



**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
MAY 24, 2023
110 EAST MAIN STREET
LOS GATOS, CA**

*Jeffery Barnett, Chair
Steven Raspe, Vice Chair
Susan Burnett, Commissioner
Kylie Clark, Commissioner
Kathryn Janoff, Commissioner
Melanie Hanssen, Commissioner
Emily Thomas, Commissioner*

PARTICIPATION IN THE PUBLIC PROCESS

How to participate: The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the “Verbal Communications” period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Planning Commission meeting.

Effective Proceedings: The purpose of the Planning Commission meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town’s meeting guidelines while attending Planning Commission meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Commissioners without first being recognized; interrupting speakers, Commissioners or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Planning Department by 1 p.m. or the Clerk’s Office no later than 3:00 p.m. on the day of the Planning Commission meeting.
- Persons wishing to submit written comments to be included in the materials provided to the Planning Commission must provide the comments to the Planning Department as follows:
 - For inclusion in the regular packet: by 11:00 a.m. the Friday before the meeting
 - For inclusion in any Addendum: by 11:00 a.m. the day before the meeting
 - For inclusion in any Desk Item: by 11:00 a.m. on the day of the meeting

***Planning Commission meetings are broadcast Live on KCAT, Channel 15 (on Comcast) on the 2nd and 4th Wednesdays at 7:00 p.m.
Live and Archived Planning Commission meetings can be viewed by going to:
www.LosGatosCA.gov/TownYouTube***

***IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING,
PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN
TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]***

**TOWN OF LOS GATOS
PLANNING COMMISSION MEETING AGENDA
MAY 24, 2023
110 EAST MAIN STREET AND TELECONFERENCE
TOWN COUNCIL CHAMBERS
LOS GATOS, CA
7:00 PM**

IMPORTANT NOTICE

This is a hybrid/in-person meeting and will be held in-person at the Town Council Chambers at 110 E. Main Street and virtually through the Zoom webinar application (log-in information provided below). Members of the public may provide public comments for agenda items in-person or virtually through the Zoom webinar by following the instructions listed below. The live stream of the meeting may be viewed on television and/or online at www.LosGatosCA.gov/TownYouTube.

PARTICIPATION

To provide oral comments in real-time during the meeting:

- **Zoom webinar:** Join from a PC, Mac, iPad, iPhone, or Android device: Please click this URL to join: <https://losgatosca-gov.zoom.us/j/87881594520?pwd=ODRyalp4aW9ldWpObjZTN3A4VzJjdz09>.
Passcode: 036862. You can also type in 878 8159 4520 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join>.
 - When the Chair announces the item for which you wish to speak, click the “raise hand” feature in Zoom. If you are participating by phone on the Zoom app, press *9 on your telephone keypad to raise your hand.
- **Join by telephone:** Join by Telephone: Dial: USA 877 336 1839 US Toll-free or 636 651 0008 US Toll. Conference code: 686100.
 - If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- **In-Person:** If you wish to speak during the meeting, please complete a “speaker’s card” located on the back of the chamber benches and return it to the Planning Manager. If you wish to speak to an item on the agenda, please list the item number. If you wish to speak on an item NOT on the agenda, please list the subject and you may speak during the “Verbal Communications” period. The time allocated to speakers may change to better facilitate the Planning Commission meeting.

When called to speak, you may be asked to provide your full name and your town/city of residence. This identifying information is optional and not a requirement for participation. Please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Commission meeting. If you wish to speak to an item or items on the Consent Calendar, please state which item number(s) you are commenting on at the beginning of your time.

If you are unable to participate in real-time, you may email to Planning@losgatosca.gov with the subject line “Public Comment Item #___” (insert the item number relevant to your comment) or “Verbal Communications – Non-Agenda Item.” Comments received by 11:00 a.m. the day of the meeting will be reviewed and distributed before the meeting. All comments received will become part of the record.

**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
MAY 24, 2023
7:00 PM**

RULES OF DECORUM AND CIVILITY

To conduct the business of the community in an effective and efficient manner, please follow the meeting guidelines set forth in the Town Code and State law.

The Town does not tolerate disruptive conduct, which includes but is not limited to:

- Addressing the Planning Commission without first being recognized;
- Interrupting speakers, Planning Commissioners, or Town staff;
- Continuing to speak after the allotted time has expired;
- Failing to relinquish the microphone when directed to do so;
- Repetitiously addressing the same subject.

Town Policy does not allow speakers to cede their commenting time to another speaker. Disruption of the meeting may result in a violation of Penal Code Section 403.

