development ~~will comply with the County's application of these guidelines~~ would be coordinated with the County's Williamson Act Program staff.

Page 65. Williamson Act Contracts and Programs. Language regarding the Williamson Act should be modified to allow Phase I components to be presumptively compatible with the agricultural uses. (Comment PUB11-2)

In order to ensure that park phasing and development comply with all non-renewal periods, the Plan identifies a first phase of development that is compliant with County guidelines for all parcels, with related development such as new buildings and structures, roads, and paved areas that will suppose the

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Park's purpose as dictated by grant deed restrictions, and extends until all of the contracts have expired.

Page 95. Non-Vehicular Circulation. Although bus stops and crosswalks connecting to the Park are not within the project site, it is important that safe and convenient access be provided to the Park. Therefore, language should be added regarding the establishment of bus stops and crosswalks in coordination with the City of San Jose. This language will enforce existing Guideline CIRC. 7. (Comment number RL6-5)

These entrances will be strategically located around the Park's perimeter to provide convenient access from surrounding neighborhoods and to establish connections from the VTA Station immediately south of the Park. Pedestrian and bicycle connections to the entrances, including crosswalk and sidewalk connections from bus stops and the VTA and Caltrain stations, will be established in coordination with the County of Santa Clara, the City of San José and the Santa Clara Valley Transportation Authority (VTA). The City of San Jose would be the lead implementor of the future pedestrian and bicycle connections which take place off site. The eight entrance points envisioned for the Park will all provide access to the perimeter trail, which will direct traffic towards internal trails and major access points.

Page 97. 1. Fundamental Parkwide Goals. Language was omitted to clarify the last sentence in the second bullet point of the Fundamental Parkwide Goals.

The Park's focus will be education and commemoration of Santa Clara County's agricultural history. Portions of the Park will be under agricultural use, and portions under educational and cultural uses, all related to the Park's recreational interpretive purpose. Research and commercial agricultural uses will be limited to those that are reasonably related to the history of farming in the Santa Clara Valley. ~~Ensure public safety within all park areas.~~

Page 102. Water Resources Guidelines. To ensure that BMPs are in place prior to the development of Park elements that could contribute to stormwater runoff and minimize potential impacts to Canoas Creek, an additional Water Resource Guideline should be included. The new guideline should be numbered HYDRO.5, and the existing HYDRO.5 should be renumbered HYDRO.6. (Comment RLA5-3)

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HYDRO.5 Bioswales, rain gardens, bioretention areas and other Best Management Practices (BMPs) for treating, detaining, and maximizing infiltration of stormwater runoff shall be implemented in conjunction with or prior to the construction of impervious surfaces from which they will be capturing runoff. Management of stormwater flow from BMPs to Canoas Creek shall be coordinated with SCVWD, and shall not utilize pipe outfalls.

Page117. Land Use Compatibility Guidelines. The guidelines in this section pertain to the relationship between the Park and its neighboring communities. Although the project site does not encompass Santa Clara Valley Water District's Snell Pipeline, off-site improvements to Snell Avenue have the potential to the Park Plan does not encompass off-site improvements, improvements to impact the pipeline. To ensure that the SCVWD's pipeline and operations are not impacted, the following guideline should be added as LAND. 6. (Comment RLA5-27)

LAND.6 Coordinate with SCVWD regarding the Snell Avenue pipeline if it is determined that the construction of Park improvements will affect the pipeline.

Page 143 - 144. Phasing. Language regarding the Williamson Act should be modified to allow Phase I components to be presumptively compatible with the agricultural uses. (Comment PUB11-2)

The first phase, which extends from 2011 to 2019, would take place during the Williamson Act contract non-renewal period and therefore must comply with contract requirements to the extent feasible... Until the contracts expire, all park development must ~~meet~~ consider the following requirements of the County's Williamson Act Program guidelines (see also Chapter 3)...

Pages 151 - 165. Design Guidelines. Language regarding sustainable design and materials should be strengthened to clarify that materials used in buildings and features at the Park would be selected with consideration to the life cycle costs of materials and material durability (Comment MTG4-23). The following changes should be made:

- ◆ **Page 151. Design Guidelines.** In order to manifest the Martial Cottle Park (Park) vision, site features should contribute to the agricultural character whenever possible. In addition, Park features should be constructed with durable natural materials, such as wood, metal, and stone, with consideration to life-cycle costs and long-term sustainability. This section is intended to provide

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guidance for the design and construction of specific park components, while allowing for flexibility and innovative design solutions.

- ◆ **Page 151. Entrances and Gates.** Any building materials used to create landmark features at the entrance should be long-lasting, natural materials, such as wood or stone, and be either earth tone or white.
- ◆ **Page 152. Architecture.** In addition, building design should employ sustainable, ~~green~~ design and technologies such as natural lighting, passive heating and cooling, and the selection of sustainable materials.
- ◆ **Page 153. Fencing.** All fence posts should be composed of long-lasting wooden or ~~composed of~~ recycled materials that are wooden in appearance, with the exception of agricultural security fencing which may require other durable materials.
- ◆ **Page 160. Landscape Components.** Site furnishings should be made of durable materials such as metal and wood and should have natural or neutral colored finishes.

Page 157. Figure 6-1. Perimeter Multiple Use Trails and Buffers. The “Farm” label shown under the residential property should be deleted in the Typical Westside Residential Trail and Buffer section, as this was incorrectly labeled.

Page A-3. Appendix B. Project Meetings. C. Other Technical Advisory Meetings. Language regarding a State Parks meeting should be removed since the identified presentation to the State's Planning, Policy and Programming Committee would not be warranted.

- ◆ ~~California State Parks Planning, Policy and Programming Committee (PPPC) Meeting, Date TBD.~~

Pages A-6 through A-7. Appendix B. Project Meetings. F. Presentations/ Progress Reports to Public Officials. Language regarding public meetings and presentations should be updated.

- ◆ **County of Santa Clara Parks and Recreation Commission Meeting #2: April 1, 2009.** Three Draft Master Plan Alternatives and the Draft Preferred Master Plan Alternative was presented to the Parks and Recreation Commission for their acceptance.
- ◆ **County of Santa Clara Parks and Recreation Commission Meeting #3:** November 3rd, 2010. Presentation of Draft Martial Cottle Park State Park General Plan/ County Park Master Plan for their acceptance.
- ◆ ~~County of Santa Clara's HLUET Committee Meeting #3: Date TBD.~~
- ◆ **County of Santa Clara County Board of Supervisors Meeting #2:** ~~Date TBD~~ August 24, 2010. The Board approved the Water Supply Assessment for inclusion in the Draft Environmental Impact Report.
- ◆ **County of Santa Clara Board of Supervisors Meeting #3: February 8, 2011.** Presentation of the Draft Final Park Plan and EIR for their approval.
- ◆ **California State Park and Recreation Commission Meeting #2: March 2, 2011.** Presentation of the certified EIR and Final Park Plan for their consideration and approval.