

# ROSS VALLEY SANITARY DISTRICT

Serving the Greater Ross Valley Area for Over 100 Years

2960 Kerner Boulevard, San Rafael, Ca 94901

Ph: 415.259.2949 Fax: 415.460.2149

Directors: Doug Kelly, President ~ Thomas Gaffney, Secretary ~ Mary Sylla, Treasurer ~ Pamela Meigs ~ Michael Boorstein

## SPECIAL BOARD MEETING AGENDA

May 2, 2018

Closed Session at 4:00 p.m. ~ Convene in Open Session at 5:00 p.m.

Ross Valley Sanitary District – 2960 Kerner Blvd., San Rafael, CA

**Welcome:** *The RVSD Board of Directors welcomes members of the public at its meetings and encourages citizen participation and input. The Board takes seriously its responsibility to be a model of civility and to safeguard the public ability to directly address the Board by providing the appropriate Board Meetings Decorum in accordance with Resolution No. 10-1378, which is posted at every Board meeting. Thank you.*

*The Board President will call agenda items, ask for the Staff Report, hear questions or initial concerns from Board members, open the item for public comment and return to the Board for additional comments and action. The public may speak for up to three minutes, as time allows, on agenda items.*

1. Call Meeting to Order and Roll Call
2. Adjourn to Closed Session
3. Closed Session
  - a) Appointment of Personnel Pursuant to Govt. Code Section 54957(b) (General Manager)
  - b) Conference with Labor Negotiator (Government Code Section § 54957.6) Agency designated representatives: Greg Norby, Patrick Clark. Employee Organization: AFSCME
4. 5:00 p.m. Reconvene to Open Session
  - a) Pledge of Allegiance
  - b) Report on Action Taken by the Board During Closed Session, If Any, Pursuant to California Government Code Section 54957.1
5. Approval of Agenda
6. Open Time for Public to Raise Items Not on Agenda or for Future Agendas  
*Members of the public may address the Board re: issues that are within Ross Valley Sanitary District's jurisdiction. The Board can hold no discussion during this time.*
7. Consideration of Approval of Draft Comment Letter to the Larkspur General Plan Update Committee (No Staff Report; Letter Attached)
8. Verbal Report by Board Members and Staff, and Requests for Future Items

**Adjourn**

### Next Meetings:

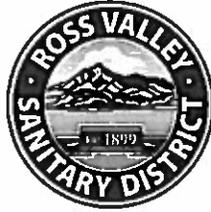
Regular Meeting on May 16, 2018, at 5 p.m. at the Central Marin Police Authority – Community Room, 250 Doherty Dr., Larkspur, CA

Any person with a disability covered under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet prepared by the local agency or other interested person for this meeting upon request in an appropriate alternative format. Requests for mailed copies of agendas or agenda packets are valid for the calendar year in which requests are made and must be renewed annually after January 1. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services in order to participate in a public meeting. Please contact the office at 415.259.2949 at least ten (10) working days prior to the meeting and provide information on the assistance required.

Copies of all staff reports and documents subject to disclosure that relate to each item of business referred to on the agenda are available for public inspection at least 72 hours before each regularly scheduled Board meeting at the District Office, located at 2960 Kerner Boulevard, San Rafael, CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the Board regarding any item on this agenda after the agenda has been distributed will also be made available for inspection at the District Office during regular business hours.

Approved:   
Greg Norby, General Manager

Name:	MGB
Date:	5/11/8
Loc:	
Intl:	RVS



## ROSS VALLEY SANITARY DISTRICT

2960 Kerner Blvd., San Rafael, CA 94901

Tel. (415) 259-2949 | Fax (415) 460-2149 | Web: [www.rvsd.org](http://www.rvsd.org)

May 2, 2018

Larkspur General Plan Update Committee  
City of Larkspur  
400 Magnolia Avenue  
Larkspur, CA 94939

Dear Larkspur General Plan Update Committee:

### Introduction

As President of the Ross Valley Sanitary District (RVSD) Board, I am submitting the following comments on the City of Larkspur's current deliberations regarding the land use zoning for the Districts' parcels at 2000 Larkspur Landing Circle. RVSD has specific requests for the working committee and for eventual City Council consideration.

