



*City of Foster City*

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD  
FOSTER CITY, CA 94404-2222



FOSTER CITY  
RECEIVED

SEP 18 2018

PLANNING/  
CODE ENFORCEMENT

# PROTOTYPE

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

APPLICATION RECEIVED: August 9, 2018

APPLICATION COMPLETE: September 10, 2018

ACTION DATE: September 17, 2018

CASE NO.: UP2018-0042

OWNER: Pitcairn Homeowners' Association

OWNER ADDRESS: C/O Dan James, Mulqueeney & Associates, P.O. Box 4726, Foster City, CA 94404

APPLICATION FOR: Rear Yard Deck Prototype for Waterfront Homes in the Pitcairn Development

LOCATION: Pitcairn Island Planned Development

ZONING: R-1/PD (Single Family 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 establish a prototypical design guidelines for decks in the rear yard of waterfront houses in the Pitcairn 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 for rear yard decks for waterfront homes:
  - will be sympathetic to the character and style of the existing houses in the Pitcairn Planned

Development and will be designed to be harmonious with the existing neighborhood and therefore, will promote "proper site planning, architectural design and property maintenance" and will preserve "the quality of the City's residential neighborhoods" as stated in the Land Use and Circulation Goals (LUC-A and LUC-B) and Land Use Policies (LUC-A-1 and LUC-B-1) contained in the Land Use and Circulation Element of the Foster City General Plan;

- will maintain the existing appearance of residential units in the development by establishing specific design parameters for rear yard decks for waterfront homes in the Pitcairn development consistent with Planning Commission Policy P-1-94;
- will be integrated into the existing building and designed such that the architectural character of the house is maintained and consistent with Section 2.28.010 of the Foster City Municipal Code; and
- will improve a typical residential use consistent with the Land Use Plan designation of Single Family Residential.

2. That the proposed prototype for rear yard decks for waterfront homes in the Pitcairn Planned Development 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 for rear yard decks for waterfront homes will provide guidelines to ensure that new or replacement decks in the rear yard for waterfront homes 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;
- the design, color and material of the new or replacement rear yard decks will be compatible with the architectural style, character, and proportions of houses in the Pitcairn development and therefore, will enhance their site and will be harmonious with the highest standards of improvement in the surrounding area consistent with Sections 17.58.010.B.2 and 17.58.010.B.4; and

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 prototypical design guidelines for new or replacement decks for waterfront homes require high quality durable materials for new or replacement rear yard decks, and therefore, will not have any significant visual or property value impacts to the Pitcairn Planned Development, the streetscape or the adjacent neighborhood.

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

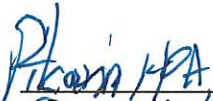
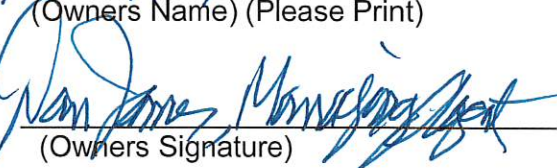
Pursuant to Section 17.58.040.E of the Foster City Municipal Code, any Architectural Review or Use Permit Modification decision shall not be effective until the permittee acknowledges acceptance of any conditions of approval and any appeal period has lapsed, or if there is an appeal, until a final decision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

Planners Initials: ML

  
\_\_\_\_\_  
(Owners Name) (Please Print)  
  
\_\_\_\_\_  
(Owners Signature)

## Exhibit A

### PITCAIRN HOMEOWNERS' ASSOCIATION Prototypical Design Guidelines for Rear Yard Decks for Waterfront Homes September 17, 2018

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The following guidelines shall govern the construction of rear yard decks for Waterfront homes in the Pitcairn Planned Development:

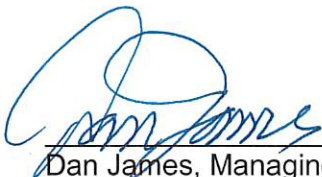
#### **CONDITIONS OF APPROVAL**

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. Exterior lighting of the building and site shall not be directed onto adjacent properties, and the light source shall be shielded from direct off-site view.
5. Prior to any final building inspection approval, any imposed conditions and all improvements shall be completed to the satisfaction of the City.
6. Any post or foundation shall be a minimum of 3' from the bulkhead or riprap.
7. The owner's responsibility for riprap or bulkhead maintenance, repair or replacement shall remain the same, regardless of deck placement. A 3' setback to any portion of the deck is advised to facilitate access to any bulkhead.
8. All decks taller than 12" from grade that can be viewed from off-site shall have lattice screening and landscaping to screen the framing below the deck.
9. Decks shall not cantilever over the bulkhead, riprap, or high water line.
10. Decks on waterfront properties shall not significantly impair neighbors' views of the water.
11. **Decks are to be constructed of high quality materials. Decks may be constructed of hardscape material such as pavers, bricks, flagstone or tiles or wood or simulated synthetic wood decking material (e.g. Trex) which is non-reflective in nature.**
12. **The selected deck material shall be called out on the submitted plans and shall include a manufacturer's brochure/cut sheet or color photographs depicting the material.**
13. **The selected deck material shall be laid over a suitable understructure set on pre-cast concrete foundation posts and/or pressure treated posts embedded in concrete or poured footings.**

- 14. Decks that are attached to the home on one side and abutting the "zero-lot" property line are allowed to extend to the side property line, *and in-line with the wall of the home.***
- 15. Decks shall be designed to not place any additional stress on the lagoon bulkhead, and shall meet the 3' setback from the inside edge of the bulkhead in accordance with code.**
- 16. Decks must comply with all easements and code requirements regarding water drainage. Water shall not flow onto adjacent property.**
- 17. Decks on waterfront properties shall preserve neighbors' view of the water.**
- 18. Retaining walls, seating walls and other types of fences/walls shall be subject to the requirements under Chapter 17.52, Fences, Walls and Hedges of Title 17, of the Foster City Municipal Code.**

**APPROVAL PROCESS FOR REAR YARD DECKS FOR WATERFRONT HOMES**

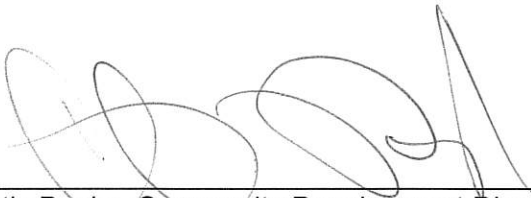
1. The homeowner or contractor shall apply for an Architectural Review Permit and shall submit the following:
  - A letter from the Pitcairn Homeowners' Association approving the proposed plans.
  - A completed application form, applicable fee and other items as listed in the Property Improvement Application Submittal Requirements for new and/or replacement decks.
  
2. The homeowner or contractor shall apply for a building permit from the Building Inspection Division and shall submit any required drawings and fees.
  
3. The Planning/Code Enforcement staff will review the building permit application to confirm that the proposal is consistent with the prototypical design approved for rear yard decks for waterfront homes.



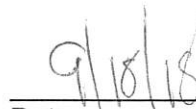
\_\_\_\_\_  
Dan James, Managing Agent  
Mulqueeney & Associates for  
Whalers' Island Homeowners' Association



\_\_\_\_\_  
Date



\_\_\_\_\_  
Curtis Banks, Community Development Director  
City of Foster City



\_\_\_\_\_  
Date