

RESOLUTION NO. 2001-113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY APPROVING AMENDMENTS TO CITY COUNCIL RESOLUTION NO. 96-95 (AWNING POLICY) REGARDING THE PLACEMENT OF FABRIC AWNINGS ON SINGLE-FAMILY DETACHED RESIDENTIAL PROPERTIES – CITYWIDE IN R-1 ZONING DISTRICTS – CITY OF FOSTER CITY

CITY OF FOSTER CITY

WHEREAS, on August 5, 1996, the City Council adopted Resolution No. 96-95 (Awning Policy) approving a change in the City's policy and practice regarding the placement of fabric awnings on single-family detached residential properties; and

WHEREAS, at a Study Session on September 18, 2001 the Planning Commission reviewed several proposed revisions to the City's approved awning policy that would allow retractable awnings to be installed on roofs and eaves, and determined that the revisions were generally acceptable; and

WHEREAS, the proposed amendments to City Council Resolution No. 96-95 (Awning Policy) include:

1. Allowing retractable awnings to be flush-mounted low on a first-floor roof, near the roof edge, or along a first-floor eave; and
2. Requiring that the awning housing be painted to complement the color of the adjacent wall or roof material on which it is mounted such that they have an unobtrusive appearance, as determined by the Community Development Director; and
3. Requiring that an Architectural Review Notification Report be submitted with an Architectural Review Permit application for a roof-mounted retractable awning, to ensure that all adjacent property owners have been provided an opportunity to review the proposed plans for the awning.

WHEREAS, at a Regular Meeting on the October 18, 2001, the Planning Commission adopted Resolution No. P-47-01 recommending that the City Council approve the proposed amendments to the Awning Policy; and

WHEREAS, the proposal has been determined by the Community Development Director to be categorically exempt from the California Environmental Quality Act of 1970; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Foster City, based on facts, analysis in the staff report, written and oral testimony, and exhibits presented, does hereby find as follows:

1. If regulated in accordance with the attached set of Design Guidelines For Retractable And Fixed-In-Place Fabric Awnings (Exhibit A, attached hereto), the attached set of Standard Conditions of Approval For Permits For Fabric Awnings (Exhibit B, attached hereto), and reviewed using the attached Fabric Awning Permit Application Approval Process And Submittal Requirements (Exhibit C, attached hereto), the placement of fabric awnings on single-family detached residential properties will be consistent with the Land Use and Circulation Goals (LUC-A and LUC-B) and Land Use Policies (LUC-7, LUC-38, and LUC-39) contained in the Foster City General Plan and the design principles contained in Chapter 2.28 and Chapter 17.58 of the Foster City Municipal Code.
2. If regulated in accordance with the attached set of Design Guidelines for Retractable and Fixed-In-Place Fabric Awnings (Exhibit A, attached hereto), the attached set of Standard Conditions of Approval for Permits for Fabric Awnings (Exhibit B, attached hereto) and reviewed using the attached Fabric Awning Permit Application Approval Process and Submittal Requirements (Exhibit C, attached hereto), the placement of fabric awnings on single-family detached residential properties will result in houses being compatible with adjacent properties and house designs in the neighborhood in which they are located, and will provide shade, interior unit heat reduction, water protection and protection to interior furnishings as desired by property owners.
3. If regulated in accordance with the attached set of Design Guidelines for Retractable and Fixed-In-Place Fabric Awnings (Exhibit A, attached hereto), the attached set of Standard Conditions of Approval for Permits for Fabric Awnings (Exhibit B, attached hereto) and reviewed using the attached Fabric Awning Permit Application Approval Process and Submittal Requirements (Exhibit C, attached hereto), the placement of fabric awnings on single-family detached residential properties will not have any detrimental impact to adjacent properties or any detrimental impact to the value of property in the neighborhood in which they are located.