### Background on 2000 Larkspur Landing Circle

RVSD understands that in 2017, the City of Larkspur (City) appointed a steering committee comprised of two City Council Members and two Planning Commissioners to assist staff in finalizing the Draft General Plan update originally initiated in 2010. The current Draft General Plan update is largely picking up where the process left off in 2010, following the outcome of the community's consideration of the Station Area Plan land use update. The City anticipates the Draft General Plan Update will be completed by the end of 2018 and public hearing on the draft document will begin in 2019. The steering committee is considering a wide range of long-term land use and management issues such as wildland fire interface threats and sea level rise, and the current General Plan policies related to "underutilized parcels" such as 2000 Larkspur Landing Circle.

The District owned and operated the Larkspur Wastewater Treatment Plant (LWTP) between 1948 and 1985. The LWTP facility was no longer needed for local wastewater treatment following completion of the centralized wastewater treatment plant by the Central Marin Sanitation Agency in 1985. The District began planning for removal of the treatment plant and redevelopment of the approximately 10.5-acre parcel in 1995. In 1998 and 1999, the District demolished the onsite concrete structures. A portion of

the concrete material was mixed with onsite soils and used as engineered fill to backfill the excavations left by the demolition process. Through the early 2000s, the District pursued redevelopment of the site with a private partnership. The discovery of PCB contamination late in the process of the site's development led to a halt of further development. A lawsuit between the District and its development partner was settled in 2012. Since 2014, the District has been working to obtain EPA approval for remediating of the site to allow unrestricted future land use.

### **City of Larkspur Zoning and Precise Plan Approval History**

In 1990, the City passed Resolution 34/05, establishing the general land uses for the parcel, and setting direction for future more detailed development plans within the Resolution's guidelines. A series of three City ordinances passed in 2006 and 2007, culminating in Resolution 954 (Attachment A), establishing the details and approval for a precise plan. The approval included numeric goals for such land use factors as mixed income housing, commercial space, and a target number of hotel rooms, along with quantitative goals such as the connectivity with the (then future) Drakes Cove. See Attachment B for a copy of Resolution 34/05 and a map of how the site is currently zoned.

Approximately 20 percent of the site is currently used as an operation base for the District and includes two modular buildings and an area for sewer maintenance and operations equipment, vehicles, and materials staging.

### **Requested Changes to the Current Precise Plan and the Related General Plan Policy**

The requested change to the Precise Plan and its related enable or supporting documents is very simple and is based on two public benefit objectives. As shown in Attachment A, the approximately 10-acre site is divided into three separate land use zones. These internal lines on the map of the parcel are based on a nearly 15-year-old development plan that cannot reasonably be assumed to meet the current and future needs of the Larkspur community. The District adopted a formal polity in 2016 of remediating the parcel to allow unrestricted future land use, and this was done for one primary reason; to ensure the appropriate land use authority (City of Larkspur) and its community stakeholders would have maximum flexibility regarding the future development of the site. The current internal zoning boundaries conflict with these community goals, and add no benefit to the ability to seek qualified partners for the site's redevelopment.

The updated guidance in the General Plan would retain the key quantitative and qualitative features of the current zoning, such as the number of housing units and hotel rooms, and the connectivity with the Drakes Cove area.

A secondary reason for the elimination of the internal zoning limits is that this would assist the City and District in putting the current permitting status of the interim O&M base on a clear permitting and zoning basis, to both party's benefit. Once the longer-term future of the site is clearer, the parties can make longer term decisions regarding the permanent site of the wastewater utility operations base.

RVSD will defer to the City staff and other experts as to the most appropriate manner to make the necessary policy and Plan changes.

