

#### IV. DEVELOPMENT STANDARDS

The following sections contain the detailed Development Standards for the Marinship.

##### A. CIRCULATION, ACCESS, STREETS AND WAYS

###### 1. CIRCULATION

###### a. Marinship Specific Plan Approach

The Marinship Specific Plan circulation plan utilizes the original General Plan approach. Many of the General Plan directives have been implemented. The only Specific Plan change affects the alignment of the Marinship Loop Road.

Alternative alignments were analyzed in the EIR. The City Council reduced these alternatives which are illustrated on Diagram #4: Circulation and Parcel Access. As shown on the diagram, it is no longer the City's intent to bisect Parcels 3B and 3C. The routing onto Parcels 4A, 3C and 3E is intended to reduce the hazardous traffic conditions associated with the sharp turns in this area.

Marinship circulation, as well as that for the entire city, would be improved significantly by improving the efficiency of the Bridgeway intersections. Relatively modest improvements at most Marinship intersections, especially at Gate 6 Road, would make measurable improvements to the Service Levels. These are described and analyzed in EIR. These improvements have been assigned to the private sector with the exception of the Harbor Drive and Gate 6 Road intersections with Bridgeway, which are to be public projects.

###### 2. PARCEL ACCESS

Much of the Marinship's access problems are caused by ill-defined roadways and parking lots. The Specific Plan requires that streets, both public and private, should be designed to maximize traffic safety, access to industrial structures and areas, and have good drainage and that parking requirements be satisfied on-site in designated lots.

Due to the shortage of public streets in the Marinship, individual parcel access is frequently via an access easement. The status of these access easements appears to be sufficiently clear. The need is therefore to formalize the access, implementing a paved, or equally well defined driveway treatment serving each parcel. The most noticeable areas in this regard are in Zone 1, near the Schoonmaker area parcels, and along Varda Landing Road.

Acceptable parcel access points are illustrated on Diagram #4. The access arrows are diagrammatic and are intended to represent the most reasonable access points. Of particular interest are the access limitations summarized as follows:

- Parcels 1A-C: via Napa Street;
- Parcel 2B: via Liberty Ship Way. No vehicular access will be permitted across Mono Street.
- Parcel 6B: via Marinship Way and Marinship Loop Road; egress only onto Harbor Drive;
- Parcel 11E: Access via Gate 5 Road (the distance between the access point and Bridgeway should be sufficiently great for the safe and effective operation of the intersection); egress only onto Bridgeway near the northern parcel boundary.

The parcel access depicted in the plan documents should be required, when reasonable, as part of any development plan that:

- involves reconfiguration or relocation of more than 50% of the parking spaces;
- increases the Floor Area by 25% above its existing levels;
- redevelops or remodels the existing facilities in excess of 25% of their market value;
- requires an improved parcel access to protect the health and safety of the public.

Note: This consideration shall include the combined total of all improvement increases during any five year period contiguous with the date of the current development application.

### 3. STREET AND DRIVEWAY STANDARDS

#### a. Property Owner Responsibilities

The construction of the following streets is the responsibility of the parcel owners as noted:

- Marinship Way (one-way portion) between Parcel 6B and 2401 Marinship Way:  
Parcels 6A, 6B and 6C.
- Marinship Loop Road (behind Parcel 6B, Post Office and 150/180 Harbor):  
Parcels 5B, 6B, 6C, 7A, 8A and 8B.
- Marinship Way between the Parcel 6B and Marina Plaza:  
Parcels 5A and 5B
- Smooth curve at Marina Plaza: City of Sausalito.

- Marinship Way between SWA and Marinship Park - Corps:  
Parcels 3A, 3B, 3C and 3E (City of Sausalito)
- Easterby Ramp: Parcels 2A-G and 3A.

The construction and dedication of the following Bridgeway intersection improvements are the responsibility of the parcel owners as noted:

- at Harbor Drive: City of Sausalito
- at Coloma Street: Parcels 6F, 9A, 9B and 11A
- at Gate 5 Road: Parcels 11D and E
- at Gate 6 Road: City of Sausalito

The construction of the following street improvements are the responsibility of the parcel owners as noted:

- Liberty Ship Way: Parcels 2A-G, 3A.

Except as noted below, all of the street, intersection, driveway, sidewalk, landscaping and lighting construction projects shall be implemented as follows:

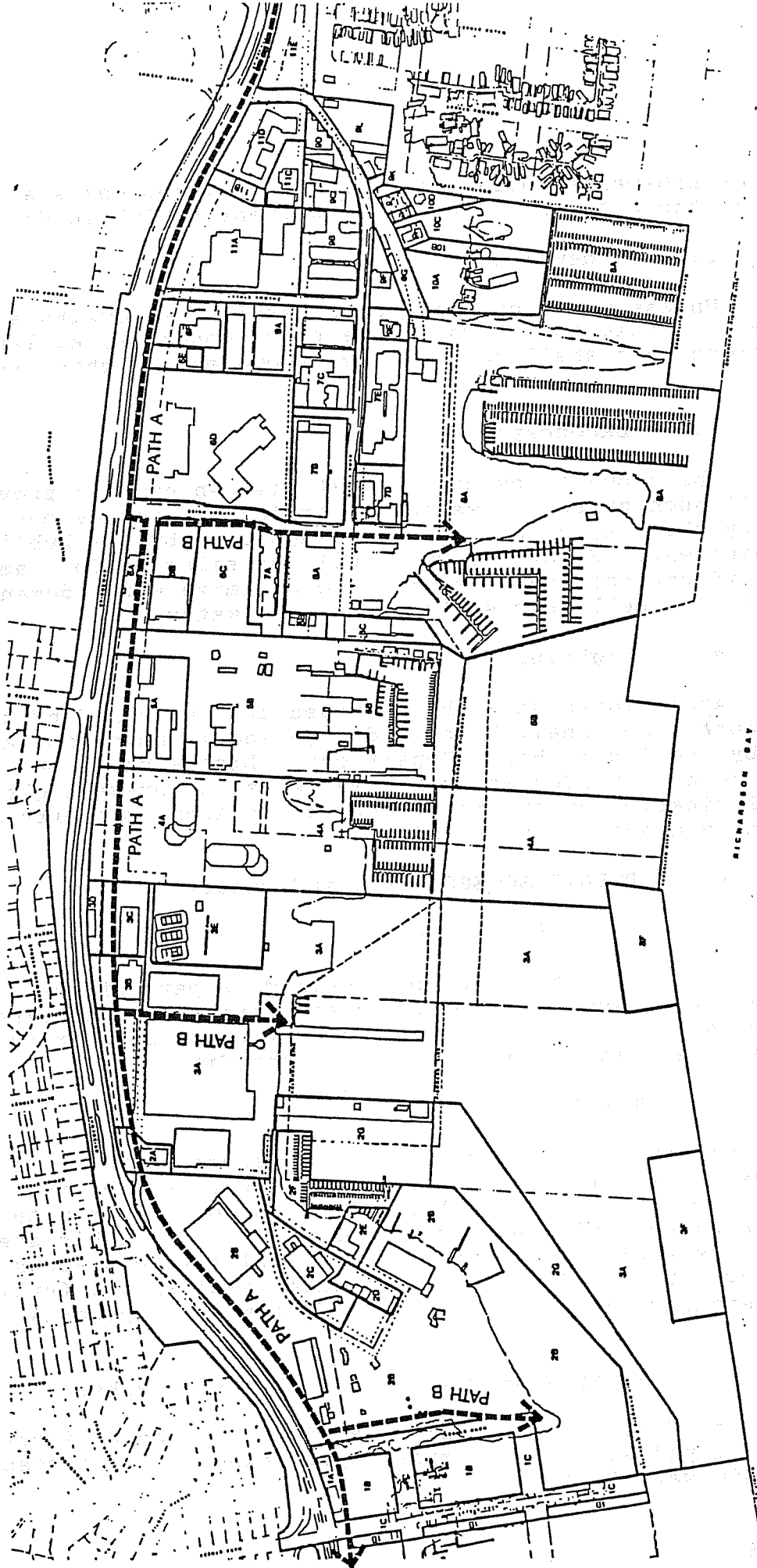
The City may assist in the formation of one or more assessment districts to implement the required improvements. If this is not possible, or the City decides the improvement is needed prior to the formation of an assessment district, then the City should redesignate the improvement as a public project. In that instance the City would be responsible for the improvement costs.

