

RESOLUTION 42 / 95

**A RESOLUTION ADOPTING A NEGATIVE DECLARATION AND MITIGATION
MONITORING PROGRAM; AND AMENDING LARKSPUR GENERAL PLAN
1990-2010 FOR THE IRVING SITE**

WHEREAS, The Irving Group has applied for an amendment to Larkspur General Plan 1990-2010 that clarifies the city's intent regarding a portion of the Irving site being .45 acres (otherwise known as Assessors Parcel # 22-110-26); and thus exempts the site from the requirement to prepare a Specific Plan; and

WHEREAS, notices of the Planning Commission and City Council hearings of the General Plan amendment and environmental documents were prepared and published in conformance with Section 65090 and 65091 of the California Government Code; and

WHEREAS, the Planning commission held public hearing on July 11, 1995 to consider and hear testimony on the general plan amendment and negative declaration; and

WHEREAS, the Larkspur City Council held a public hearing on August 16, 1995 to consider and hear testimony on the general plan amendment, negative declaration and mitigation monitoring program,

**NOW, THEREFORE, THE LARKSPUR CITY COUNCIL DOES
HEREBY RESOLVE AS FOLLOWS:** after considering all pertinent testimony, written and oral, the Larkspur City Council:

1. **Adopts** the Negative Declaration and Mitigation Monitoring Program; herein attached as exhibits A and B.
2. **Finds** that the General Plan amendments are supported by the facts provided in the attached exhibit C.
3. **Amends** the general plan text and Figure 2-6 of *Larkspur General Plan 1990-2010* as follows and as shown in Exhibit D-1 through D-4; herein attached :

Page 39. Specify assessors parcel numbers 22-110-25, -29 & -30 in discussion of site #9.

Page 41. Include discussion of the subject site as a separate site identified as site #19 and specifying the Assessors Parcel Number (22-110-26). Proposed discussion is as follows:

“ The .45 acre Irving Group site (AP # 22-110-26) located on the corner of East Ward Street and Meadowood Drive is designated Low Density Residential. This parcel was physically separated from the Niven Nursery property in 1970 when Ward Street was extended to serve the Meadowood Subdivision.”

Page 42. Include the subject site (#19) and add AP #22-110-30 to list of A.P. numbers for site #9 (Niven Nursery site) on the general plan table (Figure 2-5).

After Page 42. Label the subject site as site #19 on the general plan map Figure 2-6.

IT IS HEREBY CERTIFIED that the City Council of the City of Larkspur duly introduced and regularly adopted the foregoing resolution at a regular meeting held on the 16th day of August, 1995, by the following vote, to-wit:

AYES:	COUNCILMEMBERS	Arlas, Hillmer, Lanctot, Lubamersky, Lundstrom
NOES:	COUNCILMEMBERS	None
ABSENT:	COUNCILMEMBERS	None


MAYOR

ATTEST:


CITY CLERK

EXHIBIT A

RES 42/95

CITY OF LARKSPUR

INITIAL STUDY and ENVIRONMENTAL CHECKLIST

1. Project Title: GPA /CZ 95-14: General Plan Amendment and Rezoning : Irving Group

2. Lead Agency Name and Address: City of Larkspur
400 Magnolia Avenue
Larkspur, CA 94939

3. Contact Person and Phone Number: Jan Vazquez, Dept. of Planning and
Community Development,
Ph #: (415) 927-5022

4. Project Location: A 19,705 square foot (.45 acre) vacant parcel located at the corner of Ward Street and Meadowood Drive, east of the old railroad right of way and north of Arroyo Holon Creek. Refer to attached Larkspur General Plan Figure 2-6 : Location of Land Use Changes.

Marin Assessor's Parcel # 22-110-26

5. Project Sponsor's Name and Address: The Irving Group
contact person: Robert Odermatt
P.O. Box 85, Larkspur CA 94977-0085
Ph. # (415) 924-0171 or (510) 841-7496

6. General Plan Designation: Low Density Residential (up to 5 d.u. / ac.)

7. Existing Zoning: L-1 (Light Industrial)

8. Description of Project:

The Irving Group, owners of the subject parcel have requested 1) General Plan Amendment / Interpretation; and 2) Rezoning from L-1 (Light Industrial) to R-1 (First Residential)

Applicant's Proposal

1) General Plan Amendment / Interpretation. The subject .45 acre site is adjacent to and under the same ownership as the Niven nursery property. The Larkspur General Plan designates the subject site as well as the entire Niven Nursery property (17.9 acres) for Low Density Residential use. The general plan considers the present nursery uses to be desirable and allows the nursery use to remain indefinitely. The General Plan retains the present zoning of L-1(Light Industrial) for the Niven nursery site; and states that the property will be rezoned when it is no longer used for a nursery. Action Program 22 on page 35 of the Larkspur General Plan requires that a specific plan be prepared before the property is redeveloped in any use other than a nursery use.

