

CITY OF FOSTER CITY
DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION
ADMINISTRATIVE POLICY

Subject: Policy for Setback Requirements (Rear and/or Side yard) for Waterfront Properties.

Policy Number: P-92-001

Authorization for Policy: Section 17.06.030.A of Chapter 17.06 (Administration, Construction and Enforcement) of Title 17 (Zoning) of the Foster City Municipal Code and the engineering studies cited in the policy

Date of Approval of Director of Planning and Development Services: March 3, 1992

Effective Date of Policy: March 4, 1992

Background and/or Problem Statement:

Waterfront properties commonly have their rear property line located in the water some distance from the land area of the parcel, usually more than the required 20' rear yard setback. Thus, the typical measurement of a setback from the rear property line is not relevant. At present, the Director of Planning and Development Services has adopted a "Rule of Thumb" (ROT) dated January 22, 1987 (attached) for rear and side yard setback requirements for waterfront properties. The present ROT requirements are:

1. Waterfront properties with rear and/or side yard navigational easements shall use that easement as a minimum setback for rear and/or side yard setbacks for proposed room additions to waterfront homes.
2. In addition, the Building Division requires a minimum 4' setback to waterfront riprap and 10' to bulkheads.
3. In no instance shall a room addition be constructed within an easement or within 4' of ripraps or 10' of a bulkhead.

The basis for the setbacks in the Rule of Thumb are not included in it. Review of the issue and creation of a more formal policy was deemed necessary to determine if these setbacks are still warranted or whether they should be modified and to clarify the rationale behind decisions regarding waterfront property improvements and required setbacks.

Purpose of Policy:

1. To establish a policy with respect to setback requirements for waterfront properties that can be consistently applied over time by staff of the Department of Planning and Development Services.

2. To develop a set of criteria for rear and/or side yard requirements for waterfront properties that will help preserve the existing style and character of the neighborhood and are consistent with the General Plan and Zoning Regulations of the City of Foster City.
3. To develop a set of criteria to ensure that structures in the rear and/or side yards of waterfront properties are safely located and have minimum visual impact on the waterfront as seen from other properties.

History

Setback recommendations were made by the engineering firm of Wilsey, Ham and Blair in drawings titled, "Recommended Rear Building Setbacks for Waterfront Lots," dated 3-26-64 to 3-65 for Neighborhoods 1, 2, and 3. These drawings are currently located in the Public Works Department in green tract map binders. The drawings have a note which states, "Recommended setbacks are minimum and are intended to assist building in interpretation and compliance with the intent of the lot covenants and not to replace said covenants."

The recommendations for Neighborhoods 1, 2, and 3 are on the following pages:

Neighborhood 1, Unit 1	Drawing No.s 1/3 to 3/3	002-0301-20-C3
	dated 3-26-64	
Neighborhood 1, Unit 2	Drawing No.s 1/4 to 4/4	002-0301-20-C4
	dated 5-21-64	
Neighborhood 2	Drawing No.s 1/4 to 4/4	002-0301-20-C7
	dated 1-25-65	
Neighborhood 3, Unit 1	Drawing No.s 1/2 to 2/2	002-0301-20-C8
	dated 3-65	
Neighborhood 3, Unit 2	Drawing No.s 1/2 to 2/2	002-0301-20-C9
	dated 3-65	

See Exhibit A, attached, for a summary of these recommendations. They are the same for each of the subdivisions listed above and were repeated on separate sheets so that the conditions for each lot could be listed in an attached table.

These recommendations all measure the building setback line from the rear property line and extend farther into the land area of the lot than the recommended easement. The recommended setbacks appear to have been larger than necessary for safety purposes, evidenced by the fact that some of the CC & R's (e.g., Neighborhood 2, Unit 2) allow building extensions of a narrow width into the setback area to within 10' from the bulkhead. In many cases, the recommendations for building setback lines have not been followed. Many waterfront lots contain a relatively small land area with the buildings placed up to and sometimes within the easement area.

Setback recommendations are also contained in a subsequent publication by the Department of Public Works, "Lagoon Walls for Waterfront Properties: Standard Details and Specifications" (undated - although the drawings included in this document are dated 4/3/72). This document includes the following statement:

"Upon completion of the wall, the 10-foot wide strip of land adjacent to the face of bulkhead will be restricted to landscaping and related uses. The construction of vehicular parking areas and building structures, other than garden trellis, patio covers, awnings and similar installations, within the area will be prohibited. Post foundations for any of the above permitted landscape related improvements shall be set back a minimum distance of 3'-0" from the face of the wall.... The use of construction equipment within the restricted area will not be permitted."

The specifications for construction of the lagoon walls were incorporated into the first "Standard Specifications: City of Foster City" dated July 1972. This document does not include any requirements for setbacks from bulkheads or riprap.

The recommendations for setbacks from bulkheads and riprap have been used in a variety of legal instruments to accomplish the desired setbacks. Some subdivisions included setback requirements in Covenants, Codes and Restrictions (CC & R's). Some subdivisions included easements for navigational purposes granted to the Estero Municipal Improvement District or the City of Foster City. Some subdivisions have used a combination of these methods.