The City may require cash deposits or cash equivalent, at the discretion of the City Manager, to be held on account to pay for required improvements when it is not reasonable to install or complete the required improvement at the time of development plan approval.

Any improvement identified as the sole responsibility of the City of Sausalito does not require an assessment district.

#### b. Street and Driveway Widths

In keeping with the industrial character of the Marinship, street design should maximize traffic safety, access to industrial structures and areas, and good drainage. Curbs, gutters, and traffic control devices may be required, as may



PEDESTRIAN & BIKE WAYS

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walkways or sidewalks where appropriate. All designs shall be approved by the City of Sausalito Department of Public Works.

**c. Sidewalks**

Unless noted or approved otherwise, sidewalks along all streets, public and private, are to be concrete, at least 5 feet in width, and shall be installed along each right-of-way line.

**d. Landscaping**

The property owner shall at his own expense provide and install such street trees and other landscaping as may be required by the City of Sausalito and approved by the Public Works Department. Plant materials will be selected for, among other considerations, their ability to minimize water demands and maintenance, as well as resistance to salt water.

**e. Lighting**

Area lights shall be provided and installed by the property owner, and shall be of a design and illumination as approved by the Public Works Department. Lights shall be directed and/or shielded in such a manner as to prevent glare or direct illumination on public street and adjacent property and shall be maintained as installed.

**4. PUBLIC ACCESS (land and water)**

**a. Requirements**

Public access shall be required as part of any development or redevelopment plan in the Marinship providing public access on all public and private streets, pedestrian and bicycle ways, and as may be required by the City.

**b. Treatment**

The treatment of public access areas is to be in a manner consistent with maintaining and encouraging the industrial and maritime character of the Marinship and consistent with the desire to enhance public use and access of the Marinship area, especially its shoreline. Treatment of public access areas will be as approved by the City and may include rest areas, furniture, lighting, signing, and landscaping as determined appropriate by the City.

**5. PEDESTRIAN WAYS (other than sidewalks)**

The Marinship Specific Plan includes, as an important ingredient, a pedestrian path system providing public access to the Marinship waterfront.

There are frequently public safety problems associated with allowing free public access across active marine industrial areas. When such a conflict is identified it is advisable to have a path detour around the marine industrial activity. Such detours may be of any length and can cross zoning district boundaries. Should the marine industrial activity or the potential threat to public safety cease to exist then the detour should be eliminated and the path route returned to its ideal alignment.

Currently in the Marinship there are several sites where the current marine industrial use warrants such detours. These include the Schoonmaker, Easom, Annicelli, Arques, Spaulding, and Clipper (8A: at Anderson's Boatyard) parcels.

The 1970 Sausalito General Plan includes the following:

**"Pedestrian Way:**

"A 20 foot wide pedestrian way, lying 10 feet on each side of the property lines, is provided from Coloma extension to Harbor Drive parallel to Gate Five Road (This runs west of the ICB and Heath Ceramics)."

The Marinship Specific Plan requires the following:

**a. Requirements**

Pedestrians ways, accessible to the public shall be provided as follows (See Diagram #5):

**- Path "A":**

Along the foot (toe of slope) of Bridgeway (between Parcels 1A and 1B, western edges of Parcels 2A, 2B, 3A, 3B, between Parcels 3C and 3D, the western edge of Parcels 5A, 5B, and the eastern edge of Parcel 6A). North of this location the path shall follow the existing alignment to the northern City limits.

**- Path "B":**

Pathways, accommodating both pedestrians and bicycles, shall be provided along Harbor Drive (south side of the street), at the Army Corps of Engineers (Parcel 3A), and along the northern edge of or near Mono Street, in locations considered to avoid potential negative impacts to the marsh restoration project.

The implementation of the Pedestrian Paths (A and B) and Bike Paths shall be required, when reasonable, as part of any development or redevelopment plan for Marinship parcels along one or more of the paths if the development plan would increase the Floor Area or market value of the parcel improvements by 25%.

Note: This consideration shall include the combined total of all improvement increases during any five year period contiguous with the date of the current development application.

Increases of less than 25% would require that a cash deposit, or cash equivalent, at the discretion of the City Manager, be obtained to guarantee the cost of the path system prorated to the percentage of development square footage increase. This deposit is to be used by the City in the eventual implementation of the path system.

**b. Treatment**

Unless otherwise approved by the City, the pedestrian ways shall be constructed as follows:

**- Path "A":**

Shall be an asphaltic concrete or concrete paved combination pedestrian and bicycle path, as approved by the Planning Director.

**- Path "B":**

The paths shall be constructed in a manner compatible with the adjacent pathways, with matching materials and paving widths, as approved by the Planning Director.

All paths shall be landscaped in a manner compatible with the surrounding conditions, providing shade and seating areas as appropriate, and as approved by the Planning Director.

**c. Dimensions:**

The pedestrian ways shall have the following minimum widths, unless otherwise approved by the Planning Director.

- Pedestrian way or sidewalk (no bicycles): 5 ft.
- Combination pedestrian and one-way bicycle path: 8 ft.
- Combination pedestrian and two-way bicycle path: 12 ft.

## 6. BIKEPATHS

### a. Requirements

Currently the Marinship has a designated bike path along Bridgeway. A commitment has been secured from the property owners of Schoonmaker Point (Parcel 2B) to construct and dedicate a bike path along their portion of Path "B" described above. To date, the path along their property has been dedicated and is scheduled for construction.

The Marinship portion of the bike paths should be located as follows (see Diagram #5):

#### -Along Bridgeway:

The path shall extend between the northern City limits and Napa Street, connecting at either end with the non-Marinship portions of the path system. The existing portion along the eastern edge of Bridgeway between the northern City limits and Harbor Drive should be redeveloped, and widened, with the pedestrian path relocated inboard of the bike path. The bollards, not trees, should be removed.

At Harbor Drive the path should connect with Marinship Way, running along the western right-of-way until it reaches Parcels 3C and 3D. From this point it should run along the toe of the Bridgeway embankment bisecting Parcel 3B, then along the western edge of Parcels 3A and 2A to the Easterby Ramp intersection at the Foot of Spring Street. From this point the path should continue along the toe of the Bridgeway embankment on the western edge of Parcel 2B, to Mono Street at which point it routes between Parcels 1A and 1B to Napa Street.

#### - Paths connecting with the shoreline:

The Specific Plan designates several points along the primary bike path which intersect with paths which connect with the shoreline. These include: a route along the southern edge of Harbor Drive between Bridgeway and Parcel 8A (Clipper Harbor); a route at or near Parcel 3A (Army Corps of Engineers); and between Mono Street at Bridgeway and Schoonmaker Point at the tip of Parcel 2B. All combination pedestrian and bicycle paths should be designed for safe speed (casual and leisurely) bicycling, rather than high speed bicycling.

### b. Treatment

The final design of the paths and system shall be as approved by the Planning Director. Where bike and pedestrian paths coexist the bike path should be located along the street edge with the pedestrian path located away from the



street traffic. To the extent possible the existing trees along the path shall be maintained to provide shade for the path users.

**c. Dimensions:**

The bikepaths in the Marinship shall have the following minimum widths, unless otherwise approved by the Planning Director:

- One-way bikepath: 5 ft.
- Two-way bikepath: 10 ft.
- Combination one-way bike path and pedestrian way: 8 ft.
- Combination two-way bike path and pedestrian way: 12 ft.

**7. SMALL BOAT LAUNCH**

**a. Requirements**

The Specific Plan includes provisions for small boat launch facilities in the Marinship. The intent is to provide opportunities for Sausalito residents to launch small boats into the bay. These small boat launches are to be distinguished from the larger boat launch opportunities that currently exist, typically as private marine service sites.

At least one small boat launch site shall be provided at each of the following locations:

- All City owned shoreline sites (Napa Street and potentially, Marinship Park);
- All public or private recreational harbors.

The boating industry generally refers to "small boats" as those under 30 feet in length. This would characterize a much larger boat than is intended by the same reference in the Specific Plan. In the Specific Plan small boats are referred to within the context of small boat launches intended to provide residents the opportunity to carry their craft to the waters edge and make use of the Bay resource.

For this reason a Marinship Specific Plan "small boat" does not require a trailer to be transported, can be hand carried to and from the water by several persons, and does not require any special equipment to launch or haul out the craft. Such boats could include rowing boats, canoes, small kayaks, and very small sail boats. Such boats are likely to weigh about 100 pounds or less.

