

**Attachment 1:
Cox Castle Nicholson Letter**

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November 17, 2020

VIA E-MAIL

Mayor Cleveland-Knowles and
Members of the City Council
City of Sausalito
420 Litho Street
Sausalito, CA 94965
Email: hscoble@sausalito.gov

Re: Berg Holdings' Comment Letter on Agenda Item 6.B, Final Draft General Plan

Mayor Cleveland-Knowles and Members of the City Council:

This firm represents Berg Holdings, the owner of 2310, 2320, 2330, and 2350 Marinship Way ("Property") in the City of Sausalito ("City"). The purpose of this letter is to provide the City Council with Berg Holdings' comments on the Final Draft General Plan.

1

As an initial matter, we would like to incorporate by reference into this letter our comments in the attached comment letters dated August 5, 2020, September 1, 2020, and November 9, 2020, and Carlo Berg's letter dated May 19, 2020.

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View Corridors:

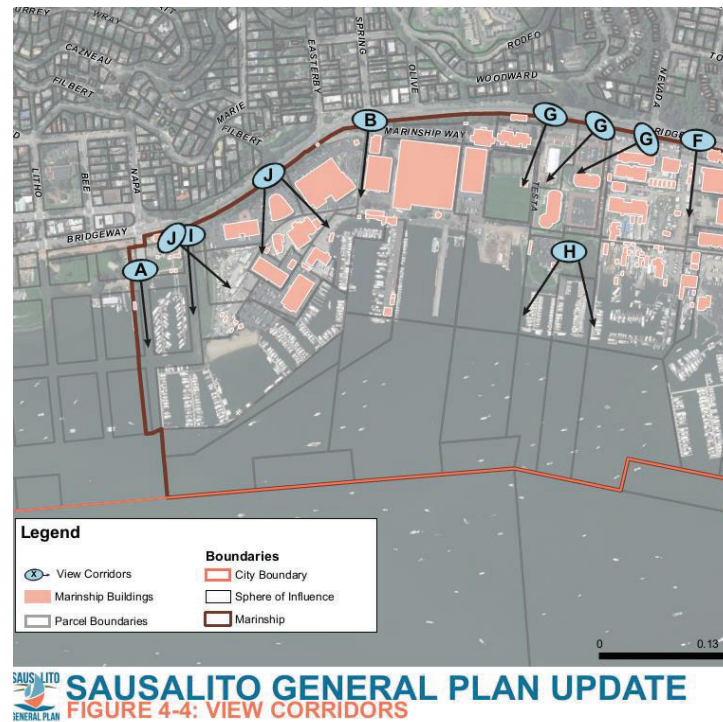
As we pointed out in the attached August 5, 2020 comment letter, and as detailed in Carlo Berg's May 19th letter, the City has improperly identified View Corridors in the General Plan that are currently blocked by barriers. That remains the case in the Final General Plan Update.

The View Corridors below are identified in Figure 4-4 in the Final General Plan Update. The three "G" View Corridors in Figure 4-4 are all obstructed by trees and/or buildings. Therefore, the "G" View Corridors should be removed from Figure 4-4. Similarly, the view from one side of View Corridor "H" is a view of a hill, as shown in the photo links on Page 4 of Carlo Berg's May 19th letter. For that reason, View Corridor "H" is not implementable. We recommend omitting View Corridor "G" and one of the views from View Corridor "H" from Figure 4-4.

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It is unclear from the General Plan Update policies and programs related to View Corridors whether the General Plan Update View Corridors are intended to protect views from just public property or from both public and private property. Figure 4-4 is referenced under Policy CD-3.2, which addresses public views only. If Figure 4-4 is intended to identify public views, the three View Corridor "G"'s should be removed because there are currently no public views through the Property from those locations. Additionally, if Figure 4-4 is intended to identify only public views, View Corridor "H," which is on private property, should be distinguished on the figure as a private property View Corridor or removed.

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The policies and programs in the General Plan Update are also unclear as to property owners' rights related to View Corridors on Figure 4-4. Program CD-3.2.2 states that the City will develop a citywide map that identifies priority public viewpoints that should be considered for mandatory preservation. The language in Program CD-3.2.2 implies that until that map is developed, none of the View Corridors are mandatory. However, Policy CD-3.2 requires new and significantly remodeled structures to take into consideration their impact on significant public views and view corridors when they are designed. Likewise, Program CD-3.2.1 requires that through Design Review, project submittals for new and significantly remodeled structures must be analyzed for their impact on views from major public vantage points. Policy CD-3.2 and Program CD-3.2.1 imply that new development must take view corridors into consideration following adoption of the General Plan Update.

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What are the development limitations following adoption of the General Plan Update? Are the View Corridors in Figure 4-4 the "major public vantage points" or "significant public views and view corridors" contemplated in Policy CD-3.2 and Program CD-3.2.1? Will the View Corridors in Figure 4-4 serve as the basis for the map contemplated in Program CD-3.2.2? There are several outstanding questions that need to be answered before the General Plan Update is finalized.

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In addition, Policy CD-3.1 and Program LU-4.1.1 should be revised.

Policy CD-3.1 states that new and significantly remodeled structures and landscape improvements must be designed and located to minimize interference with primary views from structures on neighboring properties. It states that "some minor loss of view may be consistent with this policy if necessary to protect a property right." The City should be aware that any view loss required to protect private property rights must be permitted unless just

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compensation is paid to the property owner. The City should revise Policy CD-3.1 accordingly so that it does not face takings claims.

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Program LU-4.1.1, Zoning Ordinance (Marinship), states that the City should “[t]ransition detailed View Corridor provisions, including any updates deemed necessary, into the Zoning Ordinance.” First, as noted above, Berg Holdings opposes incorporating the Figure 4-4 View Corridors “G” and one of the views from View Corridor “H” into the Zoning Ordinance because they do not represent actual view corridors. We also oppose incorporating some of the General Plan Update policies related to view corridors into the Zoning Ordinance because they interfere with private property rights. In addition, Berg Holdings is concerned with the language “any updates deemed necessary” in Program LU-4.1.1. Who will determine whether updates are “necessary”? We believe any changes to the view corridor policies that would adversely impact private property rights should go through a public process with proper notice and an opportunity for public input before being incorporated into the Zoning Code. Further, any changes to the Zoning Code should be within the discretion of the City Council. It is inappropriate for staff to incorporate the General Plan view corridor policies with “necessary updates” into the Zoning Code. This language should be stricken from Program LU-4.1.1.

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Previously Conforming Office Uses:

The Property is currently located in the Marinship Specific Plan area. The Marinship Specific Plan provides that in the Industrial Zone, “existing office buildings and uses may remain as permitted uses.”

The “M-Group Memo – General Plan Update” that is attached to Agenda Item 6.B states that the Planning Commission recommended labeling office uses in the Marinship built prior to April 5, 1988 “legal non-conforming uses” rather than “legal conforming uses.”

Berg Holdings ***strongly opposes*** Planning Commission’s recommendation to label existing office uses in the Marinship as legal non-conforming uses. The Marinship Specific Plan has protected existing office uses in the Marinship since 1988 when the Plan was adopted. Property owners with existing office buildings in the Marinship have relied on the Specific Plan’s protection for over 30 years.

More importantly, the Marinship Specific Plan’s intent and vision to permit existing office uses is perfectly clear: existing office is expressly intended to remain as a conforming use. The M-Group Memo says Planning Commission stated concerned that recognizing office built prior to April 5, 1988 as a legal conforming use could send a sign to future developers implying office is a permitted use. The Marinship Specific Plan does not imply that future office is a permitted use; it expressly allows it. There is no question that the Marinship Specific Plan intended for existing office to remain in the Marinship.

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We assume the intent of the change from legal conforming to legal non-conforming is to allow for existing office uses to be discontinued through voluntary vacation of use. There is a high legal bar to establish that a use was “voluntarily vacated.” Nonetheless, a change that would expose property owners to claims of abandonment of use is inappropriate, particularly in the middle of a global pandemic that has resulted in temporary office vacancies. Further, there was no notice of this change provided to property owners that could be significantly affected by it.

The City Council should reject Planning Commission’s suggestion to change existing office uses in the Marinship from legal conforming to non-conforming uses at the final

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stage of the General Plan Update process with very little opportunity for public input and no direct notice. Such a policy would be devastating to property owners because it could expose them to claims of abandoned use and is inconsistent with the clear intent and vision of the Marinship Specific Plan. That is to say nothing of the potential erosion of the City's tax base over time. It is inappropriate, particularly during this time when office vacancies are to be expected, to revoke protections for existing office buildings in the Marinship that property owners have counted on for so many years.

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Marinas and Boatyards:

General Plan Update Policy LU-4.3 relates to existing recreational marinas and new marine service boatyards. It says "[p]rovide opportunities to build new marine service boatyards, encourage upgrading and allow expansion of existing marine service boatyards and maritime construction and repair facilities, and allow for minor expansion of existing recreational marinas in the Marinship."

The City fails to define "minor" expansion of existing recreational marinas in the Marinship. However, it is unclear why the City would arbitrarily limit the expansion of existing marinas to minor expansions when the City encourages maritime uses in the General Plan Update and appears to be counting on liveaboard units as a primary contributor to meeting its RHNA mandates. How does the City plan to encourage maritime uses and liveaboard units, but at the same time limit marina expansion to minor expansions? Lastly, BCDC approval would be needed for any existing marina expansion and would take into account all environmental effects and other items within their purview.

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Senior and Affordable Housing:

There are several policies in the General Plan Update that encourage and support senior and affordable housing, including, but not limited to the following:

- Policy LU-1.19 Affordable Housing and Senior Housing. Consider areas for affordable housing (including very low income, low income, and moderate income housing), affordable senior housing, senior housing, workforce housing, live/workspace for artists, and maritime workers, as well as opportunities for water-based housing, keeping the goal of long-term affordability.
- Program LU-1.20.1 Age-Friendly Plan. Maintain and update as necessary the Age Friendly Sausalito Community Action Plan. Periodically monitor progress on plan implementation to be consistent with World Health Organization and Livable Communities principles and best practices.
- LU-1.20.2 Aging in Place. Identify, support, and promote programs and services that facilitate home modifications supporting older residents who remain in their homes. These may include (but are not limited to) low-fee home adaptation work permits, online-only permit processing, and promoting governmental and non-governmental assistance programs to senior residents.
- LU-1.20.3 Aging in Community. Support residential land uses and circulation policies that will allow Sausalito residents to maintain community ties while moving to a more

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age-friendly residence. These may include (but are not limited to) accessory dwelling units (policy LU-1.12) and senior housing (policy LU-1.19), as well as equitable transportation (policy CP-7.4) and senior transportation (program CP-2.6.5)

- LU-5.4.1 Housing Needs. Examine affordable senior housing, affordable housing, or workforce housing on select parcels of publicly-owned land during Housing Element cycles.
- AGE-FRIENDLY COMMUNITY. Sausalito is the recipient of an Age-Friendly Designation from the World Health Organization and continues its dedication to supporting the city's senior community as part of its commitment to social equity, diversity, and racial justice. This dedication includes providing opportunities for meaningful involvement of all residents in local governance and policy making (discussed further in the Economic Element, Objective E-9).

Inclusive and active participation from the Sausalito community is key to meaningful implementation of the General Plan, and outreach to communities such as Sausalito's older residents provides an essential part of our vision for the City because to be truly inclusive, Sausalito must consider the needs of residents across the whole life course.

- Policy HS-6.1 Senior Services. Provide a range of convenient and accessible services for older adults, including social services and health and wellness, that improve quality of life and provide social connections that demonstrate respect and mitigate isolation.
- HS-6.1.2 Intergenerational Relationships. Consider developing programs, including with local schools and other organizations, that promote existing and new connections between senior residents and school-age residents.
- HS-6.1.3 Senior Volunteerism. Consider development of a database of volunteer and paid opportunities for seniors. This database could include opportunities for civic leadership and entrepreneurial pathways to promote and maintain Sausalito's age-friendly environment.
- Policy E-9.2 Inclusive Participation. Strive to engage populations that are under-represented in the planning process due to language, mobility, age, citizenship status, economic, and other barriers. Partnerships with community organizations and non-profits may support this policy and contribute to a shared community understanding of past and present injustices.

