



*City of Foster City*

**ESTERO MUNICIPAL IMPROVEMENT DISTRICT**

610 FOSTER CITY BOULEVARD  
FOSTER CITY, CA 94404-2222

**FOSTER CITY  
RECEIVED**

**APR 13 2015**

**PLANNING/  
CODE ENFORCEMENT**

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

APPLICATION RECEIVED: March 31, 2015

APPLICATION COMPLETE: March 31, 2015

ACTION DATE: April 6, 2015

CASE NO: UP-75-008HH

OWNER: Pitcairn Homeowners' Association

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

APPLICATION FOR: Amend Front Yard Fence Prototype (Supersedes UP-75-008U)

LOCATION: Pitcairn Planned Development

ZONING: R-1/PD

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. That the proposal is consistent with the Foster City General Plan and Title 17, Zoning, and Chapter 2.28, Planning, of the Foster City Municipal Code because the proposed amendment to the front yard fence prototype will provide specific criteria for the location, size, height, colors and materials of new and/or replacement front yard fences in the Pitcairn HOA which will meet the requirements of the Foster City Municipal Code by: 1) preserving the architectural character and scale of the neighborhood; 2 ) assuring that all new and/or replacement front yard fences are compatible throughout the Pitcairn Planned Development and therefore will be consistent with the residential use of the subject property and the Pitcairn Planned Development.
  
2. That the design of the proposal is compatible with its environment with respect to use, forms, materials, colors, setbacks, location, height, design, or similar qualities as specified in Section 17.58.010, Intent and Purpose, of Chapter 17.58, Architectural Control and Supervision of the Foster City Municipal Code because the location, height, setbacks, colors and materials of new and/or replacement front yard fences as established in the prototype will be in conformance with existing fences in the Pitcairn Planned Development and provide for harmonious improvements throughout the development.

3. That the proposal will 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 or the general welfare of the City because the front yard fence prototype will establish for new and/or replacement fences in the Pitcairn Planned Development which will be an attractive addition to the neighborhood, will screen the yard(s) of the subject property, will meet the requirements of Chapter 17.58, Architectural Control and Supervision of the Foster City Municipal Code and will not adversely affect the character of this property or the neighboring properties.

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,

*Cd*  
  
Curtis Banks  
Community Development Director

Planners Initials: kak

  
\_\_\_\_\_  
(Applicant's Name) (Please Print)  
PRESIDENT, PITCAIRN HOA  
  
\_\_\_\_\_  
(Applicant's Signature)

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File Ref. UP-75-008HH  
Pitcairn Homeowner's Association  
AR Type: Front Yard Fence Prototype

**EXHIBIT A**

**PITCAIRN HOMEOWNERS' ASSOCIATION**  
Prototypical Design Guidelines for Front Yard Fences

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The following guidelines shall govern the installation and replacement of fences in the Pitcairn Planned Development:

**CONDITIONS OF APPROVAL**

1. All construction shall be 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. The construction or placement of unapproved features or unapproved changes to buildings or structures which were a part of approved plans can and will result in the issuance of a "Stop Work Order" by the City, the need to revise plans and obtain City approval for all changes prior to recommending work, and the possibility of penalty fees being assessed for unauthorized work.
3. Within one week of completion, the applicant shall request final inspection approval from the Planning/Code Enforcement Division.
4. Prior to any final inspection approval, any imposed conditions and all improvements shall be completed to the satisfaction of the City.
5. **Fences in the front yard shall be no closer to the street than the front wall of the house or garage, as shown in Exhibit B attached hereto and incorporated herein.**
6. **Fences shall not exceed six (6) feet in height as measured from grade to the upper most portion of the fence, including posts and decorative features.**
7. **Fences shall be constructed out of one of the following materials: 1) Redwood; 2) Cedar or 3) Wood grained fiber cement as approved by the Pitcairn Homeowners Association.**
8. **Fence panels may be closed (i.e. no space between fence boards) or open (i.e. space between fence boards).**
9. **Fence design may be as follows:**
  - a. **A single portion fence having closed or open panels. The total height shall not be less than three (3) feet in height nor more than six (6) feet as measured from grade, as shown in Exhibit C, Figures 1 and 2.**
  - b. **A two (2) portion fence having closed or open lower panels and upper panels constructed of transparent material such as clear tempered glass or plexiglass**

approved for outdoor use, as shown in Exhibit C, Figure 3. The lower portion may not be less than three (3) feet in height as measured from grade.

