

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

*******DRAFT*******
For Review by Subcommittee

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
AMENDING TITLE 10 OF THE SAUSALITO MUNICIPAL CODE TO:
ADD A NEW SECTION 10.44.330 FOR DEVELOPMENT STANDARDS FOR
DWELLING UNITS IN TWO FAMILY AND MULTI-FAMILY ZONING DISTRICTS;
MODIFY TABLE 10.22-2 TO ADD REFERENCE TO SECTION 10.44.330; MODIFY
SECTION 10.54.050.B TO ALLOW FOR A ONE TIME 200 SQUARE FOOT FLOOR
AREA BONUS; MODIFY SECTION 10.54.050.D AND 10.54.050.E TO ADD FINDINGS
FOR DESIGN REVIEW PERMITS; MODIFY SECTION 10.54.060 TO ADD
SUBMITTAL REQUIREMENTS FOR DESIGN REVIEW PERMITS; MODIFY
SECTION 10.50.060 TO SHORTEN THE COMPLETENESS REVIEW TIME FOR
MULTI-UNIT PROJECTS; ALLOW EXCEPTIONS TO PARKING REQUIREMENTS
IN SECTION 10.40.110.D; ADD REFERENCE TO PARKING EXCEPTIONS IN TABLE
10.40-1; MODIFY SECTION 10.40.120.B.1 TO PROVIDE FOR AN EXCEPTION FOR
TANDEM PARKING; AND MODIFYING SECTION 10.40.050 AMENDING THE
DEFINITION OF BUILDING COVERAGE AND IMPERVIOUS SURFACES
ZOA 10-355**

WHEREAS, [TO BE PROVIDED]

THE CITY COUNCIL OF THE CITY OF SAUSALITO DOES HEREBY ORDAIN AS
FOLLOWS:

1 Section 1. Table 10.22-2 of the Sausalito Municipal Code is hereby amended as follows¹:

**Table 10.22-2
SITE DEVELOPMENT STANDARDS – RESIDENTIAL ZONING DISTRICTS *1***

DEVELOPMENT REQUIREMENT	R-1		R-2		R-3	PR	H	A	SEE SECTION	
	R-1-6	R-1-8	R-1-20	R-2-2.5	R-2-5					
Minimum parcel size *2*	6,000 sf	8,000 sf	5,000 sf	5,000 sf	10,000 sf	5,000 sf	20,000 sf	10,000 sf	1,500 sf	10.40.030 (Minimum Parcel Standards) and Title 9
Minimum lot width *2*	50'	50'	50'	50'	50'	50'	50'	50'	30'	
Maximum Density	1du/parcel	1du/parcel	1 du/1500 sf *2,3*	1 du/2500 sf *2,3*	1 du/5000 sf *2,3*	1 du/1500 sf *2,3*	1 du/1980 sf	1 du/10,000 sf	1 du/1500 sf	10.44.080 (Accessory Dwelling Units)
Maximum Floor Area Ratio	.45	.40	.8 *4*	.65 *4*	.40	.8 *4*	.65	.25	.30	10.44.330 (Development Standards for Units in Two Family and Multiple-Family Zoning Districts.)
Maximum Building Coverage	35%	30%	50% *4*	50% *4*	35%	50% *4*	50%	25%	30%	10.44.330 (Development Standards for Units in Two Family and Multiple-Family Zoning Districts.)
Maximum Impervious Surface *5*	67.5%	65%	75% *4*	75% *4*	67.5%	75% *4*	75%	62.5%	65%	10.44.330 (Development Standards for Units in Two Family and Multiple-Family Zoning Districts.)
Minimum Setbacks *6*										10.40.080 (Exceptions to Required Setbacks) and Chapter 10.44 (Specific Use Requirements)
Front *7*	0'	0'	0'	0'	0'	0'	0'	0'	0'	
Side *8*	5'	5'	10'	5'	5'	5'	5'	*9 *	0'	
Rear	15'	15'	20'	15'	15'	15'	15'	15'	0'	
Maximum Building Height *9 10*	32'	32'	32'	32'	32'	32'	32'	32'	12' *11*	10.40.060 (Height Requirements) and Chapter 10.44 (Specific Use Requirements)

1 ~~These standards are not entitlements~~; the approved size, setbacks or other physical conditions of a proposed new ~~home dwelling~~ or expansion of an existing ~~home dwelling~~ subject to design review shall be in the discretion of the Planning Commission. In order to meet the standards of design review, the Planning Commission may approve a home dwelling smaller, or with greater setbacks, or otherwise impose requirements that are more restrictive than the limits set forth in this chapter.

