

ORDINANCE NO. 1227

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
AMENDING TITLE 10 OF THE SAUSALITO MUNICIPAL CODE TO
ADD A NEW SECTION 10.54.050(B)(5) TO REQUIRE A DESIGN REVIEW PERMIT
FOR NEW COMMERCIAL AND INDUSTRIAL STRUCTURES AND
CONSECUTIVELY RENUMBER EXISTING PORTIONS OF SECTION 10.54.050(B)**

ZOA 14-237

WHEREAS, Sausalito Municipal Code (“SMC”), Title 10, Chapter 10.54, provides for design review requirements and procedures for selected construction and improvement projects in the City of Sausalito (the “City”); and

WHEREAS, SMC section 10.54.050(B) establishes thresholds for those projects that require a design review permit from the Sausalito Planning Commission; and

WHEREAS, the City Council desires to amend SMC Chapter 10.54 to clarify that a design review permit is required for all new construction of commercial and/or industrial structures; and

WHEREAS, SMC section 10.80.070 allows for amendments to the Zoning Ordinance (Title 10 of the SMC) whenever the City Council determines that public necessity, convenience, or welfare would be served; and

WHEREAS, the City Council finds an amendment to SMC Chapter 10.54 is necessary to clarify that a design review permit is required for new construction of commercial and/or industrial structures in order to promote the preservation of the City’s unique visual character, preserve land values, prevent unsightly or obnoxious structures and additions, and encourage the physical development of the City as intended by the General Plan; and

WHEREAS, on October 15, 2014 the Planning Commission conducted a duly-noticed public hearing at which time all interested persons were given an opportunity to be heard; and

WHEREAS, on October 15, 2014 the Planning Commission recommended City Council adoption of a proposed Zoning Ordinance Amendment clarifying that a design review permit is required for new commercial and/or industrial structures; and

WHEREAS, on November 11, 2014 the City Council conducted a duly-noticed public hearing at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council finds that the adoption of this Zoning Ordinance text amendment is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guideline section 15061(b)(3) as it can be seen with certainty that the action will

have no possibility to cause a significant effect on the environment.

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

Section 1. A new section 10.54.050(B)(5) shall be added to read as follows, and the current Section 10.54.050(B)(5) shall be renumbered to Section 10.54.050(B)(6) with the remaining portions of Section 10.54.050(B) to be consecutively renumbered:

“Any commercial, industrial, or similar structure proposed for construction”

Section 2. The adoption of this ordinance is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

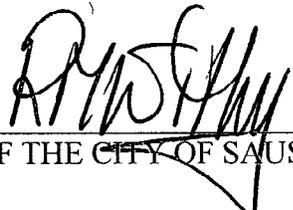
Section 3. This ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The City Council hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid. To this end the provisions of this ordinance are declared to be severable.

Section 4. This ordinance shall be in full force and effect thirty (30) days after the date of its adoption.

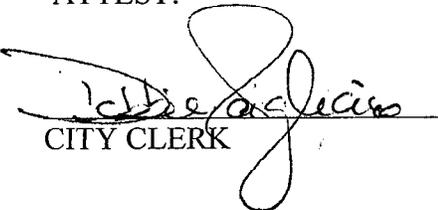
Section 5. This ordinance shall be published once within fifteen (15) days after its passage and adoption in a newspaper of general circulation in the City of Sausalito.

THE FOREGOING ORDINANCE was read at a regular meeting of the Sausalito City Council on the 11th day of November, 2014, and was adopted at a regular meeting of the City Council on the 18th day of November, 2014 by the following vote:

AYES:	COUNCILMEMBER:	Leone, Pfeifer, Theodores, Weiner and Mayor Withy
NOES:	COUNCILMEMBER:	None
ABSENT:	COUNCILMEMBER:	None
ABSTAIN:	COUNCILMEMBER:	None


MAYOR OF THE CITY OF SAUSALITO

ATTEST:


CITY CLERK

Debbie Pagliaro

From: Debbie Pagliaro
Sent: Wednesday, December 17, 2014 10:35 AM
To: 'Laurie Monroe'
Subject: Ordinances for Publishing
Attachments: Ordinance No. 1226 - prohibit dogs in fenced park at MLK.doc; Ordinance No. 1227 - req design review on new comm indust proj.doc

Laurie -

Attached are two ordinances that need to be published in the Scope. Please feel free to split them up into separate editions of the paper if you have a space issue.