Note: Small boats over 100 pounds will frequently require a trailer to transport them which significantly increases the parking requirements associated with providing a small boat launch. Similarly, boats over 100 pounds will likely require some type of hoist or equipment to launch or haul them out of the water. This needed equipment sufficiently complicates the intent of the Marinship "small boat launch" that only boats not requiring such devices are described in the plan.

#### b. Treatment

A variety of launch facility treatments will be permitted. At a minimum, a small boat launch should include, unless otherwise approved by the City: a ramp, way or dock space suitable for persons to hand launch up to a 100 pound small boat. This would likely require a dock area of between 200 and 300 square feet, preferably at least 30 feet long with easy access from at least one end. There should also be temporary tie-up space, nearby automobile access needed to load and unload the small boats, and nearby parking spaces for the temporary use by small boaters.

The City review of the launch facilities should consider the ability of the particular parcel and project to provide these facilities, the actual physical requirements of the launch, and capability of nearby public parking or other facilities to supplement the boat launch needs.

### B. PARKING AND LOADING

#### 1. PARKING REQUIREMENTS

Off-street parking shall be provided according to the standards outlined in the Sausalito Zoning Ordinance. Following the adoption of the Marinship Specific Plan this ordinance should be reviewed to evaluate the adequacy of the parking standards.

All development, redevelopment and remodeling plans, as well as plans to make any changes in use, shall satisfy the City's current parking requirements. Any and all existing parking deficiencies shall be eliminated in the new plan.

The provisions of the Zoning Ordinance shall apply to the granting of any variances to this standard.

The allowable ratio of compact to standard size parking spaces shall be determined by the City using the current ratio of compacts to standard car registrations based on the most localized data available, preferably for the City of Sausalito or Marin County.

Parking spaces for handicapped persons shall be provided as determined by the Uniform Building Code. These spaces are to be located directly adjacent to a walkway and away from other vehicular circulation.

In addition to automobile parking, motorcycle and bicycle parking spaces shall be provided in compliance with the requirements of the Planning Director.

During the Specific Plan study several new uses were introduced which are not currently addressed in the existing parking standards. The following uses are not, or are inadequately, addressed in the existing Zoning Ordinance and should have parking and loading standards assigned/reevaluated:

**- Industrial: Research and Development:**

Note: A research and development use category can be very difficult to define. It is important that the Zoning Ordinance distinguish between those uses which are industrial laboratory in nature and those that perform like commercial uses. In the Marinship Specific Plan study there has been no documented evidence to support the suggestion that computer related industrial uses as found in the Marinship area, should be assigned separate or higher parking standards.

No new standard is recommended.

**- Arts: Fine Arts, Industrial Arts, Marine Arts and Applied Arts:**

These uses are considered Industrial uses in the existing Zoning Ordinance. They are characterized by their low traffic generation, irregular hours and relatively low parking requirements.

New standard: 1 parking space per 500 square feet of gross floor area (same as for industrial space).

**- Service Commercial: Business Service, Marine Service:**

Note: These businesses are intended to serve the needs of Marinship area businesses and residents. They are characterized by their low traffic generation, especially during the PM Peak hour, and relatively low parking

requirements since they are frequently within walking distance of those they serve.

New standard: 1 parking space per 500 square feet of gross floor area (same as for industrial space).

**- Food Service (no dining on the premises):**

These businesses are intended to serve the needs of the Marinship area. Since no dining on the premises is permitted, the parking standard reflects the short term requirements and that many users are easily within walking distance. This use is assumed to have a very low traffic generation rate during the PM Peak Hour.

New standard: 1 parking space per 250 square feet of gross floor area (same as retail space).

**- Liveaboard Recreational Boats:**

This is not a permitted use in the existing Zoning Ordinance. The characteristics of Liveaboard Boat use are considered sufficiently different from Houseboat and Pleasure Boat use that the same standards should not apply.

As a part of the Zoning Ordinance revisions, appropriate parking standards should be developed. Liveaboard parking requirements should be calculated separately from those for the pleasure boat berths in the same marina, and should not be included in any joint use parking calculations.

**- Maritime Berths:**

Maritime Service boats (including commercial fishing boats), Marine Craftsmen Boats, Water-Based Art Use Boats, Historic Boats, and Institutional Boats (assume liveaboard use is permitted):

These uses are not currently addressed in the existing Zoning Ordinance. Due to the wide range of potential expressions of these uses it is difficult to establish a fixed standard for all conditions. Any standards should be sufficiently flexible in recognition that several of these may be seasonal, require truck access and loading, and client parking,

and may have liveaboard uses. Joint use of parking between the residential and business aspects of these uses is assumed.

**- Pleasure Boats:**

Marina use (wet boat storage) is considered one of the lowest traffic generating uses in the Marinship. During the study the parking standard for this use was questioned and should be reevaluated based upon a survey of the existing marina operations in the Marinship (non-Marinship marinas may provide useful information but are not subject to the same conditions) to determine the adequacy or abundance of available parking. Any standard should reflect the weekend and evening characteristics of this use and its potential for joint use of parking with daytime weekday uses.

**- Dry Boat Storage:**

Dry Boat Storage is similar to the wet boat storage use discussed above, except that it is assumed to have an even lower traffic and parking rates. The Zoning Ordinance should reflect this condition.

**- Public Use: Open Space, Public Access:**

The standards for this type of use should be sufficiently flexible to accommodate its various expressions, including distinct public use or park areas, shoreline access pathways, lookout points, small boat launch, temporary small boat tie up, etc. Similarly, the standards should reflect the off peak nature of the use and consider the potential for joint use of parking with weekday 8 a.m. to 5 p.m. uses.

Currently very little on-street parking is available in the Marinship. Formal designations can be found largely along Gate 5 Road. With many private and poorly defined streets in the Marinship, on-street parking has been difficult to control. Unless approved otherwise by the City, all streets and driveways shall be clearly defined and identifiable. All parking requirements in the Marinship shall be satisfied off-street in well-defined and approved parking areas on each parcel.

The location of on street parking along Gate 5 Road should be reevaluated with consideration given to relocating it along the east/north curb.

Given the neighborhood scale of the Marinship, the opportunities for pedestrian circulation, and mixture of Marinship serving uses, found in the immediate area, it is reasonable to expect that parking standards may be lower than those typically applied to other areas.

## 2. LOADING REQUIREMENTS

Loading areas shall be provided according to the Sausalito Zoning Ordinance. Following the adoption of the Marinship Specific Plan this ordinance should be reviewed to evaluate the adequacy of these standards.

Several issues should be considered in those Zoning Ordinance evaluations. These include:

- Acceptable on-street loading areas;

Note: Much of the existing truck loading in the Marinship occurs on streets and in driveways. This condition can prove a traffic hazard but is not inconsistent with loading areas found in most industrial areas. Truck parking and loading perpendicular to and blocking or partially blocking the street shall not be allowed.

- Off-street loading areas;

Note: Plans for off-street loading should provide both adequate space for the loading and unloading of trucks, and their reasonable circulation on the parcel. Several examples exist in the Marinship where off-street loading space is provided but is not utilized due to inadequate truck maneuvering space.

- Truck circulation.

Note: The design of streets and driveways in the Marinship should provide reasonable circulation and maneuvering space required by the trucks anticipated to serve the area.

All development, redevelopment and remodeling plans, as well as plans to make any change in use, shall satisfy the City's current loading requirements. Any and all existing loading deficiencies shall be eliminated.

