

RESOLUTION NO. 5512

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO DENYING
CONSENT FOR THE MAJOR ALTERATIONS TO THE SAUSALITO FERRY LANDING
PROPOSED BY THE GOLDEN GATE BRIDGE, HIGHWAY, AND TRANSPORTATION
DISTRICT**

WHEREAS, the Golden Gate Bridge, Highway, and Transportation District (District) proposes to remove the existing passenger boarding system at the Ferry Landing in downtown Sausalito and construct a new boarding system; and

WHEREAS, the September 17, 1995 lease between the City of Sausalito and the District for use of City property for ferry operations requires that prior to making any major alterations, improvements, additions, or utility installations the District obtain the City's consent; and

WHEREAS, City consent has not been granted for the proposed project; and

WHEREAS, on February 10, 2015 the City Council approved a public review process for the Ferry Landing project which included one study session and two public hearings before the Planning Commission and Historic Landmarks Board with direction to the Planning Commission and Historic Landmarks Board to provide a determination on the Design Review Permit Findings in Sections 10.46.060.F, 10.46.060.H and 10.54.050.D of the Sausalito Municipal Code; and

WHEREAS, on March 11, 2015 the Planning Commission and Historic Landmarks Board conducted a noticed study session, at which time all interested persons were given an opportunity to be heard and the Planning Commission and Historic Landmarks Board provided direction to the District on design alternatives and feedback on the size of the project; and

WHEREAS, on April 1, 2015 the Planning Commission and Historic Landmarks Board conducted a noticed public hearing, at which time all interested persons were given an opportunity to be heard and the Planning Commission and Historic Landmarks Board provided direction to the District regarding decreasing the size of the project; and

WHEREAS, on April 15, 2015 and April 29, 2015 the Planning Commission and Historic Landmarks Board conducted a noticed public hearing, at which time all interested persons were given an opportunity to be heard and adopted Resolution No. 2015-08, which provided a recommendation to the City Council in the form of Planning Commission and Historic Landmarks Board determination of the project's consistency with each of the Design Review Findings in Sections 10.46.060.F, 10.46.060.H and 10.54.050.D of the Sausalito Municipal Code; and

WHEREAS, on May 5, 2015 the City Council conducted a public meeting on the District's project in order to determine if consent would be given for the District's project.

NOW, THEREFORE, THE CITY COUNCIL HEREBY RESOLVES:

Section 1: In accordance with Section 5.4 of the Lease the City Council as Lessor hereby denies consent to the major alterations proposed by the Golden Gate Bridge Highway and Transportation

District as set forth in the plans dated submitted March 24, 2015, for all of the reasons set forth in the record including, without limitation the following:

- The planning for waterside and landside improvements should be in tandem
- The overall size of the project is too large and should be reduced
- The project is not compatible with the historic district
- The proposed belvederes add unnecessarily to the size of the project
- The overall design negatively impacts the Sausalito Yacht Club and the Inn Above Tides
- Improvements are outside the boundaries of the leased area
- The City cannot yet determine whether the Project has been adequately analyzed pursuant to CEQA's requirements, as set forth in Section 3
- The project did not consider historic designations and historic context.

Section 2: The City Council hereby rescinds the Encroachment Permit issued on October 17, 2014 for the temporary location of the docking facilities outside of the leased area during construction of the permanent alterations.

Section 3: The City cannot yet determine whether the Project has been adequately analyzed pursuant to CEQA's requirements. The District's Mitigated Negative Declaration ("MND") failed to consider the fact that the Project is located within the Historic Overlay District. Substantial proposed project changes, including the addition of the Belvederes, were not analyzed in the MND. Changed circumstances exist with respect to the circumstances under which the Project is undertaken, including significant increases in passenger and bike counts. While the MND states that the capacity of the Ferry Terminal would be unaffected by the Project, new information recently provided by the District suggests that the Project will increase the capacity of the terminal. Accordingly, further environmental review or documentation may be required pursuant to CEQA Guideline 15162 or 15164.

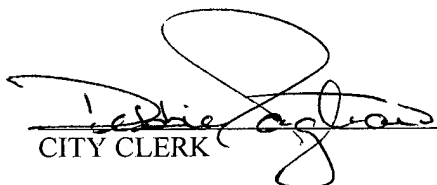
Section 4: The City Attorney is directed to notify the District and the Bay Conservation and Development Commission of this action.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the City Council on the 5th day of May, 2015, by the following vote:

AYES: Councilmembers: Hoffman, Pfeifer, Withy, Mayor Theodores
NOES: Councilmembers: None
ABSENT: Councilmembers: None
ABSTAIN: Councilmembers: Weiner


MAYOR OF THE CITY OF SAUSALITO

ATTEST:


CITY CLERK