SAUSALITO PLANNING COMMISSION
Wednesday, April 12, 2023
Final Action Minutes[1]

1. CALL TO ORDER

Chair Luxenberg called the meeting to order at 6:30 p.m.

Community and Economic Development Director Phipps reported that the regular meeting of the Planning Commission for April 12, 2023 was being held at the City of Sausalito Council Chambers at 420 Litho Street and was open to members of the public, and that members of the public could also access the meeting and provide public comment telephonically through Zoom.

Planning Commission:

Present:	Chair Jeffery Luxenberg, Vice Chair Andrew Junius, Commissioner Kristina Feller, Commissioner Richard Graef, Commissioner Nastassya Saad
Absent:	None.
Staff:	Brandon Phipps, Community & Economic Development Director Magda Gonzalez, Contract Planner Ariana Mariscal, Assistant Planner Sergio Rudin, Attorney

2. APPROVAL OF AGENDA

Commissioner Feller moved and Commissioner Saad seconded a motion to approve the Planning Commission agenda as presented. The motion passed 5-0.

3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

4. APPROVAL OF PLANNING COMMISSION MINUTES

A. Draft Minutes – March 9, 2023

Commissioner Feller moved and Commissioner Saad seconded a motion to approve the draft minutes as presented. The motion passed 5-0.

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[1] A video recording of this meeting is available at: www.sausalito.gov.

5. COMMUNICATIONS

A. Communications

- Staff:
  - Director Phipps:
    - Announced the hiring of Community Development Technician Lisa Telles, Senior Planner Robert Busick, and Associate Planner Catherine Spaulding.
    - Introduced new Assistant Planner Matthew Mandich.
  - Assistant Planner Mandich:
    - Introduced himself and expressed excitement to be working with the Planning Commission and the City of Sausalito.
  - City Attorney Rudin:
    - No communications.
- Subcommittees:
  - Objective Design and Development Standards Subcommittee / Vice Chair Junius, Commissioner Feller:
    - The subcommittee is awaiting input from members of the design community and the public after its objective design standards unveiling at the last hearing.
    - Opticos consultant Bob Brown is working on pulling any additional comments from the design community. The subcommittee will meet with him regarding objective design standards updates and revisions and will bring it back to the public and eventually to the City Council.
  - California Housing Legislation Working Group / Chair Luxenberg, Vice Chair Junius:
    - Many bills have been introduced and drafted in Sacramento in the past couple of months and could become laws by the end of 2023 or early 2024:
    - ADUs:
      - Could be allowed to be condos.
      - Sets of permit-ready ADU floor plans could become mandatory for jurisdictions in 2025.
      - The requirement that ADUs be individually metered for utilities could be removed.
      - The existing prohibition on imposing owner occupancy requirements on ADUs could be made permanent.
    - There are a number of efforts to streamline post-entitlement permits.
    - One of the biggest matters at issue this year will be regarding the possibility of making SB 35 permanent. One of the biggest tweaks to SB 35 this year will be to continue the requirement for a prevailing wage on SB 35 projects but to remove the skilled and trained workforce requirement.
    - A big SB 9 change being discussed is prohibiting a local agency from imposing objective standards that don't apply uniformly to

development within the underlying zoning or do not relate to design improvements for the parcel in general.
        - State legislature is working with PG&E and other utilities to force them to have a fixed timeline to connect up completed housing projects.
    - Standard Conditions of Approval for Resolutions / Chair Luxenberg, Vice Chair Junius:
        - Chair Luxenberg requested a meeting between the subcommittee and CDD staff at the end of May.
    - Ferry Landside Working Group / Vice Chair Junius, Commissioner Feller:
        - There is no set meeting with Public Works. The working group is waiting to hear from Public Works Director McGowan.
    - Housing Element Working Group / Commissioner Saad, Commissioner Feller:
        - On April 18th Director Phipps, City Attorney Rudin, and Beth Thompson of De Novo Planning will meet with State HCD staff regarding comments on Sausalito's submitted Housing Element. Staff will then prepare a communication to City Council and copy the working group.
    - Parklets Working Group / Chair Luxenberg, Commissioner Feller:
        - The working group is waiting for the outline of the ordinance and code updates that will be put into an updated report. A draft is anticipated in early May.
    - Master Plan Working Group / Commissioner Saad, Commissioner Feller:
        - The working group is still in the scoping phase. Commissioner Saad had conversations with local professionals.
        - The working group still has an open request for City Council funding for the Master Plan.
        - Commissioner Feller has had additional conversations with urban and master planners regarding the scope and range of fees and how to implement the Master Plan.
        - The working group requested a meeting the first week of May to unveil some of their scoping work to Director Phipps and get feedback, and then present the scope to the Commission and ultimately the City Council with their fee request.
    - Landslide Task Force / Commissioner Feller:
        - The task force's first meeting is April 20th along with Miller Pacific, the City's geotech and civil consultant.