We look forward to working with the City staff and Council to seek productive updates to the General Plan that help meet the long term needs of the Ross Valley.

Sincerely,

Douglas T. Kelly  
Board President

Attachments:

- A Resolution 954
- B Resolution 34/05 and Map



**CITY OF LARKSPUR**

**RESOLUTION NO. 34/05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LARKSPUR  
ADOPTING AMENDMENTS TO THE LARKSPUR GENERAL PLAN LAND  
USE ELEMENT AND MAP**

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- WHEREAS, on December 19, 1990 the City Council approved Resolution No.75/90 approving an update of the City's General Plan; and
- WHEREAS, in 1998, the City Council adopted Resolution No. 15/98, indicating the City's willingness to consider a General Plan amendment to allow the development of a hotel with approximately 150 rooms and up to four stories in height, up to 168,000 square-feet of office space and a new Sanitary District office/corporation yard at 2000 Larkspur Landing Circle; and
- WHEREAS, in 2004, the City of Larkspur adopted an Updated Housing Element, which identified 2000 Larkspur Landing Circle as a housing opportunity site for 120 units (20% affordable); and
- WHEREAS, amendments to the Land Use Element and Map of the Larkspur General Plan are necessary to bring consistency between City Resolution No. 15/98, the Updated Housing Element and the General Plan; and
- WHEREAS, the Planning Commission held duly noticed public hearings to consider the mixed-use development project Mitigated Negative Declaration, General Plan Amendments, Preliminary Development Plan, Exceptions to the Zoning Ordinance and Circulation Assessment Permit on December 14, 2004, February 10, 2005 and July 19, 2005; and
- WHEREAS, at the July 19, 2005 Planning Commission meeting, upon hearing and considering all oral and written testimony and arguments of all persons desiring to be heard, the Commission considered all the facts relating to the General Plan amendments described herein and recommended approval of the proposed General Plan amendments; and
- WHEREAS, on August 17, 2005, the City Council of the City of Larkspur reviewed and considered all oral and written comments raised during the public hearing and the information contained in the related staff report for the proposed General Plan amendments.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LARKSPUR DOES RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

**Section 1. That the above recitations are true and correct.**

**Section 2. Findings.** The City Council, in approving the proposed General Plan amendments, makes the following findings, to wit:

- a. The proposed General Plan amendments are deemed to be in the public interest because the changes to the Land Use Map and General Plan text will further the City's goals to meet the City's Regional Housing Needs Determination "Fair Share" of affordable housing and generate additional property and hotel tax revenue to address the City's budget shortfalls.
- b. The proposed General Plan Land Use Map amendments will help implement the Council's recent adoption of the Updated Housing Element. The text amendments will facilitate development consistent with that which is allowed under the land use designations. The proposed General Plan amendments, therefore, are consistent and compatible with the rest of the General Plan.
- c. The potential impacts of the proposed General Plan amendments have been analyzed in a Mitigated Negative Declaration and Initial Study prepared for the Larkspur Landing 2000 project. The Mitigated Negative Declaration found that the General Plan amendments and the resulting project, including mitigation measures agreed to by the project sponsor, would not be detrimental to the public health, safety, or welfare.
- d. The proposed General Plan amendments have been considered during duly noticed public hearings to receive and consider public testimony regarding the proposed General Plan amendments and have been processed in accordance with the applicable provisions of the California Government Code.

**Section 3. Environmental Clearance.** The proposed General Plan amendments have been determined to be discretionary in nature and are not otherwise exempt from the requirements of the California Environmental Quality Act (CEQA). The amendments have been processed in accordance with the CEQA Guidelines and an Initial Study was prepared for the amendments and resulting project. The Initial Study indicates that the amendments will not have a significant effect on the environment, and accordingly a Mitigated Negative Declaration, therefore, is hereby adopted.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Larkspur adopts amendments to the Land Use Element and Map of the Larkspur General Plan 1990-2010 as follows:

1. **Land Use Map.** The Land Use designation for the 10.675-acre site identified in the General Plan as the Sanitary District No. 1 site shall be changed from Administrative and Professional Offices and Medium Density Residential to

Commercial, High Density Residential, Public Facilities and Open Space, as shown on Exhibit A attached hereto and included herein by this reference.