We commend the City for implementing the programs and policies in the General Plan Update, including those above, that encourage and support senior and affordable housing in a time when both those uses are widely recognized as a significant need. However, none of the policies above can be accomplished, and the City's required RHNA mandates cannot possibly be

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met, unless the City plans for additional affordable and senior housing. The city can put into this General Plan update all of the above items, but unless there actually is a transparent public pathway to address these needs at scale, the intent of the policies cannot be realized. While the City has identified several sites to meet RHNA requirements, even if those sites were fully developed, the City would be hundreds of units below its RHNA mandate.

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As noted in our previous letters (attached), Berg Holdings has put forth a sensible and realistic plan that would meet the General Plan's objectives and policies and would also result in substantial progress toward the City's RHNA goals. It involves allowing limited affordable and senior housing opportunities on Industrial designated properties in the Marinship while preserving the important historical uses of the area as follows:

"Where appropriate in the Industrial Marinship designation, the City may approve affordable or senior housing with a Conditional Use Permit to assist in meeting RHNA and General Plan objectives, provided that such housing will not displace or remove existing marine or maritime industrial uses and will not be in conflict with adjacent uses. Density for senior or affordable housing shall be limited to 29 dwelling units per acre, plus a density bonus pursuant to the City's Code or consistent with State Density Bonus Law. Zoning standards for senior and affordable housing within the Industrial Marinship shall be consistent with R-3 Zoning Code standards."

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The proposal above would provide the City with flexibility to incorporate senior and affordable housing where appropriate through a discretionary use permit process. It would also limit housing to locations that would not displace or remove existing maritime or industrial uses (including art uses), thus having no effect on existing maritime, art, or industrial uses in the Marinship.

The City should consider including this language in the General Plan Update as well as studying it in the EIR, which would involve minor edits to the EIR.

Thank you for your consideration of this important matter.

Sincerely,



Morgan Gallagher

Cc: Carlo Berg, Berg Holdings

November 9, 2020

VIA E-MAIL

Mayor Cleveland-Knowles and
Members of the City Council
City of Sausalito
420 Litho Street
Sausalito, CA 94965
Email: hscoble@sausalito.gov

Re: Berg Holdings' Proposal for Housing to Meet RHNA Mandates

Mayor Cleveland-Knowles and Members of the City Council:

This firm represents Berg Holdings, the owner of 2310, 2320, 2330, and 2350 Marinship Way (“Property”) in the City of Sausalito (“City”). The purpose of this letter is to urge the City Council to consider Berg Holdings’ proposal to help the City achieve its Regional Housing Needs Assessment (“RHNA”) goals.

The City needs to provide more housing, particularly senior housing, to meet the community’s clearly demonstrated need and its RHNA goals. The City currently is meeting its RHNA goals in only one category midway through the current RHNA planning cycle based on 2019 reporting data. The City’s anticipated RHNA allocation for the 2023-2031 cycle is 740 units. Staff has indicated that the City’s anticipated RHNA allocation will be difficult to achieve under even the most aggressive scenario.

California’s Housing Element Law requires that cities designate and maintain housing sites that are “suitable, feasible, and available” for development of housing to meet RHNA allocations. (Gov. Code § 65580.) To that end, the City must identify specific viable locations for housing and should not delay in identifying realistic sites. If the City defers consideration and analysis of realistic housing opportunities, it will likely not be in a position to achieve its RHNA mandates. Thus far, the potential housing sites that have been identified by the City present significant feasibility constraints that would make it impossible to meet projected RHNA mandates, including land use, environmental, cost, and entity ownership issues. Additionally, the floating homes that are envisioned to help meet RHNA allocations are not ideal for senior housing units because of ADA trip hazards that are inevitably presented. Even if they were ideal, it is simply infeasible for the City to meet its RHNA requirement through floating homes. Berg Holdings offers, by this letter, to meet with the City to discuss specific challenges associated with each site that has been identified as a potential housing site, including floating homes.

Berg Holdings strongly urges the City to consider and analyze in its General Plan Update EIR any housing proposal put forth by the community that would significantly contribute to the City’s anticipated RHNA goals and would also meet the City’s General Plan’s goals and policies.

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To that end, Berg Holdings has put forth a sensible and realistic plan that would result in substantial progress toward the City's RHNA goals and would also meet the General Plan's objectives and policies. It involves allowing limited affordable and senior housing opportunities on Industrial designated properties in the Marinship as follows:

"Where appropriate in the Industrial Marinship designation, the City may approve affordable or senior housing with a Conditional Use Permit to assist in meeting RHNA and General Plan objectives, provided that such housing will not displace or remove existing marine or maritime industrial uses and will not be in conflict with adjacent uses. Density for senior or affordable housing shall be limited to 29 dwelling units per acre, plus a density bonus pursuant to the City's Code or consistent with State Density Bonus Law. Zoning standards for senior and affordable housing within the Industrial Marinship shall be consistent with R-3 Zoning Code standards."

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Cont.

The proposal above would provide the City with flexibility to incorporate senior and affordable housing where appropriate through a discretionary use permit process. It would also limit housing to locations that would not displace or remove existing maritime or industrial uses (including art uses), thus having no effect on existing maritime or industrial uses in the Marinship.

The proposal would involve minor edits to the General Plan Update EIR but would only require a plan-level analysis. Any specific future housing project is speculative at this time and would be analyzed as appropriate pursuant to CEQA when proposed. We expect that incorporating limited housing in the Marinship into the EIR would reduce air quality emissions, traffic, noise, and greenhouse gas emissions compared to the currently anticipated office and industrial uses in the Marinship. Therefore, we do not anticipate the change causing any substantial revisions or resulting in increased impacts. We encourage the City Council to seriously consider this proposal and to analyze it now, so that the City does not find itself in a position of non-compliance in the future.

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Thank you for your consideration of this important matter.

Sincerely,



Morgan Gallagher

Cc: Carlo Berg, Berg Holdings



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December 11, 2020

VIA E-MAIL

Lilly Whalen, Community Development Director, ATTN: DEIR COMMENTS
Community Development Department
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Sausalito, CA 94965
Email: deircomments@sausalito.gov

Re: Comments on Proposed Revised General Plan Draft EIR Dated October 27

Ms. Whalen:

This firm represents Berg Holdings, the owner of 2310, 2320, 2330, and 2350 Marinship Way (“Property”) in the City of Sausalito (“City”). The purpose of this letter is to provide the City with Berg Holdings’ comments on the proposed Revised General Plan EIR (“EIR”). For background, the Property currently contains two office buildings and surface parking.

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As an initial matter, we would like to incorporate by reference into this letter our comments in the attached comment letters dated August 5, 2020, September 1, 2020, November 9, 2020, and November 17, 2020, and Carlo Berg’s letter dated May 19, 2020.

As discussed further below, now is the time for the City to incorporate housing units required by community demand and Regional Housing Needs Assessment (“RHNA”) mandates into the General Plan Update and General Plan Update EIR. First, both quantifiable community exigency and RHNA requirements necessitate more housing in the City, particularly senior and affordable housing, and the City should plan for and analyze such housing now as part of its adoption of a long-term General Plan Update, rather than having to amend the General Plan a year from now. Secondly, CEQA requires the City to consider a reasonable range of alternatives, and it is not reasonable for the EIR to limit the alternatives considered in the EIR to a maximum of 375 new housing units, when forthcoming RHNA mandates likely will require almost double that number.

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Berg Holdings urges the City to incorporate into the General Plan Update and analyze in the EIR policies that would allow for senior housing projects in the Marinship through a discretionary use permit process.

1. The EIR Should Evaluate Housing Sites Sufficient to Meet the City’s RHNA Allocation.

The fundamental purpose of CEQA is to identify mitigation measures and alternatives early in the process so that plans can be modified to reduce environmental impacts. Countless studies demonstrate that one of the most effective means of reducing environmental impacts is to locate housing near jobs and in infill areas. The General Plan Update and EIR

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present a unique opportunity for environmental issues to inform the City's planning for where and how it will accommodate future housing need in the City. While the EIR analyzes some additional housing sites, it fails to analyze sufficient sites for the City to meet its current RHNA allocation, let alone its impending new allocation. Given state law requiring cities to plan for their fair share of the regional housing need, the development of additional housing in the City to meet RHNA obligations is reasonably foreseeable. The EIR should address, at the plan level, the environmental impacts of such foreseeable housing development.

A. The EIR Should Evaluate Housing Sufficient To Meet the City's Current RHNA Obligations.

The City is not providing enough housing to meet community demand and its current RHNA allocation. The City's progress on its RHNA allocation is shown in the table below. As shown, the City currently is meeting its RHNA allocation in only one category midway through the current RHNA planning cycle based on 2019 reporting data. On August 4, 2020, the California Department of Housing and Community Development ("HCD") announced its updated determination list of California cities that are deficient in meeting their RHNA allocations. The City is on HCD's updated determination list. Given the City's legal obligation to plan sufficient housing sites, the General Plan Update and EIR should address, at the plan level, the environmental impacts of building housing on a sufficient number of realistic sites to meet the City's current RHNA allocation.

City's Progress Toward Current RHNA Allocation			
Category:	RHNA Goal	City's Progress	Percent of RHNA Goal Met
Very Low	26	12	46%
Low	14	20	143%
Moderate	16	6	38%
Above Moderate	23	7	30%
Total	79	45	57%
Source: California Housing and Community Development, August 4, 2020			

B. The EIR Should Evaluate Housing Sufficient To Meet the City's Foreseeable Future RHNA Obligations.

In addition to the units that are required to be provided to meet current RHNA allocations, the City will soon enter into another RHNA cycle that is expected to substantially increase the number of required housing units. In June of this year, HCD released the Final RHNA Determination for the Bay Area, identifying a minimum need of 441,176 dwelling units. [https://www.hcd.ca.gov/community-development/housing-element/docs/abagrhna-final060920\(r\).pdf](https://www.hcd.ca.gov/community-development/housing-element/docs/abagrhna-final060920(r).pdf).

In October, the Association of Bay Area Governments ("ABAG") released its Draft RHNA Methodology, which assigned to the City a draft allocation of 726 new housing units, including 200 very low income, 115 low income, 115 moderate income, and 296 above moderate income units. The City will be required to plan for those units in its Housing Element by January 2023.

The EIR incorrectly asserts that potential environmental impacts associated with the next RHNA cycle will be analyzed in a separate CEQA process outside of the General Plan

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Cont.

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Update because it is too speculative to address potential future RHNA allocations in the General Plan Update EIR. (General Plan Update EIR, Page 2-7 and Page 3.12-7.) To the contrary, plan level analysis of the anticipated RHNA allocation is not speculative. While we understand that the City has challenged the methodology for arriving at its allocation, the fact remains that all Bay Area cities must receive substantially increased allocations in order to meet the regional need.

As such, it is reasonably foreseeable that the City's RHNA allocation will substantially increase, regardless of whether the number is exactly 726 units. There are only limited sites where such housing could feasibly be constructed. Given state law requiring cities to plan for their fair share of the regional housing need, the development of additional housing in the City to meet RHNA obligations is reasonably foreseeable. The EIR should address, at the plan level, the environmental impacts of such foreseeable housing development. The General Plan Update and associated EIR process is the ideal mechanism to analyze citywide housing opportunities.

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C. The EIR Should Analyze Opportunities for Senior and Affordable Housing, Consistent with Proposed General Plan Policies.

Appropriately, the City's proposed 2040 General Plan recognizes the importance of providing new senior and affordable housing in Policy LU-1.15 and Policy LU-1.19, excerpted below.

"Policy LU-1.15 Child Care and Residential Care Facilities. Permit child care facilities and residential care facilities as required by State law, ideally where such uses will have minimal impact on the surrounding neighborhood."

"Policy LU-1.19 Affordable Housing. Consider areas for affordable housing, workforce housing, senior housing, live/work spaces for artists, and maritime workers with long-term affordability in mind, as well as opportunities for water-based housing."

In addition to the General Plan policies above, the City has committed to increasing senior housing throughout the City through its Age Friendly Sausalito Community Action Plan. It was the first city in Marin County to join the WHO Global Network of Age Friendly Cities and Communities. The City's Municipal Code Chapter 10.28.070 also promotes senior housing.

