RESOLUTION NO. P- 13 -09

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY APPROVING A USE PERMIT MODIFICATION REQUEST TO AMEND THE ORIGINALLY APPROVED WHALERS ISLAND PROTOTYPICAL GUIDELINES (ADMINISTRATIVE POLICY P-89-001) FOR SIDING REPLACEMENT – WHALERS ISLAND PLANNED DEVELOPMENT IN NEIGHBORHOOD (6) – (WHALERS ISLAND HOMEOWNERS ASSOCIATION) – UP-75-018MM.

CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, the Whaler's Island Homeowners Association has requested Planning Commission approval to amend the prototypical design guidelines (Administrative Policy P-89-001) for siding replacements to allow houses with vertical siding to use horizontal six inch exposure HardiePlank Lap Siding Select in the Cedarmill finish as a siding replacement option in addition to the previously allowed shingle siding option; and

WHEREAS, the proposed amendment to allow the use horizontal six inch exposure HardiePlank Lap Siding Select in the Cedarmill finish as a siding replacement option in addition to the previously allowed shingle siding option will be a compatible material consistent with the architecture of the Whalers Island Planned Development and will preserve the character of the neighborhood; and

WHEREAS, the proposal has been determined by the Community Development Director to be categorically exempt from the California Quality Act of 1970; and

WHEREAS, a Notice of Public Hearing was duly posted, published, and mailed for consideration of the Use Permit Modification request at the Planning Commission meeting of June 4, 2009, and on said date the Public Hearing was opened, held and closed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on the facts and analysis in the Staff Report, written and oral testimony, and exhibits presented finds:

1. The proposal to amend the Whaler's Island Prototypical Design Guidelines (Administrative Policy P-89-001) for siding replacement to allow houses with vertical siding to use horizontal six inch exposure HardiePlank Lap Siding Select in the Cedarmill finish as a siding replacement option in addition to the previously allowed shingle siding option, 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 addition of horizontal six inch exposure HardiePlank Lap Siding Select in the Cedarmill finish: 1) will be sympathetic to the character and style of the existing Whalers Island Planned Development; 2) 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-38 and LUC-39) contained in the Land Use and Circulation Element of the Foster City General Plan; and, 3) will be integrated into the architectural character of the development, consistent with Section 2.28.010 of the Foster City Municipal Code.

2. That the design of the proposal would be consistent with and appropriate to the City, the neighborhood, the Whaler's Island Prototypical design guidelines and the lot on which they are proposed because to allow houses with vertical siding to use horizontal six inch exposure HardiePlank Lap Siding Select in the Cedarmill finish as a siding replacement

option in addition to the previously allowed shingle siding option will be compatible with the location and design of the houses in the surrounding Whalers Island Planned Development in which it is located.

3. 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 proposal to allow houses with vertical siding to use horizontal six inch exposure HardiePlank Lap Siding Select in the Cedarmill finish as a siding replacement option in addition to the previously allowed shingle siding option: 1) will be compatible with the Whaler's Island Planned Development and therefore, will preserve the architectural scale and character of the neighborhood and community consistent with Section 17.58.010.B.1; 2) 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 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, and 4) will be compatible with other siding materials allowed in the planned development.

4. 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 use of horizontal six inch exposure HardiePlank Lap Siding Select in the Cedarmill finish as a siding replacement option in addition to the previously allowed shingle siding option: 1) significantly impact the privacy of adjacent properties; or 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. .

BE IT FURTHER RESOLVED that the Planning Commission approves UP-75-018MM subject to the conditions in Exhibit A attached hereto and incorporated herein.

PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on June 4, 2009, by the following vote:

AYES, COMMISSIONERS: COX, PATTUM, WERDEN AND BRONITSKY

NOES, COMMISSIONERS: NONE

ABSTAIN, COMMISSIONERS: NONE

ABSENT, COMMISSIONERS: AVRAM

CHARLES BRONITSKY, CHAIRMAN

ATTEST:

RICHARD B. MARKS, SECRETARY

Resolution No. P- 13 -09
UP-75-018MM

EXHIBIT A

WHALERS ISLAND HOMEOWNERS' ASSOCIATION
Prototypical Design Guidelines for Siding Replacement

(Conditions attached to approval of UP-75-018MM by Planning Commission on June 4, 2009)

The following guidelines shall govern the installation and replacement of all siding in the Whalers Island 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. Prior to construction, all necessary building permits shall be obtained from the Foster City Building Division.

* 7. Prior to final building inspection, these conditions and all improvements shall be completed to the satisfaction of the City.

* 8. The applicant shall agree to use colors and materials that will exactly match the color samples approved by staff and which may be on file with the Foster City Planning Division.

* 9. Homes with vertical board siding may be allowed to replace siding with: vertical siding (like for like), shingled siding, and horizontal six inch exposure HardiePlank Lap Siding, Select in the Cedarmill finish (see Exhibit B).

