

CITY OF FOSTER CITY PLANNING COMMISSION POLICY

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

Policy No.: I-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.

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.

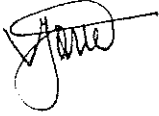
Every year, the Community Development Director shall ask the Homeowners' Associations if they would like to propose any prototypical designs to be considered as part of a group review without payment of fees.

DATE: JANUARY 21, 1999

STAFF REPORT

AGENDA ITEM NO. 7.D.

TO: FOSTER CITY PLANNING COMMISSION

PREPARED BY: VANCE E. JONES, ASSISTANT PLANNER 

APPLICANT: CITY OF FOSTER CITY

PROJECT LOCATION: CITYWIDE

SUBJECT: PROTOTYPICAL DESIGNS FOR PROPERTY IMPROVEMENTS IN PLANNED DEVELOPMENTS

REQUESTED ACTION/PURPOSE

Review and consider a proposed amendment to Planning Commission Policy P-1-94 to change the types of property improvements which require a prototype design in residential planned developments.

RECOMMENDATION

That the Planning Commission adopt the attached Resolution authorizing a revision to PC Policy P-1-94.

BACKGROUND

At a Study Session on October 15, 1998, the Planning Commission reviewed four different options for changing how the Planning/Code Enforcement Division regulates and processes prototype design requests for property improvements in residential planned developments. For a detailed analysis of these four options, please refer to the October 15, 1998 Staff Report, attached. The Commission's direction following review of these options was to pursue Option #4 which would limit which property improvements require prototype designs.

Section 17.58.060 of Chapter 17.58, Architectural Control and Supervision, of Title 17, Zoning, of the Foster City Municipal Code authorizes the Community Development Director to approve prototype designs for property improvements in Planned Developments. In addition to this, Planning Commission Policy P-1-94 outlines the types of property improvements which require a prototype design and the process by which to have one approved. In order to change what property improvements require a prototype design, an amendment to Planning Commission Policy P-1-94 must be approved by the Planning Commission.

ANALYSIS

The proposed amendment to Planning Commission Policy P-1-94 would retain the current *process* for establishing prototype designs, however it would limit the *type of property improvements* which require a prototype. The intent of this amendment is to allow property improvements which have a minor effect on the appearance of a house with approval of an Architectural Review permit, instead of requiring approval

Proposed Amendment to PC Policy P-1-94

Below is an excerpt from Policy P-1-94. (A complete copy of the current policy is attached.) Text shown in ~~strikeout~~ is proposed to be removed and underlined text is proposed to be added and/or revised.

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, windcreens, 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 some ~~minor property~~ improvements which have a more significant effect on the architectural appearance of a house. 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. ~~These minor improvements include: chimneys, decks less than 18" high and 5' from property lines, doors, fences, garage doors and skylights, spas, trellis/patio covers, solar collectors, windows, and windcreens.~~
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, ~~except that Use Permit Public Hearings with mailed notice to property owners within 300' will be required for prototype roofing materials changes.~~

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.