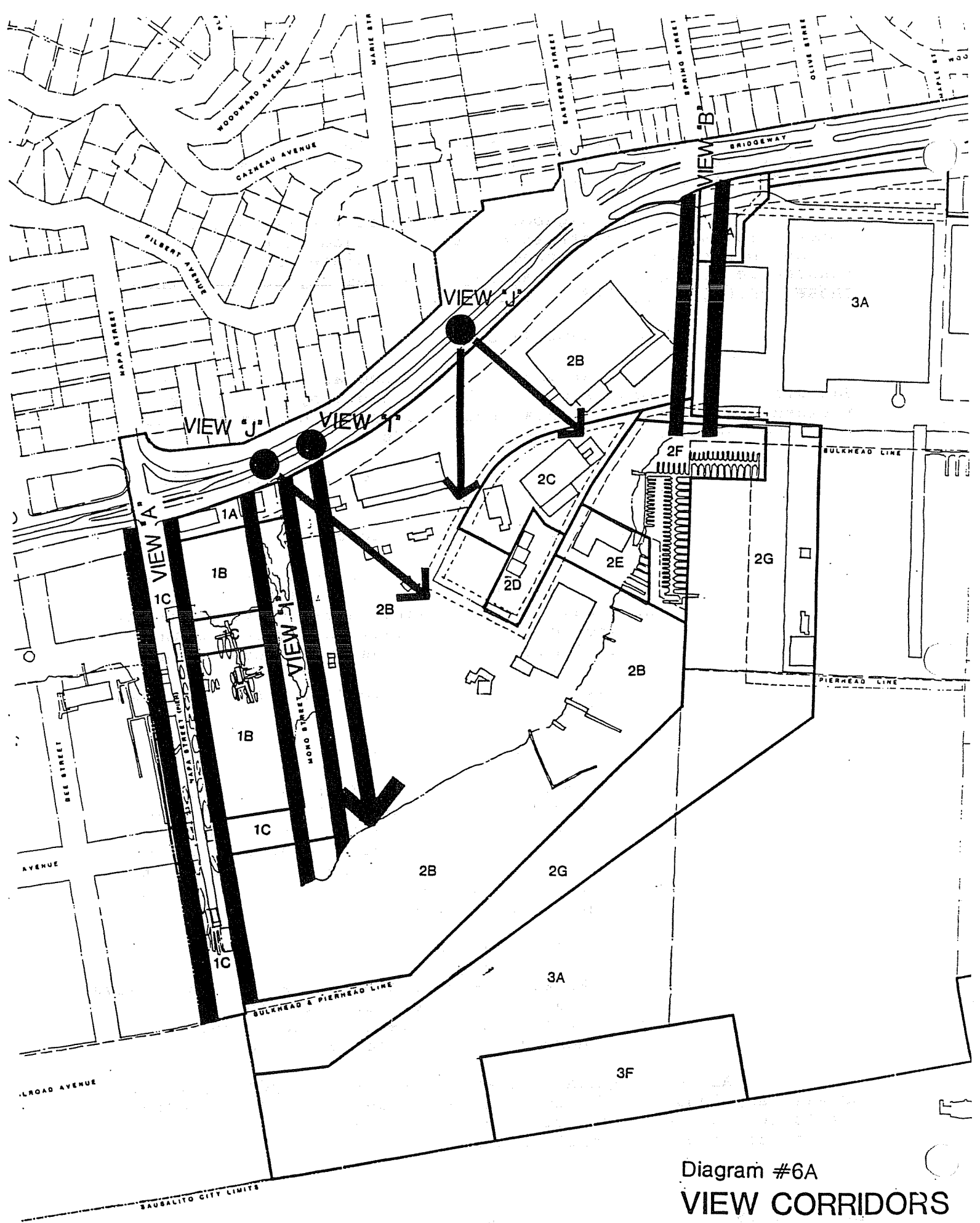
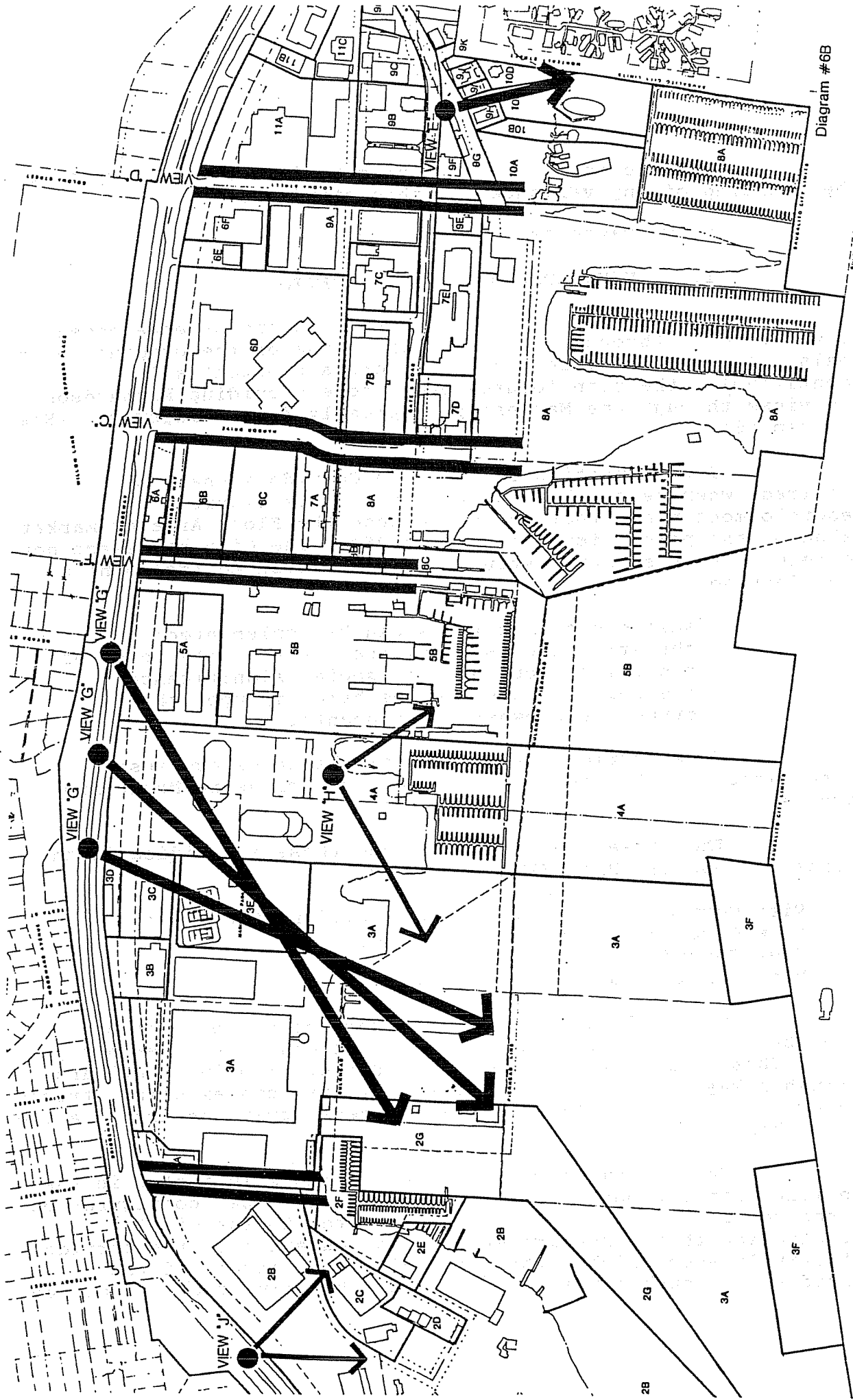


Diagram #6A  
**VIEW CORRIDORS**





The provision of the Zoning Ordinance shall apply to the granting of any variances to this standard.

### C. VIEW CORRIDORS

#### 1. VIEW CORRIDOR IDENTIFICATION

The identification, preservation and/or enhancement of view corridors through the Marinship is one of the original plan goals. Although a variety of corridors are potentially identifiable, the plan focuses upon those providing Richardson Bay views through the Marinship, typically from Bridgeway. (See Diagram #6).

Implementation of all View Corridors shall be required, when reasonable, as part of any development or redevelopment plans that would increase the Floor Area or market value of the parcel improvements by 25%. The City may elect not to require that existing structures be removed to implement a View Corridor if:

- suitable alternatives can be implemented;
- the structure is considered by the City to be of historical, cultural or social significance;
- the removal causes undue hardship upon the structure's owner or occupants.

View Corridors fall into two basic categories: those along street rights-of-way and those crossing Marinship parcels.

The street corridors include those identified in the Marinship Specific Plan EIR. These are:

- View Corridor A: Napa Street, including the pier;
- View Corridor B: Liberty Ship Way;
- View Corridor C: Harbor Drive;
- View Corridor D: Coloma Street;

Other EIR-identified corridors do not provide bay views but rather views into or along portions of the Marinship area. These corridors, along Nevada Street (looking east) and Marinship Way (looking north and south) are down existing streets and are not significantly impacted by development occurring along the rights-of-way.

The alignment of the View Corridors indicated in the Specific Plan document illustrates an ideal visual configuration of the corridor. If it can be demonstrated to the City's satisfaction that a realignment or configuration of the corridor effectively accomplishes the original visual intent of the corridor then such a realignment should be permitted. It may be

possible to adjust the corridor to coincide with various existing easements and thereby relieve the parcel owner from an additional reduction in the usable parcel area.