While the General Plan policies, Municipal Code, and Community Action Plan encourage new senior housing opportunities, the draft General Plan Update EIR does not analyze *any* senior housing units in the City. Senior housing offers a unique opportunity to increase housing with lesser impact than comparable multi-family housing because of its lower trip generation and associated lower air quality, GHG, noise and related impacts.

The EIR's analysis under Impact LUP-2 in the EIR should be expanded to identify how the City's policies with respect to senior housing could be met, and how doing so could avoid or reduce environmental impacts. Currently, the EIR simply cites the General Plan policies above and Chapter 10.28.070 of the City's Code. The EIR should instead conduct a plan-level analysis of how senior housing could be accommodated throughout the City to show consistency with the draft General Plan Update and the impact reduction potential of such housing.

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The purpose of the EIR is to evaluate the potential environmental impacts associated with implementation of the General Plan, and to provide decision-makers and the public with information that allows them to evaluate the environmental consequences of the General Plan and the EIR's alternatives. Without considering the senior and affordable housing policies above in the EIR, the EIR does not fully analyze the impacts of the General Plan Update as required by CEQA.

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In addition to revisions to Impact LUP-2, the City should consider adopting Berg Holdings' proposal outlined in the section below to increase senior housing opportunities in the City.

D. The EIR Should Analyze Potential Housing Sites in the Marinship.

Berg Holdings has put forth a proposal that would meet General Plan goals and policies, including senior policies, to assist the City in meeting its RHNA requirements, and reduce environmental impacts. As discussed above, given the City's failure to meet RHNA requirements thus far in the current RHNA cycle and the expected substantial increase in required units during the next cycle, the City should start planning now for more housing, particularly senior and affordable housing. Commencing this planning now is as much a practical as a legal matter. It can take four or more years for a well-run project to go from conceptual design to serving the community in reality. This timeline is especially burdensome for seniors and those qualified for affordable housing who, by definition, need housing as soon as possible. The residents of this community cannot afford for the City to exclude additional housing from the current General Plan Update and EIR process. Waiting until 2023 or later will further delay and complicate the process and have the very real effect of not honoring the intent of the many Sausalito Land Use policies and programs that at their core recognize that seniors are an irreplaceable repository of social, intellectual and community culture value.

Parts of the Marinship are optimal for high-quality senior housing at-scale. Given the City's commitment to senior housing described above and the potential opportunity for a senior housing development in the Marinship, Berg Holdings recommends that the City include the following language in the General Plan Update and make corresponding edits in the EIR:

"Where appropriate in the Industrial Marinship designation, the City may approve affordable or senior housing with a Conditional Use Permit to assist in meeting RHNA and General Plan objectives, provided that such housing will not displace or remove existing marine or maritime industrial uses and will not be in conflict with adjacent uses. Density for senior or affordable housing shall be limited to 29 dwelling units per acre, plus a density bonus pursuant to the City's Code or consistent with State Density Bonus Law. Zoning standards for senior and affordable housing within the Industrial Marinship shall be consistent with R-3 Zoning Code standards."

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The language above would provide the City with discretion to allow senior housing units where appropriate and would require a determination that a senior housing project would not displace maritime uses and would not be in conflict with existing uses before approval. Only properties that are not currently/traditionally industrial, art or maritime uses could even be considered for senior housing. Berg Holdings believes this approach would provide the City with flexibility to incorporate senior housing where appropriate and would be consistent with the City's established goals and policies.

The change would require minor edits to the EIR, including a revised Table 2-2 to show additional projected residential units. From a CEQA perspective, the analysis to allow new

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senior units in the City would require only a plan-level analysis. Any specific future senior housing project is speculative at this time and would be analyzed as appropriate pursuant to CEQA when proposed.

Increasing residential units, particularly senior housing, in lieu of increased non-residential uses such as office, commercial, or industrial uses, would reduce air quality emissions, traffic, noise, and greenhouse gas emissions. With respect to traffic, vehicle miles traveled (“VMT”), the metric used to assess traffic impacts in the EIR, would be reduced if senior housing units were increased and office and other high trip generating uses were decreased. VMT is a function of trip generation rates multiplied by trip lengths. The trip generation rate for office is approximately 11-15 trips per 1,000 square feet. In comparison, the trip generation rate for senior housing is approximately 4-5 trips per resident. Trip generation would be reduced because seniors typically do not drive as often as office employees.

To provide a comparative example of the anticipated reduction in traffic, conversion of a 100,000 square foot office to 200 senior housing units would reduce daily trips by 300 trips, assuming a trip rate of 13 trips per 1,000 square feet for the office use and a conservative trip rate of 5 trips per resident for the senior housing units (100,000 square feet of office would generate 1,300 daily trips while 200 senior units would generate 1,000 daily trips).

Trip lengths would also be reduced compared to an office use because seniors typically do not drive as far as office employees. Therefore, overall traffic would be reduced with a senior housing use compared to an office use. Impacts that are largely based on traffic trips, such as air quality, noise, and greenhouse gas emission impacts, likewise would be reduced.

At a minimum, Berg Holdings requests that the City incorporate senior housing units into the EIR’s “Increased Mixed-Use Housing Alternative” so that City Council can consider an alternative with increased residential units, including senior housing units, which would align with the City’s General Plan, Municipal Code, and Community Action Plan. Currently, under the Increased Mixed-Use Housing Alternative, impacts are slightly increased compared to the General Plan Update because the alternative involves simply adding residential units to the development already anticipated by the General Plan Update. However, if senior and/or affordable housing units were analyzed in lieu of planned increases in office, industrial, or commercial uses, impacts would be reduced compared to buildout of the General Plan Update.

As discussed above, the City’s current RHNA allocation is anticipated to be 726 units. Even if the exact number is not 726 units, it is reasonably foreseeable that the City’s RHNA allocation will substantially increase. Currently, the EIR analyzes 375 new units in the City under the Increased Mixed-Use Housing Alternative and 304 new units under General Plan buildout, according to Table 4-3 in the EIR. Therefore, neither the General Plan Update buildout nor any of the alternatives analyze enough housing to meet projected RHNA goals.

CEQA requires that a reasonable range of alternatives must be analyzed in an EIR. (CEQA Guidelines §15126.6.) It is reasonable to assume that required RHNA mandates for the City will be at or near 726 new units. Thus, in order for the EIR’s range of alternatives to be adequate under CEQA, one of the alternatives must analyze a buildout scenario in which projected RHNA allocations are met.

This General Plan Update and EIR process is the appropriate time for the City to plan for and analyze additional housing opportunities, especially affordable and senior housing, to meet the community’s needs and the City’s current and anticipated future RHNA goals,

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particularly given the anticipated decrease in environmental impacts associated with increasing housing in the City. To that end, Berg Holdings strongly urges the City to consider its proposal.

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2. View Corridors

The EIR states that the General Plan seeks to preserve views of Richardson Bay from various view corridors within the Marinship, which are shown in EIR Exhibit 3.1-2. Three of the view corridors in Exhibit 3.1-2 are adjacent to the Property and one is on the Property.

The three View Corridors adjacent to the Property currently are blocked by trees and/or buildings and do not provide views of Richardson Bay, as shown and described in Carlo Berg's letter dated May 19, 2020 (attached). Therefore, the View Corridors should be removed from the exhibit. There is one View Corridor identified on the Property, Corridor H, that has a view of a hill on one side with no view of Richardson Bay. Therefore, we request that one side of the view corridor identified on the Property from Exhibit 3.1-2 be deleted.

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Given the fact that the views from the view corridors to the Bay identified in Exhibit 3.1-2 currently are blocked, Impact AES-1 should conclude that development facilitated by the 2040 General Plan would not have a substantial adverse effect on a scenic vista in these locations because under existing conditions, no scenic vista exists.

3. Physical Division of a Community

Impact LUP-1 states that by promoting marine related industrial and waterfront uses in the Marinship, and by preserving existing general industrial uses in the Marinship, the General Plan would not result in physical division of an established community. However, redevelopment of a particular site in the Marinship as a non-industrial use would not physically divide an established community. Division of a community typically occurs when a physical barrier traverses through an established neighborhood, such that the neighborhood is no longer connected. Changing an existing use to a new use does not physically divide a community as long as the new use is compatible with surrounding uses, and concluding as such is not appropriate under CEQA.

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We request that the discussion under Impact LUP-1 in the EIR clarify that the standard for physical division of a community is not dependent on preserving or promoting a certain land use.

4. Hazardous Materials

The EIR notes that the City contains previous ship building facilities that may contain lead-based paint and other hazardous materials. It concludes that 2040 General Plan policies and programs would require Phase I hazardous materials investigations at potentially contaminated sites prior to approval of development. The Property does not have a history of heavy manufacturing. A Phase I assessment for the Property concluded that significant chemicals likely were not utilized on the Property and the prior Marinship use does not present an apparent concern. No records regarding the use of regulated materials, underground storage tanks or releases were identified to indicate concerns associated with former buildings on the Property.

21

In addition to the Phase 1 hazardous materials investigation, samples of the existing fill on the Property were collected and analyzed to "screen" the material for potential contamination. Samples of the fill were collected from two areas generally located within the

Lilly Whalen
December 11, 2020
Page 7

northern and southern portions of the site. The samples were combined to form a single composite sample which was tested for the following:

- CAM 17 Metals
- Total Petroleum Hydrocarbons (as gas, diesel and motor oil)
- Volatile and Semi-Volatile Organic Compounds
- Polychlorinated Biphenyls (PCBs)

The San Francisco Bay Regional Water Quality Control Board (SFRWQCB) has developed Environmental Screening Levels (“ESLs”) for use in screening sites for potential contamination. While the ESLs are not intended to establish policy or regulation, they are often used to help expedite the identification and evaluation of potential environmental concerns for a given site. The measured concentrations and corresponding ESL for the CAM 17 Metals, Total Petroleum Hydrocarbons and Semi-Volatile Organic Compounds on the Property are summarized in a table on Page 5 of the attached letter dated August 5, 2020.

Volatile Organic Compounds and PCBs were not detected in the laboratory testing and are therefore not included in the table on Page 5 of the attached August 5th letter. The test results indicate that all chemicals are below the Tier 1 ESLs with the exception of Arsenic and Vanadium. As discussed in Chapter 12 of the SFRWQCB ESL User’s Guide, the natural background concentration of a chemical can vary substantially and background concentrations that exceed the ESLs for Arsenic and Vanadium have been reported in the Bay Area. The User’s Guide provides several sources for published background values for metals which could be considered for sites in the Bay Area. As shown in the table below, the measured values from the analytical testing are within the published range of these background values.

Comparison of Laboratory Test Results and Published Background Levels

Chemical	Concentration from Laboratory Testing (mg/kg)	Published Range of Background Level¹ (mg/kg)
Arsenic	6.7	0.6 to 11.0
Vanadium	40	39 to 288

1. Values taken from *Background Concentrations of Trace and Major Elements in California Soils*, published by the Kearney Foundation of Soil Science Division of Agriculture, March 1996.

Given the lack of any hazardous materials on the Property, Berg Holdings requests a statement to be added to the EIR clarifying that policies requiring future site investigations, preparation of hazardous materials reports, preparation of hazardous materials business plans, and monitoring/inspections are not required for sites that can demonstrate an absence of hazardous materials of concern.

5. Archaeological Sensitivity Zones

EIR Exhibit 3.4-1 identifies the Property in archaeological sensitive “Zone 3.” The rationale for including the Property in Zone 3 appears to be that World War II supply ships were constructed in the Marinship and, at that time, marshlands fill may have displaced indigenous sites. The analysis under Impact CUL-2 states that there are known prehistoric resources sites in southern areas of the City near the waterfront.

The discussion under Impact CUL-2 references Exhibit 3.4-3, which does not appear in the document. Reference to Exhibit 3.4-3 should be corrected in the EIR. Further, the

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Lilly Whalen
December 11, 2020
Page 8

EIR does not indicate that archeological resources have been identified on the Property. By this letter, Berg Holdings requests that the EIR be clarified to indicate that no archaeological resources have been identified on the Property.

Thank you for your consideration of these important matters.

Sincerely,



Margo Bradish

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Cont.



