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BY E-MAIL AND US MAIL

October 24, 2024

Director Brandon Phipps  
Community and Economic Development Director and Zoning Administrator  
City of Sausalito  
420 Litho Street  
Sausalito, CA 94965  
bhipps@sausalito.gov

Mayor Ian Patrick Sobieski, Ph.D.  
Vice Mayor Joan Cox  
Councilmembers Melissa Blaustein, Jill James Hoffman, Janelle Kellman  
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[jhoffman@sausalito.gov](mailto:jhoffman@sausalito.gov); [jkellman@sausalito.gov](mailto:jkellman@sausalito.gov)

**Re: Proposal to develop 605-613 Bridgeway.**

Dear Director Phipps, Mayor Sobieski, and Honorable Members of the City Council:

I write on behalf of Save Our Sausalito (“SOS”), an organization comprised of numerous active residents of the City of Sausalito (“City”). SOS and its members are deeply concerned with a proposal to place a massive luxury condominium development in the heart of Sausalito’s downtown historic district at 605-613 Bridgeway. We provide the information below to assist city staff and governing bodies as they consider this application.

On October 17, 2024, the City deemed complete Application DR 2024-00014 to construct a 50-unit (previously 47-unit) project (“Project”) at 605-613 Bridgeway, APN-065-132-16 in the CC Zoning District. This action starts a 30-day deadline for the City to inform the applicant whether the Project is inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision of the City. (Gov. Code §65589.5(j)(2).) For the reasons

discussed below, the Project is clearly inconsistent with numerous objective provisions of the General Plan and Zoning Code and should therefore be DENIED. Also, as the City has determined, the Project is not exempt from review under the California Environmental Quality Act (“CEQA”), and CEQA review is therefore required.

#### **A. Housing Accountability Act (SB 330)**

Subdivisions (d) and (j) of the Housing Accountability Act, at Gov. Code § 65589.5 (“HAA”), limit the grounds on which a city may deny or condition a housing development project and these limits may require applying general plan standards where these are inconsistent with a zoning ordinance.<sup>1</sup> Paragraph (5) of subdivision (d) provides that a city may deny a housing project where:

The housing development project . . . is inconsistent with both the jurisdiction’s zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a revised housing element in accordance with Section 65588 that is in substantial compliance with this article.

##### **1. Height Violates Height Allowed by Zoning of 32-Feet.**

Here, the Project is inconsistent with the zoning Ordinance 1022. At a proposed height of 85-feet, the Project exceeds Ordinance 1022’s maximum height of 32 feet for this district. The Project also exceeds the maximum height allowed in the district under the pending General Plan Update. Under the General Plan Update, Site 201 is proposed for MU-29 zoning (DEIR Fig. 2-4), which has max height of 32-feet and 3-stories (DEIR 2-15).

##### **2. The Applicant Has Submitting a Certificate of Appropriateness Falsely Stating that the Project Site is Not Designated on a Historic Register.**

The Project Applicant (“Applicant”), Linda Fotsch, and Mark Hulbert of Preservation Architecture, submitted an application for a Certificate of Appropriateness (“COA”) falsely stating that the property is not “designated on a historic register.” (Exhibit A, p. 3). The COA application was submitted “under penalty of perjury.” (Exhibit A, p. 10).

In fact, as discussed by Connor Turnbull Preservation Consulting,

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<sup>1</sup>Gov. Code § 65860(c), paragraph (2), does not apply to these projects because the projects are subject to and governed by the Housing Accountability Act at Gov. Code § 65589.5.

605 & 607 Bridgeway and 611-613 Bridgeway are identified as Sausalito Historic District contributors under CRHR code 2D2 (01/01/1984) within the Built Environment Resource Directory (BERD) of the California Office of Historic Preservation (OHP). California Historical Resource Status Code 2D2 is defined as a "Contributor to a multi-component resource determined eligible for NR by consensus through Section 106 process. Listed in the CR." The multi-component Sausalito Historic District is eligible for the National Register under the themes: architecture, commerce, exploration/settlement, and transportation. Therefore, **605 & 607 Bridgeway and 611-613 Bridgeway are officially deemed historical resources listed in the California Register** under CEQA Section 15064.5. (Connor Turnbull Preservation Consulting Letter, p.3 (June 2024) (Exhibit B) (emphasis added).)