The issue is that there is some ambiguity as to whether or not Action Program 22 also applies to the subject site .This .45 acre site and the Niven Nursery site comprise one legal lot. This legal lot includes four assessors parcels; AP 22-110-26 (the subject .45 acre site),

A.P. 22-110-29 and -25 (the 17.9 acre site) and A.P. 22-110-30 (narrow sliver). Refer to the attached Assessors Parcel Map.

Larkspur's general plan table "Changes to the Land Use Map" (Figure 2-5) specifies only two of the parcels (AP #22-110-25 &-29) comprising the Niven Nursery that is subject to a land use category change and specific plan requirement. However, the accompanying map (Figure 2-6) indicates a land use change for the smaller .45 acre site (AP #22-110-26) as well. It is not clear from the labeling of the Niven Nursery site (#9) on Figure 2-6 whether the smaller .45 acre site is considered as part of site #9 ; and thus subject to the specific plan requirement as well. Action Program 22 (page 35 of the General Plan) does not specify the Assessors Parcels numbers included in the Niven Nursery property.

The proposed General Plan amendment would clarify Action Program 22; by listing the specific assessors parcel numbers in the description of site #9 (Niven nursery site) in the text of the action program statement (page 35) and in the discussion of land use changes for site #9 (page 39). These clarifications would exempt the smaller .45 acre parcel from the specific plan requirement.

2) Rezoning. As previously discussed, Larkspur's General Plan designates the subject site for low density residential use. The current zoning designation of the property is L-1 (Light Industrial) ; the applicant is requesting that the .45 acre site be rezoned to R-1 (First Residential). The proposed rezoning would render the zoning designation of the property consistent with the General Plan land use designation for the site. The applicant's ultimate objective is to create two single family lots on the .45 acre site.

The property owner intends to apply for a Parcel Map to subdivide the 17.9 acre nursery site and the smaller .45 vacant site into three lots. The three lots will include two residential lots on the subject site and one larger lot (17.9 acres currently occupied by the Niven nursery). Redevelopment of the larger lot would be subject to a specific plan .

9. Surrounding Land Uses and Setting: The site is a vacant parcel of land (approximately 19, 705 square feet located in the City of Larkspur. The south property line is the centerline of Arroyo Holon Creek . There are several large Acacias and one Oak on the south side of the property bordering the creek . Beyond the creek to the south is the Meadowood Subdivision , low density residential neighborhood of approximately 75 homes was developed in the 1960's and early 1970's. The west property line is bordered by the former railroad right-of-way which now serves as a bike path and public open space. To the west of the bike path are older residential homes designated as medium density residential in the general plan. The north and east property lines are bordered by Ward Street and Meadowood Drive. Across these streets lies the property currently occupied by the Niven Nursery (approximately 17.9 acres).

The subject site is within one and one-half blocks from Larkspur's Downtown area.

10. Other agencies whose approval is required

For this project (general plan and rezoning applications, there are no approvals from other agencies required. Staff has contacted Marin County Flood Control and Bay Conservation Development Commission; both of which have stated that they do not have jurisdiction over the subject site. For eventual development of the site for two single family homes, Marin Municipal Water District's approval of the landscape plans will be required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

*** NONE INDICATED**

- | | | |
|---|---|--|
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION.

(To be completed by the Lead Agency.)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Karlena Palomares
Signature

Date June 29, 1995

KARLENA PALOMARES
Printed Name

For JAN VAZQUEZ

Issues (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. LAND USE AND PLANNING. Would the proposal:				
a) Conflict with general plan designation or zoning? (source #(s): <i>1, 2</i>) <i>REFER TO ATTACHED DISCUSSION</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? (<i>14, 16</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be incompatible with existing land use in the vicinity? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. POPULATION AND HOUSING. Would the proposal:				
a) Cumulatively exceed official regional or local population projections? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace existing housing, especially affordable housing? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:

*REFER TO ATTACHED DISCUSSION (Sources 3, 4, 5 Fig 7-3, 12)

