

SAUSALITO PLANNING COMMISSION
Wednesday, February 19, 2025
Final Action Minutes

1. CALL TO ORDER

Chair Saad 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 February 19, 2025 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 Nastassya Saad, Vice Chair Andrew Junius,
Commissioner Kristina Feller, Commissioner Jeffery Luxenberg,
Commissioner David Marlatt

Absent: None.

Staff: Brandon Phipps, Community & Economic Development Director
Maria Hernandez, Administrative Aide
Neal Toft, Principal Planner
Kylee Otto, Attorney, BBK

2. APPROVAL OF AGENDA

Commissioner Feller moved and Commissioner Marlatt 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. PUBLIC HEARING¹

Declarations Regarding Planning Commission Ex Parte Communications
None.

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>.

**A. PUBLIC HEARING AND RECOMMENDATION ON CERTIFICATION OF
AMENDED 2023-2031 HOUSING ELEMENT ENVIRONMENTAL IMPACT
REPORT (EIR), AND ADOPTION OF AMENDED 2023-2032 HOUSING
ELEMENT AND RELATED GENERAL PLAN AMENDMENTS**

The public hearing was opened.

Planning Commission questions to staff followed.

City Consultant, Beth Thompson of De Novo Planning Group, provided a PowerPoint presentation.

Planning Commission questions to the City consultant followed.

Planning Commission questions to staff followed.

The public testimony period was opened.

Public Comments:

Jonathan Hutchinson

Michael Rogers

Sophia Collier

Michael Rex

Linda Hothem

Stacy Nimmo

Steven Woodside

Annie Uzdeminus (phonetic)

Sandra Bushmaker

Jennifer Neal

The public testimony period was closed.

Planning Commission questions to staff followed.

Planning Commission comments followed.

Planning Commission questions to the City consultant followed.

Commissioner Marlatt recused himself from the meeting portion regarding Site #84, the MLK site, and left the room.

Commissioner Feller moved and Vice Chair Junius seconded a motion regarding Site #84, the MLK site, to propose 80 units on the site, as was designated in the certified unit, and recommend sharing with the City Council that the Commission prefers this to be designated senior housing.

Planning Commission comments followed.

The motion passed 4-0, with Commissioner Marlatt recused.

Commissioner Feller recused herself from the meeting portion regarding Site #202, the Alta Mira site, and left the room.

Commissioner Marlatt returned to the hearing.

Planning Commission questions to staff followed.

Planning Commission comments followed.

Vice Chair Junius moved and Commissioner Marlatt seconded a motion regarding Site #202, the Alta Mira site, to propose 51 units on the site with 31 units very-low-income, 20 units low-income, 0 units moderate-income, and 0 units above-average-income.

The motion passed 4-0 with Commissioner Feller recused.

Commissioner Feller returned to the hearing.

Vice Chair Junius moved and Commissioner Feller seconded a motion to adopt the addition of two new sites: Site #401, 2400 Bridgeway, the Federal Ex building site with 16 units; and Site #402, 2680 Bridgeway, with 43 units.

Staff indicated that the sites #401 and #402 were already in the amended Housing Element and there is no need for the Commission to act.

Vice Chair Junius withdrew the motion.

Planning Commission questions to the City consultant followed.

Planning Commission questions to staff followed.

Vice Chair Junius moved and Commissioner Feller seconded a motion to recommend amending the Amended Housing Element to increase Site #201, 605-613 Bridgeway, to Mixed-Use 49 to 85, and back to 20 units.

The motion failed 2-3 with Chair Saad, Commissioner Luxenberg, and Commissioner Marlatt dissenting.

Commissioner Luxenberg moved and Commissioner Marlatt seconded a motion to remove Site #63.

The motion passed 5-0.

Commissioner Luxenberg moved and Commissioner Feller seconded a motion to revise Whereas #7 in the Draft Resolution so the end reads, "And remove sites with limited development potential for former Site #85, Site #209, and Site #63."

The motion passed 5-0.

Commissioner Luxenberg moved and Commissioner Feller seconded a motion with respect to Page 34 of the Agenda packet, (which is page 15 of the Housing Element Amendment, Attachment 4,) under Land Use Controls, to delete “And requiring residential units required for 85% of the site.”

The motion passed 5-0.

Vice Chair Junius moved and Commissioner Luxenberg seconded a motion to recommend the Amended Housing Element to the City Council in addition to the changes the Planning Commission individually voted upon.

Planning Commission questions to the City consultant followed.

Planning Commission comments followed.

Commissioner Luxenberg requested the motion be amended with respect to Site #303, 1 and 3 Harbor Drive, to change 20 of the moderate-income or above moderate-income units to very-low-income units.

Planning Commission questions to the City consultant followed.

Planning Commission comments followed.

Planning Commission questions to staff followed.

Vice Chair Junius withdrew the motion.

The City consultant confirmed with respect to Site #303, that the very-low-income units had been increased by 20 units, the moderate-income units had been reduced by five units, and the above-moderate-income units had been reduced by 15 units; giving a 21% very-low-income buffer, which was previously 11%, bumping up the very-low-income unit buffer a bit, a slight decrease in the moderate-income units, and a small adjustment to the above-moderate-income units. The total buffer of 28% remains unchanged.