Summary of Approved Prototypes

Development	Approved Prototypes	File Reference	Approval Authority/Permits
Admiralty			
	Fence	AR-97-020	HOA & AR
	Windows	AR-02-021	HOA & AR & BP
Alden Crossing			
	Air Conditioners/Condensing Units	UP-84-008D	HOA & AR & BP
	Building Colors	UP-84-008I	None
	Decks*	UP-84-008	HOA & AR*
	Garage Doors	UP-84-008H	HOA & BP
	Gazebo	UP-84-008	HOA & AR & BP
	Greenhouse	UP-84-008	HOA & AR & BP
	Pools and Spas	UP-84-008	HOA & AR & BP
	Roof (Letter Only)	UP-84-008	HOA & BP
	Shed	UP-84-008	HOA & AR & BP
	Skylight	UP-84-008	HOA & AR & BP
	Solar Collector	UP-84-008	HOA & AR & BP
	Trellis/Privacy Screen	UP-84-008	HOA & AR & BP
	Window Replacements	UP-84-008h	HOA & AR (& BP if new size)
Alden Park			
	Air Conditioning/Condensing Units		BP
	Decks*	UP-85-023	HOA & AR*
	Fence	UP-85-023	HOA & AR
	Garage Doors	UP-85-023A&B	BP
	Gazebo	UP-85-023	HOA & AR & BP
	Greenhouse	UP-85-023	HOA & AR & BP
	House Colors	UP-85-023H	HOA
	Perimeter Fence	UP-85-023E	AR
	Pools & Spas	UP-85-023	HOA & BP
	Roof	UP-85-023G	BP
	Skylight	UP-85-023	HOA & AR & BP
	Solar Collector	UP-85-023	HOA & AR & BP
	Trellis	UP-85-023	HOA & AR & BP
	Window/Sliding Glass Door	UP-85-023C	HOA & BP
Antigua			
	Decks*		HOA & AR*
	Fence	UP-84-010A	AR
	Gazebo		HOA & AR & BP
	Greenhouse		HOA & AR & BP
	Pools & Spas		HOA & BP
	Roof	UP-79-025B	BP
	Skylight		HOA & AR & BP
	Solar Collector		HOA & AR & BP
	Trellis		HOA & AR & BP
	Windows and Sliding Doors	UP-79-025C	HOA & AR
Bay Breeze			
	None	UP-81-012	

*Some of these are exempt - see prototype
 q:\cdd\sprdsht\pds\Prototype Binder Master List.xls

Summary of Approved Prototypes

Development	Approved Prototypes	File Reference	Approval Authority/Permits
Greenport			
	Color Change+B156		CDD (no fee)
	Deck and Patio Covers		HOA & AR & BP
	Gazebo		HOA & AR & BP
	Greenhouse		HOA & AR & BP
	Privacy Screening		HOA & AR & BP
	Solar Collector		HOA & AR & BP
	Trellis		HOA & AR & BP
Harborside			
	Air Conditioners	UP-74-017I	BP
	Arbor (H-1 Model)/Patio Cover	UP-74-017T	HOA & AR & BP
	Entry Security Gate	Policy P-89-002	HOA & AR (BP if >6')
	Garage Door		HOA & BP
	Greenhouse Window	UP-74-017C & G	HOA & BP
	Kitchen Window	UP-74-017L	BP (for Model A)
	Patio Door (Windjammer units only)	UP-74-017M	HOA & BP
	Roofs	UP-74-017EE	BP
	Second Floor Window (Windjammer Only) - H4 Units	UP-74-017CC	BP
	Skylight	UP-74-017K	HOA & AR & BP
	Solarium	UP-74-017E	HOA & AR & BP
	Spas	UP-74-017J	HOA & BP
	(Spas larger than listed in Table A)		HOA & AR & BP
	Windows	UP-74-017P&X	HOA & AR & BP
Island I			
	Bedroom Window	UP-73-007D	HOA & BP
	Skylights	UP-73-007G	AR & BP (Needs HOA if skylight differs from prototype)
Island J			
	Garage Doors	UP-73-008D	HOA & BP
	Windows and Sliding Glass Doors	UP-73-008I	HOA & BP
Isle Cove			
	Fence	UP-72-008G	AR
	Garage Door	UP-72-008H	BP
	Hand Railings for Entry	UP-72-008O	BP
	Roof	UP-72-008B	BP
	Second Floor Balconies	UP-72-008R	BP
	Sliding Door	UP-72-008S (Rev UP-72-008P)	HOA & BP
	Spas	UP-72-008N	HOA & AR & BP
	Window	UP-72-008FF	HOA & BP
Lantern Cove			
	None	UP-83-036	

