

SAUSALITO PLANNING COMMISSION
Wednesday, January 15, 2025
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 January 15, 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 Jeffery Luxenberg, Vice Chair Nastassya Saad,
Commissioner Kristina Feller, Commissioner Andrew Junius,
Commissioner David Marlatt

Absent: None.

Staff: Brandon Phipps, Community & Economic Development Director
Maria Hernandez, Administrative Aide
Neal Toft, Principal Planner
Matthew Mandich, Senior Planner
Adam Blair, Assistant Planner

2. APPROVAL OF AGENDA

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

3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

4. APPROVAL OF PLANNING COMMISSION MINUTES

A. Draft Minutes – December 11, 2024

Commissioner Feller moved and Vice Chair seconded a motion to approve the Planning Commission Minutes of December 11, 2024 as presented/amended. The motion passed 5-0.

5. COMMUNICATIONS

A. Communications

- Staff: None.
- Commission: None.
- Subcommittees: None.

Public Comments:

None.

6. STUDY SESSION

A. STUDY SESSION AND PRESENTATION REGARDING DRAFT AMENDED 2023-2031 HOUSING ELEMENT, INCLUDING MODIFICATIONS TO HOUSING ELEMENT PROGRAMS AND PROPOSED OPPORTUNITY SITES / NEAL TOFT, PRINCIPAL PLANNER

The study session was opened.

Principal Planner Toft provided a presentation.

Planning Commission questions to staff followed.

Housing Element Consultant Beth Thompson of De Novo Planning Group provided a PowerPoint presentation.

Planning Commission questions to staff followed.

Planning Commission questions to Ms. Thompson followed.

The public testimony period was opened.

Public Comments:

Steven Woodside, Sausalito Vice Mayor
Fred Moore
Sandra Bushmaker

The public testimony period was closed.

Planning Commission comments followed.

B. STUDY SESSION FOR MUNICIPAL AMENDMENT: ADOPTION OF MORE COMPREHENSIVE OBJECTIVE DESIGN AND DEVELOPMENT STANDARDS (ODDS) AND FORM-BASED CODE / NEAL TOFT, PRINCIPAL PLANNER

SUMMARY: Study Session for Municipal Code Amendment: Adoption of More Comprehensive Objective Design and Development Standards (ODDS) and Form-Based Code

STAFF RECOMMENDATION: Receive presentations and accept public comment on the proposed draft Objective Design and Development Standards (ODDS).

The study session was opened.

ODDS Consultant Bob Brown provided a PowerPoint presentation.

Planning Commission questions to Mr. Brown followed.

Planning Commission questions to staff followed.

ODDS Consultant Bob Brown continued the PowerPoint presentation.

Sophia Collier provided a PowerPoint presentation.

Planning Commission questions to Ms. Collier followed.

Planning Commission questions to staff followed.

Architect Michael Rex introduced Jerome Christensen.

Jerome Christensen provided an historic case study.

Planning Commission questions to Mr. Christensen followed.

The public testimony period was opened.

Public Comments:

Mr. Giavera (phonetic)

Daniel Chador

The public testimony period was closed.

Planning Commission comments followed.

(03:44:24)

VICE CHAIR JUNIUS

ViewSync's advancement is now to the point that there is no question it is an objective model with a bunch of numbers and formulas in it, but I still think there will ultimately be a problem because the definition under the State law about what an objective standard is, is that it needs to involve no personal or subjective judgement by a public official—I think we're fine there. Here's where it gets a little tricky: it's got to be a verifiable standard by reference to an external and uniform benchmark or criteria—we probably have that—and available and knowable by the developer, applicant, proponent, and the

public official before submittal; that's where this may run into trouble with the HCD at the State level. This could ultimately end up with one of those iterations where you go back and forth trying to figure out whether you can do it, and that doesn't meet the standard. With respect to the model we just saw, that can't be built because the FAR goes over the FAR, there's the problem right there; let's fix that. That's an awesome little building if you can make it that big. Why can't we have rules that allow a building to be built? It's silly that we're trying to create these very rigid objective standards to protect something, but at the same time you just killed the project, so that should be reconsidered.