- c. **A two (2) portion fence having closed lower panels and open upper panels, as shown in Exhibit C, Figure 4. The lower portion may not be less than three (3) feet in height as measured from grade.**
- 10. Optional gates shall be constructed of the same material as the fence, or of wrought iron or equivalent as approved by the Pitcairn Homeowners Association.**
- 11. There is no requirement that fences and gates constructed of redwood or cedar be painted. However, if painted, the color shall match the body color of the house.**
- 12. Fences and gates constructed of approved wood grained fiber cement shall be painted. The color shall match the body color of the house.**
- 13. Wrought iron gates may be black or painted to match the body color of the house.**
- 14. The specifications enumerated on this page take precedence over any conflicting specifications in the exhibits.**
- 15. Any deviation from this prototype shall require review and approval by the Pitcairn Homeowners Association.**

**Bold: Indicates Site Specific Condition**

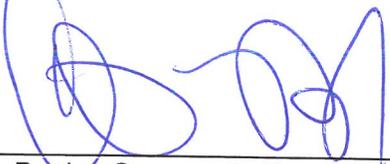
**APPROVAL PROCESS**

1. If the proposed fence meets the requirements of the prototype, the homeowner or contractor shall apply for an architectural review permit and shall submit four (4) copies of any of the following required information:
  - a) General Property Improvements Application and Fee
  - b) Site plan showing the location of the proposed fence in relationship to the existing house.
  - c) Elevations or photographs identifying the colors, height, and materials of the proposed fence.
2. If the proposed fence deviates from the prototype or the material proposed requires HOA approval, the homeowner or contractor shall obtain a letter from the Pitcairn Homeowners Association indicating their action on the proposal prior to filing for Architectural Review.
3. Prior to construction, the homeowner shall submit the original signed Notice of Decision to the Planning Division of the Community Development Department.
4. Following the completion of construction, within one week of completion, the applicant shall request a final inspection from the Planning/Code Enforcement Division.



\_\_\_\_\_  
Dan James, Mulqueeney & Associates  
Manager for Pitcairn Homeowners Association