Policy:

The existing Rule of Thumb dated January 22, 1987 is hereby replaced with this policy. The policy for issuing permits for setback requirements for waterfront properties will address the following:

- A. Shoreline Conditions.
- B. Setback Requirements.

A. Shoreline Conditions:

Waterfront properties in the City have the following shoreline conditions (according to the "Recommended Rear Building Setbacks for Waterfront Lots," dated 3-26-64 to 3-65 Wilsey, Ham and Blair):

1. Condition A: The waterfront properties with retaining walls (bulkheads) are classified as properties with Shoreline Condition A. These properties have easements of approximately 40'.
2. Condition B: The waterfront properties with narrow ripraps are classified as properties with Shoreline Condition B. These properties have easements of approximately 25'.

3. Condition C: The waterfront properties with broad ripraps are classified as properties with Shoreline Condition C. These properties have easements of approximately 25'.

(Refer to attached Exhibit A)

B. Setback Requirements:

1. Any Architectural Review or Use Permit application for an addition to the main building which is proposed to be in an easement area shall be referred to the City/District Engineer for comment prior to action.
2. Any building permit for an addition to the main building which is proposed to be in an easement area shall be referred to the City/District Engineer for approval prior to issuance.
3. The minimum setback for the main building and any addition to it shall be 10' from the bulkhead or top of riprap. This setback may be reduced if the following conditions are met:
 - a. The reduced setback will not cause safety problems, as determined by the City/District Engineer.
 - b. The reduced setback is consistent with the setback of other buildings in the vicinity.
 - c. The reduced setback will not create an overcrowded appearance when viewed from other waterfront properties.
4. The minimum setback for garden structures, including, but not limited to, decks, arbors, trellises, gazebos, etc. shall be three (3) feet from the edge of the bulkhead or riprap except that decks may be closer provided that any post or foundation be not closer than three (3) feet from the edge of the bulkhead or riprap.
5. The setbacks required by Title 17 (Zoning) easements, CC & R's, Architectural Review, or Use Permit may be greater than the minimums contained above.

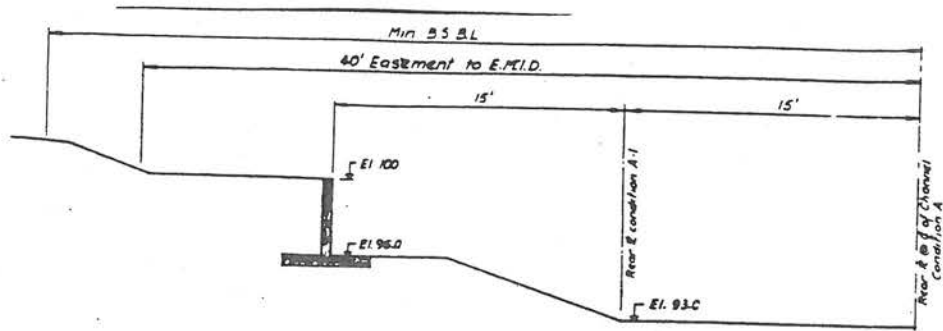
ATTACHMENTS:

Rule of Thumb dated January 22, 1987

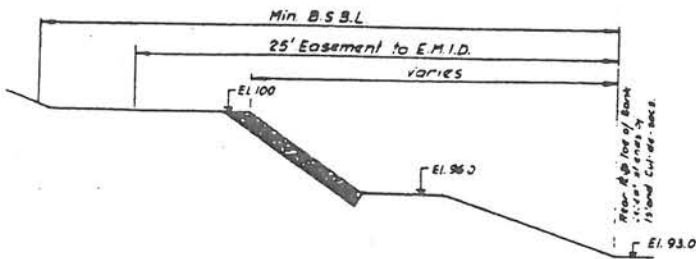
Exhibit A

Lagoon Walls for Waterfront Properties: Standard Details and Specifications, 1972

EXHIBIT A



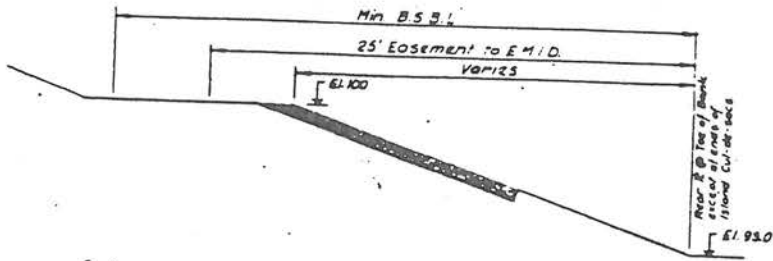
SHORELINE CONDITION A AND A-1



SHORELINE CONDITION B

NOTE:

1. Recommended setbacks are minimum only and intended to assist Builder in interpretation of compliance with the intent of the lot covenants not to replace said covenants.