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Fault rupture? (3) pg. 3 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Seismic ground shaking (3) pg. 3 + (5) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Seismic ground failure, including liquefaction? (3) pg. 3 + (5) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Seiche, tsunami, or volcanic hazard? (3) pg. 3 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Landslides or mudflows? (4) p. 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? (3) p. 3 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Subsidence of the land? (3) p. 3 + (5) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Expansive soils? (3) pg. 3 + (5) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Unique geologic or physical features? (4) pg. 1 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IV. WATER. Would the proposal result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? () | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of people or property to water related hazards such as flooding? (3) pg. 3 (5) Fig. 7-1, (6, 7, 13) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

*REFER TO ATTACHED DISCUSSION

Issues (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movements? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Altered direction or rate of flow of groundwater? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. AIR QUALITY. Would the proposal:

a) Violate any air quality standard or contribute to an existing or projected air quality violation? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Expose sensitive receptors to pollutants? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Alter air movement, moisture, or temperature, or cause any change in climate? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create objectionable odors? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

issues (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VI. TRANSPORTATION/CIRCULATION.

Would the proposal result in:

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Increased vehicle trips or traffic congestion? (10)
* REFER TO ATTACHED DISCUSSION | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? (13) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Inadequate emergency access or access to nearby uses? (13) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Insufficient parking capacity on-site or off-site? () | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Hazards or barriers for pedestrians or bicyclists? (15) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)? (5) FIG 8-2 + (15) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Rail, waterborne or air traffic impacts? () | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VII. BIOLOGICAL RESOURCES.

Would the proposal result in impacts to:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) | Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)? () | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Locally designated species (e.g. heritage trees)? (6, 11)
* REFER TO ATTACHED DISCUSSION | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Issues (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Wetland habitat (e.g. marsh, riparian and vernal pool)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Wildlife dispersal or migration corridors? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. ENERGY AND MINERAL RESOURCES.

Would the proposal:

a) Conflict with adopted energy conservation plans? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Use non-renewable resources in a wasteful and inefficient manner? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HAZARDS. Would the proposal involve:

<i>Refer to attached discussion</i>	a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)? (3,)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Possible interference with an emergency response plan or emergency evacuation plan? (3,)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) The creation of any health hazard or potential health hazard? (3,)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Exposure of people to existing sources of potential health hazards? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Increased fire hazard in areas with flammable brush, grass, or trees? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X. NOISE. Would the proposal result in:

a) Increases in existing noise levels? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people to severe noise levels? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

a) Fire protection? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Maintenance of public facilities, including roads? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other governmental services? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

a) Power or natural gas? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Communications systems? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Local or regional water treatment or distribution facilities? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage? (8, 12) * REFER TO ATTACHED DISCUSSION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Solid waste disposal? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. AESTHETICS. Would the proposal:

a) Affect a scenic vista or scenic highway? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a demonstrable negative aesthetic effect? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Create light or glare? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. CULTURAL RESOURCES. Would the proposal:

a) Disturb paleontological resources? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disturb archaeological resources? (9, pg 2) * REFER TO ATTACHED DISCUSSION	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Affect historical resources? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have the potential to cause a physical change which would affect unique ethnic cultural values? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Restrict existing religious or sacred uses within the potential impact area? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. RECREATION. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? () | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Affect existing recreational opportunities? () | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Issues (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

- a) Earlier analyses used. Identify earlier analyses and state where they are available for review.
- b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Authority: Public Resources Code Sections 21083 and 21087.

Reference: Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151; *Sundstrom v. County of Mendocino*, 202 Cal. App. 3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, 222 Cal. App. 3d 1337 (1990).

XVIII. DISCUSSION

Ia) Currently the L-1 (Light Industrial) zoning of the subject property is not consistent with Larkspur's General Plan land use designation of low density residential use for the site. The proposed rezoning to R-1 (First Residential) zone will render the zoning in compliance with Larkspur's General Plan land use designation. (Sources 1 and 2)

III a) - i) General Plan Map (Fig. 7-3) identifies the site within the high seismic risk category. A Geologic Reconnaissance and supplement was prepared by Rogers / Pacific . Refer to sources 3 and 4. The environmental evaluation of the geologic impacts associated with this general plan and rezoning application is based on the conclusions discussed in the reconnaissance report by Rogers / Pacific and from comments by John Hill , the city engineer. According to Mr. Hill, many of the land uses immediately surrounding the site have been established for many years; the railroad right-of-way, the bridge crossing Arroyo Holon, the older homes and structures on Ward Street and the Meadowood Subdivision. Up to now, there have been no problems related to subsidence or seismic stability. Further, a geologic investigation for the property on Cane and East Ward Street just west of the subject site does not raise any geologic problems that would indicate that residential development of the site would result in significant geological impacts.(Source 10)

The Rogers / Pacific concludes that the site is well suited for residential structures from a geologic and geotechnical engineering standpoint provided that " a detailed geotechnical investigation is undertaken prior to construction of the residences. This study should include subsurface borings, laboratory testing, and suitable engineering recommendations to be incorporated into the project design and construction". This recommendation is consistent with general plan policy related to sites within high seismic area. The investigation will be required prior to issuance of a building permit.