* 10. Homes with shingled siding shall replace siding with shingled siding only (see Exhibit C).

* 11. Homes with the horizontal narrow lap siding shall replace siding with horizontal narrow lap siding only (like for like) (see exhibit D).

* 12. Like for like siding replacement does not require Architectural Review; however, a change of siding material from existing requires both Homeowners Association review and an

Architectural Review permit.

* 13. A change in siding material shall not create more than two (2) units in a row of the same exterior siding, finish or color. If the request does create more than two (2) such unites in a row, it may still be allowed if the siding is painted or stained an approved color, different than the two existing units. The proposed color/stain shall be reviewed and approved by staff. Use of the original house color/stain is encouraged.

* 14. Whether the siding or shingles are to be left natural or painted, the wood trim, garage door and front yard fence shall be painted/stained a color taken from the project's original approved color palette and shall be compatible with the siding color. All color(s) shall be reviewed and approved by the Homeowners Association.

* 15. If there is a change in siding material, site plans and elevation drawings are not required however, photographs of the original home and proposed color/stain samples as well as a sample of the proposed siding material shall be submitted for staff review and retained as part of the Architectural Review file.

* 16. Administrative Policy P-89-001 is hereby rescinded because it has been incorporated into this prototype approval.

*Site Specific Conditions

APPROVAL PROCESS (If there is NO change in siding material – like for like replacement)

1. The homeowner or contractor shall apply for a Building Permit from the Building Inspection Division and shall submit any required drawings and fees.

   - Provide a photograph to clearly shows the siding of the existing house

2. 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 siding replacement in the Whaler's Island Prototypical Design Guidelines.

APPROVAL PROCESS (If there is a change in the siding material).

1. The homeowner/applicant shall obtain an approval letter from the Whaler's Island Homeowners' Association for the proposed siding change. The letter shall indicate that the proposed changes conform with the established design criteria of the prototype.

2. The Homeowner or contractor shall apply for an Architectural Review Permit for the proposed siding change from the Planning/Code Enforcement Division and shall submit any required drawings and fees.

3. 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 siding change and subject to the Conditions of Approval of the Architectural Review Permit.

5. The Homeowner or applicant shall submit the following:

- A letter from the Whaler's Island Homeowner's Association (HOA), indicating their action on the proposal.
- An Architectural Review application and filing fee.
- Manufacturer's brochure (and possibly sample) indicating the type of siding and color that is to be used.
- Elevations or photographs showing the home where the proposed siding change will be located.