MEETING CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

VERBAL COMMUNICATIONS *(Members of the public may address the Commission on any matter that is not listed on the agenda. Unless additional time is authorized by the Commission, remarks shall be limited to three minutes.)*

CONSENT ITEMS *(Items appearing on the Consent Items are considered routine Town business and may be approved by one motion. Any member of the Commission may request to have an item removed from the Consent Items for comment and action. Members of the public may provide input on any or multiple Consent Item(s) when the Chair asks for public comments on the Consent Items. If you wish to comment, please follow the Participation Instructions contained on Page 2 of this agenda. If an item is removed, the Chair has the sole discretion to determine when the item will be heard.)*

1. Draft Minutes of the April 26, 2023 Planning Commission Meeting.

PUBLIC HEARINGS *(Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Commission's consent at the meeting.)*

2. Forward a Recommendation to the Town Council on Modifications to the Town Height Pole and Netting Policy for Additions and New Construction. The Proposed Amendments to Town Policy are Not Considered a Project Under the California Environmental Quality Act. **Project Location: Town Wide.** Applicant: Town of Los Gatos.

OTHER BUSINESS *(Up to three minutes may be allotted to each speaker on any of the following items.)*

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

SUBCOMMITTEE REPORTS / COMMISSION MATTERS

ADJOURNMENT *(Planning Commission policy is to adjourn no later than 11:30 p.m. unless a majority of the Planning Commission votes for an extension of time)*

Writings related to an item on the Planning Commission meeting agenda distributed to members of the Commission within 72 hours of the meeting are available for public inspection at the reference desk of the Los Gatos Town Library, located at 100 Villa Avenue; the Community Development Department and Clerk Department, both located at 110 E. Main Street; and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Commission at the meeting are available for review in the Town Council Chambers.

Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/24/2023

ITEM NO: 1

**DRAFT
MINUTES OF THE PLANNING COMMISSION MEETING
APRIL 26, 2023**

The Planning Commission of the Town of Los Gatos conducted a Regular Meeting on Wednesday, April 26, 2023, at 7:00 p.m.

MEETING CALLED TO ORDER AT 7:00 PM

ROLL CALL

Present: Chair Jeffrey Barnett, Vice Chair Steve Raspe, Commissioner Susan Burnett, Commissioner Melanie Hanssen, Commissioner Kathryn Janoff, and Commissioner Emily Thomas

Absent: Commissioner Kylie Clark

PLEDGE OF ALLEGIANCE

VERBAL COMMUNICATIONS

None.

CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)

1. Approval of Minutes – March 22, 2023

MOTION: Motion by Commissioner Hanssen to approve adoption of the Consent Calendar. **Seconded** by Commissioner Thomas.

VOTE: Motion passed unanimously.

OTHER BUSINESS

4. Draft Proposed Capital Improvement Program Budget for Fiscal Years 2023/24 – 2027/28

Nicolle Burnham, Director of Parks and Public Works, presented the staff report.

Opened Public Comment.

Lee Fagot

- I believe the new Highway 17 Bicycle and Pedestrian Bridge should be delayed because the State and Caltrans are doing Highway 17 widening proposals and looking to redo the Blossom Hill Bridge over Highway 17, which does not meet State requirements. If we put in our own separate bicycle and pedestrian bridge, we'll be competing with Caltrans for funding and to have a separate entrance and exit around that area. This project should be delayed until we better understand what will happen with the funding for Caltrans to work on the Route 9 and Highway 17 interchange, the Blossom Hill Road new bridge, and see if we can collaborate with the State and include a better bicycle and pedestrian overcrossing as part of that new construct.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Raspe** to forward a recommendation of approval to the Town Council for the Draft Proposed Capital Improvement Program Budget for Fiscal Years 2023/24 – 2027/28. **Seconded by Commissioner Janoff.**

VOTE: **Motion passed unanimously.**

PUBLIC HEARINGS

2. Land Use and Economic Recovery Amendments of the Town Code

Town Code Amendment Application A-23-001

Project Location: Town Wide

Applicant: Town of Los Gatos

Forward a recommendation to the Town Council on Land Use and Economic Recovery Amendments to Chapter 29 (Zoning Regulations) of the Town Code regarding personal service businesses, bars, markets, banks, financial services, formula retail, group classes, veterinarians, offices, and definitions. The proposed amendments to the Town Code are not considered a project under the California Environmental Quality Act.

Sean Mullin, Senior Planner, presented the staff report.

Opened Public Comment.