May 19, 2020

General Plan Working Group
City Of Sausalito
420 Litho Street
Sausalito, CA 94965

Re: Land Use and Community Design Elements of 2020 General Plan

Dear Members of the General Plan Working Group:

This letter is submitted in advance of your May 19, 2020, meeting to consider the Land Use and Community Design Elements of the 2020 General Plan. As you know, we have been active participants in the General Plan update process thus far and have submitted a letter regarding the Land Use Element already. At your last meeting, the comments in our previous letter did not seem to get much traction with the Working Group. Much of the reticence to even *consider* our position for extremely limited opportunities for senior housing in the Marinship and opportunities for market rate, affordable, and continuum of care senior housing city-wide, appeared to be based on the erroneous assumption that senior housing, which all admit is so desperately needed, will somehow get built elsewhere in the City. As time has proven, this unfortunately is simply not the case. Our land use language doesn't obligate the city to any changes of use and would encourage the discussion of legitimate concerns in a documented and formalized manner instead of in abstract. If the public is against a senior use on any particular site, this language actually gives the people the ability to respond formally such that the merits and detriments of any proposal may be examined in detail.

Other comments about our proposed General Plan edits were founded in a theory that somehow the *already existing* (Prior to the MSP) office buildings at Marina Plaza might somehow be converted in the future into industrial spaces. This unfortunately is not possible given the large delta in face rates between the two uses, the lack of large industrial tenants in the market, and the significant costs and rentable foot reducing changes needed to modify the structures themselves that would be required. If it was actually feasible to convert the area to a "mixed use industrial development" as allowed by the MSP, then in the last 45 years someone would have at least done an analysis and made a market rate offer on the site knowing that they could generate alpha, but they have not. Accordingly, the net effect of not at least allowing the ability to just *consider* extremely limited opportunities for senior housing in the Marinship is that a current non-desirable nonconforming use i.e. office, will simply continue in perpetuity. This seems like an irrational result if the desire to take a real look at senior housing possibilities is in earnest.

Lastly, as was pointed out explicitly in the previous meeting, I engaged a local land use attorney to help draft the GP edits proposed below to ensure they are legally adequate. This seemed to be almost

2330 MARINSHIP WAY SUITE 125 - SAUSALITO - CA
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frowned upon, and I was a bit at a loss why that might be. I don't know what I don't know, and only want to give the highest quality and most legally correct comments to the working group.

LAND USE ELEMENT

Sausalito was the first city in Marin County to join the WHO Global Network of Age Friendly Cities and Communities. To this end, our family-run business is exploring the potential for new senior housing in Sausalito. A very limited approach to considering senior housing in the Marinship could balance the goals of preserving this part of the City, while acknowledging the desperate need for new senior housing. With that balance in mind, we ask that you carefully consider the following edits to the draft land use element which we have changed from our last comment to be even more balanced and fitting.

*Policy LU-1.19. **Affordable and Senior Housing.** Consider areas and opportunities for affordable housing, workforce housing, senior housing, live/work spaces for artists, water-based housing, and affordable housing for maritime workers with long-term affordability in mind, as well as opportunities for water-based housing.*

LU-1.19.1. **Housing Element.** Identify locations city-wide (including those on the water) and funding sources to produce housing for seniors, and Very Low, Low, and Moderate- Income households in each Housing Element cycle.

LU-1.19.2. **Zoning Overlays and/or Changes.** Consider the feasibility of overlay districts and/or zoning changes that would facilitate the provision of new housing units, particularly units for seniors and live/work spaces for artists and maritime workers, during a public process of updating the Zoning Ordinance.

We also ask that you strongly consider the following new policy, which would greatly limit the sites at which senior could be considered to those that are currently nonconforming, and would also require a full CUP process for any application such that the City retains full authority:

LU-4.2.1(f) On any specific parcel, senior or live/work housing should be conditionally permitted only at sites not currently or traditionally occupied by maritime or industrial uses. Any application for such a conditional use permit should analyze not only potential displacement of maritime or industrial uses at the site, but also compatibility with any adjoining maritime or industrial uses in regards to noise, dust, fumes, and other such factors.

The edits proposed above only allow for the consideration of residential uses in the Marinship on the most limited of terms, and only via a CUP process. **Only properties that haven't been traditionally utilized in conformance with the Marinship's maritime and industrial goals could even be considered**, and only senior or live/work opportunities would be options, with no displacement of existing maritime or industrial uses onsite or nearby. For example, an industrial warehouse or marine commercial services building could not be considered. **Under this system, there would be no loss of maritime or industrial uses.**

Concern about co-locating senior housing in an area that allows for industrial uses is real. However, certain sites, like Marina Plaza, are not subject to noise or dust the way other sites may be. I know this, because my office is on the first floor nearest to the Boatworks pull out. In fact, our harbor tenants and other folks routinely enjoy the shoreline park/pathway on our property, and the nearby Marinship Park, which are directly adjacent to the nearby boatyard. Modern construction methods that help meet IBC and state STC requirements make noise attenuation achievable should there be any issue. Moreover, the EIR addresses much of this directly with the majority of the noise levels not rising to a level where it is not possible to mitigate them easily.

Various comments were made about senior housing that seemed to ignore the economic reality of what it takes to build such projects. Other sites were mentioned, such as the City's corporation yard. The land costs alone make the utilization of these sites nearly infeasible, as has been proved by the near total lack of any new senior housing in the city. We heard comments from at least two folks associated with the building of Sausalito's 38 units of senior housing where they outright stated they have also analyzed other sites and it is not clear how more could be built in the current environment.

Affordability was also mentioned and, it's true, comprehensive care for seniors is expensive because of the hard and soft costs associated with construction but also because the services seniors will typically require typically increase over time as more care is needed. If one needs 24/7 nursing care, then clearly healthcare professionals need to derive a market rate salary to compensate them for their services which is one of the reasons administration, insurance, and other fixed costs of a senior community are higher than almost any other type of residential community. When folks hear high "rent" numbers they sometimes think that is exclusive of services, in reality "rent" often times includes healthcare. As our land use attorney mentioned, the provision of market rate units often is the only thing that pays for inclusionary units. This financial reality must be recognized, as holding out for 100% affordable projects will be a disappointing endeavor to seniors city-wide and will not serve the current and (likely) future housing elements goals for continuum of care housing.

Our proposed edits strike a balance between the dire need for new senior housing in the flats of the City, with the long standing and admirable goal of preserving the Marinship. Through the use of a site-by-site CUP process, it would not "open the door" for anything other than the chance to take a look a limited subset of sites, this is why I asked a land use attorney to double check it.

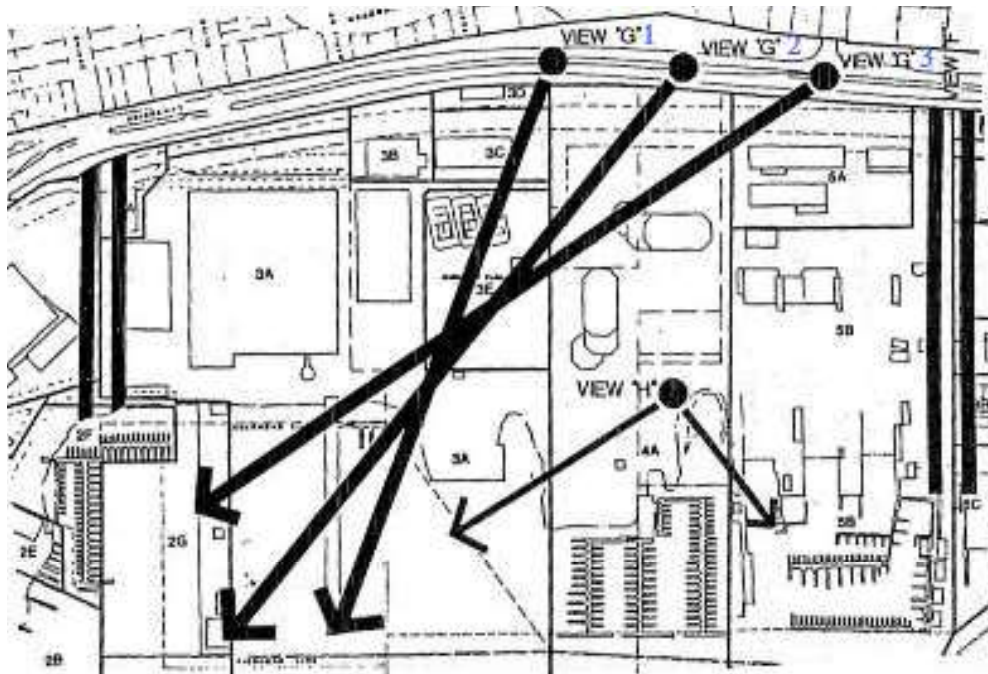
COMMUNITY DESIGN ELEMENT

The public view corridor section of the Community Design Element is factually and legally problematic. The stated intent of folding the Marinship Plan into the General Plan was to carry over the MSP's policies. That has not happened in regard to the view corridor section. Instead, corridors that were previously listed as "desired," or "suggested," have been lumped in with corridors previously listed as "required." This matters because certain of the "desired" or "suggested" corridors are unrealistic to ever be opened.

For instance, in between the Army Corps Boat Dismantling Yard and the City's Marinship Park, at least 20 trees over 65 feet partially obscure a "G" denoted non-required corridor. If this is to be a real view corridor, at least some of these trees likely would need to be taken down.



From a practical standpoint, I have included below a depiction of the view corridors from the MSP itself. If you hover your mouse over the corridors letters, which I have labeled numerically for clarity and double click it will take you to photos of the views of the non-required corridors themselves. As one can see, there isn't much to see from a "walking on the sidewalk" perspective, which is essentially the only way one could even look at the areas of the suggested and desired view corridors anyway since one cannot enjoy it in a moving car and there are no homes directly across the street. This is to say nothing of the fact that activities these corridors were purposely for i.e. "commercial fishing" no longer exist. Non-required corridor "H" looks directly into a hill about 20 feet away on one side. The MSP did not consider non-required view corridors "Significant" per the language of the GPU to be "Required," it even explicitly did not prohibit structures in them and intersected with existing structures. Therefore, these non-required items should be removed altogether.



General Plan goals, such as maintaining public view corridors, should be realistic and achievable. Some of the corridors proposed can and should be maintained, but others, like G and H, are not realistic to ever implement. Secondly, choosing view corridors that intersect with large existing commercial buildings on private property, and then escalating those from desired to seemingly required, not only misrepresents the MSP, but is incredibly legally problematic from the perspective of private property rights. The City could end up having to pay for public views over private land, which can't possibly be the desired outcome.

CONCLUSION

We know the City and it's citizens are genuine in the desire to see real chances for new senior housing in Sausalito. However, the realities of what it takes to see such a thing actually occur need to be recognized and balanced. Our proposal is legally sturdy, very limited in scope, considers senior housing of all types, and most importantly **does not open the door to housing throughout the Marinship.** It would simply allow the City the opportunity to *consider* a project. The changes proposed don't automatically approve anything, but would at least allow detailed review of an application.

Thanks Everybody!

With Respect and Candor,

X 
Carlo Berg
Managing Director - Berg Holdings

CC: M-Group



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Morgan Gallagher
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August 5, 2020

VIA E-MAIL

Lilly Whalen, Community Development Director
Community Development Department
City of Sausalito
420 Litho Street
Sausalito, CA 94965
Email: CDD@sausalito.gov

Re: Comments on Proposed 2040 General Plan and 2040 General Plan Draft EIR

Ms. Whalen:

This firm represents Berg Holdings, the owner of 2310, 2320, 2330, and 2350 Marinship Way (“Property”) in the City of Sausalito (“City”). The purpose of this letter is to provide the City with Berg Holdings’ comments on the proposed 2040 General Plan and 2040 General Plan Draft EIR. For background, the Property currently contains two office buildings and surface parking. It is designated Industrial and Waterfront in the current draft of the 2040 General Plan.

Senior Housing Should Be Incorporated Into The General Plan Update and EIR

The City needs to provide more housing, particularly senior housing, to meet community demand and its Regional Housing Needs Assessment (“RHNA”) goals. The City’s progress on its RHNA goals is shown in the table below. As shown, the City currently is meeting its RHNA goals in only one category midway through the current RHNA planning cycle based on 2019 reporting data. On August 4, 2020, the California Department of Housing and Community Development (“HCD”) announced its updated determination list of California cities that are deficient in their Moderate income RHNA goals. The City is on HCD’s updated determination list.

