SAUSALITO PLANNING COMMISSION
Wednesday, December 13, 2023
Final Action Minutes

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 December 13, 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 Kristin Teiche, Principal Planner Matthew Mandich, Associate Planner Sergio Rudin, City 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 – November 15, 2023

Commissioner Graef moved and Commissioner Saad seconded a motion to approve the Planning Commission Minutes of November 15, 2023 as presented. The motion passed 5-0.

5. COMMUNICATIONS

A. Communications

- Staff:
  - Community & Economic Development Director Phipps:
    - The CDD is conducting a second round of interviews to fill the vacant Assistant Planner position resulting from Matthew Mandich's recent promotion to Associate Planner. The CDD hopes to make an offer to its preferred candidate prior to the holiday break with the new Assistant Planner in office in the early first quarter of 2024.
  - City Attorney Rudin:
    - None.
- Commission:
  - Commissioner Graef:
    - His second term on the Planning Commission ends on January 31, 2024, but per the City's request he will continue to serve on the Commission until a new commissioner is appointed.
- Subcommittees:
  - Objective Design and Development Standards Subcommittee / Vice Chair Junius, Commissioner Feller:
    - An ODDS meeting is scheduled for December 18, 2023 with staff and the consultant. It is not a public hearing, but this item is moving forward.

Public Comments:
None.

6. BUSINESS ITEMS

A. Adoption of Sausalito Planning Commission Meeting Schedule for 2024

Planning Commission comments followed.

Commissioner Feller moved and Commissioner Saad seconded a motion to approve the January 10, 2024 meeting date, with approval of the rest of the 2024 Planning Commission Meeting Scheduled to be done at the January 10th meeting.

Planning Commission questions to staff followed.

The maker of the motion amended the motion to schedule a special Planning Commission meeting for January 10, 2024, at which time the entire 2024 Meeting Schedule would come back to the Planning Commission for full adoption.

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

The motion passed 5-0.

7. PUBLIC HEARING[1]

Declarations Regarding Planning Commission Ex Parte Communications
None.

A. 25 ALEXANDER AVENUE / TREE REMOVAL PERMIT / PROJECT ID: 2023-00117 / APN: 065-301-12 / MATTHEW MANDICH, ASSOCIATE PLANNER

SUMMARY: The applicant, Allan Mathieu Palmer, on behalf of owner Gregory Baciocco, requests Planning Commission approval of a Tree Removal Permit to allow the removal of one (1) Queen Palm Tree (Syagrus romanzoffiana) from the northeastern edge of the property adjacent to the public right-of-way at 25 Alexander Avenue.

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve the requested Tree Removal Permit through adoption of the attached draft resolution.

The public hearing was opened.

Associate Planner Mandich provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant did not provide a presentation.

Public Comments:
None.

The public testimony period was closed.

Planning Commission comments followed.

Commissioner Saad moved and Commissioner Graef seconded a motion to approve a Tree Removal Permit for 25 Alexander Avenue, subject to the following additional condition of approval:

- **The applicant shall contribute $1,000.00 to the Tree Fund.**

The motion passed 3-2 with Vice Chair Junius and Commissioner Feller dissenting.

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[1] 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.

B. 230 SANTA ROSA AVENUE / ADMINISTRATIVE CITATION FOR UNAUTHORIZED TREE ALTERATION / PROJECT ID: 2023-00161/CE2023-0060 / APN: 065-142-41 / PAUL VAN HOOK, CODE ENFORCEMENT OFFICER AND MATTHEW MANDICH, ASSOCIATE PLANNER

SUMMARY: Administrative Citation Hearing to consider all relevant information pertaining to unauthorized tree alterations on private property located at 230 Santa Rosa Avenue, and to impose an administrative fine, remedial order, or both, as deemed necessary.

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve a resolution imposing an administrative fine for the illegal alteration of the subject trees and impose a remedial order the requires the violator to mitigate any potential erosion and/or fire hazards on site at the violator's expense.

The public hearing was opened.

Associate Planner Mandich and Enforcement Officer Van Hook provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

Planning Commission questions and comments to the property owner followed.

Associate Planner Mandich provided additional information.

Planning Commission questions to staff followed.

Public Comments:
Matt Singer
Art Harding

The public testimony period was closed.

Planning Commission comments followed.

Planning Commission questions to staff followed.

