



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222

**NO BUILDING PERMIT
REQUIRED**

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

APPLICATION RECEIVED: February 25, 2016

APPLICATION COMPLETE: June 24, 2016

ACTION DATE: July 5, 2016

CASE NO: UP-76-012II

OWNER: Sea Colony Homeowners' Association c/o Strong Management

ADDRESS: P.O. Box 1368 Sonoma, CA 95476 **FOSTER CITY
RECEIVED**

APPLICATION FOR: Establish Gazebo Prototype **JUL 18 2016**

LOCATION: Sea Colony HOA **PLANNING/**

ZONING: R-1/PD **CODE ENFORCEMENT**

CEQA DETERMINATION: Categorically Exempt – 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 Architectural Review application based on the following findings:

1. The proposal to establish a prototype design for rear yard gazebos, as conditioned in Exhibit A, would be 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 prototypical wicker and canvas materials, 5' side and rear setbacks, 10' separation from adjacent buildings, maximum 148 square foot or 30% rear yard coverage, and 10'7" height limit will be: 1) sympathetic to the character and style of the Sea Colony Development, 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) of the Foster City General Plan; 2) will be integrated into the existing development and designed such that the architectural character of the development is maintained and such that solar and privacy impacts will not be created on adjacent properties, consistent with Section 2.28.010 of the Foster City Municipal Code; and 3) will improve a typical residential use consistent with the Single-Family Residential District.

2. That the design of the proposal would 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) because the open prototypical design for gazebos, 5' setbacks from property lines, 10' separation from adjacent buildings, 10'7" height limit, 148 square foot maximum size, dark brown wicker and earth-toned canvas colors will complement the houses and the development and therefore: 1) will be compatible with the existing houses and planned development, and will preserve the architectural scale and character of the planned development and community consistent with Section 17.58.010.B.1; 2) will be well designed in relation to surrounding properties, and therefore, will be compatible with the architectural style and details of buildings in the immediate vicinity consistent with Section 17.58.010.B.2; and 3) will be sympathetic to the proportions and character of the existing houses and neighborhood, and therefore, will enhance their site and will be harmonious with the highest standards of improvement in the surrounding area consistent with Section 17.58.010.B.4.
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 each gazebo will require issuance of a building permit to ensure safety of construction and the location, massing, and design of the prototypical design is open between the posts and canopy, limited in height and coverage, and requires gazebo placement away from buildings and property lines, and therefore will not: 1) significantly impact the privacy of adjacent properties; 2) significantly reduce the amount of direct sunlight to the interior of an adjacent building or exterior of an adjacent property; or 3) significantly block or limit existing views from the interior or exterior of adjacent properties, consistent with Section 17.58.010.B.3 of the Foster City Municipal Code.

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

Expiration

Any Architectural Review 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.

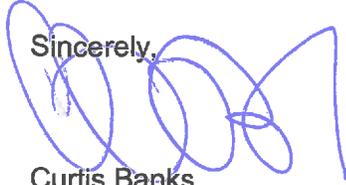
Acknowledgment by Applicant

Pursuant to Section 17.58.040.E of the Foster City Municipal Code, any Architectural Review 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 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. *Please be advised that a Building Permit **will not** be issued until the Planning/Code Enforcement Division has received the signed Notice of Decision.*

Sincerely,



Curtis Banks
Community Development Director

Planners Initials: cjh

PAUL STRONG

(Owner's Name) (Please Print)

Paul Strong

(Owner's Signature)

Exhibit B



TAN



BEIGE



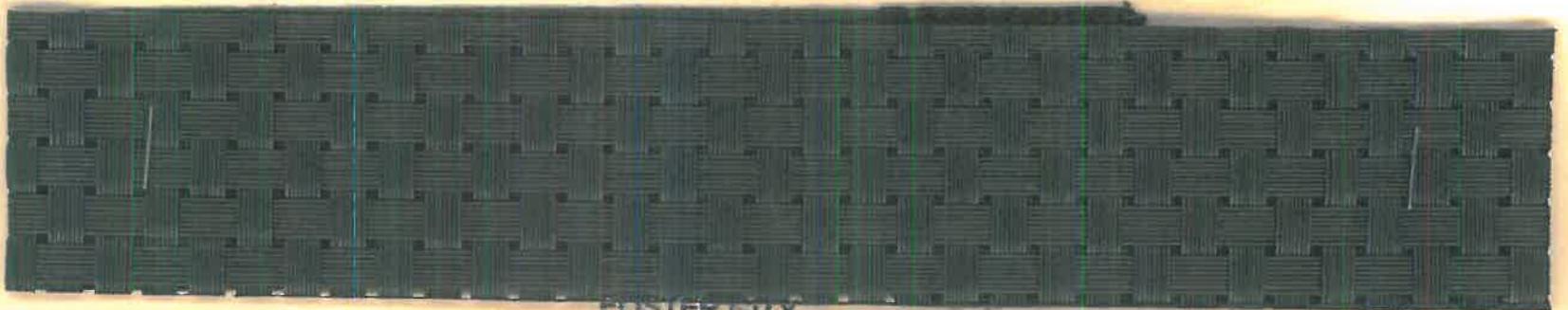
BROWN



TAUPE



TUSCAN



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SEA COLONY GAZEBO COLOR CHART

Exhibit C

