

CITY OF FOSTER
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING/CODE ENFORCEMENT DIVISION
ADMINISTRATIVE POLICY

Subject: The projection of bay, bow, garden, and greenhouse windows into required yard setback areas in R-1 (Single-Family Residence); R-2 (Two-Family Residence), and; R-1/PD (Single-Family/Planned Development) zoning districts.

Policy Number: P-01-02

Authorization for Policy: Section 17.54.010, Projections into yards—Architectural features, of Chapter 17.54, Yards, of Title 17, Zoning, of the Foster City Municipal Code

The above section of the Foster City Municipal Code (FCMC) reads as follows.
“Architectural features on the main building, such as cornices, eaves, and canopies, may not extend closer than three feet to any side lot line. Eaves and canopies may extend a maximum of two feet into the required front yard or rear yard. Fireplaces, not exceeding six feet in breadth, may extend not closer than three feet to any side lot line.”

The referenced section of the FCMC authorizes architectural features (elements) “such as” but not exclusively limited to cornices, eaves, and canopies to project into any side lot (yard) line (area); authorizes features such as eaves and canopies to extend into a required front or rear yard, and; authorizes fireplaces to extend into any side lot (yard) line (area). Consistent with the language that authorizes architectural features (elements) to extend into required yard setback areas and that also allows discretion in defining which features (elements) may do so, the Community Development Director has determined that under specified circumstances, bay, bow, garden, and greenhouse windows can meet the intent of this section of the FCMC.

Date Of Approval by Community Development Director: August 9, 2002

Effective Date of Policy: August 12, 2002

Background and/or Problem Statement: The following factors contribute to making it both necessary and difficult for residential property owners to change-out or add new windows:

1. In the older residential neighborhoods of the City, especially in Neighborhoods 1, 2, 3, 4, 8 and, 9, the housing stock is at or approaching thirty - (30) years old and windows are wearing out.
2. The combination of typically small residential lots in the City, averaging approximately 5,000 square feet, with required five (5) foot side yard and twenty (20) foot rear yard setback areas.
3. The orientation of many of the houses in single-family residential zoning districts throughout the City is such that kitchen and bedroom windows are located along side and rear yards at or near the edge of the required setback area making it difficult to change-out or add the type of bay, bow, garden,

and greenhouse windows commonly desired by property owners without intruding into the setback area.

Purpose of Policy:

1. To accommodate the need and desire of residential property owners to add new windows or change-out old windows and thereby improve the utility of rooms in the house or improve the appearance of the house.
2. To ensure that if the City's policy regarding the installation of bay, bow, garden, and greenhouse windows is relaxed, the results will not detract from the attractiveness or architectural character of houses or result in houses appearing to be more massive or residential lots to be overbuilt.
3. To clarify the Department's position regarding the approval and placement of bay, bow, garden and greenhouse windows that project into required yard setback areas.
4. To establish a written policy that can be consistently followed by staff and understood by the public.
5. To ensure that the placement of bay, bow, garden and greenhouse windows is reviewed according to approved Department criteria.

POLICY

Any bay, bow, garden, or greenhouse window that meets the following criteria will be considered an architectural feature (element), consistent with the provisions of Section 17.54.010 of the Foster City Municipal Code and may therefore encroach into any required side or rear yard setback area:

1. No portion of the window shall extend more than two (2) feet into the required setback area.
2. The bottommost point of the window shall be at least three (3) feet above grade.
3. If the subject house is located within an R1/PD zoning district, the design of the window shall be an approved prototypical design approved for that development.
4. The window shall not significantly increase the perceived mass of the building wall.
5. The window shall not increase the floor area or lot coverage of the dwelling unit.
6. The architectural style of the window and its proposed placement on the wall of the house shall be deemed by the City to be architecturally compatible with the architectural style of the house in general and the subject wall on which it is placed in particular.
7. The window shall be constructed predominately of glass or other transparent material authorized for such use by the Uniform Building Code.
8. The window shall meet the requirements of the Uniform Building Code.
9. The placement of the window shall not cause or be likely to result in any significant detrimental impacts to public health, safety or welfare.

A handwritten signature in black ink, appearing to read 'Richard B. Marks', written over a horizontal line.

Richard B. Marks
Community Development Director

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