



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222

PROTOTYPE

CITY OF FOSTER CITY
COMMUNITY DEVELOPMENT DIRECTOR'S ACTION
NOTICE OF DECISION

APPLICATION RECEIVED: April 25, 2019

APPLICATION COMPLETE: June 26, 2019

ACTION DATE: June 26, 2019

CASE NO.: UP2019-0024

OWNER: Harborside Homeowners Association

OWNER ADDRESS: C/O Ben Asaro, Reality Group, 520 El Camino Real, STE 700, San Mateo, CA 94402

APPLICATION FOR: Prototype Amendment to add a white redwood 106"(W) x 142"(L) x 93"(H) Patio Cover to the Prototypical Design for Arbors/Patio Covers (H1 Models Only)

LOCATION: Harborside Planned Development

ZONING: R-T/PD (Townhouse Residence/Planned Development) District

CEQA DETERMINATION: Exempt – Pursuant to Section 15301, Existing Facilities

ACTION TAKEN: Approved with Conditions

On the date listed above, the Community Development Director of the City of Foster City, took the action described above on the subject Use Permit Modification application based on the following findings:

1. The proposal to amend the prototypical design guidelines to add a white 106"(W) x 141.5(L) x 93"(H) Patio Cover in the Harborside Planned Development, as conditioned in Exhibit A and illustrated in Exhibit B, is consistent with the Foster City General Plan, Chapter 17.12 (R-1 Single-Family Residence District) of Title 17 (Zoning), and Chapter 2.28 (Planning) of Title 2 (Administration and Personnel) of the Foster City Municipal Code because the proposed prototypical design amendment will provide an additional design option for patio covers, be sympathetic to the character and style of the existing houses in the Harborside Planned Development, will enhance the functions and activities of the existing use of the subject property, and will be consistent with the residential use of the townhouses in the development.
2. That the proposed prototype amendment to add a white redwood 106"(W) x 141.5(L) x 93"(H) Patio Cover would be consistent with and appropriate to the City, the neighborhood, and the lot on which it is proposed and be compatible with the site's environment with respect to use, forms, materials, colors, setbacks, location, height, design or similar qualities as specified in Section 17.58.010 of Chapter 17.58 (Architectural Control and Supervision) of the Foster City

Municipal Code because the prototypical design amendment will provide guidelines to ensure that new or replacement arbor/patio covers are constructed in an orderly and consistent manner for all residential units in the development, and therefore, the overall architectural style and characteristics throughout the development will be preserved consistent with Section 17.58.010.B.1.

3. That the proposal would not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be injurious or detrimental to property and improvements in the neighborhood, property values in the area, or the general welfare of the City because the location, size, height, colors and materials of the arbor/patio cover will be such that it will be compatible with the design of the existing complex, and will not adversely affect the visual of functional aspects of on-site or adjacent uses.

This action is subject to any conditions contained in Exhibit A, attached.

Expiration

Any Use Permit Modification approval shall, without further action, become null and void if not used within two (2) years from the date of approval thereof, or within any shorter or longer period of time if so approved by the Community Development Director.

Appeal

Pursuant to Section 17.06.150 of the Foster City Municipal Code, an action of the Community Development Director on an application may be appealed within ten (10) calendar days after the date of the Community Development Director's decision, in writing, to the Planning Commission. Appeals may be filed using the appeal form available in the Community Development Department or by letter. There is a fee for filing an appeal. All appeals must be filed in accordance with Section 17.06.150.


Acknowledgment by Applicant

Pursuant to Section 17.58.040.E of the Foster City Municipal Code, any Architectural Review or Use Permit Modification decision shall not be effective until the permittee acknowledges acceptance of any conditions of approval and any appeal period has lapsed, or if there is an appeal, until a final decision has been made on the appeal.

In order to demonstrate that you are aware of and understand the Architectural Review or Use Permit Modification conditions of approval (attached hereto as Exhibit A), please sign the original of this letter and return it to the Planning/Code Enforcement Division. Please keep the duplicate for your records.

Sincerely,

for 
Marlene Subhashini
Community Development Director



(Owners Name) (Please Print)



(Owners Signature)

Planners Initials: ML

Exhibit A

HARBORSIDE HOMEOWNERS' ASSOCIATION Prototypical Design Guidelines for Arbors/Patio Covers June 26, 2019

The following guidelines shall govern the construction of arbors/patio covers for H1 homes in the Harborside Planned Development:

CONDITIONS OF APPROVAL

1. Prior to commencement of work, a building permit shall be obtained from the Building Inspection Division. Four (4) sets of final construction drawings shall be submitted with the building permit application.
2. All construction shall be designed, constructed, installed and maintained in a professional manner and appearance.
3. All materials and colors shall be as approved. Once construction or installed, all improvements shall be maintained in accordance with the approved plans. Any changes which affect the exterior character of the work shall be resubmitted for approval.
4. All vents, gutters, downspouts, flashings, etc. shall be painted to match the color of adjacent surfaces. No electrical conduits or similar piping shall be allowed on the exterior of the building unless approved prior to installation by the Community Development Director.
5. All construction shall be located, designed, constructed, installed and maintained in a professional manner and appearance.
6. Once a building permit is issued, it is the permit holder's responsibility to ensure that the project receives a final inspection before the building permit expires (180 days after the last inspection). Failure to receive and/or pass a final inspection will result in the expiration of the building permit which will require additional fees to reactivate.
7. Prior to any final building inspection approval, any imposed conditions and all improvements shall be completed in accordance with the approved plans and to the satisfaction of the City.
8. The only plumbing facilities to be permitted on any patio area shall be a cold water faucet and drain and rainwater runoff disposal plumbing, and there shall be no other plumbing of any kind.
9. Ingress and egress shall be directly from the living unit which the patio cover is designed to serve.
10. **Construction activities shall be limited to the hours of 8 a.m. to 5 p.m. on weekdays Monday through Friday. No construction shall take place on Saturdays, Sundays or legal holidays. All construction related activities including but not limited to noise, vibration, dust etc. shall be in accordance with Chapter 17.68, General Performance Standards, of Title 17, of the Foster City Municipal Code.**