City’s Progress Toward RHNA Goals			
Category:	RHNA Goal	City’s Progress	Percent of RHNA Goal Met
Very Low	26	12	46%
Low	14	20	143%
Moderate	16	6	38%
Above Moderate	23	7	30%
Total	79	45	57%
Source: California Housing and Community Development, August 4, 2020			

The City's proposed 2040 General Plan recognizes the importance of providing new senior housing in Policy LU-1.15 and Policy LU-1.19, excerpted below.

"Policy LU-1.15 Child Care and Residential Care Facilities. Permit child care facilities and residential care facilities as required by State law, ideally where such uses will have minimal impact on the surrounding neighborhood."

"Policy LU-1.19 Affordable Housing. Consider areas for affordable housing, workforce housing, senior housing, live/work spaces for artists, and maritime workers with long-term affordability in mind, as well as opportunities for water-based housing."

In addition to the General Plan policies above, the City has committed to increasing senior housing throughout the City through its Age Friendly Sausalito Community Action Plan. It was the first city in Marin County to join the WHO Global Network of Age Friendly Cities and Communities. The City's Municipal Code Chapter 10.28.070 also promotes senior housing.

While the General Plan policies, Municipal Code, and Community Action Plan encourage new senior housing opportunities, the proposed 2040 General Plan does not allow new senior housing units in the Marinship and the draft General Plan EIR does not account for any senior housing units. Given the City's commitment to senior housing, we recommend the following addition to the 2040 General Plan Update to allow limited senior housing units in the Marinship Industrial designation:

"Where appropriate in the Industrial Marinship designation, the City may approve affordable or senior housing with a Conditional Use Permit to assist in meeting RHNA and General Plan objectives, provided that such housing will not displace or remove existing marine or maritime industrial uses and will not be in conflict with adjacent uses. Density for senior or affordable housing shall be limited to 29 dwelling units per acre, plus a density bonus pursuant to the City's Code or consistent with State Density Bonus Law. Zoning standards for senior and affordable housing within the Industrial Marinship shall be consistent with R-3 Zoning Code standards."

The language above would provide the City with discretion to allow senior housing units where appropriate and would require a determination that a senior housing project would not displace maritime uses and would not be in conflict with existing uses before approval. Only properties that are not currently industrial maritime uses could even be considered for senior housing. Berg Holdings believes this approach would provide the City with flexibility to incorporate senior housing where appropriate and would be consistent with the City's established goals and policies. The change would require corresponding edits to the EIR, including a revised Table 2-2 to show additional projected residential units. From a CEQA perspective, the analysis to allow new senior units in the City would require only a plan-level analysis. Any specific future senior housing project is speculative at this time and would be analyzed as appropriate pursuant to CEQA when proposed.

In addition to edits to the EIR to allow for senior housing units, the EIR's analysis under Impact LUP-2 in the EIR should be expanded to identify how the City's policies with respect to senior housing could be met. Currently, the EIR simply cites the General Plan policies above and Chapter 10.28.070 of the City's Code. The EIR should instead conduct a plan-level analysis of how senior housing could be accommodated throughout the City to show consistency with the draft General Plan.

By this letter, Berg Holdings requests that the City make the changes above to the 2040 General Plan and EIR to consider and fully analyze senior housing units throughout the City, and within the Marinship. At a minimum, Berg Holdings requests that the City incorporate senior housing units into the EIR's "Increased Mixed-Use Housing Alternative" so that City Council can consider an alternative with increased residential units, including senior housing units, which would align with the City's General Plan, Municipal Code, and Community Action Plan.

Under either of these scenarios, the EIR should note that increasing residential units, particularly senior housing, in lieu of non-residential uses such as office or industrial uses, would reduce air quality emissions, traffic, noise, and greenhouse gas emissions. With respect to traffic, vehicle miles traveled ("VMT"), the metric used to assess traffic impacts in the EIR, would be reduced if senior housing units were increased and office/industrial uses were decreased. VMT is a function of trip generation rates multiplied by trip lengths. The trip generation rate for office is approximately 11-15 trips per 1,000 square feet. In comparison, the trip generation rate for senior housing is approximately 4-5 trips per resident.

To provide a comparative example of the anticipated reduction in traffic, conversion of a 100,000 square foot office to 200 senior housing units would reduce daily trips by 300 trips, assuming a trip rate of 13 trips per 1,000 square feet for the office use and a conservative trip rate of 5 trips per resident for the senior housing units (100,000 square feet of office would generate 1,300 daily trips while 200 senior units would generate 1,000 daily trips). Trip lengths would also be reduced compared to an office use because seniors typically do not drive as far as office employees. Therefore, overall traffic would be reduced with a senior housing use compared to an office use. Impacts that are largely based on traffic trips, such as air quality, noise, and greenhouse gas emission impacts, likewise would be reduced.

View Corridors "G" and "H"

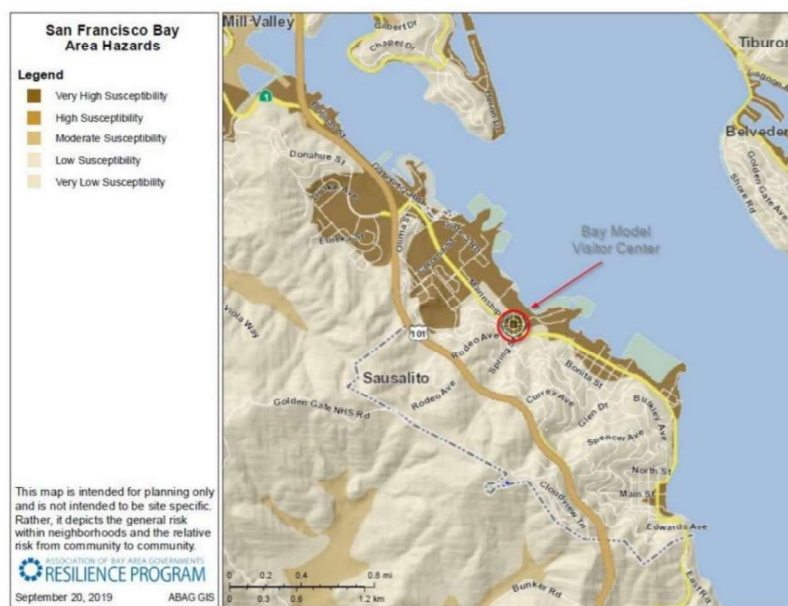
The EIR identifies a goal to preserve view corridors of Richardson Bay from locations in the Marinship, including View Corridors "G," and "H," and "J." However, these View Corridors currently are blocked by barriers and do not provide views of Richardson Bay. View Corridor "G" is blocked by at least 20 trees over 65 feet in height and View Corridor "H" is a view of a hill approximately 20 feet from the location identified as View Corridor "H." The view from View Corridor "J" likewise currently is blocked by a building. Given the fact that the views from View Corridors "G," "H," and "J" currently are blocked, Impact AES-1 should conclude that development facilitated by the 2040 General Plan would not have a substantial adverse effect on a scenic vista in these locations because under existing conditions, no scenic vista exists.

Physical Division of a Community

Impact LUP-1 states that by promoting marine related industrial and waterfront uses in the Marinship, and by preserving existing general industrial uses in the Marinship, the General Plan would not result in physical division of an established community. However, redevelopment of a particular site in the Marinship as a non-industrial use would not physically divide an established community. Division of a community typically occurs when a physical barrier traverses through an established neighborhood, such that the neighborhood is no longer connected. Changing an existing use to a new use does not physically divide a community as long as the new use is compatible with surrounding uses. We request that the discussion under Impact LUP-1 in the EIR clarify that the standard for physical division of a community is not dependent on preserving or promoting a certain land use.

Liquefaction Hazards

Exhibit 3.6-3 of the EIR shows the Property in a Very High Liquefaction Susceptibility area. However, Berg Holdings has prepared a Geotechnical Report that shows the Property is not subject to liquefaction. Additionally, the May 2020 Army Corps of Engineers' Bay Model Master Plan shows the southwestern portion of the site located within a Very Low Susceptibility zone for liquefaction, as shown below.



Therefore, we request that the City revise Exhibit 3.6-3 to remove the Property from the Very High Liquefaction Susceptibility area.

Hazardous Materials

The EIR notes that the City contains previous ship building facilities that may contain lead-based paint and other hazardous materials. It concludes that 2040 General Plan policies and programs would require Phase I hazardous materials investigations at potentially contaminated sites prior to approval of development. Berg Holdings agrees with that conclusion and would like to note that the Property does not have a history of heavy manufacturing. A Phase I assessment has been prepared for the Property, which concluded that significant chemicals were not likely utilized on the Property and the prior Marinship use does not present an apparent concern. No records regarding the use of regulated materials, underground storage tanks or releases were identified to indicate concerns associated with former buildings on the Property.

In addition to the Phase 1 hazardous materials investigation, samples of the existing fill were collected and analyzed to "screen" the material for potential contamination. Samples of the fill were collected from two areas generally located within the northern and southern portions of the site. The samples were combined to form a single composite sample which was tested for the following:

- CAM 17 Metals
- Total Petroleum Hydrocarbons (as gas, diesel and motor oil)
- Volatile and Semi-Volatile Organic Compounds
- Polychlorinated Biphenyls (PCBs)

The San Francisco Bay Regional Water Quality Control Board (SFRWQCB) has developed Environmental Screening Levels (“ESLs”) for use in screening sites for potential contamination. While the ESLs are not intended to establish policy or regulation, they are often used to help expedite the identification and evaluation of potential environmental concerns for a given site. The measured concentrations and corresponding ESL for the CAM 17 Metals, Total Petroleum Hydrocarbons and Semi-Volatile Organic Compounds are summarized in the table below.

Comparison of Laboratory Test Results and SFRWQCB ESLs

Type of Testing	Chemical	Concentration from Laboratory Testing (mg/kg)	Tier 1 ESL Concentration for Soil (mg/kg)
CAM 17 Metals	Antimony	Not Detected	1.1E+01
	Arsenic	6.7	6.7E-02
	Barium	130	3.9E+02
	Beryllium	Not Detected	5.0E+00
	Cadmium	1.8	1.9E+00
	Chromium	55	1.6E+02
	Cobalt	13	2.3E+01
	Copper	39	1.8E+02
	Lead	16	3.2E+01
	Mercury	Not Detected	1.3E+01
	Molybdenum	Not Detected	6.9E+00
	Nickel	72	8.6E+01
	Selenium	Not Detected	2.4E+00
	Silver	Not Detected	2.5E+01
	Thallium	Not Detected	7.8E-01
	Vanadium	40	1.8E+01
	Zinc	63	3.4E+02
Total Petro. Hydro-cabons	TPH as Diesel	Not Detected	2.6E+02
	TPH as Gasoline	Not Detected	1.0E+02
	TPH as Motor Oil	Not Detected	1.6E+03
Semi-Volatile Organic Compounds	Acenaphthene	2.7E-03	1.2E+01
	Acenaphthylene	Not Detected	6.4E+00
	Anthracene	Not Detected	1.9E+00
	Benzo (a) anthracene	4.6E-03	6.3E-01
	Benzo (a) pyrene	2.0E-03	1.1E-01
	Benzo (b) fluoranthene	5.4E-03	1.1E+00
	Benzo (g,h,i) perylene	Not Detected	2.5E+00
	Benzo (k) fluoranthene	3.4E-03	2.8E+00
	Chrysene	9.5E-03	2.2E+00
	Dibenz (a,h) anthracene	Not Detected	1.1E-01
	Fluoranthene	3.8E-03	6.9E-01
	Fluorene	2.5E-03	6.0E+00
	Indeno (1,2,3-cd) pyrene	Not Detected	4.8E-01
	Naphthalene	4.1E-03	4.2E-02
	Phenanthrene	9.8E-03	7.8E+00
	Pyrene	7.9E-03	4.5E+01

Volatile Organic Compounds and PCBs were not detected in the laboratory testing and are therefore not included in the table above. The test results indicate that all chemicals are below the Tier 1 ESLs with the exception of Arsenic and Vanadium. As discussed in Chapter 12 of the SFRWQCB ESL User's Guide, the natural background concentration of a chemical can vary substantially and background concentrations that exceed the ESLs for Arsenic and Vanadium have been reported in the Bay Area. The User's Guide provides several sources for published background values for metals which could be considered for sites in the Bay Area. As shown in the table below, the measured values from the analytical testing are within the published range of these background values.