The Specific Planning process has identified additional corridors that provide important views of Richardson Bay and Sausalito maritime activities. These traverse parcel boundaries rather than street rights-of-way and include:

**View Corridor E:** Parcel 10C: view to bay from Varda Landing Road;

**View Corridor F:** Parcels 5B, 6A-C, 7A, 8B and 8C: view to bay from Bridgeway largely along the Marinship Loop Road route;

**View Corridor G:** Parcels 3A, 3E, 4A and 5A: view of maritime activity at the Army Corps pier, commercial fishing at Parcel 2G, and bay from Bridgeway;

**View Corridor H:** Parcel 4A: view of maritime activity at the Army Corps pier, commercial fishing at Parcel 2G, and bay from the marsh area of Parcel 4A;

**View Corridor I:** Parcels 1A, 1B and 2B: view of bay, Schoonmaker Point, and Mono Street marsh from Bridgeway at Mono Street;

**View Corridor J:** Parcels 2B-F: views of the Marinship industrial activity and where possible, views of the bay from Bridgeway between the Schoonmaker Building and the "55-Foot Tall" historic building.

View Corridors have been prioritized in the Marinship Specific Plan. These are:

- **"Required Corridors"**: Views are to be maintained open, free of structures or landscaping that measurably obstruct views of Richardson Bay (or in specific cases, views of Richardson Bay maritime activity).

- **"Desired Corridors"**: Permit a limited amount of view obstruction within the corridor (significant portions of the view are to be maintained).

- **"Suggested Corridors"**: Occur in areas where achieving unobstructed views of Richardson Bay is difficult or may cause undue hardship upon the parcel owner's ability to develop the site without significant view blockage. In these instances, the building design and siting should attempt to create or maintain Richardson Bay views to the maximum extent considered reasonable by the City.

The Marinship View Corridors are prioritized as follows:

**Required Corridors:**

View Corridors A, B, C, D, F, and the Mono Street portion of Corridor I.

**Desired Corridors:**

View Corridors E, and G and the non-Mono Street portion of Corridor I.

**Suggested Corridors:**

View Corridors H and J.

**2. VIEW CORRIDOR TREATMENT**

Each view corridor listed above will require a different type of treatment. The purpose of each treatment is to maximize views to and through the Marinship, affording the maximum opportunities to see the bay and its maritime shoreline activity. The treatment of each view corridor shall be as follows:

**View Corridor A: Napa Street, including the pier:**

The intersection improvements at Bridgeway, redevelopment of the Napa Street pier and surrounding areas shall be designed to enhance, not interfere with, the view along Napa Street to the bay. Use of the pier for temporary boat tie-up will be permitted as long as the boat size and massing does not significantly obstruct the views. No permanent berthage will be permitted within the street right-of-way. No buildings should be located on the Pier or within the right-of-way.

**View Corridor B: Liberty Ship Way:**

This is not a dedicated public street but is an important access and view corridor. The landscaping treatment along its edges (between Schoonmaker and the Corps: Parcels 2A, 2B, 3A) is important to the view clarity and should be installed and maintained in a manner to preserve the water views along this short street segment. No structures or landscaping shall be located on Parcels 2F and 2G that will significantly obstruct water views from Bridgeway along Liberty Ship Way.

**View Corridor C: Harbor Drive:**

Due to a jog in the street alignment only a small portion of the shoreline marine activity is visible from Bridgeway. The most critical view impact consideration is the landscaping treatment within the Harbor Drive right-of-way. Plant selection and maintenance programs should preserve this narrow corridor.

View Corridor D: Coloma Street:

Given the sight line distances and topography, no shoreline view is likely down this northern Marinship street. However, by prohibiting the placement of structures and landscaping within a zone the width of the Coloma Street right-of-way between Gate 5 Road and the shoreline that would significantly obstruct views of the shoreline maritime activities from Coloma Street, it will be possible to provide views of the marine activity along the shoreline.

View Corridor E: Parcel 10C: view to bay from Varda Landing Road:

The Varda Landing Road access point for Parcel 10C (Onslow-Ford) currently affords a small view "window" to the houseboat, marina and open water areas. No structure or landscaping element should be located or treated in a manner that would significantly obstruct this view opportunity from Varda Landing Road.

View Corridor F: Parcels 5B, 6A-C, 7A, 8B and 8C: view to bay from Bridgeway largely along the Marinship Loop Road route:

The creation of the Marinship Loop Road along the property lines between the Parcels 5B, 6B, 6C and 7A (Arques, Big "G", Post Office and 150/180 Harbor) is a part of these Specific Plan designations. A view corridor opportunity exists along this new street axis, making it possible to see the shoreline marine activities from Bridgeway. Therefore, no structure or landscaping element should be located or treated in a manner that would significantly obstruct the shoreline activity view opportunity from Bridgeway.

View Corridor G: Parcels 3A, 3E, 4A and 5A: view of maritime activity at the Army Corps pier, commercial fishing at Parcel 2G, and bay from Bridgeway:

A major view of Angel Island, Richardson Bay, the commercial fishing boats at Parcel 2G, and the maritime activities associated with the Army Corps operations (Parcel 3A) exists along a stretch of Bridgeway fronting on Parcels 4A and 5A. Given the elevation differences between Bridgeway and these two parcels it is not necessary to prohibit locating structures within this view corridor. The structures on these parcels should be located either along the edges of this corridor or be limited to heights that do not significantly interfere with views of the Parcel 3A shoreline and maritime activities of Parcel 2G. The landscaping treatment of these parcels should not significantly interfere with the same.

**View Corridor H:** Parcel 4A: view of maritime activity at the Army Corps pier, commercial fishing at Parcel 2G. and bay from the marsh area of Parcel 4A:

A public access open space and marsh has been developed on Parcel 4A's shoreline making it possible to enjoy views of the surrounding maritime activities. The location of any future structures or landscaping elements should not significantly obstruct the view of the surrounding shoreline marine activities, especially those occurring on Parcels 2G and 3A from the pedestrian walk and adjacent to the marsh area.

**View Corridor I:** Parcels 1A, 1B and 2B: view of bay, Schoonmaker Point, and Mono Street marsh from Bridgeway at Mono Street:

A relatively narrow view corridor between Bridgeway and Schoonmaker Point exists along Mono Street. This view opportunity should be preserved and enhanced. Therefore, no structures or landscaping element should be located or treated in a manner that would significantly obstruct the Schoonmaker Point view opportunity from Bridgeway along Mono Street, and to the extent possible, within 60 feet of Mono Street's northern right-of-way line.

**View Corridor J:** Parcels 2B-F: views of the Marinship industrial activity and where possible, views of the bay from Bridgeway between the Schoonmaker Building and 55' tall historic building:

It is currently difficult to see the bay, shoreline and industrial activity occurring within much of Planning Area 2 from Bridgeway due to the positioning of several large existing structures and the landscaping condition along the Bridgeway right-of-way and median.

To prohibit the placement of structures within this corridor would severely limit, and in some instances unfairly eliminate, development on several parcels. Such a prohibition is not the intent of this plan. It is the intent of this plan to review the placement, height and bulk of future structures in this area to evaluate their potential view impact with the purpose of providing the largest reasonable view of the bay, shoreline, and industrial activity associated with Planning Area 2 from Bridgeway.

Furthermore, the tree and ground cover plantings along the Bridgeway frontage and median should be maintained in such a manner that unobstructed views of Planning Area 2 and the shoreline are possible between the heights of 2.5 feet and 8 feet above the eastern curb elevation, along the eastern edge of Bridgeway, and between Napa and Spring Streets.

Bridgeway views toward the bay:

Consistent with the above remarks, the landscaping treatment along the entire length of Bridgeway, between Napa Street and the northern City Limits, should be designed and maintained in a manner to enhance the shoreline oriented view opportunities, as well as views into the Marinship area in general. No significant amount of landscaping should be permitted within a view "window" above 2.5 feet and below 8 feet in elevation above the eastern curb height, along the eastern edge of Bridgeway, unless otherwise approved by the City.

The corridors listed in this section are considered the primary view corridors in the Marinship. They are not, however, the only opportunities to view the Richardson Bay or the many focal points throughout the area.

Marinship development plans must be reviewed to evaluate their impact upon the view opportunities associated with each parcel. These view opportunities are intended to provide "windows" to and through each parcel, form orientation corridors, and reinforce the identification of various Marinship focal points. To the extent possible, buildings should be clustered and/or aligned in such a manner that the organization maximizes open space, views and continuity of both building form and open space. Property owners are encouraged to work with the Planning Department regarding the identification and treatment of these view opportunities.