Therefore, not only is the statement by Ms. Fotsch and Mr. Hulbert in the COA Application false, it constitutes perjury and is a false claim made to a governmental entity. Since a complete and accurate COA Application is required to process the Project application, the City should deny the Project Application.

### **3. Density Exceeds Zoning Limit of 29-Units Per Acre.**

The proposed Project exceeds the density allowed by applicable zoning. Site 201 is subject to zoning defined by the Historic District overlay zone as described in Chapter 10.46 of Sausalito Municipal Code. According to the June 13, 2024 letter from the City to the Applicant, "SECOND NOTICE OF INCOMPLETE APPLICATION":

The site is designated as Central Commercial and High Density Residential, both of which have a maximum density of 29 units per acre.<sup>2</sup>

Page 4 and 5 of the June 13 letter states:

Following a meeting with HCD regarding the City's interpretation of density allowed on the subject site under Government Code section 65589.5(d)(5)(A) prior to the completion of rezoning, the City learned and determined that its previous interpretation of the density permitted under that law in previous communications made on September 14, 2024, and April 11, 2024, were in error and inconsistent with statutory requirements. Generally, until the City completes the program of rezoning and amendment to the Land Use Element as detailed in

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<sup>2</sup> Should the Project qualify for any density bonus, the City's THIRD NOTICE OF INCOMPLETE APPLICATION dated July 30, 2024, refers to a maximum allowable density of 32 units.

the adopted Housing Element, a density bonus cannot be added to the “density specified in the housing element” when a project seeks approval pursuant to the authority set forth in Government Code section 65589.5(d)(5)(A). In other words, only the Housing Element density of 49 units per acre can be applied to a qualifying project meeting the definition of a housing development project “for very low, low-, or moderate-income households” that is located on the site, but a density bonus cannot be applied on top of that density under Government Code section 65589.5(d)(5)(A), which expressly requires that the project must be “consistent with the density specified in the housing element.” Notably, density bonus law determines base density based on the units allowed under existing zoning, specific plans, and the land use element, and there is no way to reconcile these statutes in a way that permits increased density. Therefore, staff is provided the following correction to the April 11, 2024, courtesy notice:

1. Base Density for Calculation of Density Bonus. As stated in Section 65915(o)(6), ““Maximum allowable residential density” or “base density” means “the greatest number of units allowed under the zoning ordinance, specific plan or land use element of the General Plan...” Although the Housing Element has identified the site as an opportunity site, with planned future rezoning and land use element amendments to allow 49 units per acre, the housing element is not used to establish the base density. Instead, permitted base density is based on either:
  - a. The current CC and R-3 zoning regulations, which permit a maximum of 1 residential unit per 1,500 square feet of lot area (Sausalito Municipal Code Sections 10.22.040 Table 10.22-2 and 10.24.050 Table 10.24-2), or 29 units per acre; and the current Land Use Element, which also permits a maximum of 29 units per acre. (The site is designated on the Land Use Element map as Central Commercial and High Density Residential, both of which have a maximum density of 29 units per acre. See Table 1-1.)  
  
Based on the lot area provided in application materials, this results in a base density of 16 units, with additional density possible under density bonus law. OR
  - b. The density specified in the housing element Appendix D1 Inventory and Opportunity Sites and Appendix E Site 201 which identify a density of 49 units per acre, with no additional density allowed under density bonus law.

2. Alternatively, to increase the permitted base density, you may amend the application and submit a proposal for the following:
  - a. A zoning amendment to increase the permitted density in the CC and R-3 zoning districts;
  - b. An amendment to the General Plan Land Use Element to increase the permitted densities for the Central Commercial and High Density Residential land use designations.

