



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222

CITY OF FOSTER CITY
COMMUNITY DEVELOPMENT DIRECTOR'S ACTION
NOTICE OF DECISION

APPLICATION RECEIVED: February 22, 2023

APPLICATION COMPLETE: March 23, 2023

ACTION DATE: March 23, 2023

CASE NO: UP2023-0006 (supersedes UP-75-018ZZ)

OWNER: Whalers Island Homeowners' Association

ADDRESS: Denise Wallace, Manor Association, 1820 Gateway Dr. Ste. 100,
Foster City, CA 94404

APPLICATION FOR: Trellis Prototype Amendment to clarify ambiguities and provide setbacks to the bulkhead and setback to side lot lines

LOCATION: Whalers Island Planned Development

ZONING: R-1/PD (Single-Family Residential / Planned Development)

ACTION TAKEN: Approved with Conditions

On the date listed above, the Community Development Director of the City of Foster City took the action described above on the subject Architectural Review application based on the following findings:

1. That the proposal to amend the prototype design for trellises, as conditioned in Exhibit A, would be consistent with the Foster City General Plan, Chapter 17.12 (R-1 Single-Family Residence District) of Title 17 (Zoning), and Chapter 2.28 (Planning) of Title 2 (Administration and Personnel) of the Foster City Municipal Code, because the trellis prototype is, 1) is sympathetic to the character and style of the existing houses and defines the setbacks to the bulkhead and setback to side lot lines in the Whalers Island Homeowners' Association; 2) will promote "proper site planning, architectural design and property maintenance" and will preserve "the quality of the City's residential neighborhoods" as stated in the Land Use and Circulation Goals (LUC-A and LUC-B) and Land Use Policies (LUC-38 and LUC-39) contained in the Land Use and Circulation Element of the Foster City General Plan; 3) will be integrated into the existing

buildings and designed such that the architectural character of the houses are maintained and such that solar and privacy impacts will not be created on adjacent properties, consistent with Section 2.28.010 of the Foster City Municipal Code; and 4) will improve a typical residential use consistent with the Whalers Island Prototypical Design Guidelines and the Land Use Plan designation of Single-Family Residential.

2. That the design of the proposed trellis material would be consistent with and appropriate to the City, the neighborhood, the Whaler's Island Prototypical design guidelines and the lot on which it is proposed because the use of ALUMAWOOD or natural wood that is either left natural or painted/stained within the Whalers Island Homeowners' Association will be compatible with the location and design of the houses within the Planned Development in which they are located.
3. That the design of the proposal would be compatible with the site's environment with respect to use, forms, materials, colors, setbacks, location, height, design or similar qualities as specified in Section 17.58.010 of Chapter 17.58 (Architectural Control and Supervision) because the amended prototype indicates the setback of no closer than 3' to the bulkhead and where a structural wall or common duplex wall is located on a side lot line then the structure cannot extend closer than 5' from the side lot line, will: 1) preserve the architectural scale and character of the planned development and community consistent with Section 17.58.010.B.1; 2) be well designed in relation to surrounding properties; 3) be compatible with the architectural style and details of buildings in the immediate vicinity consistent with Section 17.58.010.B.2; 4) be sympathetic to the proportions and character of the existing houses within the Whaler's Island Planned Development; and 5) enhance the site and be harmonious with the highest standards of improvement in the surrounding area consistent with Section 17.58.010.B.4,
4. That the proposal would not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be injurious or detrimental to property and improvements in the neighborhood, property values in the area, or the general welfare of the City because the location, massing, and design of trellises will not be changed.

This action is subject to any conditions contained in Exhibit A, attached.

Expiration

Any Architectural Review approval shall, without further action, become null and void if not used within two (2) years from the date of approval thereof, or within any shorter or longer period of time if so approved by the Community Development Director.

Appeal

Pursuant to Section 17.06.150 of the Foster City Municipal Code, an action of the Community Development Director on an application may be appealed within ten (10) calendar days after the date of the Community Development Director's decision, in writing, to the Planning Commission. Appeals may be filed using the appeal form available in the Community Development Department or by letter. There is a fee for filing an appeal. All appeals must be filed in accordance with Section 17.06.150.

Acknowledgment by Applicant

Pursuant to Section 17.58.040.E of the Foster City Municipal Code, any Architectural Review decision shall not be effective until the permittee acknowledges acceptance of any conditions of

approval and any appeal period has lapsed, or if there is an appeal, until a final decision has been made on the appeal.

