

City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222

PROTOTYPE

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

APPLICATION RECEIVED: January 17, 2024

APPLICATION COMPLETE: February 26, 2024

ACTION DATE: February 28, 2024

CASE NO: UP2024-0001 (Amending UP2021-0001)

OWNER: Whalers Island Homeowners' Association

ADDRESS: C/O Denise Wallace, Manor Association, 353 Main Street,
Redwood City, CA 94063

APPLICATION FOR: Amending the Prototypical Design Guidelines for roofs to add GAF
Timberline Solar HD Shingles as part of a GAF Timberline Solar
Roof in either the color Charcoal or Weathered Wood Plus as an
approved roof material.

LOCATION: Whalers Island Planned Development

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

CEQA DETERMINATION: Exempt pursuant to CEQA Section 15301, Existing Facilities

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 Use Permit Modification application based on the following findings:

1. The proposal to allow GAF Timberline Solar HD Shingles as part of a GAF Timberline Solar Roof in the colors Charcoal or Weathered Wood Plus as a new roofing material to the prototypical design guidelines for roof replacements for houses in the Whalers Island Planned Development, as conditioned in Exhibit A, is 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 proposed roofing material will be compatible with the existing roofing materials and colors, will be sympathetic to the character and style of the existing houses in the Development, and will be harmonious with the existing neighborhood and therefore, 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-A-1 and LUC-B-1) contained in the Land Use and Circulation Element of the Foster City General Plan.
2. The proposed roofing material would be consistent with and appropriate to the City, the

neighborhood, and the lot on which they are proposed because the proposed roofing material, as conditioned in Exhibit A, will be compatible with the architectural style and character of the houses in the Whalers Island Development and therefore, will enhance the site and will be harmonious with the highest standards of improvement in the surrounding area consistent with Sections 17.58.010.B.2 and 17.58.010.B.4.

3. 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) of the Foster City Municipal Code because the proposed roofing material will provide more options for property owners and at the same time ensure that re-roofing for all residential units in the Whalers Island Development are conducted in an orderly and consistent manner, and therefore, the overall architectural style and characteristics throughout the development will be preserved consistent with Section 17.58.010.B.1.
4. 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 proposed roofing material will allow for the removal and replacement of old roofing material with a high quality material in a color that is compatible with the existing house colors and therefore will not have adverse visual or property value impacts to the Whalers Island Development, the streetscape, or the adjacent neighborhood. All new and/or replacement roofing will require issuance of a building permit to ensure that the products are installed safely and in compliance with applicable regulatory standards as well as the established criteria per this prototype.

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

Expiration

Any Use Permit Modification 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 Use Permit Modification 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 Use Permit Modification 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,

Kevin McGill

Sofia Mangalam
Community Development Director

Denise Wallace Managing Agent

(Owner's Name) (Please Print)

DocuSigned by:

Denise Wallace

(Owner's Signature)

Planners Initials: KM

EXHIBIT A

WHALERS' ISLAND HOMEOWNERS' ASSOCIATION Prototypical Design Guidelines for Roof Replacement (Updated on February 28, 2024)

The following guidelines shall govern the replacement of roofs in the Planned Development:

CONDITIONS OF APPROVAL

1. Prior to construction, all necessary building permits shall be obtained from the Foster City Building Division.
2. All construction shall be located, designed, constructed, installed, and maintained in a professional manner and appearance.
3. 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. The construction or placement of unapproved features or unapproved changes to buildings or structures which were a part of approved plans can and will result in the issuance of a "Stop Work Order" by the City, the need to revise plans and obtain City approval for all changes prior to recommending work, and the possibility of penalty fees being assessed for unauthorized work.
4. All vents, gutters, downspouts, flashings, etc. shall be painted to match the color of the adjacent surfaces. No electrical conduits or similar piping shall be allowed on the exterior of the building unless approved prior to installation by the Community Development Director.
5. Standard residential security requirements as established by Chapter 15.28 of the Foster City Municipal Code shall be provided.
6. Prior to any final building inspection approval, these conditions and all improvements shall be completed in accordance with the approved plans and to the satisfaction of the City.
7. Once a building permit is issued, it is the permit holder's responsibility to ensure that the project receives a final inspection before the building permit expires (180 days after the last inspection). Failure to receive and/or pass a final inspection will result in the expiration of the building permit which will require additional fees to reactivate.
8. If a replacement roof material or color is proposed which is not on the approved list, the Whalers' Island Association shall review the proposed roof material and color and amend this prototype to include the new roof material and/or color.
9. New conventional roof material shall have a minimum 50-year warranty and a minimum thickness of 6mm. New solar roof material containing solar system components shall have a minimum 25-year warranty for both power and weatherization.
10. The following roof materials and colors (or their equivalent) are approved for the replacement of roofs in the Whalers' Island Association:

Materials	Colors
Wood Shingles	May be left natural or stained to enhance the natural color of the wood. May not be stained with an excessively dark stain. May not be painted.
Certainteed Presidential TL shingles	Shadow Grey Autumn Blend Charcoal Black
Certainteed Presidential TL Solaris shingles	Solaris Charcoal Black
Tesla Solar Roof tiles	Black
GAF Timberline Solar HD Shingles as part of a GAF Timberline Solar Roof	Charcoal Weathered Wood Plus

11. An application to install non-solar roof tiles (New roofing permit) must be submitted jointly with an application to install a solar system (PVT permit). The roofing permit application cannot be approved unless the solar system plans are also approved.

Recommendation to Homeowners:

The Association recommends but does not require the use of Certainteed Flintastic SA roofing material for the flat roof areas on roofs that will use Presidential TL or Presidential TL Solaris shingles. Choose a Flintastic SA color that coordinates with the selected shingle color.

APPROVAL PROCESS


1. An approval letter from the Whalers Island Homeowners' Association is issued indicating their approval of the selected roofing material and color.
2. The homeowner or contractor shall apply for a building permit from the Building Division and shall submit a copy of the HOA approval letter with the application.
3. The Planning/Code Enforcement Division staff will review the building permit application to confirm that the proposal is consistent with the prototypical design guidelines for roof replacement for the Whalers Island Development.
4. Construction may proceed when the plans are approved, the necessary fees are paid and the building permit is issued

DocuSigned by:
Denise Wallace
254491BB494549C

Denise Wallace, Managing Agent Manor Association

2/29/2024

Date

for 
Sofia Mangalam, Community Development Director
City of Foster City


Date