### **3. The Project is Inconsistent with the General Plan Land Use Designation.**

The project is also inconsistent with the “general plan land use designation” for the site, which is “Central Commercial.” (See General Plan, Figure 1-1.) The General Plan describes Central Commercial as follows:

Located along Bridgeway and a small portion of Princess Street. This designation describes the intense retail shopping area serving residents and visitors. First-floor uses should be retail commercial with general office and residential uses on the upper floors of buildings in this area. The vast majority of the parcels in this area are located within the city’s Historical District and all development must respect its historic character.

(General Plan, p. LU-4, (*italics added*)).

As shown in the City’s March 14, 2024, Historic Design Analysis report regarding the prior 47-unit version of this Project, the Project will not respect the historic character of the Historical District. As stated in that report:

The average height of buildings in the Historic District is two to three stories. This southern portion of the District generally has smaller storefronts and a mix of one and two-story buildings. By adding six stories directly over the original single-story structure, the new addition will destroy the spatial relationships and integrity that characterizes the property as well as its surrounding commercial Historic District. Because the building does not maintain Sausalito’s commercial facade character, it is not compatible to the District. The bulk and mass of the new building are out of scale with the existing waterfront streetscape and, as a result, it overwhelms, dwarfs, and damages this area of Sausalito.

(March 14, 2024, Amended Historic Design Analysis report, p. 8.) Thus, the Project is inconsistent with the general plan land use designation for this site.

Also, Subparagraph (A) paragraph (5) of specifies conditions that would preclude the city from denying approval based on the criteria stated in paragraph (5), providing that:

This paragraph cannot be utilized to disapprove or conditionally approve a housing development project if the housing development project is proposed on a site that is identified as suitable or available for very low, low-, or moderate-income households in the jurisdiction's housing element, and consistent with the density specified in the housing element, even though it is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation.

Here, subparagraph (A) does not apply, and therefore, does not preclude denial of the project based on the criteria in paragraph (5), because the Project is inconsistent with the density for the site specified in the general plan housing element.

The 2023 Housing Element states that the "Potential Capacity by Household Income Level" for this site (i.e., site 201) is currently "20 Units Realistic Capacity (11 ELI/VL, 6 L, 1 M, 2 AM)." (Appendix E, p. E-24.) The Project proposes 50 units, which exceeds the density specified in the housing element.

Indeed, the General Plan indicates that the entire Central Commercial area has no capacity for increased residential units. (General Plan, p. LU-10.) And the 2023 Housing Element indicates that the site is suitable for a total of 17 very low, low and moderate-income affordable units. The project proposes only 8. This is further evidence that the Project is not consistent with the density specified in the housing element.

Subdivision (j) of the HAA also limits the circumstances in which a city may deny a project based on inconsistency with objective zoning or general plan standards. Paragraph (4) of subdivision (j) provides:

For purposes of this section, a proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan.

In *Snowball West Investments L.P. v. City of Los Angeles* (2023) 96 Cal.App.5th 1054, the Court of Appeal addressed this "rezoning exemption." The developer sought approval of a project with a number of units and density that exceeded the maximum allowed by the zoning ordinance but complied with the maximum density specified in the general plan. Therefore, the application required rezoning. The city denied the rezoning application. After that, the developer asked the City to approve its subdivision map,

claiming it was entitled to the approval based on the “rezoning exemption” in paragraph (4) of subdivision (j) because the zoning for the project site was inconsistent with the general plan. The city denied this also and the developer sued.

While the general plan’s land use designations did not list the more restrictive zoning designations as “corresponding” to the project areas’ land use designation, the general plan contained catch-all provisions stating that “the Plan permits all identified corresponding zones, as well as those zones which are more restrictive, as referenced in Section 12.23 of the Los Angeles Municipal Code (LAMC)” and “Each Plan category permits all indicated corresponding zones as well as those zones referenced in the Los Angeles Municipal Code (LAMC) as permitted by such zones . . . .” On these facts the Court held that the general plan incorporated the more restrictive zoning for the area.