Comparison of Laboratory Test Results and Published Background Levels

Chemical	Concentration from Laboratory Testing (mg/kg)	Published Range of Background Level¹ (mg/kg)
Arsenic	6.7	0.6 to 11.0
Vanadium	40	39 to 288

1. Values taken from *Background Concentrations of Trace and Major Elements in California Soils*, published by the Kearney Foundation of Soil Science Division of Agriculture, March 1996.

Tsunami Hazard Zones

Exhibit 3.9-3 of the EIR shows the Property within the Tsunami Hazard Zone. However, the EIR does not state the source of the information that was used to map the inundation area shown in Exhibit 3.9-3. We request that the City revise the EIR to identify the source for this information and, if appropriate, amend the Tsunami Hazard Zone map accordingly.

Archaeological Sensitivity Zones

Exhibit 3.4-1 in the EIR identifies the Property in archaeological sensitive "Zone 3." The rationale for including the Property in Zone 3 appears to be that World War II supply ships were constructed in the Marinship and, at that time, marshlands fill may have displaced indigenous sites. The analysis under Impact CUL-2 states that the properties identified in Exhibit 3.4-1, including "Zone 3," are "known prehistoric resource sites." It then notes that only a small portion of the General Plan Area has been previously surveyed for archaeological resources. The EIR does not indicate that archeological resources have been identified on the Property or even that the Property has been surveyed for archaeological resources. As such, the Property should not be identified as a "known prehistoric resource site" in the EIR. We request that the City remove the Property from Zone 3 in Exhibit 3.4-1 or, at a minimum, clarify in the analysis of Impact CUL-2 that the Property is not a known prehistoric resource site.

Lilly Whalen
August 5, 2020
Page 7

Thank you for your consideration of these important matters. Please add us to the list to receive notice of any documents, meetings, hearings or other proceedings regarding the General Plan Update and General Plan Update EIR.

Sincerely,

A handwritten signature in black ink, reading "Morgan Gallagher". The signature is written in a cursive, flowing style.

Morgan Gallagher



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Margo Bradish
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September 1, 2020

VIA E-MAIL

Mayor Cleveland-Knowles and
Members of the City Council
City of Sausalito
420 Litho Street
Sausalito, CA 94965
Email: hscoble@sausalito.gov

Re: Comments on September 1, 2020 New General Plan Objectives, Policies and Programs

Mayor Cleveland-Knowles and Members of the City Council:

This firm represents Berg Holdings, the owner of 2310, 2320, 2330, and 2350 Marinship Way (“Property”) in the City of Sausalito (“City”). The purpose of this letter is to provide the City Council with Berg Holdings’ comments on the new General Plan Objectives, Policies, and Programs that the Council will be considering this evening. For background, the Property currently contains two office buildings and surface parking. It is designated Industrial and Waterfront in the current draft of the 2040 General Plan and is within the “Marinship” in the General Plan “Neighborhoods” figure. It is also within the boundaries of the Marinship Specific Plan.

As noted in Berg Holdings’ comment letter on the proposed 2040 General Plan and EIR dated August 5, 2020 (attached), the City needs to provide more housing, particularly senior housing, to meet community demand and its Regional Housing Needs Assessment (“RHNA”) goals. The City currently is meeting its RHNA goals in only one category midway through the current RHNA planning cycle based on 2019 reporting data.

The City has committed to increase senior housing throughout the City through its Age Friendly Sausalito Community Action Plan. In addition, the June 2020 draft of the City’s proposed 2040 General Plan recognized the importance of providing new senior and affordable housing in Policy LU-1.15 and Policy LU-1.19, excerpted below.

“Policy LU-1.15 Child Care and Residential Care Facilities. Permit child care facilities and residential care facilities as required by State law, ideally where such uses will have minimal impact on the surrounding neighborhood.”

“Policy LU-1.19 Affordable Housing. Consider areas for affordable housing, workforce housing, senior housing, live/work spaces for artists, and maritime workers with long-term affordability in mind, as well as opportunities for water-based housing.”

The September 1, 2020 City Council Staff Report states that the General Plan Advisory Committee (GPAC) directed age-friendly policy language to be incorporated into the General Plan early in the GPAC process. However, such language was inadvertently never

drafted. The omitted age-friendly policy language, included in Attachment 1 to the September 1, 2020 Staff Report, emphasizes that the City is dedicated to supporting the City's senior community. It proposes new Policies and Programs to foster and promote senior and affordable housing opportunities throughout the City. The following Policies and Programs, among others, will be considered by Council this evening:

"Policy LU-1.20 Age-Friendly Community. Promote residential land uses that support Sausalito's senior community, particularly those with mobility, sensory and other limitations or who need assistance with activities of daily living."

"Program LU-1.20.1 Age-Friendly Plan. Maintain and update as necessary the Age-Friendly Sausalito Community Action Plan. Periodically monitor progress on plan implementation to be consistent with World Health Organization Age-Friendly Global Network and Livable Communities principles and guidelines."

"Program LU-1.20.3 Aging in Community. Support residential land uses and circulation policies that will allow Sausalito residents to maintain community engagement while moving to a more age-friendly residence. These may include (but are not limited to) accessory dwelling units (LU-1.12), senior housing (LLU-1.19), and residential care housing (LU-1.20.5) as well as promoting equitable transportation (CP-7.4) and senior transportation (CP-2.6.4)."

"Program LU-1.20.5 Residential Care Facilities. Encourage the creation of Residential Care Facilities which can use existing or new housing stock to support seniors aging in place in small group homes with six or fewer residents."

"Policy LU-1.21 Welcoming Community. Make land use decisions to support a diverse and welcoming community to reduce the impact and mitigate for past exclusionary outcomes."

"Program LU-1.21.1 Housing Opportunities. When updating the Housing Element, consider regulatory reforms that would create more housing opportunities for low-income households and remove discriminatory regulations regarding housing tenure and deviations between market rate and affordable units."

"Program LU-1.21.2 Age Friendly Homes. Expand the Age Friendly Home Adaptation Grant Program to low income households for energy efficiency projects."

"Program LU-1.21.3 Housing and Access. When updating the Housing Element, consider zoning incentives for proposed developments that incorporate walkability, access to fresh foods, and access to services, all of which are needed to achieve an equitable built environment."

Berg Holdings commends the City's commitment to providing senior and affordable housing in the community and encourages Council to support the proposed Policies and Programs listed above.

Given the City's stated dedication to providing additional senior and affordable housing opportunities throughout the City and the Marinship Specific Plan's prohibition on any new residential uses, Berg Holdings hereby requests that the Council consider removing the Property from the Marinship designations under both the General Plan and the Marinship Specific Plan, subject to allowing existing office uses to remain legal conforming uses in the

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Industrial designation (whether inside or outside the Marinship). In addition, consistent with our prior request, we recommend the Council consider allowing limited affordable and senior housing opportunities on Industrial designated properties, but only outside of the Marinship. As indicated in the language in our prior letter, attached, this approach would include requiring a determination that a senior or affordable housing project is consistent with adjacent uses in the Marinship prior to approval. Berg Holdings believes this approach would provide the City with flexibility to incorporate senior and affordable housing where appropriate and would be consistent with the City's established goals and policies, including the new Policies and Programs proposed for the City Council's consideration this evening.

Thank you for your consideration of this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Margo Bradish", written in a cursive style.

Margo Bradish



Sausalito Low Emissions Action Plan

“LEAP”

Authored by:

The Sausalito Sustainability Commission

April 18, 2019
(Revised 11/17/2020)

Introduction

As part of an overall objective to achieve sustainability for the city, the Sausalito Sustainability Commission is actively pursuing solutions to address climate change for the benefit of all Sausalito residents and businesses. As part of this overall objective, the Sausalito Sustainability Commission has prepared this Low Emissions Action Plan (LEAP) to achieve low carbon emissions within the city as near-term as possible in order to meet or exceed the next California statewide goal of reducing emissions 40% below the 2005 baseline by 2030.

The Sustainability Commission requests that this plan is formally approved by the City Council, enabling these recommendations to be appropriately integrated into city operations. This will allow Sausalito to achieve a more sustainable, resilient, secure, and economically-viable future.

Note that these recommendations are consistent with recent plans developed by other cities in Marin County, demonstrating alignment with countywide solutions to address carbon emissions. The plan is intended to provide the city with specific goals and actions at an outline level; the Sustainability Commission will then work with the city to develop subsequent implementation details.

Update: as part of the General Plan process, the solutions recommended in this plan have now been incorporated into the Sustainability element of the General Plan.

Background – Greenhouse Gas Emissions and Climate Change

In January 2019, the Sausalito Sustainability Commission delivered a summary of the latest [Intergovernmental Panel on Climate Change](#) (IPCC) report. The IPCC is an intergovernmental body of the United Nations, dedicated to providing the world with an objective, scientific view of climate change and its political and economic impacts.

The IPCC report states that we have less than 12 years, until approximately 2030, to achieve major cuts in our greenhouse gas (GHG) emissions such that the Earth's climate will warm only 1.5 degrees Celsius (2.7 degrees Fahrenheit) – reaffirming this worldwide goal. The report asserts that Greenhouse pollution must be reduced 45 percent from 2010 levels by 2030 and 100 percent by 2050. This is direct context for the Sustainability Commission's recommendations in this Sausalito Low Carbon Plan.

The three critical takeaways from the IPCC Report Summary are:

1. The impacts and costs of 1.5 degrees Celsius (2.7 degrees Fahrenheit) of global warming will be far greater than expected. The past decade has seen an astonishing run of record-breaking storms, forest fires, droughts, coral bleaching, heat waves, and floods

around the world with just 1.0 degrees Celsius (1.8 degrees Fahrenheit) of global warming. But much of this will get substantially worse with 1.5 degrees Celsius (2.7 degrees Fahrenheit) of warming, and far worse at 2 degrees Celsius (3.6 degrees Fahrenheit).

2. 1.5 degrees Celsius (2.7 degrees Fahrenheit) could be reached in as little as 11 years—and almost certainly within 20 years without major cuts in carbon dioxide (CO₂) emissions. Even if such cuts were to begin immediately it would only delay, not prevent, 1.5 degrees Celsius (2.7 degrees Fahrenheit) of global warming.
3. However, we are currently going in the wrong direction with global emissions increasing 1.5 percent in 2017 and a likely increase in 2018 as well. Without the full involvement and alignment of our technical, social, and political dimensions, we will likely miss the target of limiting warming to 1.5 degrees C and even 2 degrees C.

As a result, as of July 2020 over 1,740 governments—representing over 830 million people across 30 countries—have declared a [Climate Emergency](#). This includes SF-area cities Oakland, Richmond, and Berkeley thus far, with the city of San Francisco and others currently considering this declaration.

California published the [Six Pillars](#) framework in 2015, establishing the state’s 2030 greenhouse gas reduction goals. These include:

1. Reducing today’s petroleum use in cars and trucks by up to 50 percent
2. Increasing from one-third to 50 percent our electricity derived from renewable sources
3. Doubling the energy efficiency savings achieved at existing buildings and making heating fuels cleaner
4. Reducing the release of methane, black carbon, and other short-lived climate pollutants
5. Managing farm and rangelands, forests and wetlands so they can store carbon
6. Periodically updating the state’s climate adaptation strategy.

The County of Marin, noting the need for all residents and businesses to actively reduce emissions and plan for climate adaptation, has created an engagement framework called [DRAWDOWN: Marin](#) based on the research and book by local author, entrepreneur, and environmentalist Paul Hawken. DRAWDOWN: Marin is a comprehensive, science-based, community-wide campaign to slow the impacts of climate change. Similar to the State’s Six Pillars, there are six areas of focus:

1. 100% Renewable Energy
2. Low-Carbon Transportation
3. Energy Efficiency in Buildings and Infrastructure
4. Local Food and Food Waste
5. Carbon Sequestration
6. Climate Resilient Communities.