SHORELINE CONDITION C

75 Setback = broken side lot



M E M O R A N D U M

TO: RICHARD B. MARKS, DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION STAFF

FROM: CHARLES P. MULLEN, CODE ENFORCEMENT OFFICER *CPM*

DATE: JANUARY 22, 1987

SUBJECT: SETBACK REQUIREMENTS FOR ROOM ADDITIONS TO WATERFRONT HOMES

This "Rule of Thumb" (ROT) sheet shall be used as a guideline for establishing minimum rear and side yard setbacks for room additions to waterfront homes. Waterfront properties with rear and/or side yard easements shall use that easement as a minimum setback for rear and/or side yard setbacks for proposed room additions to waterfront homes. In addition, the Building Division requires a minimum 4' setback to waterfront riprap and 10' to bulkheads. In no instance shall a room addition be constructed within an easement or within 4' of ripraps or 10' of a bulkhead.

CPM:gfu

LAGOON WALLS
FOR
WATERFRONT PROPERTIES

STANDARD DETAILS & SPECIFICATIONS

DEPARTMENT OF PUBLIC WORKS

CITY OF FOSTER CITY

CALIFORNIA

CONTENTS

Part I	Instructions to Property Owner
Part II	Typical Details
Part III	Specifications

PART I

INSTRUCTIONS TO PROPERTY OWNERS

To enhance and maintain the beauty of the lagoon system, waterfront property owners are required to construct walls along the lagoon in accordance with specifications and construction details adopted by the City of Foster City.

Before any work can be done, a Building Permit must be obtained. A Permit can be obtained from Building Inspection at City Hall. There is a Permit fee based on the value of the work to be done and an engineering fee of 50¢ per lineal foot of wall to be installed.

It should be noted that the standard plans are designed to suit the following existing slope and underlying soil classifications:

	<u>Slope</u>	<u>Soil Classification</u>
Condition A	3:1 and steeper	Relatively stable
Condition B	Flatter than 3:1	Less stable
Condition C	Flatter than 3:1	Former slough areas

The Department of Public Works will inform you which condition is applicable to your waterfront property.

In areas of changing slope and soil classification, a transition section of wall must be constructed as shown on the Standard plans. The length of transition may vary according to location and should be verified with the Department of Public Works prior to construction.

Request for Alternative Location or Type of Wall

Any owner who wishes to consider placing the standard bulkhead closer to the toe of the lagoon slope or constructing a different type of wall may submit plans prepared by a registered Civil Engineer and accompanied by a full soil report prepared by a recognized soils engineering firm, stating allowable design soil pressures. The design must demonstrate an adequate safety factor against slippage, settlement and horizontal movement and must be approved by the Department of Public Works prior to issuance of a Building Permit.

Only Type I bulkhead sheeting will be permitted if it is proposed to modify the standard details.

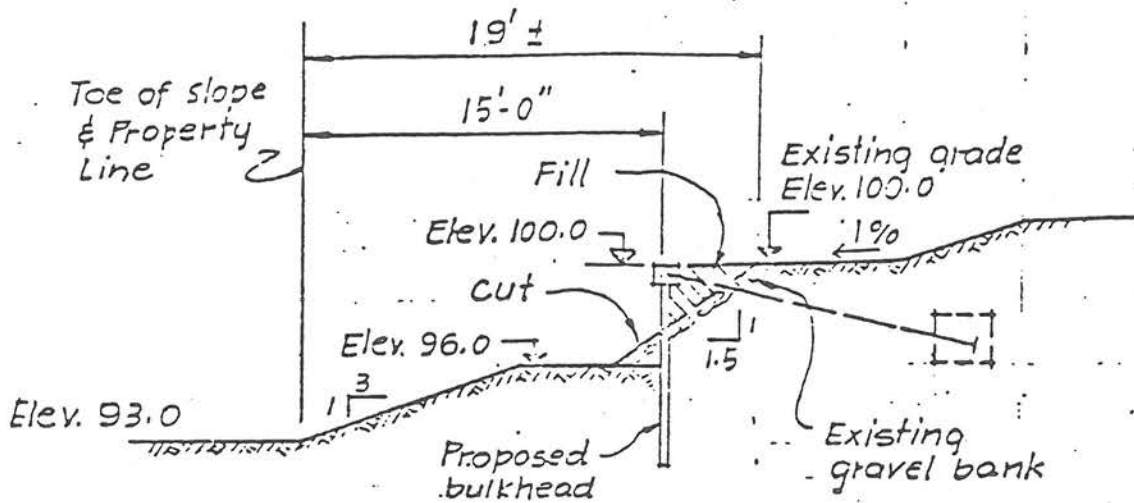
Restricted Area Behind Wall

Upon completion of the wall, the 10-foot wide strip of land adjacent to the face of bulkhead will be restricted to landscaping and related uses. The construction of vehicular parking areas and building structures, other than garden trellis, patio covers, awnings and similar installations, within the area will be prohibited. Post foundations for any of the above permitted landscape related improvements shall be set back a minimum distance of 3'-0" from the face of the wall.