4/8/2015  
\_\_\_\_\_  
Date



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

4/13/15  
\_\_\_\_\_  
Date

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UP-75-008HH  
CITY OF FOSTER CITY  
PLANNING DEPARTMENT

APR 06 2015 *KAL*

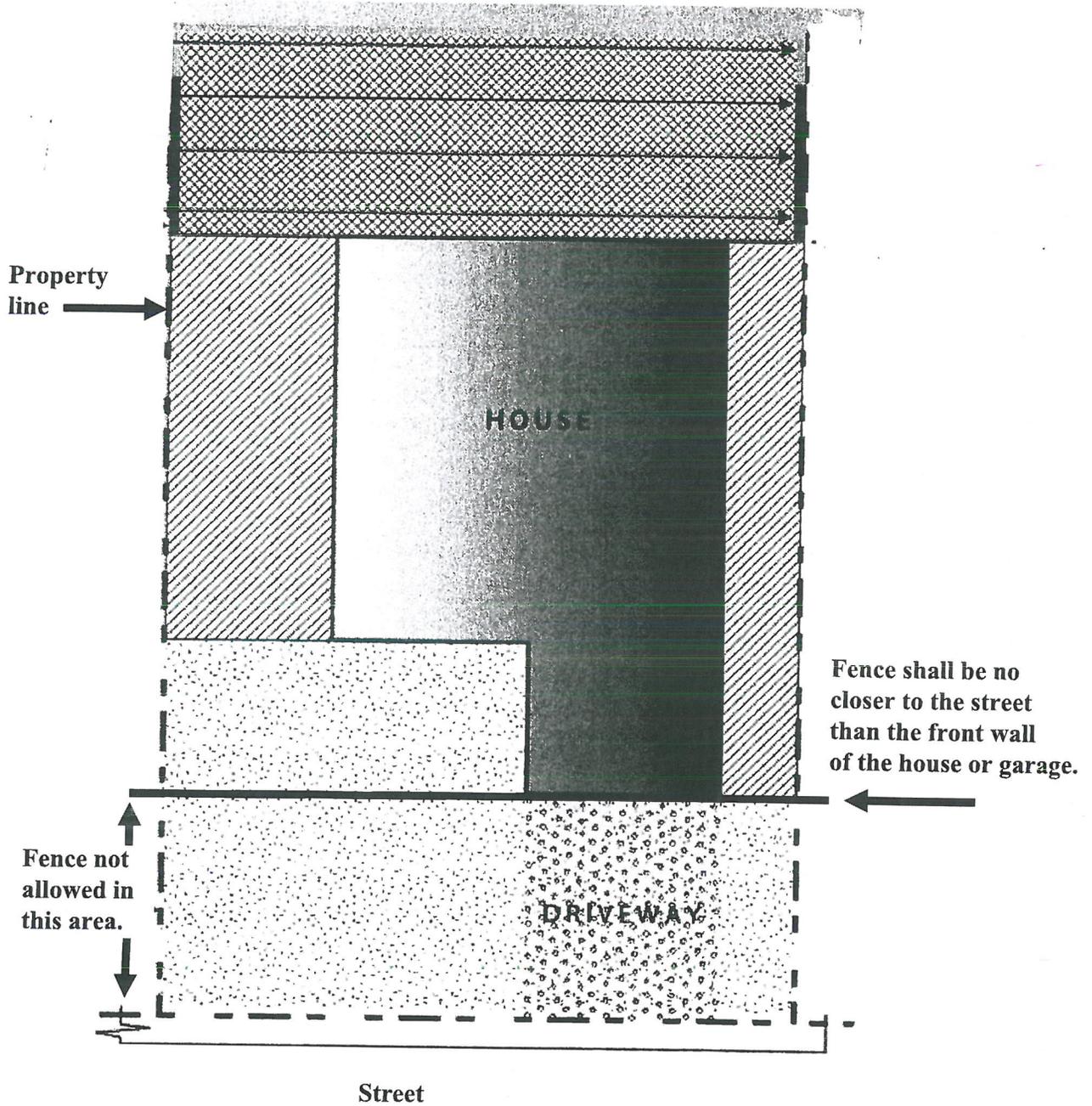
ADMINISTRATIVE APPROVAL  
WITH CONDITIONS

EXHIBIT B

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APR 13 2015

PLANNING/  
CODE ENFORCEMENT



APR 06 2015 *KAL*

ADMINISTRATIVE APPROVAL  
WITH CONDITIONS

EXHIBIT C

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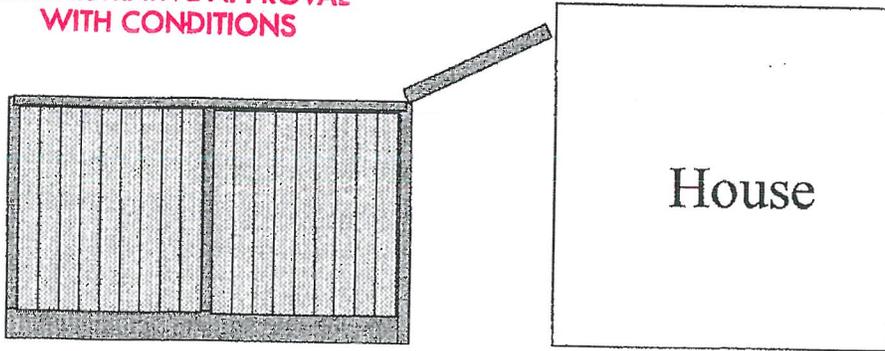


Figure 1)  
Closed (as shown) or open  
panel fence of height not more  
than 6 feet from grade, without  
optional gate.