BE IT FURTHER RESOLVED that the City Council of the City of Foster City hereby approves the amendments to City Council Resolution No. 96-95 (Awning Policy) regarding the placement of fabric awnings on single-family detached residential properties, including the proposed set of Design Guidelines for Retractable and Fixed-In-Place Fabric Awnings for evaluating applications for awnings (attached as Exhibit A), the proposed Standard Conditions of Approval to be attached to all awning permits (attached as Exhibit B), and the attached Fabric Awning Permit Application Approval Process and Submittal Requirements (attached as Exhibit C).

PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on the 5th day of November, 2001, by the following vote:

AYES: Councilmembers Cox, Harter, Wilder, and Mayor Townsend.

NOES: None

ABSENT: None

ABSTAIN: None

MARLAND W. TOWNSEND, MAYOR

ATTEST:

THERESE L. TAHIR, CITY CLERK

EXHIBIT A

Design Guidelines For Retractable And Fixed-In-Place Fabric Awnings In R-1 And R-1/PD Zoning Districts (Interior and Waterfront Lots)

Criteria	Retractable Awnings	Fixed-In-Place Awnings
Awning locations*	Allowed in rear and side yards only; not permitted in front yards	Allowed in rear and side yards only; not permitted in front yards; may only extend five feet or less from the building wall**
Awning housing or support structure*	Either flush mounted on a wall and painted to match or compliment the wall color; or flush-mounted low on a first-floor roof, near the roof edge, or along a first-floor roof eave	Flush mounted on a wall and completely hidden within or under the awning; <u>not visible</u>
Dimensions and shapes*	Subject to review & approval on a case-by-case basis based on the location, shape, size/proportions, architectural style of the subject house and all other adopted design criteria	Subject to review & approval on a case-by-case basis based on the location, shape, size/proportions, architectural style of the subject house and all other adopted design criteria
Awning materials*	Non-glare fabric materials; Fire Marshall to determine whether material is safe for use on awnings	Non-glare fabric materials; Fire Marshall to determine whether material is safe for use on awnings
Colors*	Solid colors only; no stripes or other patterns; colors to match or compliment the colors of the house; no lettering, symbols, graphics or logos – Awning housing units shall be painted to complement the color of the adjacent wall or roof material on which it is mounted such that they have an unobtrusive appearance, as determined by the Community Development Director	Solid colors only; no stripes or other patterns; colors to match or compliment the colors of the house; no lettering, symbols, graphics or logos

* Awnings placed on units in R-1/PD (Single Family Residence/Planned Development) zoning districts require approval of a prototype design approved by the Planning Commission prior to installation. Prototype awning designs will be evaluated using the above design criteria.

** Awnings extending more than five feet from a building wall must be retractable type awnings.

Although they are not in the R-1 or R-1/PD zoning districts, given their design as essentially single-family detached residential houses, houses in the following developments shall also be subject to these design guidelines: 1) Carmel Village; 2) Bayporte.

EXHIBIT B

Standard Conditions of Approval for Permits for Fabric Awnings*

<i>Conditions of Approval</i>	<i>Retractable Awnings</i>	<i>Fixed-In-Place Awnings</i>
1. Approved awning materials, colors and support structures shall not be replaced without the prior written approval of the City however, no additional permits shall be required if the awning is replaced with a new awning constructed with the same materials and color as originally approved.	✓	✓
2. All awnings shall be kept in good repair and shall be cleaned and maintained on a regular basis. Awnings with holes, tears, rips or which are significantly faded or stained shall be replaced.	✓	✓
3. If the property owner receives a letter or notice from the City regarding the maintenance or condition of an awning, its support structure or housing, the item shall be brought into compliance with the conditions of this permit and all applicable City codes within 60 days of the date printed on the letter or notice. Failure to comply within this time frame or to the satisfaction of the City shall constitute grounds for the revocation of this permit.	✓	✓
4. Prior to construction, the applicant shall provide the Community Development Director with a manufacturer's warranty demonstrating that the proposed awning material is fade resistant, mildew resistant, abrasion resistant, crack and peel resistant and can be cleaned using common household products.	✓	✓
5. Prior to construction, the Foster City Fire Marshall shall review proposed awning locations as well as the materials proposed for awnings and awning support structures.	✓	✓

* To be added to the typical standard conditions of approval for all property improvement projects.