(03:48:10)

COMMISSIONER MARLATT

Should the documentation of outreach to neighbors in the ODDS be fleshed out to avoid ambiguity with the staff? How many neighbors? How soon? As to whether this is objective for the view preservation, I believe no one can own a view or has an absolute right to a view, but a community has the right to "sculpt" through FARs, lot coverage, setbacks, all arbitrary numbers. What the ViewSync group has developed is a kind of statistical model, which often will protect someone's view as a byproduct, but they have created a simulation that at the community level will hopefully preserve this shape of Sausalito that we all value. I'm not so concerned that we're going to miss a window or we're going to give a bathroom window too much prominence, that's true case-by-case; we're going to protect the view of a wall. But statistically speaking, at the high level where the Planning Commission should be most concerned, we're going to preserve this sort of bowl effect. My concern is not with the document itself, but the several process steps to implement this stuff that won't be written in the ODDS; there is a lot of process here to think about.

(03:50:58)

COMMISSIONER FELLER

A lot of this comes down to the historic preservation, the view preservation. I stand by my vote for the previous ODDS that we should look at and include a couple of things; it is representative of a more robust study and look, and it is much more comprehensive than a couple-of-month's exercise. We completely abandoned the County Tool Box and said this has no application to Sausalito, so that's where we started. I still think there is a burden of proof that I haven't heard yet in terms of the ODDS that were before us tonight. Staff, we really need to get back to the information that was already generated on how we catalog the public views, and how we were using GPS coordinates. There are public spots all over this city, way up into the hills, across 101, and all the way down to the waterfront, and that will help start to whittle away part of the view preservation concerns and eliminate the potential of ambiguity. I would love to see this demoed and war gamed a little bit to know whether this can be fully objective. Certain data points can be very scientific, very objective, but I still think there is some grey area in there, and I want to be absolutely confident that should we put something in front of HCD, it is correct. We should be very clear in offering or developing a parallel option, which would include how to catalog those public views; anything regarding inventorying solar pathways, including that on this building; and considering how to include a shadow ordinance of sorts to preserve a certain amount of shading or shadow on a neighbor with a development. I think we must back into this and have some kind of redundancy or options of ideas. Regarding historic preservation, I have no issues with what HPC has put forward and would be happy to adopt those in the ODDS that we've recommended

to the City Council already, I think we already dispelled the issue of colors and materials; I'm happy not to include that. Alta Mira is one of our sites, it just hasn't changed, so that is an opportunity site and will be upzoned.

(03:54:47)

CHAIR SAAD

I am struggling with ViewSync from an objective standard. It is incredibly interesting and has wide applications, but I don't know if it is the appropriate time to put in anything that could potentially restrict getting these across the line with HCD, given our deadlines. Even though it has great value as a planning tool and I hope we can make use of it in some way, I don't see a fit; and to be in the place that we are, already having an approved Housing Element that is now back on the table, and these ODDS have been ongoing for so long, anything that gets us where we need to go as quickly as possible are the steps that we need to take. I also have concerns from a time frame standpoint that the testing might take too long. The staff report calls out extensive time and budget, and I don't see making that investment, given our constraints. I put that forth as a recommendation that we don't move forward with the system that has been presented. With respect to revisions for the Historic District, I agree with staff's comment that we should not have differing heights, calling out 32 feet as measured from the midpoint against our Municipal Code, we need to align how we're measuring height.

(03:57:39)

COMMISSIONER LUXENBERG

On the ViewSync, that last piece needs to get there, and I think the historic example is helpful.

(03:58:23)

COMMISSIONER FELLER

I wanted to ask Chair Saad, based on your comments on ViewSync—and I have concerns and reservations as well—could you comment on the option to develop more of those public view preservation and view corridors to memorialize those as a stopgap for now, and offer that maybe we should continue to work on the views to develop something more robust, even if that is separated from the ODDS that we have to get adopted, and those public views for now, because we know that we have them?

(03:59:12)

CHAIR SAAD

Absolutely. I completely agree with that. The public views would be a great build off.

Planning Commission questions to staff followed.

7. PUBLIC HEARING¹

Declarations Regarding Planning Commission Ex Parte Communications
None.

A. RECOMMENDATION ON ORDINANCE AMENDING TITLE 10, CHAPTER 10.44.240, TABLE 10.24-1, AND CHAPTER 10.24.040 OF THE SAUSALITO MUNICIPAL CODE, FORMULA RETAIL AND SPECIAL REQUIREMENTS / MATTHEW MANDICH, SENIOR PLANNER

SUMMARY: Conduct a public hearing on proposed Ordinance amending Title 10, Chapter 10.44.240 Formula Retail, Table 10.24-1 Land Uses in Commercial Districts, and Chapter 10.24.040 Special Requirements, and adopt a resolution making a 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 recommendation of the Planning Commission.