This decision demonstrates that the courts will accept the language of the existing general plan at face value, regardless of the city’s possible intent to amend the general plan in the future and that both projects are inconsistent with the “density specified” in Sausalito’s general plan.

## **B. Density Bonus Law**

The Density Bonus Law, at Gov. Code § 65915, requires cities to grant bonus units that exceed the maximum density allowed by zoning if the developer commits to building certain minimum percentages of affordable units.

Importantly, however, density bonus incentives and concessions are not available where they “would have a specific, adverse impact on any real property that is listed in the California Register of Historical Resources.” (Gov. Code § 65915, subd (d).)

As noted above, the city has already documented that the project will have a specific, significant adverse impact on real property listed in the California Register of Historical Resources. Therefore, the city cannot grant the applicant any incentives or concessions under the Density Bonus Law.

## **C. CEQA**

CEQA review is required for this Project. Neither the HAA nor the DBL contain any CEQA exemption. The HAA, does not exempt projects from CEQA. (*Schellinger Brothers v. City of Sebastopol* (2009) 179 Cal.App.4th 1245, 1250, 1261-62, citing Gov.Code, § 65589.5, subd. (e) [“Nothing in this section shall be construed ... to relieve the local agency from ... complying with the [CEQA].”) Since Project submitted to the City has not completed review under CEQA, the HAA imposes no duty on the City to approve either project. The HAA “pegs its applicability to the approval, denial or conditional approval of a ‘housing development project’ [citations], which, as previously

noted, can occur only after the EIR is certified.” (*Schellinger Brothers v. City of Sebastopol*, *supra*, 179 Cal.App.4th at 1262.)

The Court of Appeal has held that the HAA has a “savings clause” fully preserving the city’s authority under CEQA. The court held that therefore, the city may take as long as is necessary to complete CEQA review, and the HAA timelines do not even begin until after CEQA review is completed. The *Schellinger* court stated:

the Housing Accountability Act has no provision automatically approving EIRs if local action is not completed within a specified period... there is no indication the Legislature meant to modify or accelerate CEQA's procedures... Again, the indications are to the contrary. The Housing Accountability Act expressly states that “Nothing in this section shall be construed ... to relieve the local agency from making one or more of the findings required pursuant to Section 21081... or otherwise complying with the California Environmental Quality Act...” (Gov.Code, § 65589.5, subd. (e).) But it specifically pegs its applicability to the approval, denial or conditional approval of a “housing development project” (*id.*, subds. (d)(3), (5)(A), (h)(5)(A), (i), (k), (l)), which, as previously noted, can occur only after the EIR is certified. (CEQA Guidelines, § 15090(a).) That obviously has not occurred here.

The *Schellinger* case makes clear that the City retains its full powers under CEQA despite the HAA, and that the proposed Project may not be approved until after CEQA review and any findings are completed. Since CEQA review is required, the city may require preparation of an EIR without triggering the HAA’s timelines.

The Court of Appeal has similarly held that the Density Bonus Law (“DBL”) does not exempt the Project from CEQA review. The City must comply both with CEQA and the DBL. (*Wollmer v City of Berkeley* (2011) 193 Cal.App.4th 1329, 1349.)

As the City correctly stated in its October 17, 2024 letter,

the proposed project has the potential to have significant impacts on cultural, historical, and biological resources located on site. Furthermore, this site is located in the downtown historic district which is listed on the California Register and maintains several listed historic structures that have potential to be adversely impacted by the proposed development. Public Resources Code section 21084.1 provides that “[a] project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” California Environmental Quality Act (CEQA) Guidelines section 15300.2 further provides that a categorical exemption cannot be used “for a project which may cause a substantial adverse change in the significance of a historical resource.” Accordingly, reliance on a CEQA exemption at this point does not appear to be appropriate, requiring the preparation of an

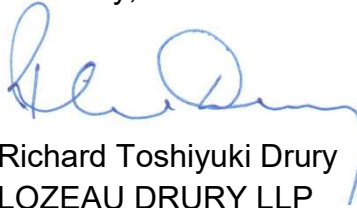


Initial Study. The City needs to comply with all applicable requirements under CEQA as part of processing the application.