2 See Section 10.40.030 (Minimum Parcel Standards).

3 For two or more detached single family dwellings, see Section 10.44.090 (Detached Dwelling Units)

4 ~~Units in the R-2-2.5 and R-3 Zoning Districts are subject to the restrictions in Section 10.44.330~~

4 *5* Per Section 10.40.050.C, impervious surface includes decks, paved surfaces, hardscape, and gravel.

5 *6* Different setbacks may also apply if district is combined with other zoning districts.

6 *7* 10' front yard setbacks are required where designated on the zoning map. See Section 10.40.070.C.4 (Special setback lines).

7 *8* Minimum side yard setbacks may be increased in other situations.

¹ The text to be added is printed double-underlined and the text to be removed is printed ~~double-strikeout~~.

~~9~~⁹ Half (1/2) the building height, but no less than 5'.

~~9~~¹⁰ Maximum building height may vary depending on parcel topography and may vary for other specific features of the site. Building height is measured from natural average grade.

~~10~~¹¹ Measured from a point 6' above NGVD or average grade, whichever is higher.

DRAFT

1 **Section 2.** A new Section 10.44.330 is hereby added to the Sausalito Municipal Code to read as
2 follows:

3
4 “10.44.330 Development Standards for Dwelling Units in Two Family and Multiple-Family
5 Zoning Districts.

6
7 **A Purpose and Intent.** In addition to the general purposes of this Chapter, the specific
8 purposes of this section regulating units in the Two Family and Multiple Family Zoning
9 Districts include the following:

10 **1. To discourage the development of large single family residences located in the Two**
11 **Family and Multiple Family Zoning Districts which leave no further development potential**
12 **for future dwelling units.**

13 **2. To discourage the conversion of existing two and multi-family housing to single family**
14 **housing.**

15 **3. To encourage the preservation of development potential for the number of units**
16 **appropriate to the Zoning District in which the parcel is located**

17
18 **B Applicability.** The Development Standards in 10.44.330.C (Tables 10.44-2 and 10.44-3)
19 are applicable to parcels in the Two Family (R-2-2.5) and Multiple Family (R-3) Zoning
20 Districts which provide less than the maximum density allowed by the applicable Zoning
21 District. For the purposes of this Section 10.44.330 Accessory Dwelling Units shall count
22 towards fulfilling the density requirement.

23
24 **C Development Standards.** All proposed and existing development in R-2-2.5 and R-3
25 Zoning Districts which provide less than the maximum density allowed by the applicable
26 Zoning District shall comply with the standards in Table 10.44-2 and Table 10.44-3.
27

1

**Table 10.44-2
DEVELOPMENT STANDARDS FOR PARCELS IN R-2-2.5 ZONING DISTRICTS
WHICH PROVIDE LESS UNITS THAN THE MAXIMUM DENSITY ALLOWED**