Public Comments:
None.

6. PUBLIC HEARING[2]

Declarations Regarding Planning Commission Ex Parte Communications

Commissioner Feller disclosed with respect to Item 6.A., 658 Main Street, that she went to the site to view the trees. She let workers working on the retaining wall she purpose for being there know why she was there, but there were no ex parte communications.

Chair Luxenberg disclosed with respect to Item 6.A., 658 Main Street, that he went to the site and spoke to the person in charge of landscaping who pointed him to the appropriate trees, but there were no ex parte communications.

A. 658 MAIN STREET / TREE REMOVAL PERMIT / PROJECT ID: TRP 2023-00007 / APN: 065-223-30 / ARIANA MARISCAL, ASSISTANT PLANNER

SUMMARY: A Tree Removal Permit to allow the removal of three (3) trees measuring greater than 10 inches DBH (diameter at breast height).

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve removal of three (3) trees per Finding B.1.a. due to their declining health and structure and possible impact on neighboring property.

The public hearing was opened.

Assistant Planner Mariscal provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant/property owner, Benjamin Kahane, provided a presentation.

Planning Commission questions to the applicant followed.

Planning Commission questions to staff followed.

Public Comments:
None.

The public testimony period was closed.

Planning Commission comments followed.

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[2] All Adopted Resolutions of the Planning Commission can be found on the City's website: https://www.sausalito.gov/city-government/boards-and-commissions/planning-commission/document-archives/-folder-3195.

Commissioner Saad moved and Vice Chair Junius seconded a motion to approve a Tree Removal Permit for 658 Main Street, subject to the following additional condition of approval:

- **Two trees shall replace the three trees being removed subject to the owner's discretion regarding the best location on the property for planting.**

Planning Commission questions to staff followed.

City Attorney Rudin suggested the motion be amended to say, "The property owner shall provide two replacement trees, replacing Trees 1 & 2 with either an Island Oak or a Coast Live Oak."

The maker of the motion accepted the amendment to the motion.

The seconder of the motion accepted the amendment to the motion.

Planning Commission questions to the applicant followed.

The motion passed 5-0.

The public hearing was closed.

B. 626 SAUSALITO BOULEVARD / DESIGN REVIEW PERMIT WITH HEIGHTENED REVIEW, VARIANCE, TREE REMOVAL PERMIT, ENCROACHMENT AGREEMENT / PROJECT ID: 2022-00051 / APN: 065-201-02, MAGDA GONZALEZ, CONTRACT PLANNER

SUMMARY: Design Review Permit with Heightened Review to remodel the existing residence; Variance to exceed the Floor Area Ratio (FAR) and Building Coverage; approval of a Tree Removal Permit to prune a Coast Live Oak; Encroachment Agreement to allow the expansion of the parking area on the Sausalito Boulevard right-of-way.

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve the attached draft resolution (Attachment 1) which approves, subject to conditions of approval, a Design Review Permit with Heightened Review to remodel the existing residence; approve the Variance to increase the existing building coverage by 3% and increase the existing floor area ratio by 5%; approve a Tree Removal Permit to prune a Coast Live Oak; and recommends approval of an Encroachment Agreement to expand the existing parking area and add improvements within the public right-of-way at 626 Sausalito Boulevard.

Vice Chair Junius stated that he would recuse himself from participating in the public hearing for 626 Sausalito Boulevard, as his law firm represents one of the consultants working with the applicant.

The public hearing was opened.

Contract Planner Gonzalez provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant, architect Andrea Montalbano of Dorman Associates, provided a presentation.

Public Comments:
None.

The public testimony period was closed.

Planning Commission comments followed.

Chair Feller moved and Commissioner Graef seconded a motion to approve a Design Review Permit with Heightened Review, Variance, Tree Removal Permit, and Encroachment Agreement for 626 Sausalito Boulevard. The motion passed 4-0 with Vice Chair Junius recused.

The public hearing was closed.

7. ADJOURNMENT

Commissioner Feller moved and Chair Luxenberg seconded a motion to adjourn the meeting. The motion passed 4-0.

The meeting was adjourned at 7:37 p.m.

Submitted by
Brandon Phipps
Community & Economic Development Director

Approved by
Jeffery Luxenberg
Chair