IV. General Plan Map (Fig. 7-1) indicates that the Arroyo Holon Creek and drainage easement on the south side of the subject site is within the 100 Year Flood Zone (Zone A1). According to the Rogers / Pacific Reconnaissance, the maps published by the Federal Emergency Management Agency (1984) designates a majority of the site to be within Flood Zone B (between the limits of the 100 year and 500 year flood).

The Director of Public Works requires a three foot setback from the top of the bank for any structures. The Preliminary Site Plan indicates a setback of 6 feet from the top of bank. Any development of the site will be subject to Larkspurs Floodplain Management Ordinance that establishes standards for anchoring, construction materials and methods, minimum floor elevations and floodproofing. The ordinance also provides standards for subdivisions.

VI a) The actual general plan amendment / interpretation and rezoning of the subject site will not have an impact on vehicle trips and congestion. The proposed change in zoning from Light Industrial to First Residential will actually result in a less intensive use ; and less traffic than that of the current zoning.

Subsequent applications for this site (subdivision or development permit) will be subject to Larkspur's Circulation Assessment Permit regulations.

VI f) Larkspur's General Plan Map (Fig. 8-2: Bicycle / Pedestrian Circulation Plan) indicates a bike path on the south side of Arroyo Holon Creek off of the site that connects the bike path along the railroad right of way and the existing bike path across the street that leads to Redwood High School. The applicant's Preliminary Site Plan shows a class 1

bike path connecting the bike path along the railroad right of way at the north side of Ward Street, continuing along the east side of Meadowood Drive to connect with the existing bike path heading east to Redwood High School. The applicant also studied various alternatives to the bike path alignment. The Parks and Recreation Commission reviewed the Preliminary Site Plan ; and concluded that the alternative alignment was more appropriate and feasible than that which is illustrated on the General Plan Figure 8-2.

VII b) There are some large trees on the site that may meet the criteria for a heritage tree. This is not an issue at this rezoning stage; and is likely not to be an issue in the development stage. The Preliminary Site Plan does not indicate removal of any of the onsite trees . Larkspur's Heritage Tree Ordinance requires a certified arborist report and permit for removal of heritage trees.

IX. The Preliminary Soils and Geologic Reconnaissance (Source 3) also includes an aerial photograph survey in order to track the historical use of the site. The selected aerial photographs (from 1936 to 1992) shows that the site was vacant when the photos were taken. The applicant states that the subject site has never been a part of the active nursery use; and that there are no known potentially hazardous materials on the site.

Soil samples of the site have been tested indicating that no organophosphorous pesticides, chlorinated herbicides or PCBs were detected. Low levels of three related compounds (4,4-DDT, 4,4,-DDE and 4,4-DDD) were detected. One sampling indicated DDT,DDE and DDD concentrations of .0059 to .015 parts per million ; while concentrations of the second sampling were at .0031 to .0056 parts per million. According to Randy Segawa of the U.S . Department of Agriculture-Pesticide Regulation , concentrations of DDT in soil below 1 part per million are considered typical background levels. (Source 17) .

XII e) On the site there is a partially open and partially piped drainage way that parallels the west property line and drains into Arroyo Holon Creek via a concrete spillway . According to Kevin Griffith, the Marin County Flood Control District does not have jurisdiction over the drainageways on the property. (Source 12) There is a 20 foot drainage easement over the Arroyo Holon Creek and creek banks for city maintenance of drainage structures.(Source 8)

XIV b) An archaeological field inspection was conducted by Holman & Associates in April of 1995. Holman's report concludes that there is no evidence of aboriginal use and / or occupation of the project area based on the field inspection.