Parcel Range	Floor Area (square feet)		Building Coverage (square feet)		Impervious Surfaces (square feet)	
	Maximum for Largest Unit	Remainder for Additional Units	Maximum for Largest Unit	Remainder for Additional Units	Maximum for Largest Unit	Remainder for Additional Units
0 - 2,999	R-2-2.5 standard as listed in Table 10.22-1					
3,000 - 3,249	1,625	487	1,300	325	2,274	162
3,250 - 3,499	1,750	525	1,400	350	2,449	175
3,500 - 3,749	1,837	600	1,481	394	2,587	225
3,750 - 3,999	1,940	660	1,560	440	2,759	240
4,000 - 4,249	2,040	722	1,636	489	2,932	255
4,250 - 4,499	2,137	787	1,710	540	3,104	270
4,500 - 4,749	2,232	855	1,757	617	3,229	332
4,750 - 4,999	2,325	925	1,825	675	3,399	350
5,000 - 5,249	2,362	1,050	1,837	787	3,543	394
5,250 - 5,499	2,475	1,100	1,925	825	3,712	412
5,500 - 5,749	2,587	1,150	2,012	862	3,881	431
5,750 - 5,999	2,700	1,200	2,100	900	4,049	450
6,000 - 6,249	2,812	1,250	2,187	937	4,218	469
6,250 - 6,499	2,925	1,300	2,275	975	4,387	487
6,500 - 6,749	3,037	1,350	2,362	1,012	4,556	506
6,750 - 6,999	3,150	1,400	2,450	1,050	4,724	525
7,000 - 7,249	3,262	1,450	2,537	1,087	4,893	544
7,250 - 7,499	3,375	1,500	2,625	1,125	5,062	562
7,500 - 7,749	3,487	1,550	2,712	1,162	5,231	581
7,750 - 7,999	3,600	1,600	2,800	1,200	5,399	600
8,000 - 8,249	3,712	1,650	2,887	1,237	5,568	619
8,250 - 8,499	3,825	1,700	2,975	1,275	5,737	637
8,500 - 8,749	3,937	1,750	3,062	1,312	5,906	656
8,750 - 8,999	4,050	1,800	3,150	1,350	6,074	675
9,000 - 9,249	4,116	1,896	3,191	1,434	6,197	740
9,250 - 9,499	4,180	1,995	3,230	1,520	6,317	807
9,500 - 9,749	4,241	2,096	3,266	1,609	6,434	877
9,750 - 9,999	4,300	2,200	3,300	1,700	6,499	1,000
10,000 and greater	43% of the parcel maximum	At least 37% of the parcel	33% of the parcel maximum	At least 17% of the parcel maximum	65% of the parcel maximum	At least 10% of the parcel

2
3

**Table 10.44-3
DEVELOPMENT STANDARDS FOR PARCELS IN R-3 ZONING DISTRICTS
WHICH PROVIDE LESS UNITS THAN THE MAXIMUM DENSITY ALLOWED**

Parcel Range	Floor Area (square feet)		Building Coverage (square feet)		Impervious Surfaces (square feet)	
	Maximum for Largest Unit	Remainder for Additional Units	Maximum for Largest Unit	Remainder for Additional Units	Maximum for Largest Unit	Remainder for Additional Units
0 - 2,999	R-3 standard as listed in Table 10.22-1					
3,000 - 3,249	1,625	975	1,300	325	2,274	162
3,250 - 3,499	1,750	1,050	1,400	350	2,449	175
3,500 - 3,749	1,837	1,162	1,481	394	2,587	225
3,750 - 3,999	1,940	1,260	1,560	440	2,759	240
4,000 - 4,249	2,040	1,360	1,636	489	2,932	255
4,250 - 4,499	2,137	1,462	1,710	540	3,104	270
4,500 - 4,749	2,232	1,567	1,757	617	3,229	332
4,750 - 4,999	2,325	1,675	1,825	675	3,399	350
5,000 - 5,249	2,362	1,837	1,837	787	3,543	394
5,250 - 5,499	2,475	1,925	1,925	825	3,712	412
5,500 - 5,749	2,587	2,012	2,012	862	3,881	431
5,750 - 5,999	2,700	2,100	2,100	900	4,049	450
6,000 - 6,249	2,812	2,187	2,187	937	4,218	469
6,250 - 6,499	2,925	2,275	2,275	975	4,387	487
6,500 - 6,749	3,037	2,362	2,362	1,012	4,556	506
6,750 - 6,999	3,150	2,450	2,450	1,050	4,724	525
7,000 - 7,249	3,226	2,573	2,501	1,124	4,857	580
7,250 - 7,499	3,300	2,700	2,550	1,200	4,987	637
7,500 - 7,749	3,371	2,828	2,596	1,279	5,114	697
7,750 - 7,999	3,440	2,960	2,640	1,360	5,279	720
8,000 - 8,249	3,547	3,052	2,722	1,402	5,444	742
8,250 - 8,499	3,655	3,145	2,805	1,445	5,609	765
8,500 - 8,749	3,762	3,237	2,887	1,487	5,774	787
8,750 - 8,999	3,870	3,330	2,970	1,530	5,939	810
9,000 - 9,249	3,977	3,422	3,052	1,572	6,104	832
9,250 - 9,499	4,085	3,515	3,135	1,615	6,269	855
9,500 - 9,749	4,192	3,607	3,217	1,657	6,434	877
9,750 - 9,999	4,300	3,700	3,300	1,700	6,499	1,000
10,000 and greater	43% of the parcel maximum	At least 37% of the parcel	33% of the parcel maximum	At least 17% of the parcel maximum	65% of the parcel maximum	At least 10% of the parcel