2. Page 19, Land Use Element, LAND USE CATEGORIES. Add the following sentence at the end of the Commercial land use category: "Hotels may be allowed to a maximum FAR of 1.0 where specific or master plans are required. The scale of such hotel structures would not be required to be comparable in scale to structures in the Restricted Commercial land use category, but shall be governed by an adopted specific or master plan."

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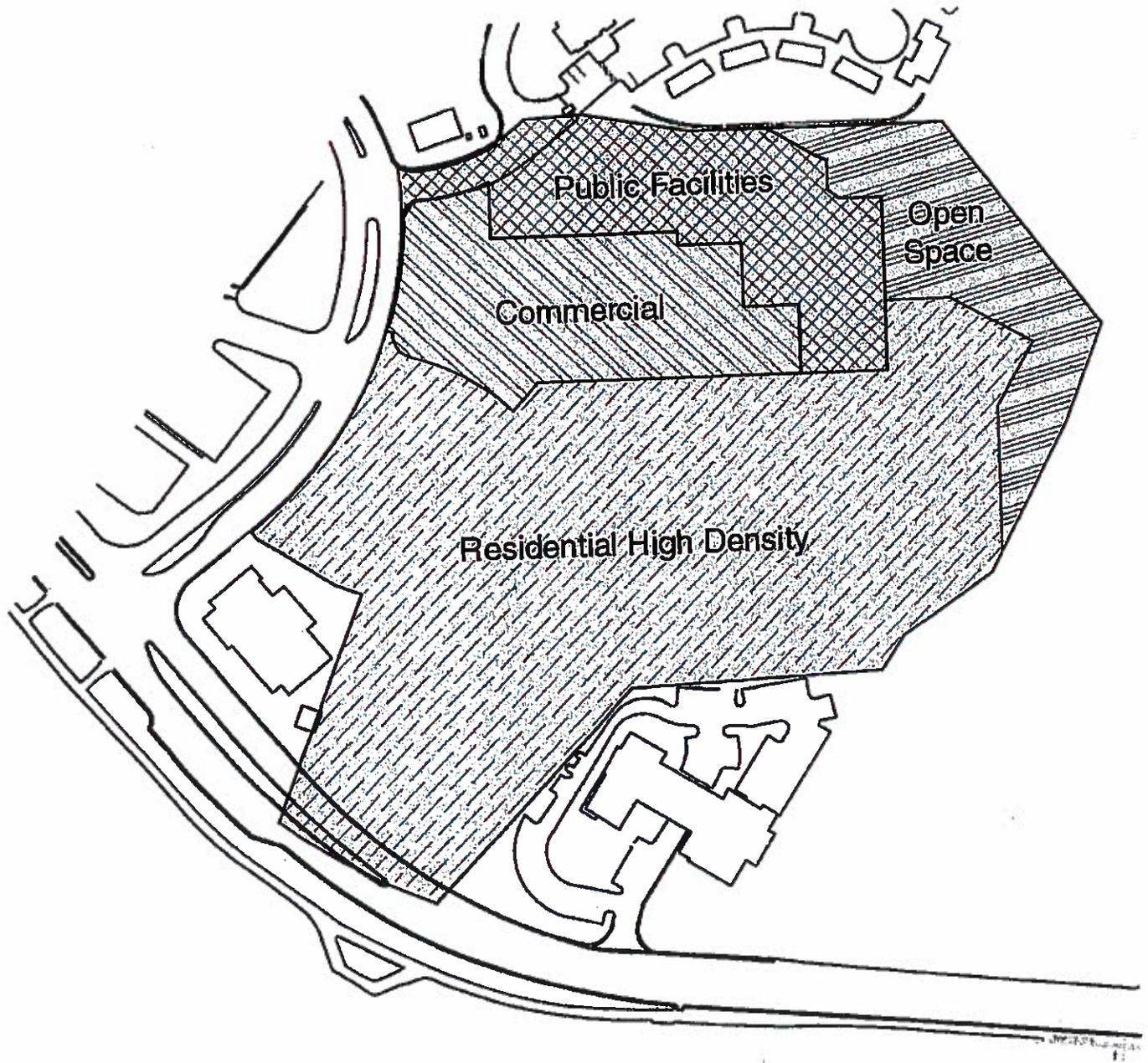
IT IS HEREBY CERTIFIED that the City Council of the City of Larkspur duly introduced and adopted the foregoing resolution at a regular meeting held on the 17th day of August, 2005 by the following vote:

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

Jean L. Lundstrom  
MAYOR

ATTEST:

Jana A. Bonardi  
CITY CLERK



## Exhibit A

Proposed General Plan Land Use Designations  
**2000 Larkspur Landing Circle**  
 Larkspur, California

APRIL 15, 2005

**Attachment B****ORDINANCE NO. 954**

**AN ORDINANCE OF THE CITY OF LARKSPUR AMENDING  
ORDINANCE NO. 948 AND APPROVING THE  
PRECISE DEVELOPMENT PLAN AND DESIGN REVIEW  
FOR THE HOTEL COMPONENT OF THE 2000 LARKSPUR LANDING  
CIRCLE MIXED-USE DEVELOPMENT PROJECT**

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WHEREAS, application was made by Campus St. James Larkspur, LLC to demolish the existing facilities of the Ross Valley Sanitary District of Marin County (hereinafter Sanitary District No. 1) at 2000 Larkspur Landing Circle and construct a mixed-use development project including a business hotel, replacement services for the Sanitary District and 126 for-sale units in nine multi-family buildings; and

WHEREAS, the City Council adopted Ordinance No. 948 on September 21, 2005 approving a Preliminary Development Plan for the 2000 Larkspur Landing Circle mixed-use development project including a business hotel, replacement services for the Sanitary District and 126 for-sale units in nine multi-family buildings; and

WHEREAS, the City Council adopted a Mitigated Negative Declaration for the 2000 Larkspur Landing Circle mixed-use development project on August 17, 2005; and,

WHEREAS, City of Larkspur Municipal Code section 18.55.100 requires applicants to submit Precise Development Plans for review and approval by the Planning Commission and City Council; and,

WHEREAS, City of Larkspur Municipal Code section 18.55.130 requires approval by the City Council of the Precise Development Plan in accordance with the amendment procedures of the Zoning Ordinance, and that the Precise Development Plan shall, by reference, be incorporated into and become a part of the ordinance previously establishing the P-D District; and,

WHEREAS, Larkspur Landing Hotel Company LLC has applied for an Amendment to the Preliminary Development Plan allowing Exceptions to the Zoning Ordinance, Precise Development Plan, and Design Review approvals for the hotel component of the 2000 Larkspur Landing Circle Preliminary Development Plan consisting of a four-story, 100-room hotel and 78 parking spaces; and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider the proposed Exceptions and revisions to Ordinance No. 948, the Precise Development Plan, and Design Review application on March 13, 2007; and

WHEREAS, the City Council held a duly noticed public hearing to this consider this ordinance on April 18, 2007.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LARKSPUR DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The property in question is that real property situated in the City of Larkspur, County of Marin, State of California, situated generally north of East Sir Francis Drake Boulevard and East of Larkspur Landing Circle, and which is further identified as a portion of Marin County Assessor's Parcel Nos. 018-260-02 and -03 (formerly known as APN 018-171-32), as described in Exhibit A and shown on Sheet A-E01, Site Plan, of Exhibit B.