In addition to the corridors described above, there are many locations throughout the Marinship that offer desirable views to the area's unique qualities. The design of open space, public access areas and pathways should attempt to incorporate these special view points into their route and design. These view points include:

- Napa Street Pier (Parcel 1C): bay and hillside views;
- Schoonmaker Point (Parcel 2B): bay and hillside views;
- Promenade at Onshore Marine Building (Parcel 2B): harbor views;
- Liberty Ship Way (Parcels 2F and 2G): views of bay, marina and fishing boats;
- Bay Model (Parcel 3A): views of the bay, fishing boats, Corps operations, marinas, shoreline and hillsides;
- Marina Plaza, southeast corner (Parcel 4A): views of Corps operations, fishing boats, marinas, bay and hillsides;
- Marina Plaza, marsh (Parcel 4A): views of marsh, bay, marina, Corps operations and fishing boats beyond;

- Caruso's Deck (Parcel 8A): view of bay, marina, boat launch and maritime activity;
- Sandy Point, between Clipper #2 and #3 (Parcel 8A): views of San Francisco, the bay, marina, Corps operations, fishing boats, houseboats, and hillside;
- Sandy Point, between Clipper #3 and #4 (Parcel 8A): similar to Sandy Point described above;
- Clipper #4 access point (Parcel 8A): views of marina and houseboats;
- Vallejo Ferry Site (Parcel 10C): views of houseboats and bay.

#### D. SETBACKS AND EASEMENTS

##### 1. BUILDING SETBACKS AND EASEMENTS

The building setbacks for Marinship parcels shall be as required in the Zoning Ordinance, and as provided in this section. Evaluation of setback and easement requirements of any development proposal should include consideration of: public safety, use separation/integration, public access, view corridors, and support of the urban industrial character of the Marinship.

Building setbacks should adequately protect the public safety by separating buildings whose use or construction poses a threat to one another.

*placement on parcel*

Building placement on a parcel should be clustered to the extent possible to optimize open space while providing definable urban forms, especially along street frontages. An "urban" rather than "suburban" treatment of building placement is preferred. In this context, buildings should define space rather than become points in space. [Zero setbacks along streets and property lines are intended to encourage the placement of structures along the street to give the street definition and continuity.] To the extent possible, or unless otherwise noted, buildings should not be set back from the street to provide space for parking lots. Instead, parking should be located behind or alongside the buildings.

The building placement on a parcel should respect the intent to provide public access, to provide views of Richardson Bay as well as views through the Marinship, and to create public and private open space areas.

These standards shall be required, when reasonable, as part of any new construction, redevelopment, or exterior building remodeling involving at least 25% of the existing Floor Area or representing 25% of the market value of the Parcel improvements. Existing structures, or undisturbed portions of existing structures, may remain in their existing locations, providing such positioning does not cause a threat to public safety.

To the extent possible, buildings in the Marinship should be sited and oriented in a manner that minimizes view blockage of the bay. Typically this will result in structures oriented perpendicular to the bay, positioned in front of each other in lines creating view corridors to the water. Typically building placement should not be permitted to unreasonably obstruct the water views from other buildings.

The Marinship building setbacks should be as follows:

a. At Public Streets: 0 (zero) feet.

Note: This is the existing setback standard. It is the preference of this plan that, to the extent possible, buildings be located at the street (public or private) right-of-way line.

b. At Property Lines:

All "I", "W" and "CS" parcels: 0 (zero) feet, except as follows: That portion of a parcel adjacent the "H" or "P" zones the required yards shall be:

- Adjacent to "H" zone: 20 feet;
- Adjacent to "P" zone: 30 feet.

c. At Shorelines:

As determined by the Planning Director.

Note: It is the intent of the Specific Plan to enhance the viability of Marinship maritime uses. It is also the intent of the Plan to provide reasonable physical and visual access to the bay.

The Planning Director should evaluate the existing site conditions, the proposed use or activity, the character and feasibility of public access, including such concepts as: marine uses frequently need direct access to the water, the quality of public access is not necessarily diminished by the location of buildings immediately adjacent to a pathway or shoreline, buildings may need to be sufficiently removed from the shoreline to create, protect or enhance existing or potential water views or use, protection of the bay water or environmental quality may or may not be harmed by a particular building placement.

d. At View Corridors:

As determined by the Planning Director.

Note: The Marinship Specific Plan identifies several important view corridors, primarily along public streets, offering views of the bay from Bridgeway (see Diagram #6: View Corridor Map).



Buildings along the streets will not conflict with these corridors, in fact they should further define them. Other view corridors have also been identified and these generally represent view opportunities through the Marinship to the bay that cross privately owned parcels. It is not the intent of the Specific Plan to prevent the placement of structures within these view corridors but rather to minimize their potential impacts. In some cases the height of a building should be controlled to prevent view interference. In others, potential structures should be re-oriented, re-positioned or re-designed to minimize their view impacts. Property owners of those parcels where view corridors have been identified are encouraged to meet with the Planning Director to discuss the setback issues and criteria.

Additionally, development plans must be reviewed by the City to evaluate the plan's conformance with the Specific Plan intent to provide view corridors and opportunities to and through the Marinship, as well as within individual parcels.

**e. At Public Open Space:**

- Dedicated Public Open Space: 30 feet;
- Public Open Space Easements: 30 feet;

Note: The City may consider reductions in these setback requirements if it can be demonstrated, to the City's satisfaction, that such reduction will enhance the use and quality of the open space.

**2. PARKING SETBACKS**

The parking setbacks for Marinship parcels shall be as required in the Zoning Ordinance. Any evaluation of setbacks should recognize the industrial use and urban character of the Marinship.

**a. At Public Street and Pathways:**

- No parking should occur within 5' of a public street right-of-way.
- No parking should occur within 5' of a designated pedestrian or bicycle path or easement.

**b. At Property Lines: 0 (zero) feet.**

**c. At Shorelines: 50' feet, unless otherwise approved by the Planning Director.**

Note: See building setback at a shoreline note above for similar considerations.

d. At View Corridors:

Unless otherwise directed by the Planning Director there are no parking setback requirements within a designated view corridor. However, the Planning Director will evaluate proposed development plans to ensure that the parking areas do not significantly interfere with the effectiveness of the view corridor.

- Where parking occurs at street oriented view corridors the setback shall be the same as for the street (see item a. above).

e. At Public Open Space 10 (ten) feet.

f. At Buildings: 0 (zero) feet.

E. SITE COVERAGE, OPEN SPACE AND LANDSCAPING

The following standards shall be required, when reasonable, as part of any new construction, redevelopment, or exterior building remodeling involving at least 25% of the existing Floor Area or representing 25% of the market value of the Parcel improvements. Existing structures, or undisturbed portions of existing structures, may remain in their existing locations, providing such positioning does not cause a threat to public safety.

1. SITE COVERAGE

The building coverage limit for each zone is provided in the Sausalito Zoning Ordinance.

It is the intent of the Specific Plan to encourage the consolidation of building coverage on each parcel to enhance the opportunities of creating open space. To the extent possible, and where views are determined by the City to be enhanced rather than hindered, parcels should consolidate their development square footage on the smallest possible building footprint, e.g., construct multilevel rather than single level structures.

2. OPEN SPACE

a. Public Open Space  
1) Requirements

Public access to designated open space areas should be required of all Richardson Bay frontage parcels in the Marinship. Public access to designated open space areas will be required of all Marinship parcels associated with the

development of pedestrian and bike paths systems, or as indicated in this plan document, or as required by the City.

## 2) Treatment

Pedestrian ways should be developed as described in Section III.C.6 of this document, or as directed by the Planning Director.

Bicycle paths should be developed as described in Section IV.A of this document, or as directed by the Planning Director.

The design of public open space areas should be approved by the Design Review Board. Improvements may include both hardscape and softscape materials, furniture, lighting, irrigation, signage, parking, and maintenance. The open space should be designed to include a variety of active and passive uses, including places to rest. When required by the City, waterfront open space will provide for water access, including small boat launch and/or tie-up.

## b. Private Open Space

### 1) Requirements

Minimum Landscaped Area: 10% of Floor Area. The minimum landscaped area shall be increased to include all areas which are not covered by building area, paving or approved unenclosed areas.

### 2) Treatment

The open space should be designed to include a variety of active and passive uses, including places to rest and eat.

## 3. LANDSCAPING

### a. Overview

The Marinship is a unique mixture of uses, physical environs and developed forms. It enjoys a spectacular shoreline, with views of Richardson Bay and surrounding hills. It is also an industrial area complete with all the associated textures, materials and activities. It is commercial with a wide variety of retail and service uses. No one landscaping approach can be applied to the entire area.

