

CITY OF LARKSPUR

RESOLUTION NO. 47/06

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LARKSPUR
AMENDING THE LARKSPUR DOWNTOWN SPECIFIC PLAN TO REMOVE
CENTRAL LARKSPUR SPECIFIC PLAN (CLASP) SUBAREAS 1 AND 2 (APNS
020-254-01, -02, -07, -08, -09, -10, -11, & -12; 022-110-33, -41, - 42, AND -46) FROM
WITHIN THE BOUNDARIES OF THE DOWNTOWN SPECIFIC PLAN AND
MAKE CONFORMING AMENDMENTS SO THAT THE DOWNTOWN
SPECIFIC PLAN WOULD NO LONGER APPLY TO THOSE SUBAREAS**

- WHEREAS, on December 19, 1990 the City Council approved Resolution No.75/90 approving an update of the City's General Plan; and
- WHEREAS, on March 3, 1992, the City Council approved Resolution No. 10/92 adopting the Larkspur Downtown Specific Plan; and
- WHEREAS, to avoid confusion between the Larkspur Downtown Specific Plan and the Central Larkspur Specific Plan (CLASP) it is necessary to amend the Downtown Specific Plan to delete Subareas 1 and 2 of the CLASP from the boundaries of the Downtown Specific Plan and to amend related text, upon adoption of the CLASP.
- WHEREAS, at special meetings held on January 13, 2005 and February 3, 2005, the Planning Commission, and upon hearing and considering all oral and written testimony and arguments of all persons desiring to be heard, considered the Environmental Impact Report (EIR) for the Project and all the facts relating to the General Plan Amendment described herein, and at a regular meeting held on February 22, 2005, recommended approval of the proposed Downtown Specific Plan Amendments; and
- WHEREAS, during thirteen public hearings held between March 2005 and May 2006, the City Council of the City of Larkspur reviewed and considered the EIR for the Project, and upon hearing and considering all oral and written testimony and arguments of all persons desiring to be heard, considered the Environmental Impact Report (EIR) for the Project and all the facts relating to the Downtown Specific Plan Amendments described herein, and at a special meeting held on May 10, 2006 voted to send the Council's proposed changes to the CLASP (preliminary agreements), which did not include changes to the proposed Downtown Specific Plan Amendments, to the Planning Commission for report and recommendation; and
- WHEREAS, at special meetings held on July 26, 2006 and August 16, 2006, the Planning Commission, reviewed and considered all oral and written testimony and arguments of all persons desiring to be heard at that meeting and review and considered the preliminary agreements reached by

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the City Council during its series of public hearings and the Environmental Impact Report, and recommended approval of the proposed Downtown Specific Plan Amendments.

WHEREAS, on September 6 and 20, 2006, the City Council of the City of Larkspur reviewed and considered the EIR for the Project, all oral and written comments raised during the public hearings, the Planning Commission's report and recommendation, the information contained in the related staff report for the proposed Downtown Specific Plan Amendments, and all other related materials.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LARKSPUR DOES RESOLVE AS FOLLOWS:

Section 1. That the above recitals are true and correct.

Section 2. Findings. The City Council, in approving the Specific Plan Amendments, makes the following findings:

- a. By maintaining the City's vision for the Old Downtown and avoiding confusion between two City specific plans the amendments are deemed to be in the public interest.
- b. In that the amendments to the Downtown Specific Plan do not change any of the goals or programs of the General Plan, but simply avoid confusion between two City specific plans, it is consistent and compatible with the General Plan.
- c. The proposed amendments to the Downtown Specific Plan do not change the Specific Plan's proposed land uses, standards, or the City's vision for the Old Downtown. Therefore, its potential impacts have been determined not to be detrimental to the public health, safety, or welfare.
- d. The proposed amendments to the Larkspur Downtown Specific Plan have been considered during duly noticed public hearings to receive and consider public testimony regarding the proposed amendments to the Downtown Specific Plan and have been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

Section 3. Environmental Clearance.

- a. The amendments to the Larkspur Downtown Specific Plan were identified and analyzed in the CLASP EIR. The City Council certified the EIR and adopted related CEQA mitigation and findings by Resolution No. 46/06 dated September 20, 2006, and incorporated herein by reference.

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- b. The City Council reviewed and considered the EIR prior to taking action on the CLASP Project, including the amendments to the Downtown Specific Plan.