There are two recorded site within a thousand feet of the subject property. Mr. Holman recommends that during the construction phase that the construction crews be alerted to the possibility that they could uncover archaeological materials buried by historical or natural activities. (Source 9)

Information Source List

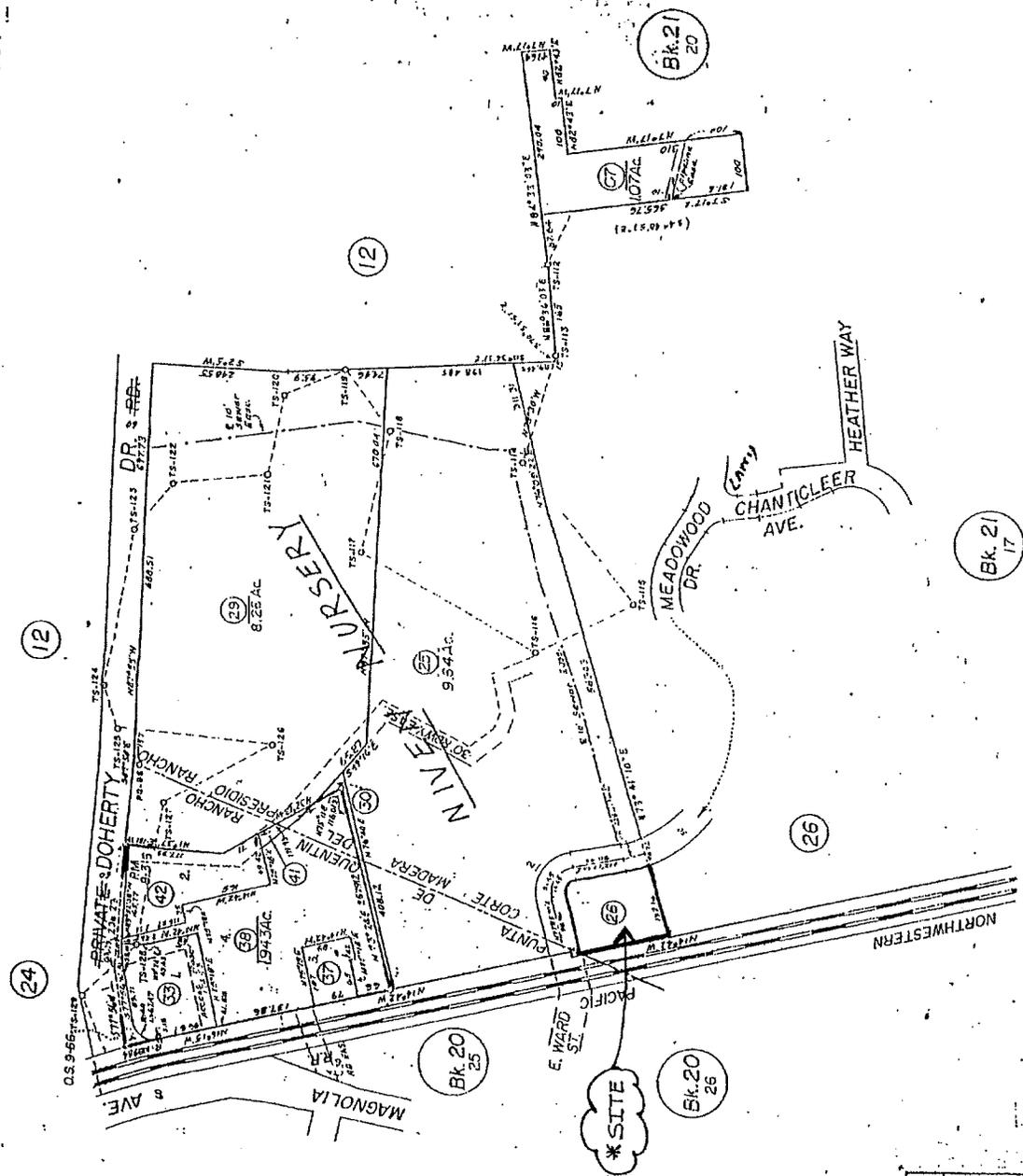
1. Larkspur General Plan Land Use and Circulation Map
2. City of Larkspur Zoning District Map
Environmental Information Form prepared by Robert Odermatt dated March 1, 1995
3. Preliminary Soils and Geologic Reconnaissance prepared by R. John Caulfield of Rogers /Pacific Geological and Geotechnical Engineering dated May 11,1995
4. Supplement to Reconnaissance Report prepared by R. John Caulfield of Rogers / Pacific dated June 14, 1995
5. Larkspur General Plan 1990-2010 dated December 1990
6. Preliminary Site Plan prepared for the Irving Group dated May 26, 1995
7. City of Larkspur Ord. 849: Floodplain Management
8. Topographic Map: Lands of Irving Group prepared by William Schroeder & Assoc. dated February 1995
9. Archaeological Field Inspection prepared by Holman & Associates dated April 25, 1995
10. Larkspur Municipal Code Chapter 18.14 : Circulation Assessment Permit
11. Larkspur Heritage Tree Ordinance (Ord. 780 & 833)