One overall concept can, however, be applied to the vast majority of landscape opportunities. That is of an urban, industrial neighborhood. In the Marinship, the most

successful landscape treatments are those that support the working waterfront or industrial nature of the area. This means that a great deal of the area should have hard surface materials, in the urban or industrial tradition, rather than soft surface materials in the suburban office or industrial park vernacular.

The landscape design of open space and pathway areas should include both hard and soft characteristics, as appropriate. Shoreline walks may vary from peaceful, green shoreline pathways to hard surface promenades along marine service or commercial areas. The pedestrian and bike paths should have suitable paving materials (no gravel on bike paths) and be bordered with softscape featuring trees for shade and visual interest.

Landscape materials should be selected recognizing the Marinship mix of uses and physical environment. Plants should be appropriate for the local climate, soil conditions, water table, water quality, maintenance, water consumption and ability to withstand the rigors of an industrial area. Paving designs and materials, especially in such transition areas as building entrances, level changes, parking lots and sidewalks, should accommodate the differential settlement anticipated on most parcels in the Marinship.

[ A significant issue in the Marinship is the control of drainage runoff, a frequent source of bay water pollution. The development plan for each Marinship parcel should utilize the potentials associated with good landscape design to control site drainage, and to the extent possible capture and filter the runoff prior to its leaving the parcel (not necessarily mechanical filters). ]

#### F. BUILDING HEIGHT AND BULK

Building heights and bulk should be compatible with the surrounding developments. Generally buildings should be lower along the shoreline to facilitate bay views from the inland areas. Where this is not possible, strategically placed separations between buildings should be provided. New buildings on the shoreline should be less than 32 feet high, unless it can be demonstrated that a 32-foot height is required because of the industrial nature and use of the building.

The structures should not exceed 3 stories or 32 feet in height, above grade, without approval of variances by the City. [ Building masses are to be modulated in plan, elevation and profile to avoid monotony of form and character, supporting the concept of the Marinship as an area with a mixture of uses and activities. ] Buildings taller than 32 feet may be considered by the City for any of the following reasons:

- Heavy Marine Industrial uses may require structures taller than 32 feet to adequately sustain the viability of a marine service considered important to Sausalito. Such a structure must be sited in such a manner that its location and form do not unreasonably obstruct views of the bay, especially from adjacent parcels. If these factors can be resolved, to the satisfaction of the City, such a structure should be considered with a Conditional Use Permit.

- An existing structure, deemed of historic interest by City of Sausalito and currently taller than 32 feet, may be remodeled but not replaced, with a Conditional Use Permit.

## G. SPECIAL REQUIREMENTS

### 1. GEOLOGY

One of the most important development suitability considerations in the Marinship relates to the generally poor geological condition of the area. The majority of the Marinship land area was created by the Federal Government during World War II by excavating what was then referred to as Pine Point and filling the bay, in some areas, with over a hundred feet of fill. This fill sits upon bay mud creating a poor foundation for most building types. Generally, the areas nearer the hillside have better soil conditions than those located near the bay edge. The area continues to settle and will continue to do so for the next two hundred years. The settlement stabilization problem is compounded by the addition of new structures and land fill.

The geological conditions in the Marinship have been studied over the years. During the Specific Plan Environmental Impact Analysis process the firm of EIP Associates, San Francisco, compiled important elements from the available geological studies and produced a summary report entitled "Geological Background Report, Marinship Area Plan", dated December 1985. The report includes among other things:

- a generalized geological map;
- tables indicating the ultimate amount of settlement of fills over mud and percent settlement of fills over time;
- a relative land stability map;
- known ecological hazards;
- a risk matrix.

All Marinship development applications will be required to provide and analyze, to the City's satisfaction, the geological suitability of the site to support the proposed improvements.

The following major points from the Geological Background Report should be noted regarding these analyses:

## Geological Report

- An increase of liquefaction potential toward the bay related to clay-free sand layers occurs most commonly because of thin sand layers separating the bay mud within the younger bay sediments.

- An increase in settlement potential toward the bay related to the depth of bay mud and the amount and rate of new fill placed on the mud.

- Pockets of liquefiable sediments more than 50 feet below ground surface would have little effect on surface structures. Pockets of clean sand within 30 feet of the surface should be tested for blow count values and either removed or avoided during construction if they are liquefiable. Removal will be difficult because of the high water table.

- Thicknesses of bay mud less than 10 to 12 feet would need about three years to stabilize after new fill was added before construction could begin. Settlement time increases almost exponentially with depth of mud (50 feet of mud needs about 200 years to stabilize after filling). Pile foundations should be considered when mud thickness is shallow enough to allow their economical use.

- For most structures one- or two-stories high the danger posed by potential settlement is moderately low. Fifty-foot deep bore holes with standard penetration tests would be adequate for siting these structures. In most cases, standard foundation investigations are all that would be necessary (Risk Level I-1).

- Specific construction recommendations would vary with each building site, but some general recommendations can be made. Structural design should take into account anticipated seismic groundshaking. Seismic design parameters set forth in the Uniform Building Code (1980) should be minimum guidelines. Surcharging the area with structural fill would aid densification of underlying mud and sand layers, but would increase the rate of settlement. This increase is not necessarily undesirable, but the amount of settlement should be analyzed as part of the development proposal and incorporated in the structural design.

- Seismic risk generally can be reduced beyond UBC standards by using the Association of Professional Engineers of California Seismic Recommendations (1981) as basic standards for internal/dynamic loads.

Given the fluid nature of the Marinship, adding significantly to the existing dead load of one area can cause an elevational change to another. When reviewing a development application, the City will consider the potential impact on any adjacent parcels.

## 2. DRAINAGE

Currently two-thirds of the Marinship area does not drain into the existing stormwater system but drains directly into Richardson Bay. Additional development of buildings, streets and parking areas in the Marinship will increase the amount of impermeable surface, thereby potentially increasing stormwater runoff.

The bayside half of the Marinship is within the 100-year flood zone. The closer drainage lines are to sea level, the more difficult it becomes to achieve positive drainage without resorting to levees and lift pumps. The Marinship experiences flooding from upland drainage as well as tidal sources.

*Gate 5 Road*  
The most seriously impacted sites are at Schoonmaker, at the northern end of Varda Landing Road, and along the east side of Gate 5 Road. The Gate 5 Road sites must be raised in elevation. At Schoonmaker a larger system of drainage pipes must be designed and installed. Sedimentation has caused blockage of channels in the bay mud below the high tide line near Varda Landing Road, impeding drainage from this area at lower tides.

## V. PUBLIC PROJECTS

The City of Sausalito has decided to take a relatively passive role in the realization of various infrastructure and improvement projects in the Marinship area, preferring to have the private sector provide the identified projects whenever possible.

The following Marinship projects have been identified as the responsibility of the City of Sausalito:

### A. Marinship Way (partial):

That portion of this private street crossing the western edge of Parcel 4A (Marina Plaza) has been recently approved and installed by the property owner. The roadway alignment features two 90-degree turns and a blind intersection near Marinship Park. The route included in the Marinship Specific Plan would smooth the curves to improve the sightlines and thereby the traffic safety. (See Diagram #4). Reconstruction would include the demolition of the existing roadway, sidewalk, parking lot and landscaping, and the new construction of the same, locating a portion of the parking lot to the west side of the new roadway alignment.

### B. Bridgeway Landscaping Project:

This extensive improvement plan, prepared by Landscape Architect Paul Leffingwell, has been delayed due to the high cost of implementation. Portions of the project could be determined to be Private Sector projects or combinations of Public and Private Sector projects.

### C. Bridgeway at Gate 6 Road Intersection:

Various improvements to this intersection, including the addition of a free right turn, eastbound into Waldo Point, and lengthening the northbound left turn pocket would significantly improve the Marinship's worst weekday, PM peak hour traffic congestion problem. This intersection, and improvement, was evaluated in EIR Section 4-53.

### D. Bridgeway at Harbor Drive Intersection:

Various improvements to this intersection, including the addition of a free right turn, eastbound onto Harbor Drive from Bridgeway, would significantly improve the Marinship's second most congested intersection. This intersection, and improvement, was evaluated in EIR Section 4-53.