_____ _____

Dan James, Managing Agent
Whalers Island Homeowners Association

Date

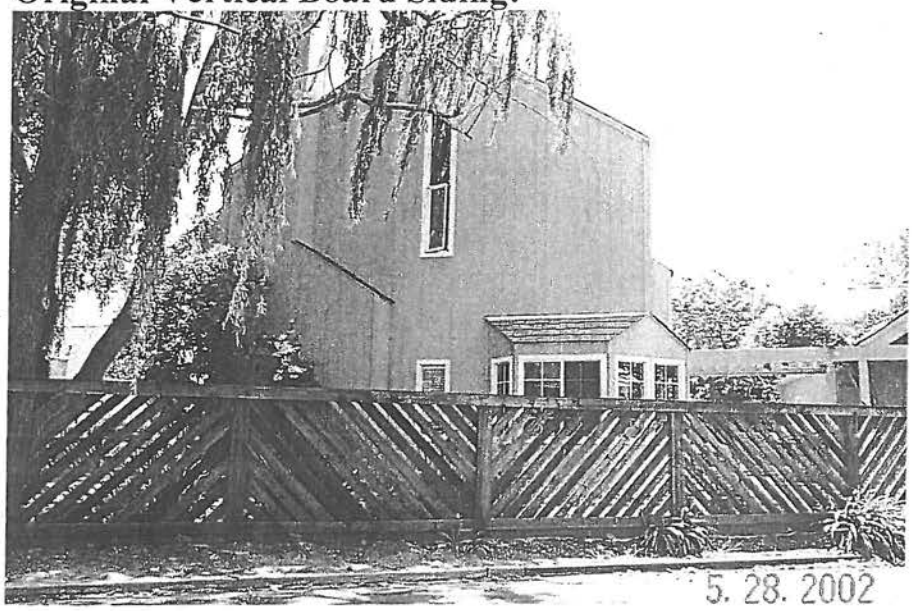
_____ _____

Richard B. Marks, Community Development Director
City of Foster City

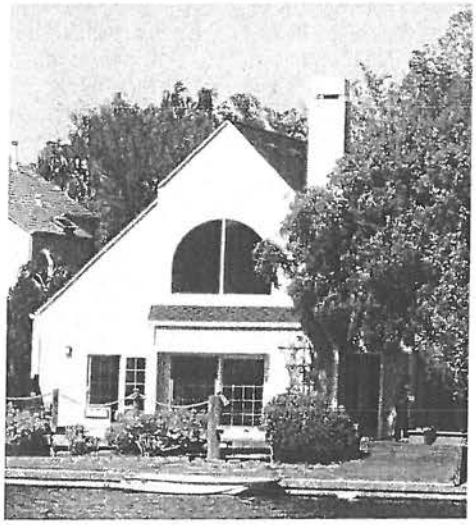
Date

EXHIBIT B

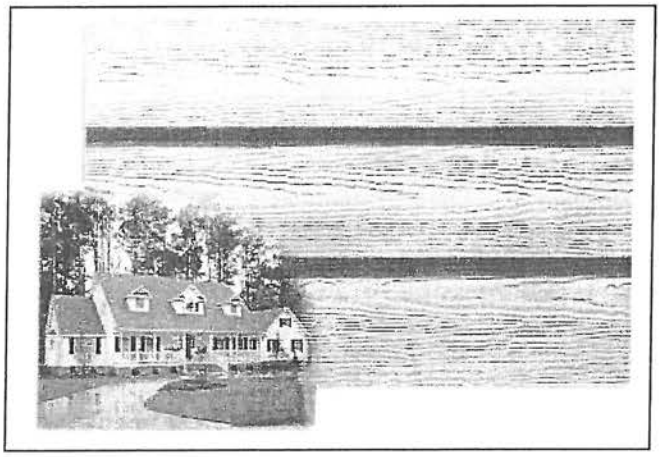
Original Vertical Board Siding:



Option 1: Like for Like



Option 2: Horizontal Six Inch Exposure
HardiPlank Lap Siding in the Select Cedarmill Finish



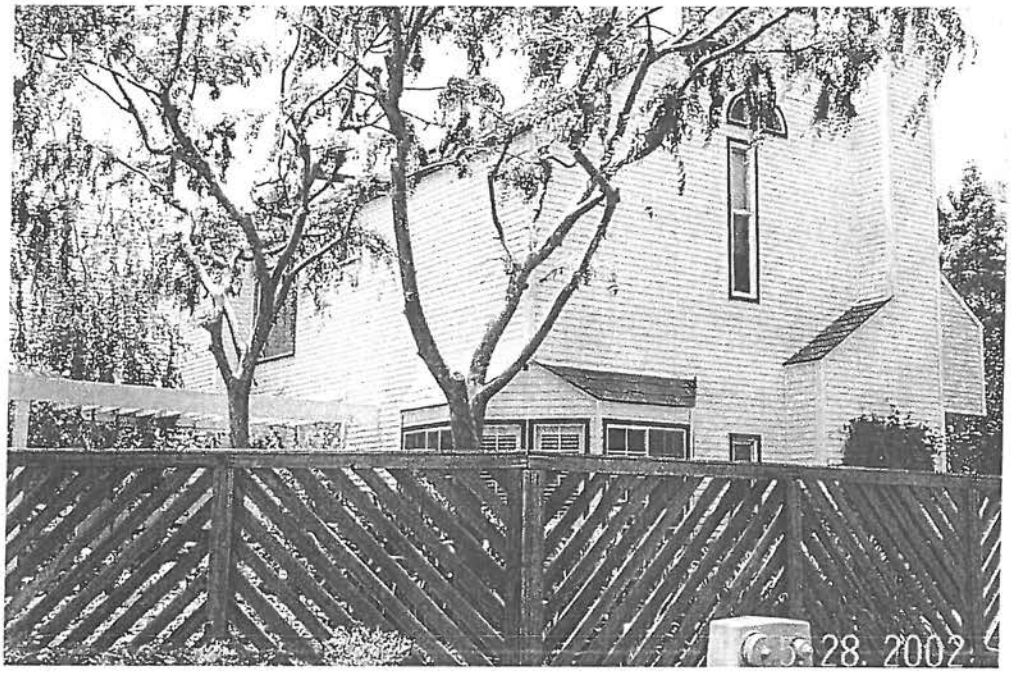
Option 3: Shingled Siding (see exhibit B).