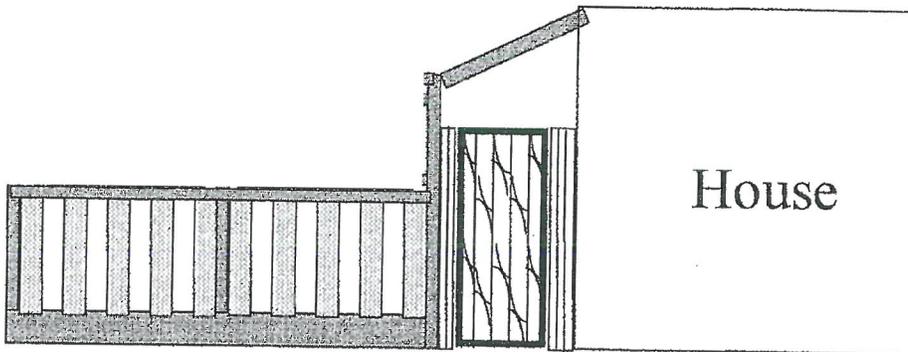


Figure 2)  
Open (as shown) or closed  
panel fence of height not less  
than 3 feet nor more than  
6 feet from grade, with  
optional gate.

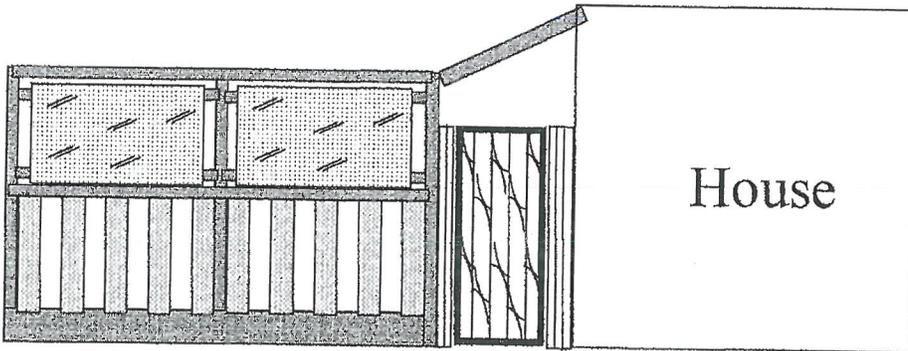


Figure 3)  
Fence with lower portion of  
open (as shown) or closed panels,  
and up to 3 feet of upper portion  
of approved clear panels, with  
optional gate. Total height of  
lower and upper portions not  
more than 6 feet from grade.

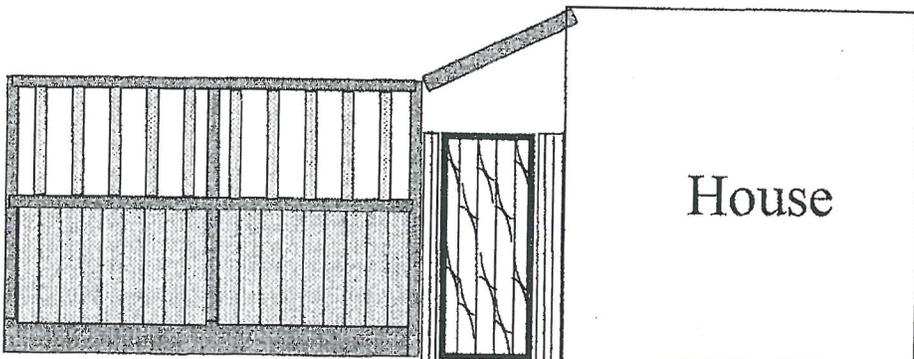


Figure 4)  
Fence with lower portion of  
closed and up to 3 feet of upper  
portion of open panels, with  
optional gate. Total height of  
lower and upper portions not  
more than 6 feet from grade.