Section 4. Approval. Effective upon approval of the Central Larkspur Specific Plan (CLASP), which includes the areas commonly referred to as Subarea 1 (APNs 020-254-01, -02, -07, -08, -09, -10, -11, and -12) and Subarea 2 (APNs 022-110-33, -41, -42, and -46), the City Council of the City of Larkspur approves amendments to the Larkspur Downtown Specific Plan as follows:

- a. Pages 8 and 45, revise #4 as follows (underlining indicates an addition): “Improve the sense of connection between the components of the Downtown and with adjacent areas, including Larkspur Plaza, the Nazari property and the retail core of Downtown, the Lark Creek Shoppes and Larkspur Creek.”
- b. Pages 8 and 45, delete #4.b.
- c. Pages 10 and 47, delete #s 1 and 2, referring to the Lucky supermarket and the Nazari Property, respectively. Renumber the remaining list accordingly.
- d. Page 12, first paragraph under Storefront Downtown, delete the fourth sentence, which references Larkspur Plaza and Nazari properties. Page 60, first paragraph under Storefront Downtown, delete the phrase, “and also includes the Nazari property” at the end of the third sentence.
- e. Pages 14 and 65/66, first paragraph under Transitional Downtown, delete the phrase, “Larkspur Plaza and” near the end of the first sentence.
- f. Page 27, insert the following as a footnote at the end of the first paragraph under Local Setting, “The original Downtown Specific Plan included an area north of Ward Street and east of Magnolia, commonly referred to as the Nazari Property and Larkspur Plaza. This area was deleted from the Downtown Specific Plan with the adoption of the Central Larkspur Specific Plan in 2005. Not all references to the Nazari Property and Larkspur Plaza, however, have been deleted from the Downtown Larkspur Specific Plan. References to these properties are still included where they are included in discussions of existing conditions or provide context for the policies and actions in the Downtown Specific Plan. If there is conflict between the Downtown Specific Plan and the Central Larkspur Specific Plan relative to these properties and the City owned property adjacent to these properties, the Central Larkspur Specific Plan shall apply.”
- g. Page 29 and 30, Figure 1, Study Area, and Figure 2, Land Ownership, add footnote to both Figures stating, “This Figure includes the boundaries for original Downtown Specific Plan; the Specific Plan boundaries have since been revised with the deletion of the area north

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of Ward Street and east of Magnolia Avenue upon adoption of the Central Larkspur Specific Plan. These properties are included here for context purposes only; refer to the Central Larkspur Specific Plan for policies and standards governing that area.”

- h. Page 37, #s1 and 2a, referring to Lucky Supermarket and the Nazari Property, respectively, add the following at the end of each, “(With the adoption of the Central Larkspur Specific Plan in 2005, this opportunity site has been deleted from the boundaries of the Downtown Specific Plan; it is included here for context purposes only. Refer to the Central Larkspur Specific Plan for policies and standards governing these sites.”
- i. Page 39, Figure 3, Opportunity Sites, add footnote to Figure 3 stating, “This Figure includes the boundaries and opportunity sites for the original Downtown Specific Plan, the Specific Plan boundaries have since been revised with the deletion of the area north of Ward Street and east of Magnolia Avenue upon adoption of the Central Larkspur Specific Plan in 2005. These properties are included here for context purposes only. Refer to the Central Larkspur Specific Plan for policies and standards governing that area.”
- j. Pages 49, 61, 73, 95, and 105, Figures 4, 5, 6, 7, and 8, respectively. Add a footnote to each of these Figures stating, “This Figure includes the boundaries for the original Downtown Specific Plan; the Specific Plan boundaries have since been revised with the deletion of the area north of Ward Street and east of Magnolia Avenue upon adoption of the Central Larkspur Specific Plan in 2005. These properties are included here for context purposes only; refer to the Central Larkspur Specific Plan for policies and standards governing that area.”
- k. Page 82, first paragraph under Transitional Downtown, delete the last sentence referencing the Lucky Supermarket.
- l. Pages 83, 84, and 84, delete #s1 and 2 and related graphics. Renumber the remaining list accordingly.
- m. Page 97, add following as footnote 3 to the end of the first paragraph under Specific Plan Policies and Actions: “Bicycle paths outside of the Downtown Specific Plan area, e.g., on the Nazari property and the Larkspur Plaza, are included here for context purposes. Refer to the Central Larkspur Specific Plan for specific policies and actions relating to these properties and Doherty Drive.”
- n. Page 103, delete the first two bullets under #4 relating to the Nazari Property.
- o. Page 117, delete bullets on this page that refer to the Nazari Property (two bullets) and the Larkspur Plaza (one bullet).

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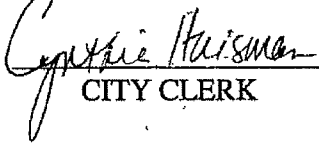
IT IS HEREBY CERTIFIED that the City Council of the City of Larkspur duly introduced and adopted the foregoing resolution at a regular meeting held on the 20th day of September 20, 2006 by the following vote, to wit:

AYES: COUNCILMEMBERS Arlas, Chu, Hartzell, Hillmer, Lundstrom
NOES: COUNCILMEMBERS None
ABSTENTIONS: COUNCILMEMBERS None
ABSENT: COUNCILMEMBERS None



MAYOR

ATTEST:


CITY CLERK