**SECTION 2.** The Mitigated Negative Declaration for the 2000 Larkspur Landing Circle Project adopted by the City Council on August 17, 2005 adequately addresses the environmental impacts of the revisions to Ordinance No. 948 and meets the requirements of CEQA.

**SECTION 3.** The Scope of Approval and Findings as provided in Exhibit A of Ordinance No. 948 are still valid and applicable to the revisions to Ordinance No. 948 and are herein incorporated by this reference with Finding #5 of Ordinance No. 948 replaced with the following:

5. **That any exception from standard ordinance requirements is warranted by the design and amenities incorporated in the precise site plan in accord with adopted policy of the Planning Commission and City Council.** As discussed in detail in the record, included in the Planning Commission Staff Reports dated July 19, 2005, and March 13, 2007, the requested exceptions to the Zoning Ordinance are warranted and consistent with City policy. Further, a discussion of the joint use parking agreement for the hotel use and how it meets the conditions for a joint use parking proposal is included in the March 13, 2007 Staff Report.

**SECTION 4.** In accordance with the provisions of Chapter 18.55 of the Larkspur Municipal Code, Ordinance 948, is hereby amended to:

(1) Allow the following Exceptions to the Zoning Ordinance:

- a. An exception to reduce the off-street parking requirement by three spaces for a 100-room hotel rather than six spaces for an 80-room hotel. (Larkspur Municipal Code Section 18.56.100).
- b. An exception to allow signs which project more than twelve inches horizontally from the surface upon which they are erected to be considered as "wall signs" (Larkspur Municipal Code Section 18.60.020).
- c. An exception to allow a detached directional sign that includes the word "hotel" and the company logo (Larkspur Municipal Code Section 18.60.050)

**SECTION 5.** In accordance with the provisions of Chapter 18.55 of the Larkspur Municipal Code, the Precise Development Plan and Design Review for the hotel component of the 2000 Larkspur Landing Circle Project is approved as shown in Exhibit B and Exhibit C, attached, subject to the findings and conditions approvals contained in Exhibit C.

**SECTION 6.** Exhibits:

- (a) Exhibit A, attached hereto, being the legal description of the property in question, is adopted by reference as though fully set forth herein;
- (b) Exhibit B, attached hereto, is a reduced set of the full-size plans entitled "2000 Larkspur Landing Circle," prepared by Patri Merker Architects, Smith & Smith Landscape Architects and Environmental Planners, Royston Hanamoto Alley and Abbey, and Land Development Solutions, Inc., plan set dated January 24, 2007, and stamped received February 5, 2007, and Alternate Site Entry Plans, dated March 21, 2007 and stamped received April 5, 2007.
- (c) Exhibit C, attached hereto, being the Findings, Development Standards and Conditions of Approval, is incorporated by reference as though fully set forth herein.

**SECTION 7.** The City Council of the City of Larkspur hereby declares that it would have passed this ordinance sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that the provisions of this ordinance are severable and, if for any reason any sentence, paragraph, or section of this ordinance shall be held invalid, such decision shall not affect the validity of the remaining parts of this ordinance.

**SECTION 8.** This ordinance shall be posted in three (3) public places within the City of Larkspur within fifteen (15) days after adoption and shall be effective thirty (30) days after final adoption.

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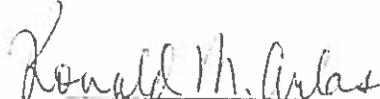
IT IS HEREBY CERTIFIED that the foregoing ordinance was introduced at a regular meeting of the Larkspur City Council held on the 18<sup>th</sup> day of April, 2007 and thereafter passed and adopted at a regular meeting of the Larkspur City Council held on the 2<sup>nd</sup> day of May, 2007 by the following vote:

AYES: Arias, Chu, Hartzell, Hillmer, Lundstrom

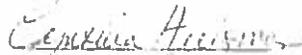
NOES: None

ABSTENTIONS: None

ABSENT: None

  
MAYOR

ATTEST:

  
CITY CLERK