Planning Commission questions to staff followed.

Commissioner Luxenberg moved and Commissioner Feller seconded a motion with respect to Site #303, 1 and 3 Harbor Drive, to increase very-low-income units by 20 units, decrease moderate-income units by 5 units, and decrease above-moderate income units by 15 units.

The motion passed 5-0.

Vice Chair Junius moved and Commissioner Marlatt seconded a motion to recommend the Amended Housing Element to the City Council as recommended

by staff in addition to the changes the Planning Commission individually voted upon.

The motion passed 5-0.

Commissioner Luxenberg moved to send direction to the City Council that the Planning Commission recommends that the City Hall on Lith Street and the fire station on Spencer Avenue not be included in the Housing Element.

Commissioner Feller requested the motion be amended to state that City Hall and the fire station be completely removed from consideration from this Housing Element.

Commissioner Feller seconded the motion.

The motion passed 4-1 with Commissioner Junius dissenting.

Commissioner Luxenberg moved to approve the resolution, which included the Housing Element amendment the Planning Commission had just approved, recommending certification of the EIR, and approving the amendments to the General Plan with the adjustment to the General Plan as indicated by Commissioner Marlatt.

Commissioner Luxenberg amended the motion to move the resolution, including the packet, as amended by the approval of the Housing Element amendment and as adjusted in the General Plan as indicated by Commissioner Marlatt's comments.

Commissioner Marlatt moved and Commissioner Luxenberg seconded a motion to amend General Plan Program CD-1.3.1, Zoning Ordinance (height limit), to say, "Continue to permit the 32' maximum height limit for residential and commercial zones, except where greater heights are allowed pursuant to Title 10."

The motion passed 5-0.

Commissioner Luxenberg amended his previous motion to approve the resolution of the Planning Commission recommending certification of the amended 2023-2031 Housing Element EIR, adoption of CEQA findings, Statement of Overriding Consideration, mitigation monitoring and reporting program, and recommended adoption of the amended 2023-2031 Housing Element as amended by the Planning Commission at this hearing, and related General Plan amendments as amended by the Planning Commission at this hearing.

Commissioner Junius seconded the motion.

The motion passed 5-0.

The public hearing was closed.

B. PUBLIC HEARING AND RECOMMENDATION ON AMENDMENTS TO ZONING MAP AND MUNIIPAL CODE TITLE 10 (ZONING ORDINANCE) TO IMPLEMENT HOUSING ELEMENT PROGRAM 4

The public hearing was opened.

City Consultant, Beth Thompson of De Novo Planning Group, provided a PowerPoint presentation.

Director Phipps provided a presentation.

Planning Commission questions to staff followed.

Planning Commission comments followed.

Planning Commission questions to the City consultant followed.

The public testimony period was opened.

Public Comments:

Sybil Boutilier

The public testimony period was closed.

Planning Commission comments followed.

Commissioner Luxenberg moved to approve the resolution of the Planning Commission recommendation pursuant to the programmatic Environmental Impact Report for the Sausalito amended sixth cycle Housing Element, the adoption of an ordinance amending Municipal Code Title 10 (Zoning Ordinance), and the Zoning Map of the City of Sausalito with the following modifications:

- **Whereas #7 shall say, “And remove sites with limited development potential for former Site #85, Site #209, and Site #63.”**
- **Attachment 2, page 1 of 7, the reference to the 2024 election shall be changed to 2025.**
- ***Changes in Table 1028-090:***
 - **#6, Mixed-Use 70, shall now say, “Mixed-Use 70, HO-M70. This district provides for a maximum of 70 units per acre. This district requires a minimum of 50 dwelling units per acre. A minimum of 85% of the site is required to be developed with residential uses.” The last sentence would only be for #4, #5, and #6 and not for #1, #2, and #3.**
 - **#1, #2, and #3, the language at the end shall say, “And requires 100% residential uses.”**

Commissioner Marlatt requested the motion be amended to include the following:

- **When referring to 85% of the site, that is referring to the floor area.**
- **In development standards, above 1028-4, Mixed-Uses, Subsection D-2, Page 18 of 41, says, "Mixed uses that do not exceed 15%," should say, "Non-Residential uses that do not exceed 15%."**

Commissioner Luxenberg amended the motion to include carrying forward the following footnote to Table 10.22-2 and the Commercial Land Use Table:

- **"Pursuant to Government Code Section 15913.11(b), a housing development project consisting of three to seven units shall be allowed to have a floor area ratio of up to 1.0, and for a housing development project consisting of eight to ten units the project shall be allowed a floor area ratio of up to 1.25, except for projects within a historic district or property included on the State Historic Resources Inventory as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a City or County landmark, or historic property or district pursuant to a City or County ordinance."**

Commissioner Marlatt seconded the motion.

The motion passed 5-0.

The public hearing was closed.

C. PUBLIC HEARING AND RECOMMENDATION ON AMENDMENTS TO THE MUNICIPAL CODE ADOPTING TITLE 10A (OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS)

The public hearing was opened.

