

WHALERS' ISLAND HOA
HOT TUB AND SPA GUIDELINES

A. General Specifications

- 1) All hot tub and spa installations are to include concrete foundations with permanent electrical and plumbing connections according to current building codes.
- 2) No installation is to be located closer than a 4 foot setback from the bulkhead cap, while maintaining a maximum 18" vertical rise exposure from the water as addressed in decking guidelines and no closer than 5 feet (5') from the side yard lot line.
- 3) All associated mechanical devices are to have soundproof enclosures.
- 4) All exposed plumbing materials are to be arranged to minimize their appearance. Any exposed piping is to be painted to blend in with its surroundings, that is, painted to match the house colors to which it is mounted.
- 5) Filter and heating systems for hot tubs and spas shall not be located closer than five feet from the property line.
- 6) All tubs or spas are to be plumbed to insure the drain water is not allowed to be dumped into the lagoon, but goes into the sanitary sewer system.
- 7) The use of adjoining decks and/or landscaping may be used to minimize the maximum vertical exposure of eighteen inches (18") when viewed from the water
- 8) All tubs or spas are to be safeguarded with lockable covers or other provisions to insure child safety.
- 9) Due to the social nature and potential for noise, neighbors whose yards adjoin a yard with a hot tub or spa must be notified of the installation and obtain letters acknowledging notification. Unanimous neighbor approval is not required, but will be considered.
- 10) All requests for hot tub or spa installations are to include plot plans showing the location, associated equipment, soundproofing details, plumbing and electrical detail and surrounding landscape and decking.

- B. All hot tub or spa installations are to be permitted and conform to all Foster City Building codes. Consult the Foster City Planning department for up-to-date codes and regulations.



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

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November 21, 2006

Dan James
Whalers Island Homeowners Association
Mulqueeney & Associates
P.O. Box 4726
Foster City, CA 94404

Subject: Prototype Approvals for Air Conditioners, Decks, Hot Tubs and Tubular Skylights in Whaler's Island (File # UP-75-018, UP-85-018M, UP-75-018N)

Dear Mr. James:

As part of the original Use Permit, the Whaler's Island Homeowners Association received an approval for a prototypical design for hot tubs. City and state regulations for these types of improvements have changed since that time:

- On January 21, 1999, the Planning Commission revised their policy on prototype designs for property improvements in planned developments to state that the following types of improvements would not require prototypical designs or Architectural Review permits:
 - Decks (non-waterfront, lower than 18", at least 5' from the property line, and in R-1/PD district). These are also exempt from building permit.
 - Air conditioning condenser units (ground-mounted units on non-waterfront properties in R-1/PD district). A building permit is required.
- The City's zoning regulations were changed a few years ago to eliminate the Architectural Review requirement for pools and spas. Pools and spas still require a building permit.
- The City's zoning regulations were changed a few years ago to eliminate the Architectural Review requirement for tubular skylights. These are also exempt from building permit.

We have conducted a review of existing prototype approvals and note that your planned development has a prototype design approved for one or more of these types of improvements. By copy of this letter, we are informing you that the City will no longer require City Architectural Review of these types of improvements:

- Air conditioners on non-waterfront properties
- Decks on non-waterfront properties that are lower than 18" and at least 5' from the property line
- Hot tubs
- Tubular skylights

The homeowners association may continue to regulate these types of improvements pursuant to their CC&Rs.

James
11/21/2006
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Please contact me at lcarmichael@fostercity.org or 650 286-3236 if you need any additional information.

Sincerely,



Leslie J. Carmichael
Planning Manager

Attachment

Prototype approvals for decks, air conditioners, hot tubs and sun tunnels
Planning Commission Policy No. P-1-94 (Revised January 21, 1999)
Chapter 17.58 of Foster City Municipal Code