Other Sources

12. Conversation with John Hill, Larkspur city engineer. 6/6/95
13. Larkspur's Development Review Committee Meeting. 6/5/95
14. Conversation with Kevin Griffith , Marin County Flood Control District. 6/14/95
15. Parks and Recreation Commission Meeting of 6/15/95
16. Conversation with Eric Larson, Bay Conservation and Development Commission. 6/14/95
17. *Soil Sample Results for Meadowood Drive Larkspur CA , AP #22-110-26 prepared by Greg Arnold, GeoPacific dated July 10, 1995*

22-1
Tax Rate Area
4-001

PUNTA DE LA MADERA DEL PRESIDIO RANCHO
POR. PUNTA DE QUENTIN RANCHO



REVISION	4-29-85
CADASTRAL MAP	
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MUST BE SHOWN IN ACCORDANCE WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.	

Salt Marsh & Tide Land Commissioners Map No. 2

LARKSPUR & VICINITY
Assessor's Map Bk. 22 -Pg. 11
County of Marin, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

EXHIBIT B

RES. 42/95

MITIGATION MONITORING PROGRAM General Plan / Rezoning for Irving Site

Potential Impacts	Mitigation	Department Responsible	Timing
<p>Geologic :</p> <ul style="list-style-type: none"> Although there have been no problems due to subsidence or liquefaction in the immediate vicinity and to long established structures, the stratigraphy and composition of the subsurface profile has not been determined for this specific site. Located in area of high seismic risk <p>Water :</p> <ul style="list-style-type: none"> The drainage easement for Arroyo Holon Creek on the south side of the site is within the 100 Year Flood Zone. 	<ul style="list-style-type: none"> A detailed geotechnical investigation shall be required prior to construction of the residences. The study shall include subsurface borings, laboratory testing, and suitable engineering recommendations to be incorporated into the project design and construction. An analysis of the liquefaction potential for the site shall also be included in this study. Source: Preliminary Soils and Geologic Reconnaissance prepared by Rogers /Pacific dated May 11, 1995 (Applicant's Geotechnical consultant) A 3 foot minimum setback from the top of the creek banks is required. In addition, any development of the site will be subject to Larkspur's Floodplain Management Ordinance that establishes standards for anchoring, construction materials and methods, minimum floor elevations and floodproofing. 	<ul style="list-style-type: none"> Planning City Engineer Geotech Consult. Public Works Building Inspector 	<ul style="list-style-type: none"> Submittal of building plans prior to Grading & Building Permit issuance Submittal of building plans prior to Building Permit issuance

EXHIBIT C
City Council Resolution 42 / 95

Findings for General Plan Amendments. Larkspurs General Plan recommends that at least the following standard findings should be made for each General Plan amendment (refer to page 9 of Larkspurs General Plan):

1) The proposed amendment is deemed to be in the public interest;

The general plan amendments are actually text changes to the land use discussion and to a map (Fig.2-6) that serve to clarify the city intent for the subject site when the general plan prepared. This amendment eliminates confusion for future property owners and reviewers of the general plan .

2) The proposed General Plan amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected;

The proposed text amendments renders the land use changes discussion, the table (Figure 2-5) and the map (Figure 2-6) internally consistent . These changes do not affect the rest of the general plan.

3) The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare;

Pursuant to CEQA, the Initial Study for the general plan text amendments and rezoning covers the "whole of the action". Therefore, although the proposed applications do not constitute a development project, the environmental consideration of this Initial Study addresses the eventual development of the site for up to two single family residences. The breadth of this analysis, however is limited by the amount of detail available at this preliminary stage. Although a few mitigations are recommended in the Initial Study , additional mitigations may be included at subsequent stages (parcel map or building permit application).Therefore, the mitigation monitoring program will be augmented as the applicant approaches the actual development review phase.

Based on the available environmental information , the Initial Study indicates that the proposed amendment and rezoning results in either no impact or less than significant impacts; and therefore is not detrimental to the public health, safety, or welfare.

4) The proposed amendment has been processed in accordance with the applicable provisions of the Government Code and the California Environmental Quality Act.