GHG Emissions Profile – Sausalito

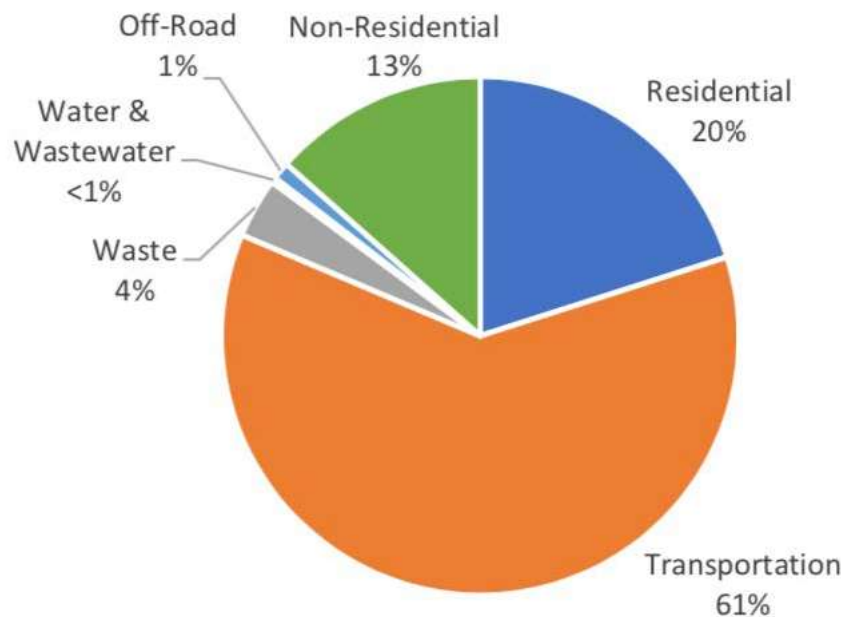
Sausalito publishes annual community greenhouse gas (GHG) emissions estimates through the [Marin Climate & Energy Partnership](#) (MCEP). Annual inventories help the City to more closely monitor its progress in meeting its local goal to reduce community emissions 15% below baseline (2005) emissions by 2020 and to meet the statewide goal to reduce emissions 40% below baseline emissions by 2030.

As summarized in the most recent MCEP draft report from April 2020, Sausalito's GHG emission profile is provided below. This shows emissions generated from the community from 2005 through 2018, the most recent year data is available.

In 2005, the activities taking place by the Sausalito community resulted in approximately 71,892 metric tons of CO₂e. In 2018, those activities resulted in approximately 55,918 metric tons of CO₂e, a reduction of 22% from 2005 levels. This means that the City has met the State goal to reduce emissions 15% below the 2005 baseline by 2020. Now, in order to mitigate irreversible changes to our climate and community, and to prevent hundreds of billions of dollars in economic losses¹ (including from record wildfires in California in 2018), Sausalito can further reduce our GHG emissions.

Sausalito's GHG emission profile demonstrates the need to address all areas. However, Transportation is by far the highest category, causing 61% of the City's total emissions. Adding the next two highest categories, Residential and Commercial, demonstrates that the ***three categories comprising Transportation, Residential and Non-Residential (Commercial/Industrial/Govt.) cause 94% of Sausalito's emissions. Therefore, this plan focuses on these three top categories.***

¹ Including \$141 billion from heat-related deaths, \$118 billion from sea level rise and \$32 billion from infrastructure damage by the end of the century.



Sausalito GHG Emissions by Sector, 2018

These top three categories are defined as follows:

- The **Transportation** sector includes tailpipe emissions from passenger vehicle trips originating and ending in Sausalito, as well as a share of tailpipe emissions generated by medium and heavy-duty vehicles and buses travelling on Marin County roads. Electricity used to power electric vehicles is embedded in electricity consumption reported in the Residential and Commercial sectors.
- The **Residential** sector represents emissions generated from the use of electricity, natural gas, and propane in Sausalito homes.
- The **Non-Residential** sector represents emissions generated from the use of electricity and natural gas in commercial, industrial and governmental buildings and facilities.

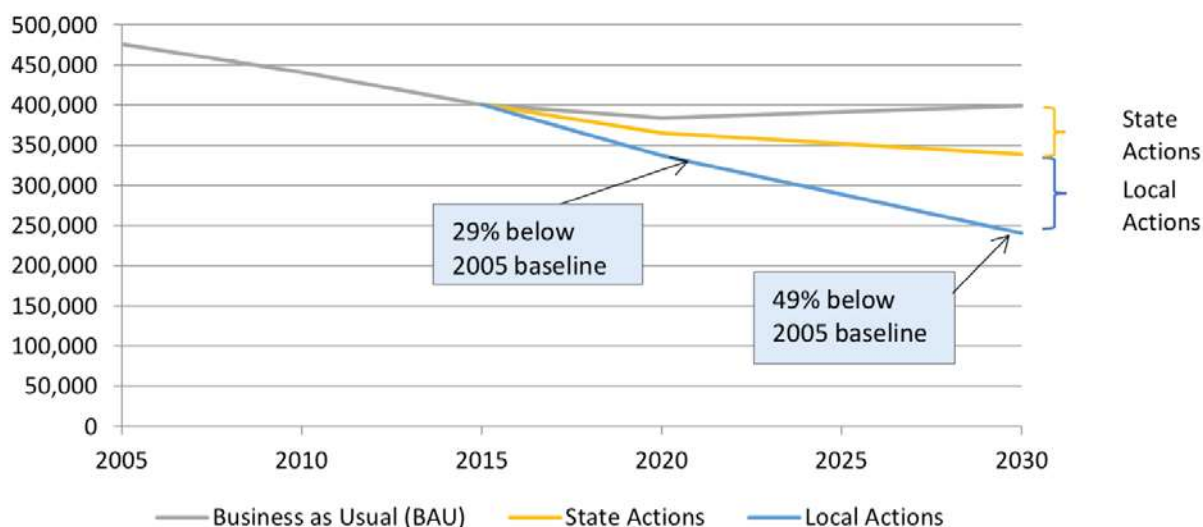
Sausalito Low Emissions Action Plan

The Sausalito Low Emissions Action Plan features **regulatory, incentive-based** and **voluntary** strategies that are expected to reduce emissions substantially in Sausalito. Several of the strategies build on existing programs while others provide new opportunities. State actions will have a substantial impact on future emissions. Local strategies will supplement these State actions and achieve additional GHG emissions reductions. Successful implementation will rely on the combined participation of City staff along with Sausalito residents, businesses and community leaders.

The following sections identify the State and local strategies included in the Sausalito Low Carbon Plan to reduce emissions in community and government operations. Emissions

reductions are estimated for each strategy; combined, they show that the City should reduce emissions 30% below baseline emissions in 2020 and 50 % by 2030, which is enough to surpass the City and State goals for those years.

As shown in the figure below, State actions represent about 40% of the reduction expected through implementation of the Climate Change Action Plan while local actions represent about 60%.



California Cumulative Impact of Reduction Strategies

This plan incorporates State reduction strategies that have been approved, programmed and/or adopted and will reduce local community emissions from 2016 levels. These programs require no local actions. State actions and emissions reductions include Light and Heavy Duty Vehicle Regulations, Title 24 Energy Efficiency Standards, Lighting Efficiency, Renewable Energy Portfolio Standard, and Residential Solar Water Heaters.

In addition, the Sausalito Sustainability Commission recommends that the city integrate GHG reduction goals into the objectives and responsibilities of every city department while amending funding priorities accordingly.

As stated, the three categories comprising Transportation, Residential and Commercial cause 94% of Sausalito's emissions. Therefore, in order to achieve the highest reduction in emissions, this plan focuses on these top three categories.



Transportation Plan – 61% of Emissions

As the highest category of emissions, transportation needs an aggressive plan. This is now possible with the viability of zero emission vehicles (ZEVs), and especially in Marin County where electricity is substantially clean due to the state’s Renewable Portfolio Standard and MCE Clean Energy. ZEVs include all-battery as well as plug-in hybrid vehicles. Marin County is a leader in ZEV adoption rates – second only to Santa Clara County – and ZEVs already comprise about 2% of all registered passenger vehicles in Marin.

The Sausalito recommendation, in compliance with other cities in Marin County including San Rafael and San Anselmo, is to increase EVs to 30% by 2030 by building out the EV charging infrastructure and encouraging ZEV ownership through incentives, public education, and development requirements. This is an aggressive target, but one that complements the State’s goal to put 5 million ZEVs on the road by 2030. Improvements in battery and charging technology, expected cost reductions, and automakers’ commitments to significantly expand ZEV offerings point to an all-electric transportation future. In addition, EV charging stations can also become another revenue source for the city.

We may also take advantage of state or county programs that incentivize used EV car purchases and installation of EV chargers in lower-income neighborhoods, to help ensure the benefits of EV ownership are shared by all.

Despite this, we can’t rely on ZEV’s alone to meet our transportation reductions; reducing congestion, enabling better biking and walking opportunities, and incentivizing public transit all carry co-benefits and can be enjoyed by all.

Note that California [Assembly Bill 1236](#) requires cities to make EV charger permitting and approvals easy. The [Transportation Authority of Marin](#) (TAM) operates an existing program on subsidizing EV charger costs for cities and municipal functions. So far, Sausalito has not applied for any of these funds.

TR - 1: Electric Vehicles

Develop an Electric Vehicle Plan that will result in 30% of registered passenger vehicles in Sausalito to be electric by 2030. Incorporate the following actions in the plan:

- Identify high profile and high traffic areas on municipal, public, and school properties to install EV chargers. Utilize the [TAM](#) EV charger subsidy.
- Provide free parking for electric vehicles at both City and metered parking lots.

- Provide signage that directs drivers to public EV chargers.
- Provide free residential parking permits for EV vehicles and increase parking permit fees on non EVs.
- Work with PG&E and other entities to identify multi-family and workplace charging sites appropriate for available incentive programs, such as EV Charge Network.
- Participate in a countywide effort by MCE, PG&E and others to provide rebates for new or used electric vehicles and/or charging stations.
- Require new and remodeled commercial and multi-family projects to install a minimum number of electric vehicle chargers for use by employees, customers, and residents.
- Require new and remodeled single-family projects to install electrical service and conduits for potential electric vehicle use.
- Require new and remodeled gas stations to provide EV fast chargers.
- Target policies to support ZEV adoption, including used vehicles, in low income and disadvantaged communities.
- Participate in programs to promote EV adoption, including "Drive an EV" events and other media and outreach campaigns.
- Encourage or require, as practicable, ride hailing and delivery service companies to utilize low emission and electric vehicles.
- Promote adoption of electric bicycles.
- Pursue opportunities to expand the City's EV charging network through innovative programs, such as installing chargers at existing streetlight locations.
- Purchase or lease zero-emissions vehicles for the City fleet whenever feasible, and when not, the most low carbon fuel or fuel-efficient models available. Promote City adoption and procurement of zero-emission vehicles and charging infrastructure to the public.

TR - 2: Bicycling

Continue to encourage bicycling as an alternative to vehicular travel. Establish and maintain a system of bicycle facilities and access ways that are consistent with the City's Pedestrian and Bicycle Advisory Committee. This should include:

- Providing bicycle racks and lockers for public use.
- Participating in a bike share program.

TR - 3: Walking

Publicly encourage more walking as an alternative to vehicular travel. Establish and maintain more pedestrian rights of ways that promote and enable walking for both residents and visitors. Feature city signs with maps showing walking tours that can be taken by visitors and that residents can also use for their activities within the city.

TR - 4: Safe Routes to School

Continue to support the Safe Routes to School Program and strive to increase bicycling, walking, carpooling, and taking public transit to school. Promote school participation, identify issues associated with unsafe bicycle and pedestrian facilities between neighborhoods and

schools, apply for Safe Routes to School grants, and execute plans to improve pedestrian and bicycle facilities.

