



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.

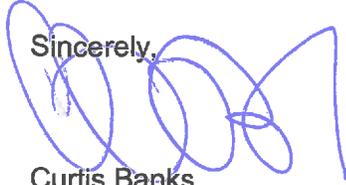
Acknowledgment by Applicant

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 A

SEA COLONY HOMEOWNERS' ASSOCIATION
Prototypical Design Guidelines for Gazebos
UP-76-012II

The following guidelines shall govern the construction of new rear yard gazebos within the Sea Colony Planned Development:

CONDITIONS OF APPROVAL

1. All construction shall be located, designed, constructed, installed, and maintained in a professional manner and appearance.
2. All materials and colors shall be as approved. Once constructed 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.
3. All vents, gutters, downspouts, flashings, etc. shall be painted to match the color of the 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.
4. Standard residential security requirements as established by Chapter 15.28 of the Foster City Municipal Code shall be provided.
5. Prior to any final inspection approval, these conditions and all improvements shall be completed in accordance with the approved plans and to the satisfaction of the City.
6. **All architectural elements such as soffits, screens, etc. not shown or detailed on the plans shall be finished in a material and color in harmony with the exterior of the gazebo.**
7. **One gazebo is allowed for any home within the Sea Colony HOA.**
8. **The gazebo shall be setback a minimum of five (5) feet from the side and rear property lines.**
9. **The gazebo shall be located at least ten (10) feet from any dwelling existing or under construction on the same lot or any adjacent lot.**
10. **The gazebo shall not occupy more than 30% of the rear yard and may not cause the overall lot coverage to exceed 50%.**
11. **The maximum length and width of any gazebo shall be 12 feet 2 inches.**
12. **The gazebo may be between 50 square feet and 148 square feet.**

13. The gazebo may be of any shape.
14. The maximum gazebo height shall be 10'7".
15. Gazebos shall be constructed with a powder-coated aluminum and steel frame and ground stakes must be attached to a concrete or wood deck floor.
16. The canopy shall be a weather-resistant, fade-resistant, sunlight filtering, canvas fabric, equivalent to the Sunbrella canvas samples contained in Exhibit B, as determined by the HOA.
17. Canvas colors may be brown, tan, taupe, beige or orange (Tuscan), equivalent to the Sunbrella canvas samples contained in Exhibit B, as determined by the HOA.
18. The gazebo frame shall be wrapped in all-weather dark brown wicker, equivalent to the wicker sample contained in Exhibit B, as determined by the HOA.
19. The overall appearance and style of the gazebo shall be similar in style to the gazebo shown in Exhibit C, as determined by the HOA.
20. Prior to any final inspection approval, imposed conditions and all improvements shall be completed in accordance with the approved plans and to the satisfaction of the City of Foster City.

Bold: Indicates Site Specific Conditions

APPROVAL PROCESS

1. The homeowner/applicant shall obtain an approval letter from the Sea Colony Homeowners' Association for the proposed gazebo. The letter shall indicate the HOA's action on the request, that the proposed gazebo conforms to the established design criteria of the prototype and shall specify approved materials and colors, consistent with Exhibits B and C.
2. The homeowner or contractor shall apply for an Architectural Review Permit for the proposed gazebo from the Planning/Code Enforcement Division and shall submit any required drawings and fees, including:
 - A letter from the Sea Colony Homeowner's Association (HOA), as described above.
 - An Architectural Review application and filing fee.
 - Manufacturer's brochure indicating the type of gazebo that is to be used, if applicable.
 - 4 copies of the existing and proposed site plan, elevations and photographs demonstrating how the proposed gazebo is consistent with prototype requirements. Indicate lot coverage, rear yard coverage, gazebo dimensions, setbacks, distance from adjacent houses, colors, materials, and attachment method.
3. Following approval of the Architectural Review Permit, the homeowner or contractor shall apply for a Building Permit from the Building Inspection Division and shall submit any required drawings and fees.
4. The Planning/Code Enforcement Division staff will review the Building Permit application to confirm that the proposal is consistent with the prototypical design approved for trellises.

Paul Strong, Property Manager
Sea Colony Homeowners Association

Date

Curtis Banks, Community Development Director
City of Foster City

Date

Exhibit B



TAN



BEIGE



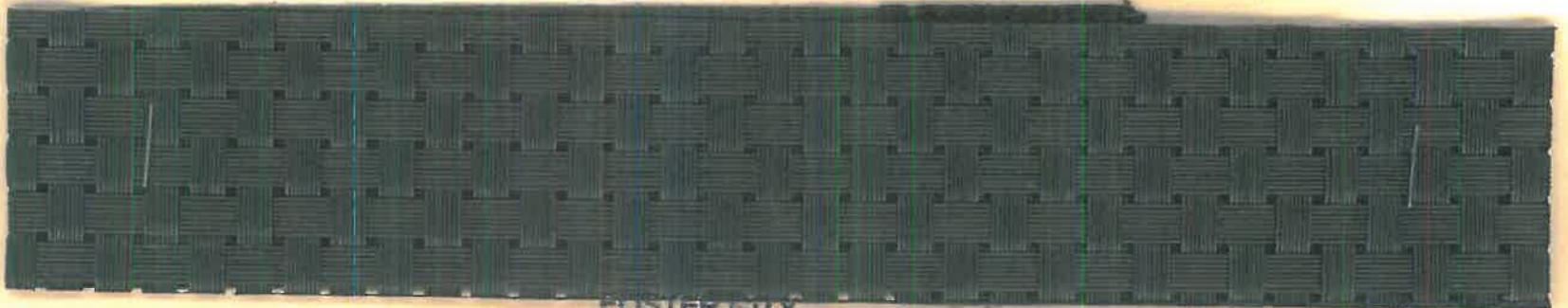
BROWN



TAUPE



TUSCAN



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SEA COLONY GAZEBO COLOR CHART

Exhibit C