An Initial Study and Negative Declaration has been prepared pursuant to CEQA. The general plan amendment and rezoning proposal; as well as, the environmental documents have been circulated to the Interested agencies .

Further, public notice of the general plan amendment, rezoning, preparation and adoption of the Negative Declaration and Mitigation Monitoring Program; and public hearings related to this matter has been given to the public and interested persons.

The College of Marin campus within the City of Larkspur is shown as Educational/Environmental Resource Area consistent with the City Council's 1988 action amending the General Plan.

Mixed Uses

Rather than being shown as Mixed Use, Downtown, the Niven property, Bon Air, and the western part of the San Quentin Peninsula are given land use designations consistent with existing or proposed uses.

New Land Use Category

Shorelines and marshes along Corte Madera Creek, Wood Island, San Francisco Bay, and Redwood High School are shown as Shoreline/Marsh Conservation. Most of these areas were formerly shown as Open Space. Their boundaries have also been more carefully delineated consistent with development approvals.

Land Use Changes

(Paragraph numbers below are not consecutive. They correspond to the numbers used in Figure 2-5 on page 42 and Figure 2-6, the fold-out map following page 42.)

1b. Most of the **Northwestern Pacific Railroad right-of-way** parallel to William and Holcomb Avenues has been changed from Open Space to Open Residential. This difficult-to-develop area will remain predominantly open, but the designation will allow some economic use of the land. Two segments of the right-of-way owned by Marin County remain as Open Space. The Bicycle/Pedestrian Circulation Plan in Chapter 8 shows that a path is planned for the right-of-way.

4. The Historic Preservation Overlay Zone should be applied to the **Tiscornia Property** (site of the Historic Escalle Winery) on Magnolia Avenue to support the preservation and restoration of the historic winery buildings.

(A.P. 22-110-25, -29 & -30)

9. The 17.9-acre **Niven Nursery** property[^] fronting on Doherty Drive is designated Low Density Residential. However, the present wholesale and retail nursery uses on the site are viewed as desirable and will be allowed to remain indefinitely. Therefore, the property will retain its present zoning of L-1, Light Industrial, and the zoning ordinance will be amended to restrict the property to its present use. The property will be rezoned when it is no longer used for

would buffer the multiple-family area behind (north of) it from traffic noise. Access to the office area should be from Larkspur Landing Circle for reasons of safety and traffic flow. Some park space should be provided as a buffer from and access to Tubb Lake. The area may need archaeological reconnaissance.

18. The *marsh* area along the south and eastern boundaries of Redwood High School has been changed from Public to Shoreline/Marsh Conservation. □

19. The .45 acre Irving Group site (AP # 22-110-26) located on the corner of East Ward Street and Meadowood Drive is designated Low Density Residential. This parcel was physically separated from the Niven Nursery property in 1970 when Ward Street was extended to serve the Meadowood Subdivision.

**Figure 2-5
Changes to the Land Use Map¹⁵**

<u>Map No.</u>	<u>Name and Parcel Number</u>	<u>Recommended Land Use Category</u>	<u>Parcel Size in (Acres)</u>	<u>Approximate Maximum Development Potential¹⁶</u>
1b.	Northwestern Pacific Railroad (21-173-02, 04, & 05, & 214-12)	Open Residential	6.28 ¹⁷	1-2 single-family units
6, 7.	Safeway and Pizza Hut (20-122-05 & -06)	Commercial	3.85	60,000 sq. ft offices/retail ¹⁸
9.	Niven Nursery (22-110-25, -30 & -29)	Low Density Res., with higher density allowed for affordable housing ¹⁹	17.9	90 units (or more, if higher density affordable housing)
12.	Lincoln III (18-191-19 & 21)	Low Density Residential	18.2	90 units
14.	Airporter (18-191-07)	Public and supporting facilities	1.5	Flexible, to support transit terminal and parking
15.	Sanitary District No.1 (18-171-32)	Med. Density Residential and offices	9.9	72 MF dwellings, and 61,000 sq. ft. of offices
18.	Redwood H.S. Marsh (Part 24-01-58 & 24-01-61)	Shoreline/Marsh	12.0	None
19.	IRVING GRP (22-110-26)	LOW DENSITY RESIDENTIAL	.45	2 single-family units

¹⁵ Cf. Draft EIR, March 1990, Tables 14-15, pp. 66-67.

¹⁶ The ultimate number of units or square feet of building area will depend on the application of the slope ordinance, parking requirements, and the like, and therefore the figures in this column are not to be considered in any way as entitlements.