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

D Conditional Use Permit Required. A Conditional Use Permit (Chapter 10.60) shall be required for any development which does not comply with the development standards in Table 10.44-2 or 10.44-3. In no case shall the total development exceed the maximum development standards allowed for the parcel pursuant to Table 10.22-2.

E Finding Required. In addition to the findings required by Section 10.60.050 (Findings, Conditional Use Permit), the following finding shall be made prior to issuance of a Conditional Use Permit for any development which does not comply with the development standards in Table 10.44-2 or 10.44-3.

1. It has been adequately demonstrated that the maximum density allowed by the applicable Zoning District is not achievable due to physical site constraints (e.g., geologic, topographic, parcel shape/size).

F Maximum Floor Area Exception. A one-time 200 square foot maximum Floor Area exception to expand an existing single-family residence in R-2-2.5 and R-3 Zoning Districts, not to exceed the maximum Floor Area Ratio allowed in the respective Zoning District, may

1 be allowed with a Design Review Permit pursuant to Section 10.54.050.B.21 subject to the
2 following Planning Commission findings that the subject dwelling and/or improvements:

- 3 1. Were built prior to the effective date of this Section;
- 4 2. Are functionally and aesthetically compatible with the existing improvements and the
5 natural elements in the surrounding area;
- 6 3. Are of a scale, intensity, and design that integrates with the existing character of the
7 surrounding neighborhood; and
- 8 4. Employ mass-reducing design such that the additional square footage over the
9 maximum Floor Area is reasonably mitigated and does not result in overbuilding of
10 the lot.

11
12 **Section 3.** Section 10.40.110.D (Parking Space Requirements by Land Use--Reductions) of the
13 Sausalito Municipal Code is hereby amended to add the following subsection 5:

14
15 **5. Parking Exceptions.** For parcels which provide the maximum density allowed by the
16 applicable Zoning District the following exceptions from Table 10.40-1 are permitted. For the
17 purposes of this Section 10.40.110.D.5 Accessory Dwelling Units shall count towards
18 fulfilling the density requirement:

- 19 a. For parcels that provide two units where at least one of the units is less than 1,200
20 square feet three (3) parking spaces total are required (two for the larger unit and one
21 for the smaller unit).
- 22 b. For parcels that provide two units where at least one of the units is less than 700
23 square feet off-site parking may be allowed with a Conditional Use Permit. In
24 addition to the findings required by Section 10.60.050 (Findings, Conditional Use
25 Permit), the following findings shall be made prior to issuance of a Conditional Use
26 Permit for off-site parking:
 - 27 i. It has been demonstrated that it is not feasible to accommodate a parking space
28 on the parcel;
 - 29 ii. It has also been demonstrated with a professionally prepared parking study that
30 shows the availability of reasonably adjacent on-street parking during daytime
31 and nighttime hours of on-street parking space equal to the amount of off-site
32 parking spaces requested.
- 33 c. For parcels that provide three units or more, one and a half (1.5) parking spaces are
34 required per unit regardless of bedroom size.