Vice Chair Junius moved and Commissioner Saad seconded a motion approve an Administrative Citation for Unauthorized Tree Alteration for 230 Santa Rosa Avenue, subject to the following changes and additions to the resolution:

- **Item #1: Language shall be modified to change the number of illegally altered heritage trees from nine to ten.**

- **Item #2: Language shall be modified to change the administrative fine from $500 per subject tree to $1,000 per tree.**
- **Item #4 shall be added: The property owner shall engage an appropriate professional to perform the erosion mitigation, and also provide regular reports to the City on the condition of the slope on a bi-weekly basis during the rainy season and after that monthly until such time as there is no longer a need for the report.**

The motion passed 5-0.

The public hearing was closed.

C. ORDINANCE AMENDING CHAPTER 10.54 OF THE SAUALITO MUNICIPAL CODE, DESIGN REVIEW PROCEDURES, AND ENACTING SECTION 8.34.020, RELATED TO CONSTRUCTION TIME LIMITS / KRISTIN TEICHE, PRINCIPAL PLANNER

SUMMARY: Public hearing on proposed Ordinance Amending Title 10, Chapter 10.54 (Design Review Procedures) and adopt resolution making recommendation to the City Council.

STAFF RECOMMENDATION: Adopt the attached Resolution recommending City Council adoption of the proposed Zoning Ordinance Amendments, or direct staff to make changes to the resolution that reflect the Planning Commission's recommendation.

The public hearing was opened.

Principal Planner Teiche provided a presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

Public Comments:
None.

The public testimony period was closed.

Planning Commission comments followed.

Planning Commission questions to staff followed.

Commissioner Feller moved and Commissioner Saad seconded a motion to continue the public hearing regarding Ordinance Amending Chapter 10.54 of the Sausalito Municipal Code to a date uncertain in order to make the following changes before taking further action:

- **10.54.040(b), number 13: The phrase "privately owned" shall be removed.**
- **10.54.050, Design Review Permits, subsection (b)5: "Any commercial, industrial, or similar structure proposed," shall be changed to, "Any commercial, industrial, and public building or similar structure proposed for construction."**
- **Section 10.54.060, Submittal Requirements:**
    - **Language shall be added that would eliminate Section 10.54.070 and replace it with the following language to Item M: "M, Additional Submittals: a) models, b) photomontages, c) computer generated imaging, and d) reports by expert consultants to address potential issues of concern, such as noise, odor, glare, sunlight, drainage, and traffic."**
    - **The phrase, "The Community Development Director may waive specific submittal requirements where applicable," shall be replaced with, "The Community Development Director may waive specific submittal requirements where not applicable, including but not limited to: a) models, b) photomontages, c) computer generated imaging, and d) reports by expert consultants to address potential issues of concern, such as noise, odor, glare, sunlight, drainage, and traffic."**
    - **Section 10.54.070 shall be deleted.**

Vice Chair Junius moved and Commissioner Graef seconded a motion to make the following changes to the ordinance and make recommendation to City Council to change:

- **10.54.040(b), number 13: The phrase "privately owned" shall be removed.**
- **10.54.050, Design Review Permits, subsection (b)5: "Any commercial, industrial, or similar structure proposed," shall be changed to, "Any commercial, industrial, and public building or similar structure proposed for construction."**
- **Section 10.54.060, Submittal Requirements:**
    - **Language shall be added that would eliminate Section 10.54.070 and replace it with the following language to Item M: "M, Additional Submittals: a) models, b) photomontages, c) computer generated imaging, and d) reports by expert consultants to address potential issues of concern, such as noise, odor, glare, sunlight, drainage, and traffic."**
    - **The phrase, "The Community Development Director may waive specific submittal requirements where applicable," shall be replaced with, "The Community Development Director may waive specific submittal requirements where not applicable, including but not limited to: a) models, b) photomontages, c) computer generated imaging, and d) reports by expert consultants to address potential issues of concern, such as noise, odor, glare, sunlight, drainage, and traffic."**
    - **Section 10.54.070 shall be deleted.**

Planning Commission comments followed.

The alternative motion failed 3-2.

Planning Commission comments followed.

Planning Commission questions to staff followed.

The maker of the original motion amended the motion to include a date certain of January 10, 2024, with the following direction to staff:

- **Staff shall incorporate the three changes and send the revised ordinance to the Planning Commission in advance of the January 10, 2024 Planning Commission meeting.**
- **Staff shall perform due diligence for any inconsistencies between the three changes and other parts of the current code.**

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

The motion passed 5-0.

The public hearing was closed.

7. ADJOURNMENT

Chair Luxenberg adjourned the meeting at 9:26 p.m.

Submitted by
Brandon Phipps
Community & Economic Development
Director

Approved by
Jeffery Luxenberg
Chair