The use of construction equipment within the restricted area will not be permitted.

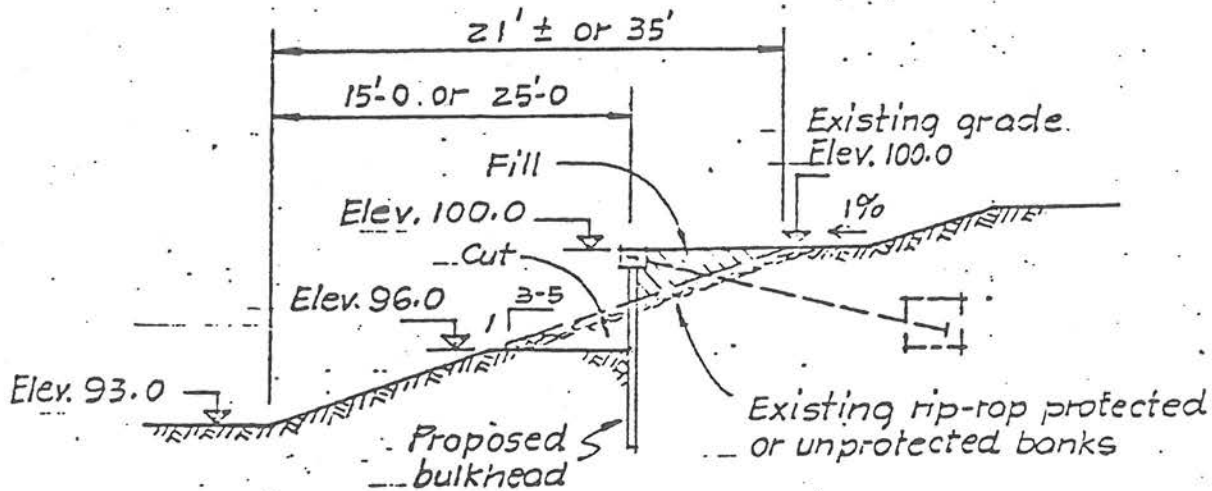
PART II

STANDARD DETAILS



SECTION A (SPECIAL CASE)

1/8" = 1'-0"



SECTION B (GENERAL CASE)

1/8" = 1'-0"