1 **Section 4.** Table 10.40-1 (Parking Requirements) of the Sausalito Municipal Code is hereby
 2 amended as follows²:

Table 10.40-1 PARKING REQUIREMENTS	
LAND USE	Off-Street Parking Required
Residential	
Single or Multiple Family Residential	2 per dwelling unit. <u>Exceptions allowed for parcels with maximum density. See Section 10.40.110.C.2 (Single family and two-family residential uses), and C.3 (Multiple family residential use), Section 10.44.330 and Section 10.40.110.D.5</u>
Multiple Family Residential (1 bedroom or less)	1.5 per dwelling unit. <u>Exceptions allowed for parcels with maximum density. See Section 10.44.330 and Section 10.40.110.D.5</u>
Home occupations	See Section 10.44.030 (Home Occupations)
Liveaboards	See Section 10.44.170 (Liveaboards)
Residential accessory uses	No additional parking required
Residential care homes	1 per 2 persons cared for
Secondary dwellings	See Section 10.44.080 (Secondary Dwellings, Existing)
Senior housing	1 per dwelling unit. See Section 10.44.120 (Senior Housing Projects)

3
 4 **Section 5.** Section 10.54.050.B (Design Review Permits – Applicability) of the Sausalito
 5 Municipal Code is hereby amended to add the following subsection 21:

6
 7 21. Any project requesting a one-time 200 square foot maximum Floor Area exception to
 8 expand an existing single-family residence in R-2-.2.5 and R-3 Zoning Districts, not
 9 to exceed the maximum Floor Area Ratio allowed in the respective Zoning District
 10 (see Section 10.44.330.F).

11
 12 **Section 6.** Section 10.54.050.D (Design Review Permits – Findings) of the Sausalito Municipal
 13 Code is hereby amended to add the following subsections 13 and 14:

- 14
 15 13. The project demonstrates one of the following:
 16 a. The feasibility to construct the maximum number allowed on the project site in
 17 the future by illustrating their possible location as well as required on-site
 18 parking and access; or
 19 b. Why the maximum number of units allowed is not practical for the project site

20
 21 [This finding is applicable only to projects in the R-2, R-3, and PR residential zoning
 22 districts which result in a project site developed at less than the maximum density
 23 allowed on the respective site. For the purposes of this Section 10.54.050.D.13 Accessory
 24 Dwelling Units shall count towards fulfilling the density requirement.]

25
 26 14. The project has been designed to ensure the on-site structures do not crowd or
 27 overwhelm neighboring properties or loom over the street.

28
 29 **Section 7.** Section 10.54.060 (Design Review Permits – Submittal Requirements) of the
 30 Sausalito Municipal Code is hereby amended to add the following subsection L:

31
 32 L. A schematic design that demonstrates the feasibility to construct the maximum number of
 33 dwelling units allowed on the project site by illustrating their possible location on the

² The text to be added is printed double-underlined and the text to be removed is printed ~~double-strikeout~~

parcel as well as required on-site parking and access. The schematic design may help to illustrate why the maximum number of units on the site cannot be practically accommodated in the future. [This submittal is applicable only to Administrative and Planning Commission Design Review Permit projects in the R-2, R-3, and PR residential zoning districts which result in a project site developed at less than the maximum density allowed on the respective site. For the purposes of this Section 10.54.060.L Accessory Dwelling Units shall count towards fulfilling the density requirement.]

Section 8. Section 10.50.060.A (Initial Review of Applications) of the Sausalito Municipal Code is hereby amended to add the following subsection 3:

3. When a project proposes the maximum number of units allowed for a parcel in the R-2, R-3, or PR residential zoning districts the normal 30-day application completeness period will be shortened and multiple unit projects will be given priority, moving to the top of the submittal stack. For the purposes of this section Accessory Dwelling Units shall count toward fulfilling the density requirement.

Section 9. Table 10.40-1 of the Sausalito Municipal Code is hereby amended as follows:

Table 10.40-1 PARKING REQUIREMENTS	
LAND USE	Off-Street Parking Required
Residential	
Single or Multiple Family Residential	2 per dwelling unit. See Section 10.40.110.C.2 (Single family and two-family residential uses), and C.3 (Multiple family residential use) and Section 10.44.330 (Development Standards for Single Family Residences in Two Family and Multi-family Zoning Districts). See exceptions in Section 10.44.330 for multiple units on a parcel.
Multiple Family Residential (1 bedroom or less)	1.5 per dwelling unit