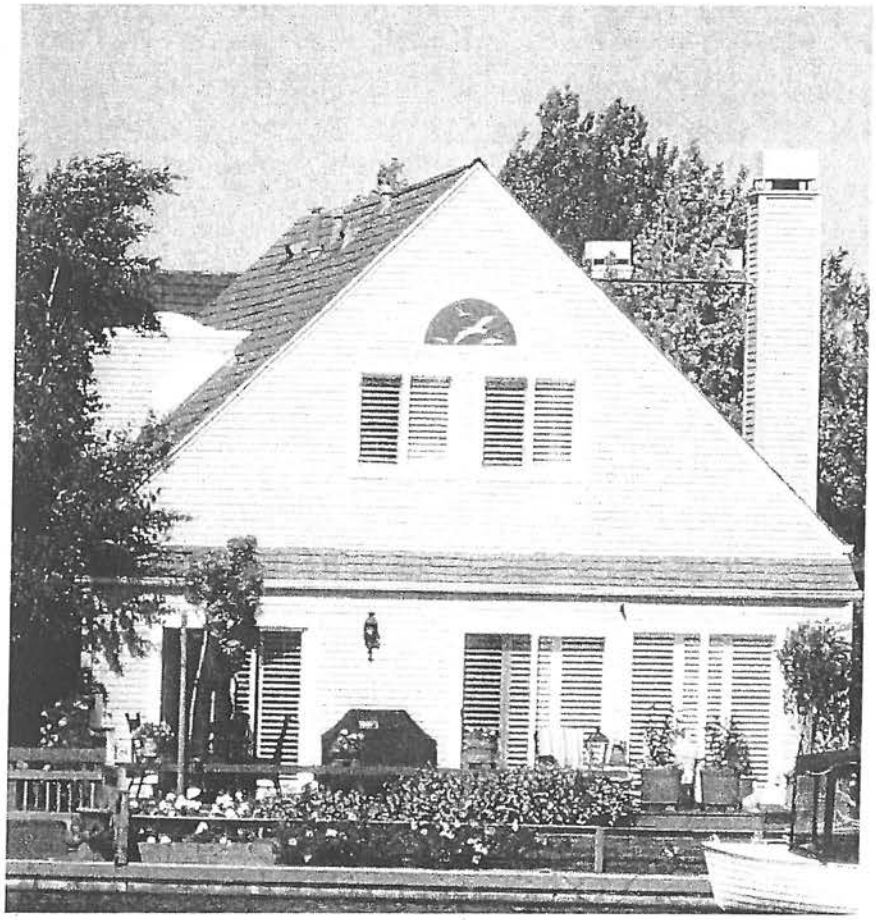
EXHIBIT C

Original Shingle Siding – Replace with Shingle Siding only

EXHIBIT D

Homes with horizontal narrow lap siding shall replace with horizontal narrow lap siding only (like for like)





CITY OF FOSTER CITY

DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION
ADMINISTRATIVE POLICY

Subject: Whalers Island and Landing Residential Development -- Residential Request for Changes in Exterior Vertical Board Siding to Shingled Siding

Policy No.: P-89-001

Authorization for Policy: Section 17.06.030 of Title 17 (Zoning) of the Foster City Municipal Code.

Date of Planning Director's Approval:

Effective Date of Policy:

Background and/or Problem Statement: At the request of a property owner to change the exterior vertical board siding on their house to shingled siding, planning staff developed the following policies for this and future such requests in the Whalers Island and Landing Residential Developments.

Purpose of Policy:

1. To establish a policy with respect to siding changes that can be consistently applied over time by the Planning Division which will result in the consistent and fair treatment of residents in the Whalers Island and Landing Residential Developments.

2. To establish a set of criteria that the Planning Division staff can apply to all applications for siding changes in this development which will bring clarity to the design review process.

Policy: Requests to change the exterior siding on a unit in the Whalers Island and Landing Residential Developments shall be subject to the following design criteria:

- The request will be processed as an Architectural Review requiring staff approval.

- A letter from the Homeowners Association approving the request shall be submitted with the application.

- The request may be approved if the change does not create more than two (2) units in a row of the same exterior siding, finish or color. If the request does

create more than two (2) such units in a row, it may still be allowed if the siding is painted or stained an approved project color, different than the two existing units. The proposed color/stain shall be reviewed and approved by staff. Use of the original house color/stain is encouraged.

- Whether the siding or shingles are to be left natural or painted, the wood trim, garage door and front yard fence shall be painted/stained a color taken from the project's original approved color palette and shall be compatible with the siding color. All color(s) shall be reviewed and approved by staff.

- Site plans and elevation drawings are not required, however, photographs of the original home and proposed color/stain samples as well as a sample of the proposed siding material shall be submitted for staff review and retained as part of the Architectural Review file.

Standard conditions of approval that shall be attached to any siding change approved by the Planning Division shall include the following:

- All construction shall be completed and maintained in a professional manner and appearance.

- All work shall be accomplished in substantial conformance to the approved documents on file with the Foster City Planning Division. Any deviation from approved documents shall require prior approval by the Planning Division.

- Prior to construction, all necessary building permits shall be obtained from the Foster City Building Division.

- Prior to final building inspection, these conditions and all improvements shall be completed to the satisfaction of the City.

- The applicant shall agree to use colors and materials that will exactly match the color samples approved by staff and which may be on file with the Foster City Planning Division.

Richard B. Marks
Director of Planning and Development Services