The City has expressed the willingness to consider providing limited support for the following private projects:

- Bridgeway intersection improvements at: Gate 5 Road, Coloma Street, Easterby Street and Napa Street;
- Commercial Fishing facility creation or enhancement in association with the State Coastal Conservancy;
- The purchase or preservation of the Industrial Center Building (ICB) on Parcel 7B, for the use of Sausalito artists;
- The development of an Art Center or Institute for education, enrichment and support of local artists, including "artist in residence" programs;
- Public Use projects on private sites in the Marinship.

**E. The Redevelopment of the Napa Street Pier:**

The Napa Street Pier, Parcel 1C, is located adjacent to Dunphy Park, at the southern end of the Marinship. The pier is currently condemned and should be reconstructed for public use.

**F. Other Potential Public Projects: Clipper Basin Sandy Point, Terra Landing, Marinship Park Extension, Industrial Center Building.**

Potential public projects include the acquisition of the following areas to provide public use of the shoreline:

**Clipper Basin Sandy Point:** Diagram 5B, page IV.A-9, indicates a "Special Area" located between Clipper Basins #2 and #3. This privately-owned open space area has been enjoyed by the public for many years. The site offers great views of San Francisco, Richardson Bay, and Sausalito from its eastern tip.

**Terra Landing:** The Terra Landing site, Parcel 1B, is located adjacent to Dunphy Park and the Napa Street Pier. This area has been identified as a potential public open space site which could provide an extension of Dunphy Park to the Mono Street marsh restoration.

**Marinship Park Extension:** Marinship Park, Parcel 3E, is located between the Bay Model and the Marina Plaza office project. Currently, the Army Corps dredging operations separate the park from the shoreline. A potential extension of the park, along the northern edge of the dredging operation area, was identified during the planning study. Should the Corp make the parcel available to the City, it would make it possible for the Marinship Park to provide enhanced public access to the shoreline.

## VI. SPECIFIC PLAN IMPLEMENTATION

### A. PUBLIC PROJECTS

The following sections list the various funding methods that could be used to implement the public projects described in the Marinship Specific Plan.

#### 1. REDEVELOPMENT

State legislation created the California Community Redevelopment Law which permits local agencies to generate tax increment financing to subsidize local project improvements. This procedure provides for selection of a survey area, analysis of the need for redevelopment, selection of a project area and preparation of a preliminary plan and preparation of a redevelopment plan. Tax increment financing can be summarized as follows: the assessed value for the project area is "frozen" and all increases in assessed value and subsequent property tax go to the Redevelopment Agency for improvements to the project area.

In November 1972, the Sausalito City Council designated itself a Redevelopment Agency. In November 1977, the City Council adopted Resolution No. 2722 designating a survey area with 260 acres, which included the Marinship. After preliminary review in 1978 the project was dropped.

#### 2. OTHER AGENCY PROGRAMS

Included under this category would be loans and/or grants from the State Coastal Conservancy, Wildlife Conservation Board and Marin Community Foundation.

#### 3. GENERAL OBLIGATION BONDS

Passage of Proposition 46 authorized California cities to issue general obligation bonds for the first time since 1978, when Proposition 13 limited the tax rate on real estate property to 1% of cash value.

Proposition 46 amended the California Constitution to create an exception from the property tax limitation for taxes to pay debt service on any bonded indebtedness for the acquisition or improvement of real property provided that such indebtedness is approved by two-thirds of the voters voting on the measure. General obligation bonds are bonds secured by a pledge of the issuer to levy and collect property taxes at an unlimited rate and amount to the extent other funds are not available to pay the bonds. By limiting the property tax rate, one effect of Proposition 13 was to take away from local governments the power to issue general obligation bonds.

Proposition 46 restored that power by permitting local governments to levy a property tax above the 1% limit to pay for such bonds.

Proposition 46 limits the use of general obligation bonds to "acquisition or improvement or real property . Accordingly, such bonds may be used to acquire land, to acquire or construct buildings and other facilities and structures affixed to land, and for public works such as streets, lighting and sewers.

General obligation bonds offer several advantages over other methods of debt financing:

a. General obligation bonds have always been the least expensive source of financing. Bond investors view property taxes as the most reliable source of repayment.

b. General obligation bonds usually involve much simpler documentation and procedures than other types of debt.

c. Normally, reserve funds and capitalized interest are not required for general obligation bonds.

d. Because general obligation bonds are payable from the issuer's general fund, no particular revenue stream is required to support the issuance of such bonds.

e. Property taxes and other monies used to pay debt service on general obligation bonds do not constitute "appropriations subject to limitation" within the meaning of the Gann spending limit and, consequently, do not count against the issuer's "appropriation limit". This feature will become increasingly important as local governments approach their constitutional spending limits.

The issuance of general obligation bonds must first be approved at an election, which is held in the same manner as for any other local proposition. After the required two-thirds voter approval, the governing body of the issuer authorizes the sale and issuance of specific bond issues.

#### 4. INDUSTRIAL DEVELOPMENT (Private Activity) BONDS

The purpose of industrial development revenue bonds (IDBs) is to assist private firms and corporations in the construction, expansion, and relocation of commercial or energy related facilities.

The California Industrial Financing Act authorizes cities and counties to create industrial development revenue bond authorities which may issue tax-exempt bonds to finance assembling, fabricating, manufacturing, or energy related facilities for private enterprise. Bonds issued under the Act are repaid solely by private enterprise, with no taxes or other public monies obligated therefore.

Public entities must determine criteria for participating in IDB issues based on public benefit, e.g., creation of jobs, increase in property and sales taxes, economic growth in distressed areas, and long-range prospect of the private corporation.

#### 5. DISBURSEMENT FROM GENERAL FUNDS

The City Council annually approves a Capital Improvement Program which authorizes construction of public projects such as streets and parks.

#### 6. PRIVATE DEVELOPMENT REQUIREMENTS

As condition of development approval from the City, it may be possible to require that particular projects be completed by the private sector and dedicated to the City for maintenance.

#### 7. OTHER POTENTIAL PUBLIC PROJECTS

The following options are available to acquire the Sandy Point area between Clipper Basins #2 and #3, Terra Landing, the Marinship Park extension, and the Industrial Center Building (see item E, page V-3) for public use:

- Purchase by the City following a Bond Issue Election;
- Requirement of dedication by the owner to the City or the Southern Marin Land Trust in conjunction with a development project;
- Purchase for public open space or use with Coastal Conservancy money;
- Seek a donation to the City or Southern Marin Land Trust to obtain a tax credit for the property owner;
- Obtain a below market sale or long term lease with conditions regarding use and development of property;

- Secure an agreement from the owner ensuring continued public access and use of the area (no transfer of ownership required).

## B. PRIVATE PROJECTS - SPECIAL ASSESSMENTS

While there are a variety of special assessment practices and procedures, some principles are common to all. The principal requirements of a valid special assessment are:

- The use for which the money is raised must be for a public purpose;

- The improvement for which the assessment is levied must beneficially affect a well-defined and limited area of land;

- The total assessment must not exceed the cost of the improvement;

- The actual assessment must be proportional to the benefit received;

- The owner of the land assessed must be given an opportunity for a hearing on the extent of benefit.

Special assessments can be levied only where the land of a property owner will be specifically benefited by the improvement and/or acquisition for which the special assessment is levied.

Special assessments can be constitutionally apportioned upon any basis which will reasonably measure benefits. Apportionment usually is based on frontage, area, units, assessed value, or some combination thereof. Any formula of benefit must, however, be uniformly applied to all properties similarly benefited.

Special assessment financing is applicable when the value or benefit of the improvement can be assigned to a particular property, so special assessments should not be used where the project meets the test of a public good for an entire community. Assessments are levied in special amounts against each individual property on the basis of the benefit each one receives. An engineer is responsible for determining the allocation of benefits and assessments.

In order to determine the benefits and assessments for each parcel, the engineer may consider any or all of the following criteria: proximity of property to the project, front footage of the property, area of the property, units of use of water, number of housing units, building size, and land value.

Improvements for which special assessments may be levied are often associated with infrastructure, or the support structures necessary to a community. Examples include street paving, sidewalks, curbs, gutters, collection sewers, water services, street lighting, off-street parking, landscaping, storm drainage systems, land and easements, plus incidental engineering, legal and financing costs.

Special assessments may be used for both publicly dedicated on-site and off-site improvements. The boundaries of a special assessment district are not required to be contiguous, but the entire included area is always required to benefit from the project.

Assessment district financing is commonly initiated by the property owners to be benefited. This may mean an established community which may want to upgrade its infrastructure or it may mean a single developer who is interested in securing low interest financing for the qualifying public components serving the development.