Section 10. Section 10.40.120.B.1 (Design and Improvement of Parking) of the Sausalito Municipal Code is hereby amended as follows:

B. Exceptions. The following exceptions shall apply to the required design & layout of parking spaces:

1. Tandem parking. Tandem parking shall require a Conditional Use Permit as provided by Chapter 10.60 (Conditional Use Permits). Tandem parking, two vehicles parked so that one is behind the other, may be permitted for two and multiple family dwellings where both parking spaces are intended to serve one and the same dwelling unit. Existing historical tandem parking spaces shall not be considered as providing required parking unless a Conditional Use Permit is secured per Chapter 10.60 (Conditional Use Permits) of this Title. Tandem parking shall be a permitted use without a the requirement for a Conditional Use Permit for projects which propose the maximum number of units allowed for parcels in the R-2, R-3, or PR residential zoning districts. For the purposes of this section Accessory Dwelling Units shall count toward fulfilling the density requirement.

Section 11. Sections 10.40.050.B and C (Building Coverage Limits) of the Sausalito Municipal Code are hereby amended to read as follows:

1 B. Measurement of Coverage. Coverage is measured as the percentage of the total
2 site area occupied by buildings and structures. For the purposes of this definition,
3 "buildings" include primary buildings, garages, carports, and accessory buildings; decks
4 and paved areas (such as walkways, driveways, patios, uncovered parking areas or roads)
5 that have an elevation of at least two (2) feet above the average level of the natural grade
6 directly below the constructed feature (average of highest and lowest points); and stairs
7 two (2) feet above the natural grade. The measurement of site coverage shall not include
8 the portion of roof eaves and/or rain gutters that extend no more than two (2) feet six (6)
9 inches from the face of the building wall, but shall include the portion of roof eaves
10 and/or rain gutters that extend more than two (2) feet six (6) inches from the face of the
11 building wall. The minimum area for parking and circulation required by Section
12 10.40.110 and 10.40.120 for additional units beyond the parking required for a single unit
13 shall not be counted as building coverage. Also see Section 10.56.050.

14 C. Limit on Decks and Impervious Surfaces. All structures which count toward
15 building coverage shall also count as impervious surface. In addition, impervious surface
16 shall consist of any of the following features, regardless of height relative to natural
17 grade: (1) all paved surfaces, such as concrete, regardless of the permeability of the
18 material; (2) all hardscape garden elements such as stepping stones, fountains, statuary,
19 swimming pools, and walls; (3) all deck areas regardless of the material used for the deck
20 structure; (4) all gravel areas. See Diagram 10.40-1. The following features shall not be
21 counted toward impervious surface: (1) landscaped areas; (2) planters; (3) unlandscaped
22 areas of exposed earth, including those between different impervious surfaces (such as
23 stepping stones) or between impervious surfaces and landscaped areas (such as the area
24 between a walkway and a landscaped area). The minimum area for parking and
25 circulation required by Section 10.40.110 and 10.40.120 for additional units beyond the
26 parking required for a single unit shall not be counted as impervious surfaces.
27 Impervious surfaces shall be subject to the maximum area specified in Table 10.22-2
28 (Site Development Standards-- Residential Zoning Districts).

29
30 **Section 12.** Annually, for three years following the adoption of this ordinance, the Planning
31 Commission shall hold a public hearing to evaluate the effectiveness of the ordinance.

32
33 **THE FOREGOING ORDINANCE** was read at a regular meeting of the Sausalito City Council
34 on the _____ day of _____ 2013, and was adopted at a regular meeting of the City Council on
35 the _____ day of _____, 2013 by the following vote:

36
37
38 AYES: COUNCILMEMBER:

39
40 NOES: COUNCILMEMBER:

41
42 ABSENT: COUNCILMEMBER:

43
44 ABSTAIN: COUNCILMEMBER:

45
46 _____
47 Mayor

48 ATTEST:

49 _____
50 Debbie Pagliaro, City Clerk

51 I:\CDD\PROJECTS - NON-ADDRESS\ZOA\2010\10-355 - SFRs in R2 and R3\Ordinance\Ordinance Draft for 5-20 workshop.doc