The public hearing was opened.

Senior Planner Mandich provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

Public Comments:

Michael Rex

Mr. Giavera (phonetic)

Peter Van Meter

The public testimony period was closed.

Planning Commission comments followed.

Planning Commission questions to staff followed.

Commissioner Junius moved and Commissioner Feller seconded a motion to adopt a resolution recommending City Council adoption of the proposed Zoning Ordinance Amendments.

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>.

Planning Commission comments followed.

Planning Commission questions to staff followed.

The motion passed 5-0.

**B. 303 BRIDGEWAY / DESIGN REVIEW PERMIT AND VARIANCE
APPLICATION / PROJECT ID: 2023-00086 / APN: 065-241-32 / ADAM
BLAIR, ASSISTANT PLANNER**

SUMMARY: Applicant, Austin Carrier, on behalf of owner, Brenda Wood, has submitted an application to construct a new 92 square foot, two-level rear addition, two 5 square foot front additions, and to facilitate an exterior and interior remodel at 303 Bridgeway (APN: 065-241-32).

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve Application 2023-00086 for 303 Bridgeway and adopt the attached draft resolution approving the requested Design Review Permit and Variance application.

Chair Luxenberg recused himself from participating in the public hearing regarding 303 Bridgeway due to his residence being within 500 feet of the subject site.

The public hearing was opened.

Assistant Planner Blair provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant, architect Austin Carrier, provided a PowerPoint presentation.

Planning Commission questions to the applicant followed.

Planning Commission questions to staff followed.

Public Comments:

Richard Torretto

Phillip Torretto

Applicant rebuttal comments followed.

The public testimony period was closed.

Planning Commission comments followed.

Planning Commission questions to staff followed.

Commissioner Junius moved and Commissioner Marlatt seconded a motion to approve a Design Review Permit and Variance Application for 303 Bridgeway.

Commissioner Marlatt requested the motion be amended to include a condition of approval that the height in the rear be limited to 12 inches.

Commissioner Junius withdrew the motion.

Commissioner Feller moved and Commissioner Marlatt seconded a motion to approve a Design Review Permit and Variance Application for 303 Bridgeway, subject to the following additional conditions of approval:

- **The new information the Planning Commission received at this hearing specific to the “yellow line” in the slide, a 6-inch raise, shall be approved.**
- **The flue shall be removed or reduced.**
- **Soften the façade with some type of landscaping or vegetation.**

The motion passed 3-1 with Vice Chair Saad dissenting and Chair Luxenberg recused.

The public hearing was closed.

Chair Luxenberg returned to the meeting.

8. NEW BUSINESS

A. Election of Chair/Vice Chair

Chair Luxenberg nominated Vice Chair Saad for Chair of the Planning Commission.

Planning Commissioners expressed thanks to Chair Luxenberg for his service as Chair of the Planning Commission.

The nomination passed unanimously.

Commissioner Luxenberg nominated Commissioner Junius for Vice Chair of the Planning Commission.

Chair Saad nominated Commissioner Feller for Vice Chair of the Planning Commission until the end of her term on April 30, 2025, to be followed by Commissioner Junius.

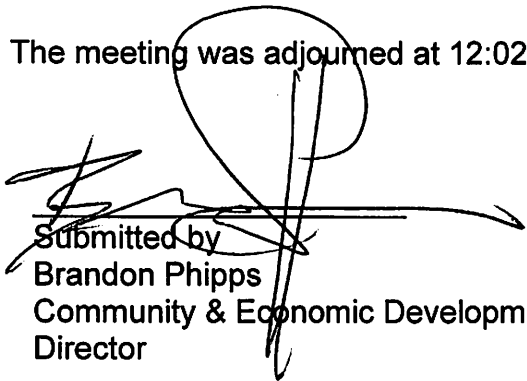
Commission comments followed.

The nomination of Commissioner Junius for Vice Chair passed 4-0 with Commissioner Feller abstaining.

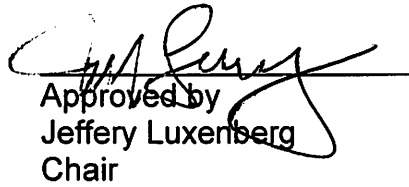
Public Comments:
None.

9. ADJOURNMENT

The meeting was adjourned at 12:02 p.m.



Submitted by
Brandon Phipps
Community & Economic Development
Director



Approved by
Jeffery Luxenberg
Chair