Summary of Approved Prototypes

Development	Approved Prototypes	File Reference	Approval Authority/Permits
Nantucket Cove			
	Decks	UP-85-031	HOA & AR & BP
	Greenhouse	UP-85-031	HOA & AR & BP
	Greenhouse Window		HOA & AR & BP
	Patio Lattice Screen	UP-85-031	HOA & AR & BP
	Roofs	UP-85-031C	BP
	Skylight	UP-85-031	HOA & AR & BP
	Solar Collector	UP-85-031	BP
	Spas	UP-85-031	HOA & AR & BP
	Trellis	UP-85-031	HOA & AR & BP
Pitcairn			
	Bay Window	UP-75-008J	HOA & AR & BP
	Bulkhead	UP-75-008L	BP
	Fence	UP-75-008B	AR
	Front Doors	UP-75-008A & E	exempt
	Garage Doors	UP-75-008E	BP
	Roof Materials	UP-75-008G	BP
	Siding	UP-75-008E	BP
	(For siding other than prototype)		AR & BP
	Skylight	UP-75-008C	HOA & AR & BP
	Window Replacements	UP-75-008K	BP (frame color same as existing)
	(Diff. window frame color than exist.)		HOA & AR & BP
Plum Island			
	Bulkhead	UP-76-007E	BP
	Fences	UP-76-007J	HOA & AR
	Front Doors	UP-76-007D&J	exempt
	Garage Doors	UP-76-007BL	HOA & BP
	House Colors	letter 6/19/99	HOA
	Roofs	UP-76-007O	HOA & BP
	Skylights	UP-76-007J	HOA & AR & BP
	Sun Tunnels	UP-76-007J	exempt
	Windows & Sliding Glass Doors	UP-76-007M	HOA & AR
Promontory Point			
	Deck Windscreen	UP-87-007	HOA & AP & BP
	Window Replacement	fax 4/08/02	exempt
Sand Harbour North			
	Windows & Sliding Doors	UP-72-002F	HOA & AR & BP
Sand Harbour South			
	Balcony Enclosure	UP-72-014F	HOA & BP
	Window Replacement	UP-72-014H	HOA & BP

Summary of Approved Prototypes

Development	Approved Prototypes	File Reference	Approval Authority/Permits
Whaler's Cove (aka The Landing - Bridgeport, Plymouth, Mystic, Dover, Essex)			
	None		
Whaler's Island (Greenwich, Portsmouth, Waterbury, Gloucester)			
	Arbors/Trellis		AR & BP
	Bay Window-8'6" (B Plan Only)	UP-75-018K	BP
	Bulkhead	UP-75-018T	BP
	Front Bath Window (C Plan Only)	UP-75-018O	BP
	Hot Tubs		AR & BP
	Patio Doors (C Plan Only)	UP-75-018U	BP
	Tree Removal	UP-75-018X	HOA & AR
Williams Landing			
	Building Color	UP-84-012G	exempt
	Garage Doors	UP-84-012A&E	HOA & BP
	Patio Cover/Trellis/Arbor	UP-84-012	HOA & AR & BP
	Skylights (letter from HOA in book but not prototype approval)		
	Windows	UP-84-012H	HOA & AR
Winston Square			
	End Unit Windows (specific pattern)	UP-72-020F	HOA & BP
	End Unit Windows	UP-72-020F	HOA & AR & BP
	Garage Doors	superceded by UP-72-020N	
	Light Pole Fixture	UP-72-020P	HOA & BP
	Roof Materials	UP-72-020A	BP
	Tubular Skylights	UP-72-020G	exempt
	Window/Door	UP-72-020H & K	HOA & AR & BP (Units C-1, C-2 & C-4)
			HOA & BP (Unit C-3)
Winston Village			
	Garage Doors	UP-76-021O	HOA & BP
	House Colors (None in Binder)	UP-72-021D,F,&G	
	Rear Garage Door	AR-94-100	BP
	Roof (None in Binder)	UP-72-021D,F,&G	BP
	Second Story Windows	Policy P-89-007	HOA & AR & BP
	Windows/Patio Doors (same size)	UP-72-021L	HOA & AR
	Windows/Patio Doors	UP-72-021L	HOA & AR & BP