EXHIBIT C

Fabric Awning Permit Application Approval Process And Submittal Requirements

General Submittal Requirements/All Applications

1. Completed Architectural Review/Use Permit Application.
2. Application fee: As establish by the current Master Fee Schedule.
3. Three-four 5" X 7" photographs, taken from several sides of the subject house, demonstrating all of the colors in which it is painted or stained (including wall , trim and door colors and the colors of any yard structures).
4. A manufacturer's brochure demonstrating the design of each proposed awning and specification sheets, including information regarding the durability, fire retardancy, and maintenance characteristics of the proposed fabric.* If a manufacturer's brochure is not available, architectural elevations may be required.

* Single-family detached residential properties in planned development projects are exempt from this requirement if the development has filed a prototype design that has been approved by the Planning Commission.

Special Submittal Requirements/Planned Development Projects

5. Awnings placed on units in R-1/PD (Planned Development) zoning districts require approval of a prototype design approved by the Planning Commission prior to installation. Upon approval of the prototype design, awnings will be processed in accordance with the approval process outlined below.

Approval Process/All Applications

Zoning District/Type Of Lot	Location/Approval Authority
<u>R-1 (Single Family Residence) District</u>	
Interior Lots	Ground or first story awnings (retractable or fixed-in-place) require an Architectural Review Permit issued by staff. Second story awnings (retractable or fixed-in-place) require an Architectural Review Permit issued by the Planning Commission.
Waterfront Lots	Ground or first story retractable awnings require an Architectural Review Permit issued by staff. Ground or first story fixed-in-place awnings require a Use Permit issued by the Planning Commission. Second story awnings (retractable or fixed-in-place) require a Use Permit issued by the Planning Commission.

Zoning District/Type Of Lot	Location/Approval Authority
<i>R-1/PD (Single Family Residence/Planned Development) Districts</i>	
Interior Lots	Ground or first story awnings (retractable or fixed-in-place) require an Architectural Review Permit issued by staff. Second story awnings (retractable or fixed-in-place) require an Architectural Review Permit issued by the Planning Commission.
Waterfront Lots	Ground or first story retractable awnings require an Architectural Review Permit issued by staff. Ground or first story fixed-in-place awnings require a Use Permit issued by the Planning Commission. Second story awnings (retractable or fixed-in-place) require a Use Permit issued by the Planning Commission.

Depending upon the type of awning proposed, the following information must also be submitted.

Windows and Door Awnings

Retractable Awnings

- 6. Two 5" X 7" photographs of each building elevation on which awnings are proposed to be placed (one photograph taken from approximately ten feet away from the proposed location of each awning; one photograph demonstrating that entire side of the house).
- 7. On the back of the photograph taken from approximately ten feet away from the proposed location of each awning, write the exterior dimensions of each window or door over which an awning is proposed.

Fixed-In-Place Awnings

- 8. Fixed-in-place awnings will require architectural plans of the building elevations affected.

Patio Awnings/Covers

Retractable Awnings

- 9. The dimensions when fully extended of any retractable awnings proposed for use as a patio or area shade cover.
- 10. One 5" X 7" photograph demonstrating the area of the yard proposed to be covered by the awning.

Fixed-In-Place Awnings

- 11. Fixed-in-place awnings will require a site plan, architectural elevations and may require additional information as required by the Community Development Director.

Roof-Mounted Retractable Awnings

12. Architectural Review Notification Report indicating that the Architectural Review Notification Forms have been given to adjacent property owners and that they have been provided an opportunity to review the proposed plans.

Other Awnings

13. Such information as is determined to be appropriate by the Community Development Director.

Although they are not in the R-1 or R-1/PD zoning districts, given their design as essentially single-family detached residential houses, houses in the following developments shall also be subject to the above permit application approval process and submittal requirements: 1) Carmel Village; 2) Bayporte