

RESOLUTION NO. P-18-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY AMENDING AND APPROVING A POLICY REGULATING THE CHANGING-OUT OF WINDOWS ON RESIDENTIAL UNITS WITH RESPECT TO FRAME COLOR AND MATERIALS, WINDOW TYPE AND STYLE, AND THE USE OF GRIDS

CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, it is currently the Policy of the Planning Commission to require that when windows on an elevation of a residential unit are changed out, all windows on that elevation must match as to frame color and materials, window type and style, and the use of grids; and

WHEREAS, Section 17.58.010, Intent and purpose, of Chapter 17.58, Architectural Control, of Title 17, Zoning, of the Foster City Municipal Code states that "It is the intent of the city council in enacting this chapter to protect the health, safety, and general welfare of the city by maintaining the high standards of architectural design that have distinguished Foster City as the first successful planned community created in California."; and

WHEREAS, Chapter 17.58, Architectural Control, of Title 17, Zoning, of the Foster City Municipal Code establishes procedures and criteria for review of proposed structures, buildings, and improvements to real property and modifications to such which are necessary in order various objectives, including the following:

- To preserve the architectural character and scale of the neighborhoods and community.
- To enhance the residential and business property values within the city and in neighborhoods surrounding new or modified development; and

WHEREAS, the current Policy to require that when windows on an elevation of a residential unit are changed out, all windows on that elevation must match as to frame color and materials, window type and style, and the use of grids was initially established in part because property owners were requesting approval of (or actually installing) various styles and types of windows and window frames and colors throughout the elevations of residential units including mixing white or beige vinyl framed windows next to aluminum framed windows; sliding windows next to or on the same story as casement windows, etc. and the Planning Commission determined that the result of such mixing and matching of windows was often unattractive and was inconsistent with the City's architectural heritage as a "planned community" where design and aesthetics was important. This was deemed to be particularly so in the planned residential developments throughout the City; and

WHEREAS, the current Policy was initially established in part because complaints were received from residential property owners adjacent to or within view of residential units where neighbors felt the mix of windows was not only unattractive as viewed from adjacent properties, but had a detrimental impact on residential property values; and

WHEREAS, the Policy is consistent with and the result of the provisions of Section 17.58.060, Architectural guidelines adopted by resolution, of Chapter 17.58, Architectural Control, of Title 17, Zoning, of the Foster City Municipal Code which authorizes the Planning Commission to approve or authorize the community development director to approve architectural guidelines (prototype designs) for specific developments or specific types of development which are consistent with the intent and purpose of Chapter 17.58; and

WHEREAS, the Planning Commission wishes to amend the current Policy to allow more flexibility for property owners but still protect the architectural character of the City by requiring reasonable architectural standards for changing-out windows on residential units and thereby protect the value of residential property in the City; and

WHEREAS, the Planning Commission has reviewed the current Policy regarding the changing-out of windows on residential units and five (5) policy options and believes that *Option #3*, as described in the Staff Report to the Planning Commission dated October 7, 2010, to wit:

2nd story windows - On the rear elevation (only), all of the windows on the elevation shall match as to frame color and materials, window type and style, and the use of grids.

1st story of a 2-story residential unit and single story houses – On the rear elevation (only), the windows on the 1st story may be a mix of windows with and without grids but the frame color and materials and window type and style of all windows on the elevation shall match.”

offers the opportunity to address the City’s need to protect the architectural character of the City as well as to protect the value of residential property while at the same time allowing more flexibility for property owners; and

Option #6, regarding sliding glass doors, French doors, and garden windows as described in the Staff Report to the Planning Commission dated October 7, 2010, to wit:

The decision whether to replace a sliding glass door or a French door or a garden window shall be at the option of the property owner.

If a sliding glass or a French door is replaced, its design type and style, colors, materials, and use of grids shall conform to the requirements of the policy adopted by the Planning Commission affecting the changing-out of windows for the house.

NOW THEREFORE BE IT RESOLVED that the Planning Commission, based on facts and analysis in the Staff Report, written and oral testimony, and exhibits presented, finds:

1. That the amended Policy requiring that when windows on an elevation of a residential unit are changed out, as described in the Staff Report to the Planning Commission dated October 7, 2010 and as described above as *Option #3* and *Option #6*, meet the purpose and intent of Chapter 17.58, Architectural Control, of Title 17, Zoning, of the Foster City Municipal Code as adopted by the City Council.
2. That the impact of requiring a high standard of architectural design for residential property throughout the City as required by the subject Policy is consistent with the City’s heritage as a “planned community” where aesthetics and community appearance are important community values.
3. That the long-term interest of the City in preserving the quality of its housing stock and associated residential property values is a matter directly affected by the design of improvements to residential property and the careful attention to architectural detail and is advanced by the subject Policy.

BE IT FURTHER RESOLVED finds and declares that the following is the Policy of the Planning Commission when windows on an elevation of a residential unit are changed out:

Windows

2nd story windows - On the rear elevation (only), all of the windows on the elevation shall match as to frame color and materials, window type and style, and the use of grids.

1st story of a 2-story residential unit and single story houses – On the rear elevation (only), the windows on the 1st story may be a mix of windows with and without grids but the frame color and materials and window type and style of all windows on the elevation shall match.”

Sliding glass doors, French doors and garden windows

The decision whether to replace a sliding glass door or a French door or a garden window shall be at the option of the property owner.

If a sliding glass or French door is replaced its design type and style, colors, materials, and use of grids shall conform to the requirements of the policy adopted by the Planning Commission affecting the changing-out of windows for the house.

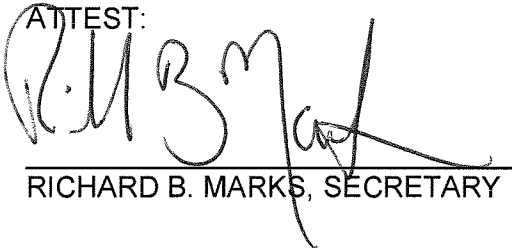
PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on October 7, 2010, by the following vote:

- AYES, COMMISSIONERS: Avram, Cox, Werden, Williams and Chair Pattum
- NOES, COMMISSIONERS: None
- ABSTAIN, COMMISSIONERS: None
- ABSENT, COMMISSIONERS: None



OLIVER PATTUM, CHAIRMAN

ATTEST:


RICHARD B. MARKS, SECRETARY