TR - 5: Public Transit

Support and promote public transit by taking the following actions:

- Work with Marin Transit and Golden Gate Transit to maximize ridership through expansion and/or improvement of transit routes and schedules.
- Develop first and last mile programs to maximize utilization of the commuter buses and ferries, including electric shuttle buses.
- Support the school bus program and student use of regular transit to reduce school traffic.
- Encourage transit providers, and including school buses, to purchase electric buses as replacements for existing buses and, in the meantime, use hybrid-electric vehicles wherever possible.
- Require that all public transit options that travel within Sausalito to be carbon free by 2040

TR - 6: Employee Trip Reduction

Reduce vehicle miles traveled commuting to/from work through the following actions:

- Work with the Transportation Authority of Marin and the Bay Area Air Quality Management District (BAAQMD) to promote transportation demand programs to local employers, including rideshare matching programs, vanpool incentive programs, emergency ride home programs, telecommuting, transit use discounts and subsidies, and other incentives to use transportation other than single occupant vehicles.
- Update the City's Trip Reduction Ordinance to reflect the most recent BAAQMD regulations and to increase the number of employers subject to the ordinance.
- Embark on an outreach and educational campaign to encourage employees to reduce vehicle trips.
- Provide City employees with incentives and/or reduce barriers to use alternatives to single occupant auto commuting, such as transit use discounts and subsidies, bicycle facilities, ridesharing services, flexible schedules, and telecommuting when practicable.

TR - 7: Parking Standards

Reduce minimum parking requirements by 20 percent from current levels, based on robust transportation demand programs and proximity and frequency of transit services.

TR - 8: Smart Growth Development

Where applicable to Sausalito, prioritize public transit access for all new development.

TR - 9: Advanced Community Energy (ACE) System

In partnership with MCE, implement an advanced community energy system at a targeted location that delivers multiple carbon reduction, resilience, and cost-effective benefits to Sausalito. The primary target location would be one of the public parking areas near the Ferry

Landing and/or in the Marinship. This would feature a solar canopy over parking spaces, plus energy storage and EV chargers. The benefits of this system are: 1) clean energy provided for vehicle transportation to/from the Downtown and the Ferry Landing areas; 2) energy resilience for Sausalito applied to both critical services and transportation in the case of extreme events and/or grid failures; 3) reduction in costs for peak energy for Sausalito residences and businesses, e.g. demand response; and 4) a showcase demonstrating Sausalito's innovative leadership in lowering carbon emissions. This approach can also be applied to other target areas in Sausalito.



Energy Plan, Residential & Commercial – 33% of Emissions

Note that for the purposes of this plan, these two categories are combined due to many actions applying to both categories.

Energy that comes from renewable sources, including solar, wind, geothermal, and small hydroelectric, are the cleanest and most-environmentally friendly energy sources. Solar energy is a particularly effective energy source. Solar system costs keep falling, and tax credits are available, which make them an attractive option for home and commercial building owners.

According to Project Sunroof, 74% of Sausalito buildings have roofs that are solar-viable. These 2,100 roofs could generate over 360,000 kWh per year. Marin County projections show that we can get more than 20% of our electricity from locally produced solar energy systems by 2030, up from about 4% currently, just by maintaining the current growth rate.

Separate from solar on local roofs and parking areas, residents and business owners can purchase renewable and GHG-free electricity from MCE Clean Energy. MCE has a high percentage of renewable and GHG-free electricity, providing some of the cleanest electricity in the country. MCE's goal is to deliver 100% GHG-free electricity to all its customers by 2025. Considering that MCE currently serves over 80% of residents and businesses in Sausalito, this alone will significantly reduce emissions.

Because our electricity supply is substantially clean and getting cleaner, Sausalito can also encourage swapping out appliances and heating systems that use natural gas for those that use electricity. These new and highly efficient electric appliances are becoming more cost-effective. Eventually, to achieve our long-term goals, we'll need to replace the majority of natural gas

appliances and equipment with clean electric versions. Fortunately, ongoing research and development of energy storage systems are creating new business opportunities and making an all-electric, 100% GHG-free energy future possible. The [Marin Climate and Energy Partnership](#) (MCEP) website features programs and rebates for electrification of homes and buildings. Note that this also improves a home or building's disaster preparation, e.g. in the case of wildfires.

A new [study](#) published in April 2019 from Energy + Environmental Economics confirms that replacing natural gas (methane) with clean electricity, particularly for heating and hot water production, will slash greenhouse gas emissions from California's single-family homes by up to 90 percent within the next three decades and save consumers money in the process. The study confirms electrification is a vital and cost-effective tool in reducing climate and toxic air pollution from gas combustion in homes and buildings, which account for a quarter of the state's total climate emissions and approximately 36% of Sausalito's emissions.

About half the pollution from California's buildings comes from burning gas, primarily for heating and hot water. The state's ability to achieve its goal of carbon neutrality by 2045 will require the majority of buildings to shift that energy usage toward the electric grid powered by renewable electricity. That means outfitting new homes with high-efficiency, electric-powered heating systems and water heaters, and retrofitting existing homes when the old gas equipment needs replacing.

The new study – jointly funded by Southern California Edison, the Los Angeles Department of Water and Power, and Sacramento Municipal Utility District – is the most comprehensive effort yet to assess the impacts of California building electrification for the climate, consumers, and the grid. Covering six climate zones (San Francisco, San Jose, Sacramento, coastal Los Angeles, downtown Los Angeles, and Riverside) that represent about half the state's population, the analysis forecasts dramatic emissions, pollution, and cost reduction benefits.

An increasing number of school districts are investing in ultra-low energy facilities and renewables as a way to save on utility costs and create healthier and more productive learning environments for students and staff. In fact, over 219 school buildings across the United States and Canada are working to achieve the highest levels of energy performance, according to a new [Zero Energy Schools Watchlist](#) released by NBI recently. Of those projects, 191 buildings have verified zero energy performance or are working toward that goal, meaning they have added renewable generation at the site and consume only as much energy as is produced by those energy resources, typically photovoltaics, over the course of a year. Ultra-low energy and zero energy school buildings are highly energy efficient with key features including integrated daylighting and advanced electric lighting designs, high performance heating and cooling systems and best practice building envelope and ventilation strategies.

Note that building envelope and ventilation strategies are now important strategies to both lower emissions and achieve healthy homes and buildings. All homes and buildings need ventilation—the exchange of indoor air with outdoor air—to reduce indoor moisture, odors, and other pollutants. Contaminants such as formaldehyde, volatile organic compounds (VOCs),

and radon that may cause health problems can accumulate in poorly ventilated homes. Inadequate ventilation allows unpleasant odors to linger, and excess moisture generated within the home needs to be removed before high humidity levels lead to physical damage to the home or mold growth. Best practice among builders of modern high-performance homes and buildings in most North American climates is to build as tight as possible, and then ventilate with a well-designed mechanical system. Even though this uses a little energy, the home or building will save more energy from requiring less to heat or cool the location than the energy used to ventilate the property. Whole-house systems offer several alternatives that improve indoor air quality throughout all living spaces.

Increasing the efficiency of buildings is often the most cost-effective approach for reducing greenhouse gas emissions. Energy efficiency upgrades, such as adding insulation and sealing heating ducts, have demonstrated energy savings of up to 20 percent, while more aggressive “whole house” retrofits can result in even greater energy savings. Many “low-hanging fruit” improvements can be made inexpensively and without remodeling yet can be extremely cost-efficient, such as swapping out incandescent bulbs to LED bulbs, sealing air leaks, and installing a programmable thermostat. Energy Star-certified appliances and office equipment, high-efficiency heating and air conditioning systems, and high-efficiency windows not only save energy but reduce operating costs in the long run. Nonetheless, some upgrades can be expensive, particularly for low-income households, so the City should participate in programs that provide rebates, free energy audits, and financing options for residents and businesses.

New construction techniques and building materials, known collectively as “green building,” can significantly reduce the use of resources and energy in homes and commercial buildings. Green construction methods can be integrated into buildings at any stage, from design and construction to renovation and deconstruction. The State of California requires green building energy-efficiency through the Title 24 Building codes. The State updates these codes approximately every three years, with increasing energy efficiency requirements since 2001. The State’s energy efficiency goals are to have all new residential construction to be zero net electricity by 2020 and all new residential and commercial construction to be zero net energy by 2030. Local governments can accelerate this target by adopting energy efficiency standards for new construction and remodels that exceed existing State mandates, or by providing incentives, technical assistance, and streamlined permit processes to enable quicker adoption. Sausalito evaluate and modify its planning code to incorporate the recommended green and sustainable building practices.

Finally, most of these efficiency upgrades for homes and buildings, and particularly removing the gas infrastructure, improves these locations for disaster preparedness such as fire safety.

EN 1: Renewable Energy Generation

Encourage residential and commercial solar and other renewable energy installations.

- Provide permit streamlining and reduce or eliminate fees, as feasible.
- Amend building codes, development codes, design guidelines, and zoning ordinances, as necessary, to facilitate small, medium, and large-scale installations.

- Encourage installation of solar panels on carports and over parking areas on commercial projects and large-scale residential developments.
- Participate and promote financing and loan programs for residential and non-residential projects such as Property Assessed Clean Energy (PACE) programs and California Hub for Energy Efficiency Financing (CHEEF) programs.
- Encourage installation of battery storage in conjunction with renewable energy generation projects.

EN 2: GHG-Free Electricity

Encourage residents and businesses to switch to 100 percent renewable electricity via MCE Deep Green, MCE Local Sol, and PG&E Solar Choice. *Note that less than 5% of Sausalito residents and businesses currently subscribe to MCE Deep Green.*

- Partner with MCE Clean Energy, and promote MCE's programs, to ensure that it reaches its goal to provide electricity that is 100 percent GHG-free by 2025.
- Continue to purchase MCE Deep Green for all city facilities

EN 3: Building and Appliance Electrification

Promote and subsidize through a tax break or tax incentive the electrification of building systems and appliances that currently use natural gas, including heating systems, hot water heaters, stoves, and clothes dryers. Refer to existing programs and rebates via [MCEP](#).

EN 4: Solar Energy Systems for Municipal Buildings

Install solar energy systems and batteries at municipal buildings and facilities, including available parking and/or open spaces as appropriate, and including school properties. Utilize these municipal sources for energy resilience for critical and priority services in Sausalito such as Police, Fire, Health, Water, Food, Shelter, etc., in the case of emergencies and grid failures.

EN 5: Energy Efficiency Programs

Promote and expand participation in residential and commercial energy efficiency programs.

- Work with organizations and agencies such as the Marin Energy Watch Partnership, the Bay Area Regional Network, Resilient Neighborhoods, and the Marin Climate & Energy Partnership to promote and implement energy efficiency programs and actions.
- Promote and expand participation in energy efficiency programs such as Energy Upgrade California, California Energy Youth Services, and Smart Lights.
- Promote utility, state, and federal rebate and incentive programs.
- Participate in and promote financing and loan programs for residential and non-residential projects such as Property Assessed Clean Energy (PACE) programs, PG&E on-bill repayment, and California Hub for Energy Efficiency Financing (CHEEF) programs.
- Adopt a green building ordinance for new and remodeled commercial and residential projects that requires green building methods and energy efficiency savings above the State building and energy codes. Utilize Marin County's green building ordinance as a model and including the use of photovoltaic systems and all-electric building systems as options to achieve compliance.

- Work with the Marin Energy Management Team to identify and implement energy efficiency projects in municipal buildings and facilities including electrification of existing building systems and equipment that use natural gas.
- For Municipal buildings, establish energy efficiency protocols for building custodial and cleaning services and other employees, including efficient use of facilities, such as turning off lights and computers, thermostat use, etc. Incorporate energy management software, electricity monitors, or other methods to monitor energy use.

EN 6: Energy Audits

By 2025, require energy audits for residential and commercial buildings prior to completion of sale, including identification of cost savings from energy efficiency measures and potential rebates and financing options.

EN 7: Cool Pavement and Roofs

Use high albedo material for roadways, parking lots, sidewalks and roofs to reduce the urban heat island effect and save energy.

- Evaluate the use of high albedo pavements when resurfacing City streets or re-roofing City facilities.
- Encourage new development to use high albedo material for driveways, parking lots, walkways, patios, and roofing.

EN 8: Streetlights

Complete replacement of inefficient street, parking lot and other outdoor lighting with LED fixtures.

EN 9: Electric Landscape Equipment

Require the use of electric landscape equipment where possible, including electric leaf blowers instead of gasoline-powered equipment which are both clean and quiet.

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