SOS has provided the City with substantial evidence that the Project will have adverse impacts on historic and biological resources. As such, a CEQA exemption is not allowed and full CEQA review should be required, including an environmental impact report (EIR).

Thank you for your attention to this matter.

Sincerely,



Richard Toshiyuki Drury  
LOZEAU DRURY LLP

Attachments:

Exhibit A: Application for Certificate of Appropriateness  
Exhibit B: Connor Turnbull Preservation Consulting Letter (June 2024)

# EXHIBIT A

**SECTION 1 - CONTACT INFORMATION**

PROPERTY OWNER NAME	Willup LLC	
PROPERTY OWNER ADDRESS	611 Bridgeway	
PROPERTY OWNER TELEPHONE	415 215 7052	
PROPERTY OWNER EMAIL	linda.fotsch @ AOL.com	
APPLICATION PREPARER NAME (PRIMARY PROJECT CONTACT)	LINDA Fotsch - Primary Contact	
APPLICATION PREPARER ADDRESS	611 Bridgeway Sausalito	Preservation Architect 496 17th St #302 Oakland, CA 94612
APPLICATION PREPARER TELEPHONE	415 215 7052	510 418-0285
APPLICATION PREPARER EMAIL	linda.fotsch @ AOL.com	m.hulbert @ earthlink.net
PROJECT ID NUMBER	2024-00014	

**SECTION 2 - PROPERTY INFORMATION**

PROJECT STREET ADDRESS	605-613 Bridgeway
CROSS STREETS	Bridgeway / Princess
ASSESSOR'S PARCEL NUMBER(S) (APN)	065-132-16
PARCEL SIZE (SQ FT)	25,936 sq ft
PARCEL DIMENSIONS (FT)	Irregular lot - See Project submittal
OTHER ADDRESS / HISTORIC ADDRESS (IF APPLICABLE)	N/A
ORIGINAL CONSTRUCTION DATE	see attached report dated 5/6/24 Previously Submitted
ARCHITECT AND/OR BUILDER	N/A
IS PROPERTY INCLUDED IN A HISTORIC SURVEY?	<input type="radio"/> YES <input checked="" type="radio"/> NO
SURVEY NAME (IF APPLICABLE)	
IS PROPERTY WITHIN THE DOWNTOWN HISTORIC DISTRICT?	<input checked="" type="radio"/> YES <input type="radio"/> NO
IS PROPERTY DESIGNATED ON A HISTORIC REGISTER	<input type="radio"/> YES <input checked="" type="radio"/> NO
HISTORIC REGISTER DESIGNATION (IF APPLICABLE)	<input type="checkbox"/> LOCAL <input type="checkbox"/> STATE <input type="checkbox"/> NATIONAL

**SECTION 3 – PROJECT DETAILS**

RESIDENTIAL LAND USE	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
NON-RESIDENTIAL LAND USE	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
CHANGE OF LAND USE	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
FAÇADE ALTERATIONS	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
ADDITIONS	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
DEMOLITION	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
NEW CONSTRUCTION	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
SIGN PERMIT APPLICATION	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
SIGN PERMIT STATUS	<input checked="" type="radio"/> NEW SIGN	<input type="radio"/> MODIFIED SIGN	<input type="radio"/> N/A

**SECTION 4 – PROJECT DESCRIPTION**

Please provide a detailed narrative that summarizes the project and its purpose.  
Submit separate sheet(s), as necessary.

See Attached Report dated 5/11/24  
previously submitted

**SECTION 5 – CHARACTER-DEFINING FEATURES**

Please identify the character-defining features of the historical resource. Character-defining features, including original materials, architectural details, and window/door openings, contribute to the integrity of a structure and should be preserved when feasible. Submit separate sheet(s), as necessary.