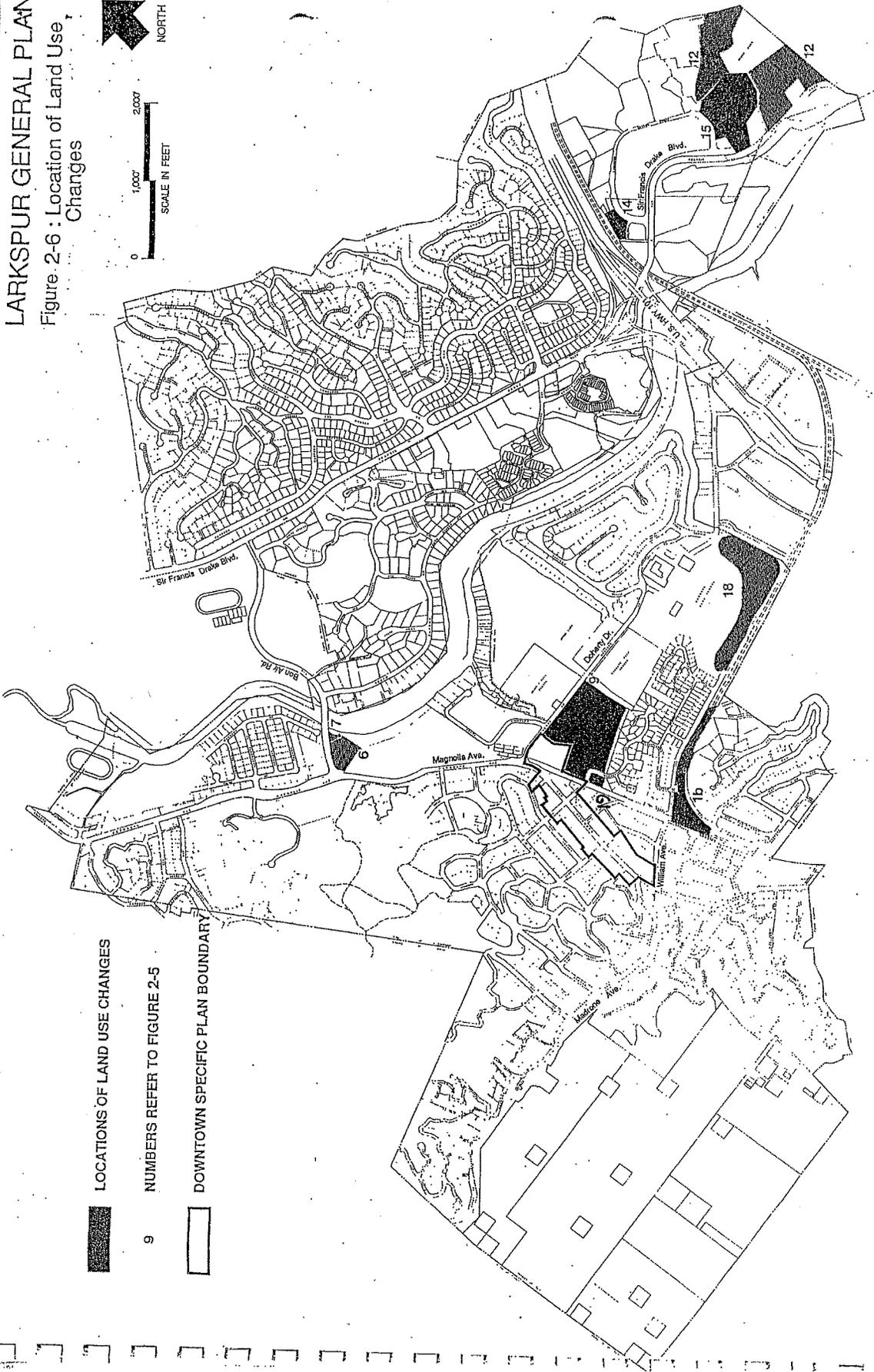
¹⁷ Acreage calculated by City Planning Department.

¹⁸ The intent is to foster mixed use when the properties are redeveloped. Cf. Action Program 23, p. 35.

¹⁹ Specific Plan Required. The intent is to maintain the present uses on the site for as long as they are viable. Cf. Action Program 22, page 35.

LARKSPUR GENERAL PLAN

Figure 2-6 : Location of Land Use Changes



RESOLUTION 42 / 95
EXHIBIT D-4

GPA / CZ 95-14
IRVING GROUP

- ADDING SITE 19 LABEL