As usual, please provide the affidavit of publication.

Thanks,
Debbie

**ORDINANCE NO. 1227
AN ORDINANCE OF THE
CITY COUNCIL OF THE
CITY OF SAUSALITO
AMENDING TITLE 10 OF
THE SAUSALITO MUNI-
CIPAL CODE TO
ADD A NEW SECTION
10.54.050(B)(5) TO
REQUIRE A DESIGN
REVIEW PERMIT FOR
NEW COMMERCIAL AND
INDUSTRIAL STRUC-
TURES AND CON-
SECUTIVELY RENUMBER
EXISTING PORTIONS OF
SECTION 10.54.050(B)
ZOA 14-237**

WHEREAS, Sausalito Municipal Code ("Title 10, Chapter 10.54, provides for design review requirements and procedures for selected construction and improvement projects in the City of Sausalito (the "and

WHEREAS, SMC section 10.54.050(B) establishes thresholds for those projects that require a design review permit from the Sausalito Planning Commission; and

WHEREAS, the City Council desires to amend SMC Chapter 10.54 to clarify that a design review permit is required for all new construction of commercial and/or industrial structures; and

WHEREAS, SMC section 10.80.070 allows for amendments to the Zoning Ordinance (Title 10 of the SMC) whenever the City Council determines that public necessity, convenience, or welfare would be served; and

WHEREAS, the City Council finds an amendment to SMC Chapter 10.54 is necessary to clarify that a design review permit is required for new construction of commercial and/or industrial structures in order promote the preservation of the City's unique visual character, preserve land values, prevent unsightly or obnoxious structures and additions, and encourage the physical development of the City as intended by the General Plan; and

WHEREAS, on October 15, 2014 the Planning Commission conducted a duly-noticed public hearing at which time all interested persons were given an opportunity to be heard; and

WHEREAS, on October 15, 2014 the Planning Commission recommended City Council adoption of a proposed Zoning Ordinance Amendment clarifying that a design review permit is required for new

commercial and/or industrial structures; and

WHEREAS, on November 11, 2014 the City Council conducted a duly-noticed public hearing at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council finds that the adoption of this Zoning Ordinance text amendment is categorically exempt from the California Environmental Quality Act ("pursuant to CEQA Guideline section 15061(b)(3) as it can be seen with certainty that the action will have no possibility to cause a significant effect on the environment.

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

Section 1. A new section 10.54.050(B)(5) shall be added to read as follows, and the current Section 10.54.050(B)(5) shall be renumbered to Section 10.54.050(B)(6) with the remaining portions of Section 10.54.050(B) to be consecutively renumbered:

"commercial, industrial, or similar structure proposed for construction"

Section 2. The adoption of this ordinance is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Section 3. This ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such

decision shall not affect the validity of the remaining portion of this ordinance. The City Council hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid. To this end the provisions of this ordinance are declared to be severable.

Section 4. This ordinance shall be in full force and effect thirty (30) days after the date of its adoption.

Section 5. This ordinance shall be published once within fifteen (15) days after its passage and adoption in a newspaper of general circulation in the City of Sausalito.

THE FOREGOING ORDINANCE was read at a regular meeting of the Sausalito City Council on the 11th day of November, 2014, and was adopted at a regular meeting of the City Council on the 18th day of November, 2014 by the following vote:

AYES: COUNCILMEMBER: Leone, Pfeifer, Theodores, Weiner and Mayor Withy

NOES: COUNCILMEMBER: None

ABSENT: COUNCILMEMBER: None

ABSTAIN: COUNCILMEMBER: None

s/ R.M. WITHY
MAYOR OF THE CITY OF
SAUSALITO

ATTEST:
/s/ DEBBIE PAGLIARO
CITY CLERK
SAUSALITO MARIN
SCOPE

DEC. 24, 2014
#24523