See Attached Report Dated 5/11/27  
Previously Submitted

**SECTION 6 – SECRETARY OF THE INTERIOR’S STANDARDS (SOI STANDARDS)**

The Secretary of the Interior’s *Standards for the Treatment of Historic Properties* are common sense historic preservation principles in non-technical language. They promote historic preservation best practices that will help to protect our nation’s irreplaceable cultural resources.

The *Standards* are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations. The *Guidelines* offer general design and technical recommendations to assist in applying the *Standards* to a specific property. Together, they provide a framework and guidance for decision-making about work or changes to a historic property. The *Standards* and *Guidelines* can be applied to historic properties of all types, materials, construction, sizes, and use. They include both the exterior and the interior and extend to a property’s landscape features, site, environment, as well as related new construction. The *Standards* offer four distinct approaches to the treatment of historic properties—Preservation, Rehabilitation, Restoration, and Reconstruction with *Guidelines* for each. In reviewing COA applications, the HPC evaluates the proposed project against the SOI *Standards*, amongst other Findings (SMC 10.46.060.F).

SOI STANDARDS TREATMENT APPLIED TO PROJECT DESIGN AND EVALUATION	<input type="radio"/> PRESERVATION
	<input checked="" type="radio"/> REHABILITATION (most common treatment—refer to Section 8)
	<input type="radio"/> RESTORATION
	<input type="radio"/> RECONSTRUCTION

**SECTION 7 – HISTORIC PRESERVATION PROJECT OVERVIEW**

<b>A</b>	Is the property being used as it was historically?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
<b>B</b>	Does the new use have minimal impact on distinctive materials, features, spaces, and spatial relationship?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
<b>C</b>	Is the historic character of the property being maintained due to minimal changes of characteristics in Question B?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
<b>D</b>	Are the design changes creating a false sense of history or historical development, possibly from features or elements inspired from other historical properties?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
<b>E</b>	Are there elements of the property that were not initially significant but have acquired their own historical significance over time?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
<b>F</b>	Are the elements in Question E to be retained and preserved?	<input type="radio"/> YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
<b>G</b>	Have distinctive materials, features, finishes, and construction techniques or examples of fine craftsmanship that characterize the property been preserved?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
<b>H</b>	Are all deteriorating historic features being repaired per the Secretary of the Interior's <i>Standards</i> ?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
<b>I</b>	Are there historic features that have deteriorated and need to be repaired or replaced?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
<b>J</b>	Do the replacement features match in design, color, texture, and, where possible, materials?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
<b>K</b>	Are any chemical or physical treatments being undertaken on historic materials using the gentlest means possible?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
<b>L</b>	Are all archeological resources being protected and preserved in place?	<input type="radio"/> YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
<b>M</b>	Do exterior alterations or related new construction preserve historic materials, features, and spatial relationships that are characteristic to the property?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
<b>N</b>	Are exterior alterations differentiated from the old, but still compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property and its surrounding environment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
<b>O</b>	If any alterations are removed one day in the future, will the forms and integrity of the historic property and environment be preserved?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A

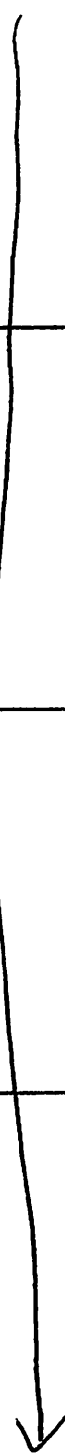
**SECTION 8 – FINDINGS OF CONFORMANCE TO SOI STANDARDS FOR REHABILITATION**

In reviewing COA applications, the HPC evaluates the proposed project against the SOI *Standards*, amongst other Findings. Below are the SOI *Standards for Rehabilitation*, the most common, applicable treatment for projects in Sausalito.