Note: For Soil Conditions A, B, and C, see Note, Dwg L-1006

CITY OF FOSTER CITY

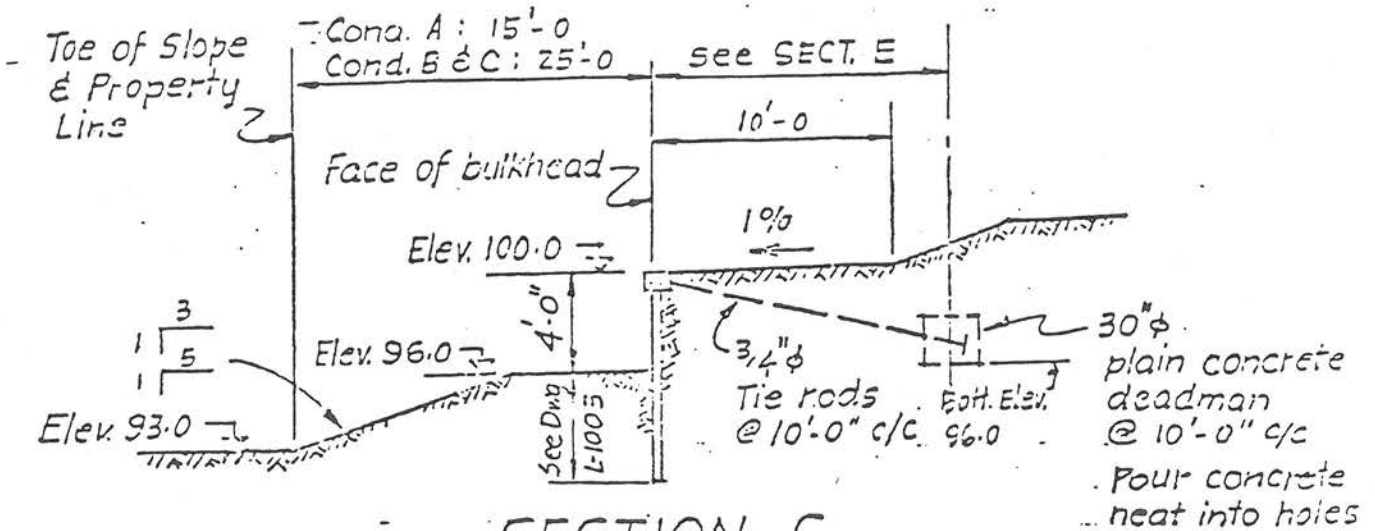
SECTIONS SHOWING EXISTING SHORELINES
WITH NEW WALL LOCATIONS

STANDARD P

APPROVED: Bernard L. Pawlinski
DIRECTION OF PUBLIC WORKS

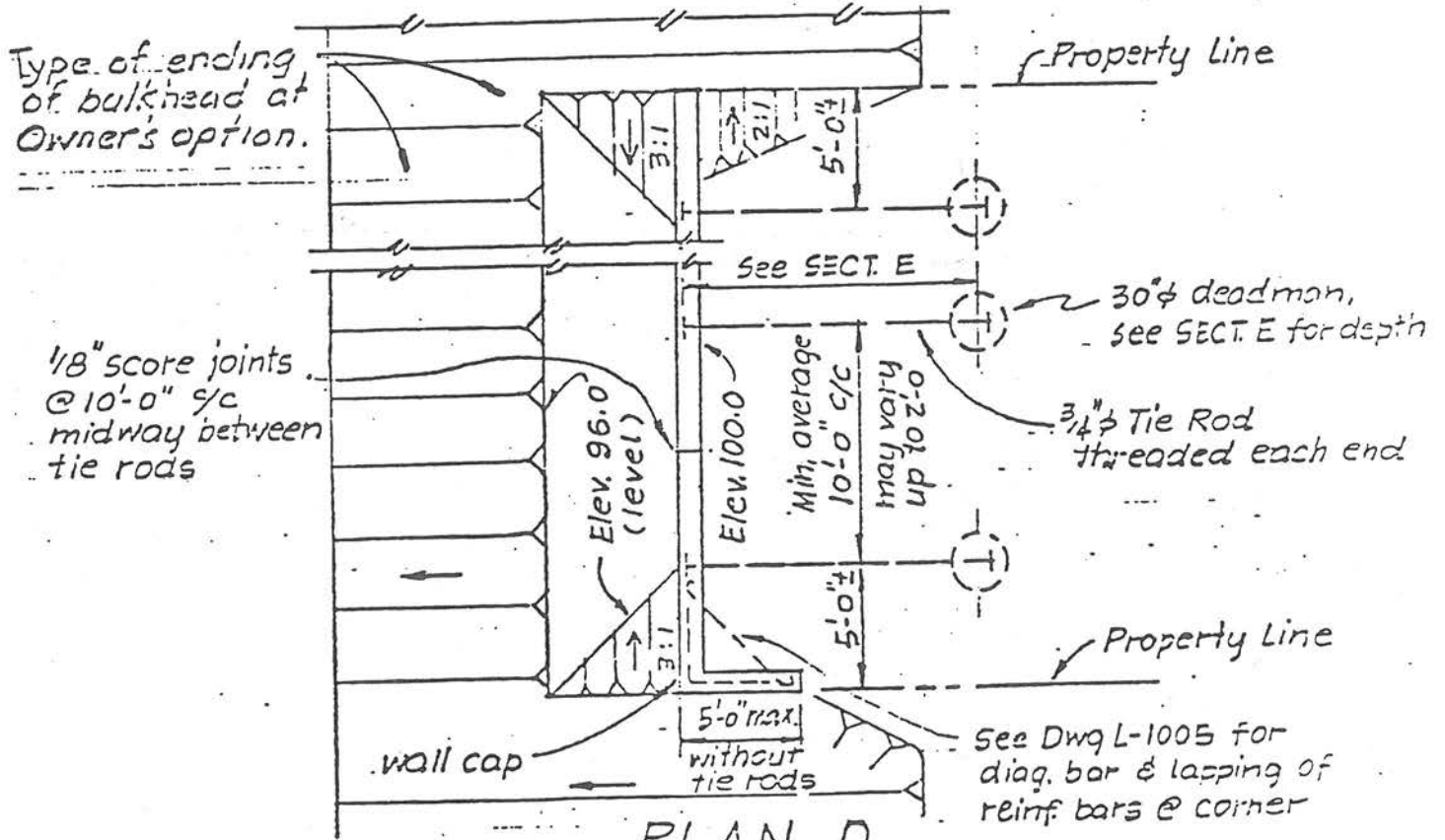
4/3/72
DATE

L-1001



SECTION C
FINISHED WALL DIMENSIONS

1/8" = 1'-0"



PLAN D
WALL TERMINATIONS 1/8" = 1'-0"