Principal Planner Toft provided a PowerPoint presentation.

Michael Rex, City-appointed Peer Review Group, provided a PowerPoint presentation.

Sophia Collier, City-appointed Peer Review Group, provided a PowerPoint presentation on ViewSync Interactive software.

Planning Commission questions to staff followed.

Planning Commission questions to Ms. Collier and Mr. Rex 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 Luxenberg moved and Commissioner Marlatt seconded a motion to adopt the resolution of the Planning Commission recommending City Council adoption pursuant to the programmatic EIR for the Sausalito amended six-cycle Housing Element of Title 10A, Objective Design and Development Standards of the Sausalito Municipal Code for the implementation of the amended six-cycle Housing Element, with the following changes.

- **The resolution will have a 2025 date rather than a 2024 date.**
- **Instead of the modifications that are attached to the agenda, the first modification shall be Commissioner Marlatt's recommendation regarding the front setback: in chapter 5 there is a façade type called a Porch Engaged that requires a minimum of 6 feet from the property line setback. Reducing that distance to zero to remove any potential objection from HCD that that mass of building that could otherwise be filled is being denied.**
- **The second modification would be that Chapter 3 that is included with the resolution be replaced with the revised Chapter 3 that was presented at this hearing.**
- **The third modification would be to replace section on height 10A.06.050.2A to read, "Height: The height of new construction that is within 15 feet of a street-facing façade shall not exceed the average height of the neighborhood context buildings. See figure 10A.06.050.1 (height requirements). In no case shall the overall height of new additions or new construction (*underline indicates new language added*) exceed 32'.**
- **Delete the phrase, "As measured," and then continue with the sentence, "with the overall height being applied in the case of multiple street frontages."**

Planning Commission comments followed.

The motion failed 3-2, with Chair Saad, Vice Chair Junius and Commissioner Feller dissenting.

Commissioner Luxenberg moved to continue Item 4.C.

Commissioner Feller moved to reaffirm the Planning Commission's 5-0 vote to approve the previous version of the ODDS with the following caveats:

- **The amendments to the Historic Preservations shall be reflected in the motion to that version of ODDS, which gives better security, safety, and options to the community.**
- **Ensure that the three areas of provisional view preservation are included, with the caveat to continue to vigorously look at further and more robust Objective Standards to ensure view preservation in Sausalito. Those three are the public GPS coordinates with the view corridors already defined, in addition to solar (inaudible) and those shadow ordinances that were discussed.**

Planning Commission comments followed.

Vice Chair Junius moved to support Commissioner Luxenberg's failed motion and allow the rest of the ODDS, as it is currently, as a compromise to move it along without Chapter 3 on the ViewSync software.

Chair Saad seconded Commissioner Feller's motion.

Planning Commission comments followed.

Commissioner Feller withdrew her motion due to City Attorney not allowing the current motion.

Chair Saad withdrew her second to the motion.

Planning Commission comments followed.

Vice Chair Junius' motion died for lack of a second.

Chair Saad moved to adopt the resolution and recommend denial of the changes of the ODDS that are contained in the resolution—Commission will be approving the resolution to recommend City Council denial of the changes of the ODDS—with the added caveat to recommend and returning to the Planning Commission-approved original version of the ODDS as previously put forth to the City Council in 2024.

Chair Saad's motion did not receive a second.

Commissioner Luxenberg moved to include Commissioner Marlatt's and his own language regarding the height issue, include Chapter 3 as revised, and indicate to the City Council that it is provided for information only, but the Planning Commission is not making a recommendation at this time on Chapter 3, and recommending the ODDS as indicated.

Planning Commission comments followed.

Commissioner Marlatt seconded the motion.

Planning Commission questions to staff followed.

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

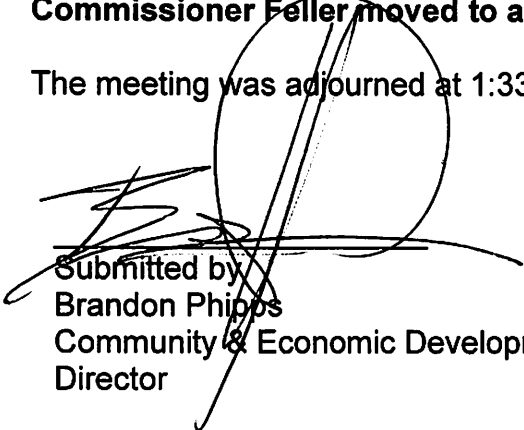
The public hearing was closed.

5. NEW BUSINESS - NONE

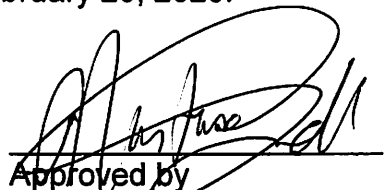
6. ADJOURNMENT

Commissioner Feller moved to adjourn the meeting.

The meeting was adjourned at 1:33 a.m. on February 20, 2025.



Submitted by
Brandon Phipps
Community & Economic Development
Director



Approved by
Nastassya Saad
Chair