Rehabilitation acknowledges the need to alter or add to a historic property to meet continuing or changing uses while retaining the property's historic character. When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular period of time is not appropriate, Rehabilitation may be considered as a treatment.

- Please describe as to *how* and *why* the project meets the ten SOI *Standards for Rehabilitation*. Submit separate sheet(s), as necessary.
- Do not merely conclude that the project is in compliance with a standard; this will automatically deem your submission as incomplete.
- If a standard does not apply to the project, you must explain why it does not apply.

NO.	SOI REHABILITATION STANDARD	PROJECT CONFORMANCE DESCRIPTION
1	A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.	See Attached Report Dated 5/11/24 Previously Submitted
2	The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.	cf
3	Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.	cf

NO.	SOI REHABILITATION STANDARD	PROJECT CONFORMANCE DESCRIPTION
4	Changes to a property that have acquired historic significance in their own right will be retained and preserved.	
5	Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.	
6	Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.	
7	Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.	



NO.	SOI REHABILITATION STANDARD	PROJECT CONFORMANCE DESCRIPTION
8	Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.	
9	New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.	
10	New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.	

**SECTION 9 – FINDINGS OF CONFORMANCE TO SAUSALITO HISTORIC DESIGN GUIDELINES**

In 2011, the City of Sausalito adopted *Historic Design Guidelines* to provide guidance to property owners, decision-makers, staff, and the public for the preservation of the architectural heritage and integrity of the City's historic resources. Sausalito's *Historic Design Guidelines* identify standards to ensure that changes to the built environment will be sensitive to the community's historical legacy.

In reviewing COA applications, the HPC evaluates the proposed project against Sausalito's *Historic Design Guidelines*. This complements project review against SOI Standards and any other applicable state or local ordinances and policies. Submit separate sheet(s), as necessary.

PROJECT CONFORMANCE DESCRIPTION (LIST SAUSALITO HISTORIC DESIGN GUIDELINES SECTIONS AND/OR PAGE NUMBERS CONSULTED)	<p>see Attached Report          Dated 5/11/27          Previously Submitted          Only Objective Standards Apply</p>
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**SECTION 10 – ADDITIONAL FINDINGS FOR CERTIFICATE OF APPROPRIATENESS REVIEW**

Pursuant to Sausalito Municipal Code Section 10.46.060.F, additional Certificate of Appropriateness Findings apply to projects involving the following:


- Local Historic Property
- Property in Historic Overlay District
- Sign Permit Application
- Demolition Application

ADDITIONAL COA FINDINGS	<input type="radio"/> APPLY TO PROJECT <input checked="" type="radio"/> DO NOT APPLY TO PROJECT
PROJECT CONFORMANCE DESCRIPTION (IF APPLICABLE)	<p style="text-align: center;">See Attached Report Dated 5/11/24 Previously Submitted</p> <p style="text-align: center;">Only Objective STANDARDS APPLY</p>

**SECTION 11 – APPLICATION PREPARER AFFIDAVIT AND SITE VISIT CONSENT**

Under penalty of perjury, the following declarations are made:


- The facts and information submitted in/with the Certificate of Appropriateness application are true and accurate to the best of my knowledge.
- The undersigned is the owner or authorized agent of the owner of this property.
- I understand that other applications and/or information may be required and that all documents/exhibits submitted are retained for the project's permanent public record.
- I hereby authorize City of Sausalito staff and Historic Preservation Commission members to conduct a site visit of this property, making all portions of the interior and exterior accessible.\*
- I have provided the required supplemental information identified on page 1 of this application.

PRINTED NAME	LINDA Fotsch	MARK Hulbert
SIGNATURE		
PROFESSIONAL QUALIFICATION		Preservation Architect
RELATIONSHIP TO PROJECT	<input checked="" type="radio"/> OWNER <input type="radio"/> AUTHORIZED AGENT	

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\* Site Visit Allowed only with Appointment with OWNER

Signed:



Mark Hulbert  
Preservation Architect & Historic Resources Consultant