CITY OF FOSTER CITY

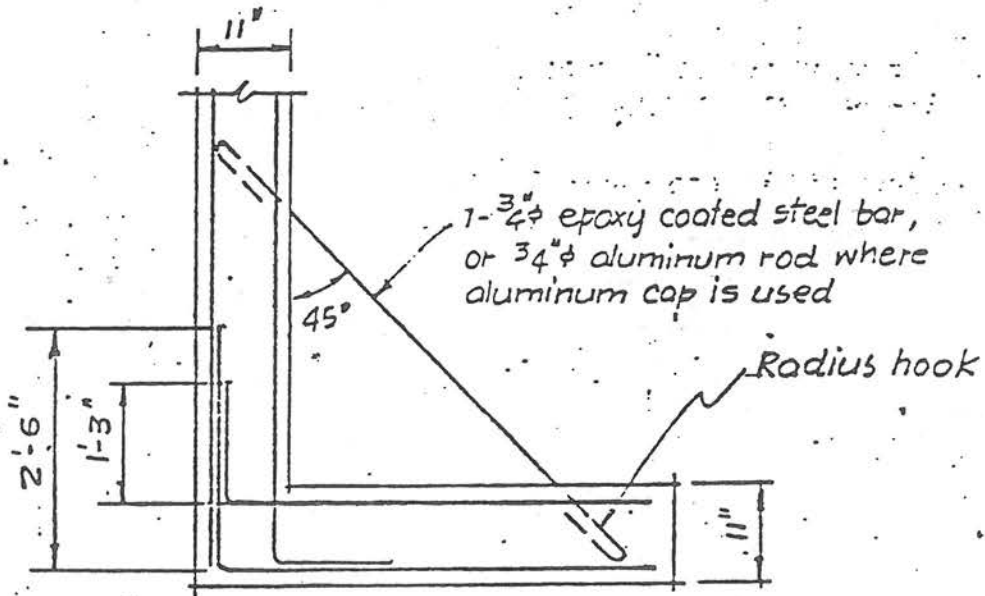
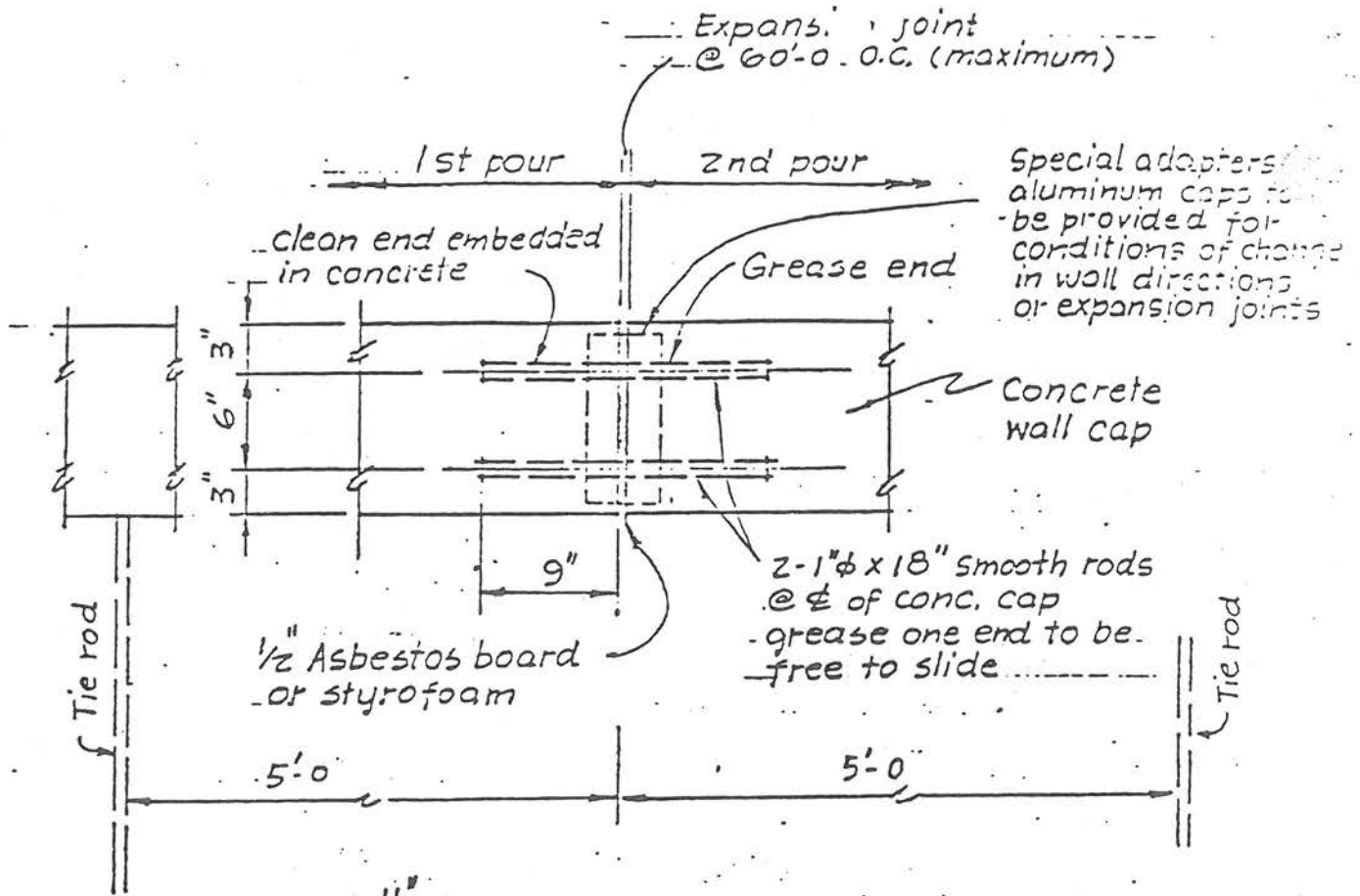
TYPICAL SET-BACK REQUIREMENTS & PLAN SHOWING WALL TERMINATIONS