In order to demonstrate that you are aware of and understand the Architectural Review conditions

of approval (attached hereto as Exhibit A), please sign the original of this letter and return it to the Planning/Code Enforcement Division. Please keep the duplicate for your records. *Please be advised that a Building Permit **will not** be issued until the Planning/Code Enforcement Division has received the signed Notice of Decision.*

Sincerely,

Becki Hanan

p.p.

Sofia Mangalam
Community Development Director

(Owner's Name) (Please Print)

Denise Wallace

Denise Wallace (Apr 17, 2023 13:22 PDT)

(Owner's Signature)

Planners Initials: BH

EXHIBIT A

WHALERS ISLAND HOMEOWNERS' ASSOCIATION Prototypical Design Guidelines for Trellises

The following guidelines shall govern the installation and replacement of trellises in the Whalers Island Planned Development:

DEFINITION: The words trellis, arbor and pergola shall be considered synonymous in plans submitted for approval. A trellis is an overhead structure to support plants such as vines or to provide shade. On Whalers' Island lots a trellis generally covers a walkway, deck or hardscape patio.

CONDITIONS OF APPROVAL

1. All construction shall be located, designed, constructed, installed, and maintained in a professional manner and appearance.
2. All materials and colors shall be as approved. Once constructed or installed, all improvements shall be maintained in accordance with the approved plans. Any changes which affect the exterior character of the work shall be resubmitted for approval.
3. Standard residential security requirements as established by Chapter 15.28 of the Foster City Municipal Code shall be provided.
4. Prior to any final building inspection approval, imposed conditions and all improvements shall be completed in accordance with the approved plans and to the satisfaction of the City.
5. All architectural elements such as soffits, screens, etc. not shown or detailed on the plans shall be finished in a material and color in harmony with the exterior of the building.
6. Trellises are to be constructed of wood, ALUMAWOOD™ or equivalent synthetic materials approved by the board. Preferred dimensions of structural support members are:
 - 6 x 6 inch posts of at least 2 x 6 inch material
 - Double joists of at least 2 x 6 inch material
 - secondary joists (creating a third layer) of at least 2 x 2 inch material
7. Trellises shall be between 7'6" and 10' high above the surface of the deck, patio or walkway. The surface of a deck or patio may be above grade level.
8. In rear yard waterfront lots trellises covering attached decks or patios are to project from the house and the front edge of the trellis cover will be no closer than 3' from the inner edge of the bulkhead cap. When the depth of the waterfront rear yard exceeds 16' from the rear elevation wall to the inner edge of the bulkhead cap, the front edge of the trellis cover shall

not extend beyond the front edge of the deck or patio surface level on which the trellis is installed. This restriction does not apply to non-waterfront lots.

9. Trellises shall be completely open on at least two sides or may be enclosed with clear windscreens on two sides. Specifically, closed in trellises with permanent opaque screens are not allowed. Sunscreens that can be raised or lowered may be attached to the top edges of the trellis.
10. Trellises shall be painted or stained to complement the house or trim colors. If the trellis is made from wood then the trellis can also be left natural without paint or stain.
11. The tops of trellises and arbors are not to extend closer than one foot from either side lot line with additional distance restrictions when there is a structural wall or common duplex wall located on the side lot line. When a structural wall or a common duplex wall is located on a side lot line then no part of the trellis or arbor structure shall extend closer than five feet from the side lot line.

Bold indicates site specific condition

APPROVAL PROCESS

1. The homeowner/applicant shall obtain an approval letter from the Whalers Island Homeowners' Association for the proposed trellis. The letter shall indicate that the proposed changes conform to the established design criteria of the prototype.
2. The Homeowner or contractor shall apply for an Architectural Review Permit for the proposed trellis from the Planning/Code Enforcement Division and shall submit any required drawings, materials and fees, including the following:
 - A letter from the Whalers Island Homeowner's Association (HOA), indicating their action on the proposal.
 - An Architectural Review application and filing fee.
 - 3 copies of the Site Plan, Elevations and/or photographs, showing the location, dimensions, specific materials and colors of the proposed trellis.
3. The homeowner or contractor shall apply for a Building Permit from the Building Inspection Division and shall submit any required drawings and fees.
4. The Planning/Code Enforcement Division staff will review the Building Permit application to confirm that the proposal is consistent with the prototypical design approved for replacement or construction of trellises.

Denise Wallace

[Denise Wallace \(Apr 17, 2023 13:22 PDT\)](#)

Denise Wallace, Community Manager
Whalers Island Homeowners' Association

Date

For Sofia Mangalam, Community Development Director
City of Foster City

Date