

CITY OF FOSTER CITY PLANNING COMMISSION POLICY

Subject: Process for review and approval of prototypical designs for property improvements in planned developments

Policy No.: 1-94 (Revision No. 1)

Date of Planning Commission Approval: May 5, 1994

Date Revised by Planning Commission: January 21, 1999

Effective Date of Revised Policy: February 1, 1999

Background and/or Problem Statement: The City has used "prototypical designs" to allow homeowners desiring to install a pre-approved property improvement in a specific planned development using an expedited permit process with a reduced fee while at the same time maintaining design consistency and architectural compatibility within each planned development. While prototypical designs are not the only types of property improvements allowed, the City has allowed and encouraged the use of prototypical designs for many types of property improvements to help ensure that the architectural integrity of a development is maintained and to make the review process easier for homeowners who want to install such improvements.

The current process for review and approval of prototypical designs is that the Homeowners' Association submits an application, filing fee deposit, and sketches or brochures showing the proposal. The application is then scheduled for review and approval by the Planning Commission at a Public Hearing (with newspaper and mailed noticing). Staff will often supplement the submittal with copies of the original drawings showing the affected elevations with and without the prototype improvement. The basis for the requirement for Planning Commission review is that even minor modifications, when repeated throughout an entire development, can have a significant effect on the appearance of the whole development.

The major problem with the current approach is that there is a time delay in having the application reviewed by the Planning Commission because the Commission meets only twice each month and noticing and staff reports must be prepared. The application is usually initiated by a single homeowner who must then wait for review by the Planning Commission for even a minor improvement. Another problem is that since the zoning regulations treat the application as a use permit modification, Public Hearing notices (often to large numbers of property owners) must be mailed, adding to the applicant's costs.

After a prototypical design is approved, each homeowner submits an individual permit application for their property. In some cases, only a building permit is required. In other cases, both an Architectural Review application and a building permit are required. In most cases, a letter from the Homeowners' Association acting on the individual proposal is also required. These processing requirements were often included in the approval of the prototype design and have not always been consistent over the years. In some cases, the Architectural Review application is necessary because the prototype design provides guidelines as opposed to a specific design. In other cases, such as garage doors, the Architectural Review application is not necessary because a specific design was approved as the prototype. The problem with the current situation is that similar improvements are treated differently in different developments and that obtaining a letter from the Homeowners' Association sometimes causes a delay and seems duplicative if the application has followed the approved prototype design.

The list of approved prototypes as of January 21, 1999 is attached.

Purpose of Policy: To establish an inexpensive, consistent and simple procedure to be used for review of proposed new prototype designs and for individual homeowner applications for use of prototype designs.

Policy:

A. Approval of Prototypical Designs

1. The Planning Commission hereby authorizes the Community Development Director to approve some minor property improvements through the use of Architectural Review permits without prior approval of a prototypical design. Minor improvements not requiring a prototypical design include: fences, skylights and sun tunnels, front doors, spas, decks, trellises, gazebos, patio covers, air conditioning condenser units, chimneys, solar collectors, windscreens, and all other improvements lower than the fence line in the subject yard. For houses in R-1/PD districts, new front doors (having the same size), decks (on non-waterfront properties, lower than 18" in height, and at least 5' from a property line), and air conditioning condenser units (ground-mounted and on non-waterfront properties) shall be exempt from Architectural Review and shall only require a Building Permit (if needed).
2. The Planning Commission hereby authorizes the Community Development Director to approve prototypical designs for garage doors and windows. This will eliminate the delay associated with review by the Planning Commission but at the same time, still preserve the design consistency of property improvements within the development.
3. Prototypical design requests for roof materials/colors, solariums, house colors, and exterior siding shall be subject to review and approval by the Planning Commission. These items will be reviewed as "New Business" items, except that Use Permit Public Hearings with mailed notice to property owners within 300' will be required for prototype roofing materials changes.
4. All other requests for prototype designs not specified in this Policy shall be reviewed by the Planning Commission as "New Business" items.

B. Review of Individual Homeowner Applications

1. The review of individual homeowners' requests for property improvements not requiring a prototype design, as specified in item A.1, shall include a completed Architectural Review application, a letter from the Homeowners' Association indicating their action on the proposal, any drawings as required by the Community Development Department, and the typical filing fee/deposit for the improvement. If a Homeowners' Association has previously established a prototype for an improvement that has been de-regulated, the applicant may follow the specific approval process outlined when that prototype design was approved by the City.
2. The review of individual homeowners' applications using prototypes for which specific designs with specific locations have been approved will include a building permit only, with no Architectural Review permit or letter from the Homeowners' Association required (unless the Homeowners' Association indicates that they would prefer such a letter be required), as indicated on Exhibit A, attached.
3. The review of individual homeowners' applications using prototypes for which no specific designs and/or no specific locations have been approved will include an Architectural Review permit, letter

from the Homeowner Association, and a building permit as indicated on Exhibit A, attached, except as noted in 3 and 4, below.

4. The review of individual homeowners' applications for prototype wood fences shall require only an Architectural Review permit without a building permit.
5. The review of individual homeowners' applications for waterfront prototype room or solarium additions shall require a Use Permit and be subject to Use Permit notification requirements.

C. Periodic Review of Prototype Designs

1. Every six months, the Community Development Director shall notify the Planning Commission of the new prototype designs that have been approved by the Director.

Every year, the Community Development Director shall ask the Homeowners' Associations if they would like to propose any prototypical designs to be considered as part of a group review without payment of fees.

Summary of Prototype Design Requirements for Property Improvements in PD's

Pursuant to Planning Commission Policy P-1-94 (Revision No. 1)

(Approved and revised by Planning Commission on January 21, 1999)

Improvement Requiring Prototype Design		Improvement NOT Requiring Prototype Design*	
(Approved by Planning Commission)	(Approved by Community Development Director)	(Requires Architectural Review approved by Community Development Director)	(Exempt from Architectural Review)
<ul style="list-style-type: none"> • Roof materials and colors • Solariums • House colors • Exterior siding • Awnings 	<ul style="list-style-type: none"> • Windows • Garage doors 	<ul style="list-style-type: none"> • Fences • Skylights and Sun tunnels • Front doors (new size) • Spas • Decks (not otherwise exempt) • Trellises • Gazebos • Patio covers • Air conditioning condenser units (not otherwise exempt) • All other improvements lower than the fence line 	<ul style="list-style-type: none"> • Front doors (same size) • Decks (non-waterfront, lower than 18", at least 5' from prop. line, and in R-1/PD district) • Air conditioning condenser units (ground-mounted units on non-waterfront properties in R-1/PD district)

* When a Homeowners' Association has previously established a prototype for one of these improvements, applicants shall follow the specific approval process outlined when that prototype was approved by the City.