APPROVAL PROCESS

1. The homeowner or contractor shall apply for an Architectural Review Permit and shall submit the following:
 - A letter from the Harborside Homeowners Association approving the proposed plans.
 - A completed application form and filing fee.
 - Four copies of 11x17 site plans indicating location and dimension of the arbor/patio cover and other items as listed in the Property Improvement Application Submittal Requirements for Accessory Structures.

2. The Planning/Code Enforcement staff will review the Architectural Review application to confirm that the proposal is consistent with the Harborside prototypical design approved for arbors/patio covers.

3. If a building permit is required, the homeowner or contractor shall apply for a building permit from the Building Division and shall submit four copies of any required drawings and fees.

Ben Asaro, HOA President
Reality Group
Harborside Homeowners Association

Date

for 

Marlene Subhashini, Community Development Director
City of Foster City

1/29/2020

Date

Exhibit B
HARBORSIDE

The following standards are general guidelines construction and do not necessarily imply approval design which is otherwise in conformity with these standards, but which has not first: been submitted to and approved by the Architectural Control Committee, the Board of Directors, and the City Planning Commission. Such approval will be conditioned on an evaluation of the conformity of any design to the intended construction locality.

- 1) The general standard of construction shall be in full conformity with local planning and building code.
- 2) No arbor/patio cover shall be attached to any common fence, or in any way extend over, onto, or through any common fence, or in any way be designed so as to put any pressure on any common fence.
- 3) Nothing shall be attached to any structure that would unduly affect or restrict the view, light, or air of adjacent neighbors, or which would not conform to the architectural integrity and unity of the structures.
- 4) Each submitted design shall be considered on a case— by—case basis. Any variation from the guidelines set forth herein shall be judged against higher standards for conformity with architectural unity than those set forth herein before being approved.
- 5) No construction of any shall be permitted without approval having been obtained first from the Architectural Control Committee, then the Harborside Board of Directors, and finally by the Foster City Planning Commission. It shall be the responsibility of the owner, to submit them to the Architectural Control Committee and to present them, if approved by Harborside, to the City Planning Department for review and approval.
- 6) The homeowner desiring to build a structure shall attempt to secure written views of adjacent property owners to be affected by the structure and shall submit such written views to the Architectural Control Committee to facilitate the review and approval process.
- 7) These standards shall apply equally to all properties located at Harborside.
- 8) These standards shall be incorporated into detailed drawings showing specifications, which shall be available to residents from the Architectural Control Committee for a nominal fee to be determined by the Board of Directors and the Architectural Control Committee

Attached Arbor/Patio Cover

- 1) No arbor/patio cover shall be higher than 96 inches.
- 2) No arbor/patio cover shall be wider than 84 inches (including posts).
- 3) No arbor/patio cover shall be longer than 150 inches (including posts).
- 4) The arbor/patio cover may be unstained, unfinished redwood shall be used exclusively.
- 5) All vertical support posts shall be 4 x 4 inches in dimension.
- 6) Four 1x3 inch or two 2x6 inch redwood facing pieces may be optionally attached to the vertical support posts.
- 7) Cross support beams which are attached to supporting posts shall be 2x8 inches in dimension.

- 8) Except where the ends of cross support beams abut on a building structure or wood extend over a common fence, such ends shall extend past their supporting posts not less than 15 inches nor more than 22 inches.
- 9) Cross support beam which extend past their supporting posts shall, at their end mid-point, be cut at a 45 degree angle downward.
- 10) Support posts shall not extend more than 6 inches above supporting cross beams.
- 11) Cross covering pieces, if installed, shall be not more than 2 inches or less than 1 inch in width, not greater than 8 inches in height, and spaced not less than 3 inches or more than 12 inches apart.

Detached Arbor/Patio Cover

- 1) No arbor/patio cover shall be higher than 96 inches.
- 2) No arbor/patio cover shall be wider than 107 inches (including posts).
- 3) No arbor/patio cover shall be longer than 142 inches (including posts).
- 4) The arbor/patio cover shall be constructed of redwood, left unstained or painted white.
- 5) All vertical support posts shall be 5.25 inches x 5.25 inches square.
- 6) Cross support beams which are attached to supporting posts shall be 5.25 x 1.5 inches
- 7) Setback from house shall be a minimum of 5 feet.
- 8) Setback from side yard shall be a minimum of 5 feet.
- 9) Setback from bulkhead/riprap shall be a minimum of 20 feet.

Attached Arbor/Patio Cover



Detached Arbor/Patio Cover