STANDARD PLAN

LF1002

APPROVED: *Bernard L. Pawlowski*
DIRECTOR OF PUBLIC WORKS

4/3/72
DATE



LAPPING OF CORNER BARS
@ CONCRETE CAP AT TERMINUS

CITY OF FOSTER CITY

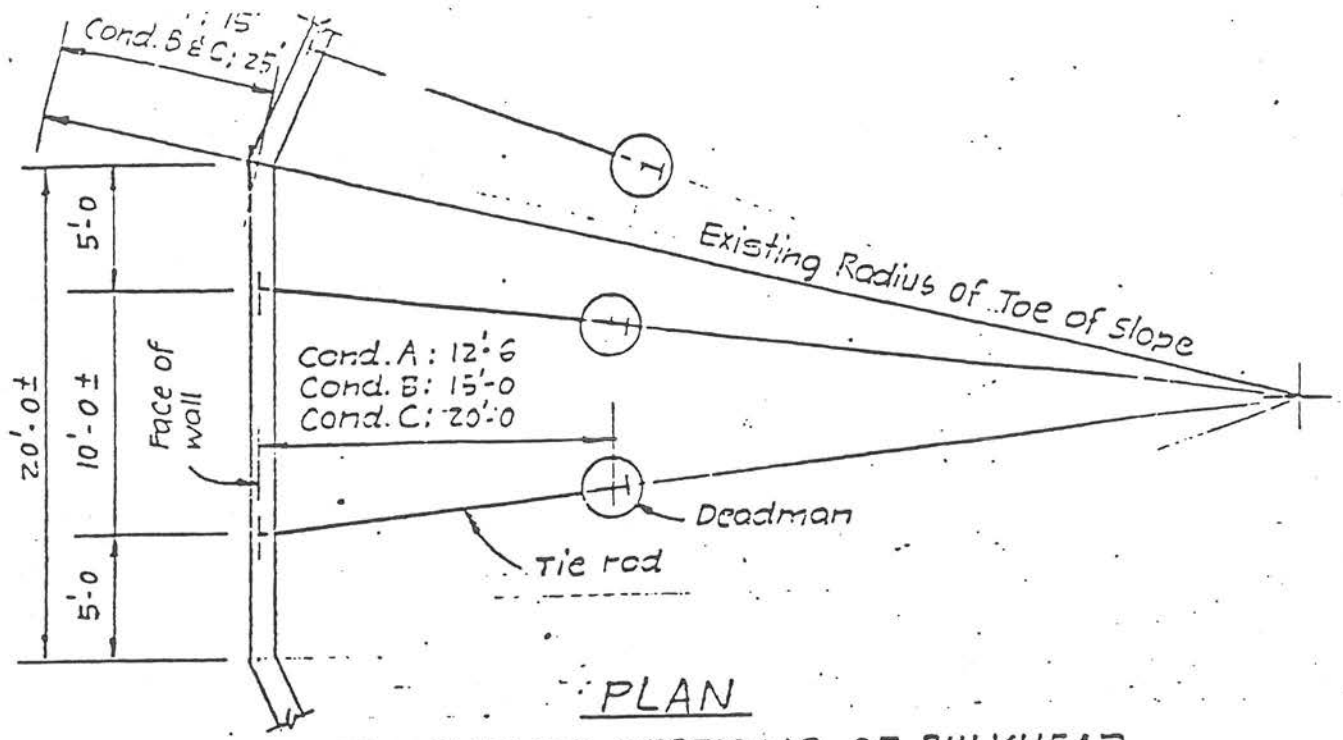
TYPICAL EXPANSION JOINT DETAIL

STANDARD P

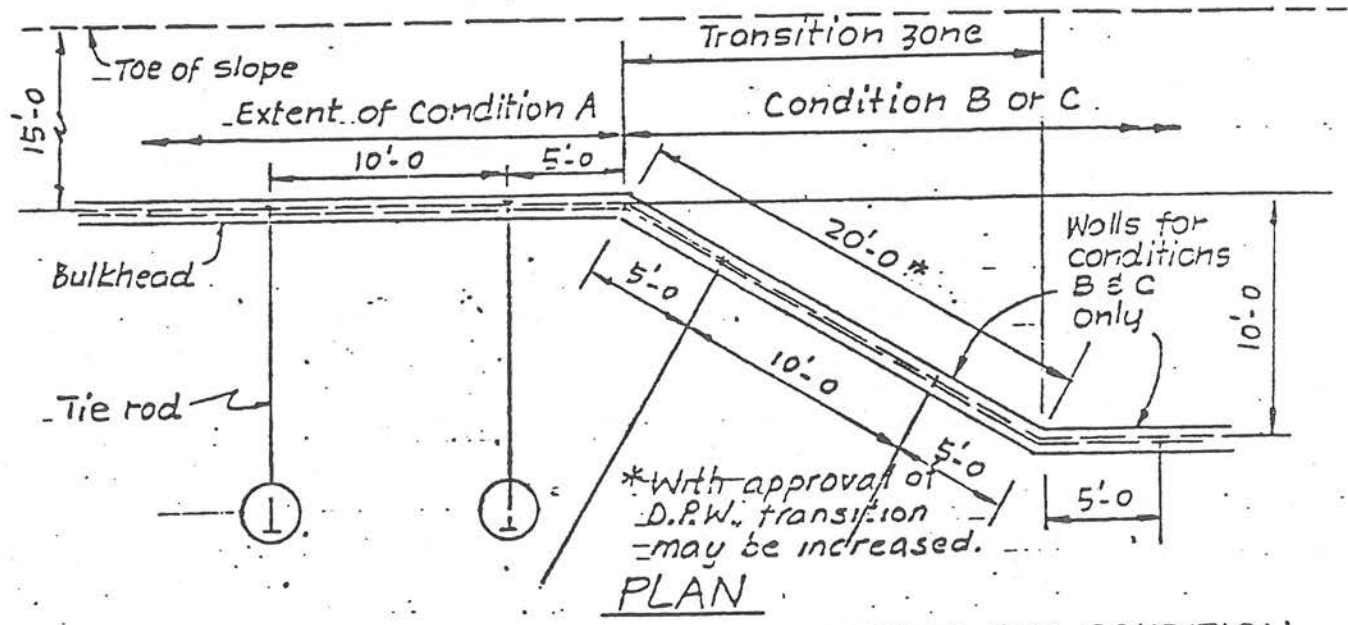
APPROVED: *Bernard L. Pawinski*
DIRECTOR OF PUBLIC WORKS

4/3/72
DATE

L-1005



PLAN
@ CURVED SECTIONS OF BULKHEAD



BULKHEAD @ LOCATIONS OF CHANGING SOIL CONDITION

SOIL CONDITIONS OF VARIOUS WALL LOCATIONS :

- Condition A: Relatively stable soil conditions where existing slopes are 3:1
- Condition B: Weaker soil conditions where existing slopes are less than 3:1
- Condition C: Same as B; except located in old slough areas

CITY OF FOSTER CITY

CURVED (SEGMENTED) CAP PLAN
AND BULKHEAD AT LOCATIONS OF CHANGING SOIL CONDITION

STANDARD PLAN

APPROVED: Bernard L. Bantoli
 DIRECTOR OF PUBLIC WORKS

4/3/72
 DATE

L-1006

PART III

OUTLINE SPECIFICATIONS

1. EXCAVATION AND BACKFILL:

- a) Prior to the installation of bulkhead sheeting, all excavation necessary to construct the berm on the outboard side of the wall shall be completed.
- b) Excavation of trenches or holes for dead man construction may be accomplished with mechanized equipment.
- c) Backfilling behind wall must be accomplished with hand tamping to approximately 75 percent optimum density. No motorized compaction equipment shall be used.
- d) Backfilling above dead man anchors shall be firmly placed, using hand operated mechanical equipment, with nominal compaction of 85 percent optimum density.
- e) Materials used for backfill may be native material. No rip-rap material shall be used in the upper one foot of fill.
- f) Gravel backfill shall be used to restore berms to design grades when over-excavated.
- g) All excess material shall be removed from the site.

