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ORDINANCE NO. 1210

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
AMENDING CHAPTER 10.54 (DESIGN REVIEW PROCEDURES) AND CHAPTER
10.56 (ENCROACHMENT REVIEW AND AGREEMENTS) OF THE SAUSALITO
MUNICIPAL CODE REGARDING REVIEW OF GUARDRAIL PROJECTS
ZOA 12-264**

WHEREAS, Section 10.80.070 of the Sausalito Municipal Code (SMC) authorizes amendments of the text of the Zoning Ordinance; and

WHEREAS, SMC Section 10.54.050.B.13 requires approval of a Design Review Permit for Capital Improvement Projects that appreciably change the appearance of an area; and

WHEREAS, the installation of a new or replacement guardrail by the City has the potential to create an appreciable change in appearance of an area; and

WHEREAS, a guardrail is a traffic safety device installed to reduce the severity of run-off-road collisions at locations warranted based on engineering judgment and in conformance with criteria established from time to time by the State of California Department of Transportation including but not limited to:

1. Collision History: Based upon the run-off-road collision history, statistical experience or analysis can be used to predict if a guardrail is a potential solution to reducing the severity of a collision at a particular roadway segment.
2. Roadway Alignment: Isolated curves on a relatively straight roadway alignment may increase the risk of running off road. Also, on roads with curving alignment, curves that are sharper than expected may increase the probability for run-off-road collisions.
3. Operating Conditions: A location’s traffic characteristics can affect the potential for a vehicle to leave the traveled way:
 - a. Volume: The higher the volume of traffic, the greater the potential for run-off-road collisions.
 - b. Speed of Traffic: Higher operating speed can increase the potential for run-off-road collisions, and will affect the distance that a vehicle will traverse before the driver can regain control or bring the vehicle to a stop.
4. Embankments: Installing guardrail to shield embankment slopes is largely a result of analyzing the above criteria on a case-by-case basis and determining whether a vehicle hitting guardrail is more severe than going over an embankment slope; and

WHEREAS, only very limited discretion as to the appearance of guardrail is available without unacceptably compromising the effectiveness of the guardrail; and

WHEREAS, certain improvements to the visual appearance of guardrails can be made by coating or otherwise coloring the standard steel beam materials to achieve an improvement over hot-dip galvanizing, or installing and maintaining suitable landscaping materials to screen the guardrails from view without compromising the guardrail’s function, life-cycle, or access for inspection and maintenance -- and the public interest is best served by allowing those most likely to be impacted by the visual appearance of a necessary guardrail to have the opportunity to advocate for improvements to the appearance of the guardrail should the City not be able to accommodate the proposed improvements with its resources; and

1 **WHEREAS**, the adoption of this Zoning Ordinance amendment is exempt from the California
2 Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) because the Zoning Ordinance
3 amendment does not have the potential for causing a significant effect on the environment; and
4

5 **WHEREAS**, the City Council hereby finds the amendment of the Zoning Ordinance is
6 consistent with the Sausalito General Plan; and
7

8 **THE CITY COUNCIL OF THE CITY OF SAUSALITO DOES HEREBY ORDAIN AS FOLLOWS:**
9

10 **Section 1**

11 Section 10.54.040.B.14 of the Sausalito Municipal Code is hereby added to read as follows:
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13 **B. Applicability.** Selected project proposals require a lesser level of design review which
14 shall be conducted by the Community Development Department...The Community
15 Development Department shall review and act on applications which are made solely for the
16 following classification of project...

17 14. Applications to construct vehicular traffic safety guardrails deemed necessary by the City
18 Engineer.
19

20 **Section 2**

21 Section 10.54.050.B.13 of the Sausalito Municipal Code is hereby amended to read as follows:
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23 **B. Applicability.** Design Review Permits shall be required for the following
24 applications:

25 13. Local public capital improvement projects and local public enhancement projects
26 excluding:

27 a. Capital improvement projects which are maintenance projects or do not appreciably
28 change the appearance of the area being maintained; and

29 b. Vehicular traffic safety guardrails deemed necessary by the City Engineer.
30

31 **Section 3**

32 Sections 10.56.030.A. 5-7 of the Sausalito Municipal Code are hereby amended to read as follows:
33

34 **A. Community Development Director.** The following encroachments shall be subject
35 to Community Development Director review and recommendation...

36 5. Retaining walls that do not exceed six (6) feet in height; ~~and~~

37 6. Signs allowed without permits (see Section 10.42.040, ~~Signs Allowed Without~~
38 ~~Permits~~); and

39 7. Vehicular traffic safety guardrails deemed necessary by the City Engineer.
40

41 **THE FOREGOING ORDINANCE** was read at a regular meeting of the Sausalito City Council on
42 the 27th day of November, 2012, and was adopted at a regular meeting of the City Council on the
43 _____ day of _____, 2012 by the following vote:
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AYES: COUNCILMEMBER:
NOES: COUNCILMEMBER:
ABSENT: COUNCILMEMBER:
ABSTAIN: COUNCILMEMBER:

Mayor

Debbie Pagliaro, City Clerk

I:\CDD\PROJECTS - NON-ADDRESS\ZOA\2012\12-264 ADRP for Guardrails\CCORD 1210 12.11.2012