2. MATERIALS OF CONSTRUCTION:

- a) Concrete, 2500 psi ultimate strength at 28 days, using 1-1/2" maximum aggregate in dead man and 3/4" in wall cap. No commercial admixtures shall be used.
- b) Reinforcing steel - ASTM A615, Grade 40.
- c) Miscellaneous steel - ASTM A7. Anchor rods shall be epoxy coated.
- d) Type I Bulkhead Sheeting: Aluminum sheets and caps, Alloy 5052 and 6063-T6. Tie-rods, bolts and nuts shall be Alloy 6061. (Bolts and nuts may be hot, double-dipped galvanized steel complying with ASTM A-307.) Cap section to receive lime treatment. All other material shall be natural finish.
- e) Type II Bulkhead Sheeting: Asbestos Cement Extrusion, shall be "CORSPAN" in 3" x 24" flat sections as manufactured by Johns-Manville Co. Material shall be in natural color and have average physical properties as follows: Modulus of Rupture - 2000 psi; Section Modulus - 11.9 in³/foot.

3. INSTALLATION: Bulkhead sheeting shall be driven or jetted into place, plumb and in straight alignment. Maximum variation in alignment shall not exceed one inch in twenty feet. All sheets shall be snug fit, tongue-in-groove or tongue-in-slot in accordance with manufacturer's standards. All broken or damaged sheets shall be removed and replaced with new sheets.

4. CLEAN UP: Upon completion of all work Contractor shall remove all of his machinery and equipment of construction, all excess excavations, and leave the site in a neat appearance.

5. CONSTRUCTION PROCEDURES: The Contractor shall submit a statement describing his proposed construction procedures and equipment to the Department of Public Works prior to beginning work. The City reserves the right to prohibit the use of equipment or procedures which may damage the existing lagoon slopes or impair construction of the wall.