Catherine Somers, Los Gatos Chamber of Commerce

- The June 2020 Economic Recovery Resolution created flexibility and increased opportunities for businesses and the Chamber supports almost all of staff's recommendations relating to making it permanent, with a few exceptions: 1) We request

the Town take a closer look at the language around specialty retail and how it might relate to the coffee industry. The discretion provided by the Development Review Committee would be appropriate to guide any newly proposed coffee businesses in the C-2 zone; 2) Formula Retailers 6,000 square feet was a policy meant to regulate larger box retail. There are some spaces in the commercial C-2 zone that would benefit from marketability of what would be considered a formula use as an approved use within the zone. There are leases, building size, and other constraints that self-regulate the concern of overly competitive big box retailers entering the market. The notion of formula retail is antiquated with the changing landscape of retail, and we want to welcome a few quality retailers to bolster our shopping experience and gain tax revenue. We suggest eliminating this limitation completely; 3) We think the definition of banks and financial institutions needs to be more straightforward if offices on the ground floor are not desired.

Bess Wiersema, Studio3 Design

- In addition to Studio3 I own another business called Shop the Studio, a trade-only showroom. I concur with Ms. Somers and the Chamber, because I hear it from my own clients at Studio 3 who are looking to have work done on their homes or are building homes, as well as many other architects and designers that use the trade showroom, that if downtown is vital it is easier for them to get clients to come and visit and stay and the more Los Gatos can establish itself as a boutique destination without big box stores, but ones that fit at the more niche level taking up only 10,000 square feet or less. I encourage the Planning Commission to let the architecture and footprint of the space do the talking and create a space that could become something besides the same old stuff we see downtown.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Raspe** to forward to the Town Council a recommendation of adoption of amendments to the Town Code regarding Personal Service Businesses as a Permitted Use in the C-2 and O Zones. **Seconded by Commissioner Janoff.**

VOTE: **Motion passed unanimously.**

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Raspe** to forward to the Town Council a recommendation of adoption of amendments to the Town Code regarding Bars, Markets, and Other Miscellaneous Commercial Businesses, subject to the change in the definition of specialty food retail by deleting the word “coffee” in the phrase “coffee/slash tea houses”

and inserting language specifically excluding coffee houses from the definition of specialty food retail. **Seconded by Commissioner Hanssen.**

The seconder of the motion requested the motion be amended to request that staff do the additional research discussed before going to Town Council to ensure no unintended consequences.

The maker of the motion accepted the amendment to the motion.

VOTE: Motion passed unanimously.

Commissioners discussed the matter.

MOTION: Motion by Commissioner Hanssen to forward to the Town Council a recommendation of adoption of amendments to the Town Code regarding Banks and Financial and Investment Services, subject to the change in the definition of retail bank by inserting the word “cash” in front of the phrase “deposit/withdrawals.” Seconded by Commissioner Janoff.

VOTE: Motion passed unanimously.

Commissioners discussed the matter.

MOTION: Motion by Commissioner Hanssen to forward to the Town Council a recommendation of adoption of amendments to the Town Code regarding Formula Retail Greater Than 6,000 Square Feet. Seconded by Commissioner Thomas.

VOTE: Motion passed unanimously.

MOTION: Motion by Vice Chair Raspe to forward to the Town Council a recommendation of adoption of amendments to the Town Code regarding Group Classes in the C-2 zone. Seconded by Commissioner Janoff.

Commissioners discussed the matter.

VOTE: Motion passed unanimously.

MOTION: Motion by Commissioner Thomas to forward to the Town Council a recommendation of adoption of amendments to the Town Code

regarding Veterinarians in the C-1 Zone. **Seconded by Commissioner Burnett.**

VOTE: Motion passed unanimously.

3. Modifications to the Town Height Pole and Netting Policy

Project Location: Town Wide

Applicant: Town of Los Gatos

Forward a recommendation to the Town Council on modifications to the Town Height Pole and Netting Policy for Additions and New Construction. The proposed amendments to Town policy are not considered a project under the California Environmental Quality Act.

Jennifer Armer, Planning Manager, presented the staff report.

Opened Public Comment.

Bess Wiersema, Studio3 Design

- I am here representing architects Gary Kolhsaat, Tony Jeans, Tom Sloan, Jennifer Kretschmer, Louis Leu, Noel Cross, and Jay Plett. We strongly disagree that story poles are helpful, and actually believe they are more hurtful and are an outdated method for displaying and explaining a project. We live in a time where 3-D can be done and pinned to a height requirement or to a pole, and it shows the finished project. Story poles do not convey anything that exists in the character of how we are supposed to design homes as architects. Massing can be better seen in 3-D models, which are more useful in terms of creating neighborly conversation and are more realistic. Story poles that sit in hillsides do not show things like retaining walls, terraced hillsides, and grading on the site, so often the interpretation of what we consider massing is irrelevant to what it actually is in the long run. We are also concerned about the way story pole plans are reviewed in Los Gatos, which is different than other jurisdictions, is time consuming, and requires more rounds of revisions. In an effort to streamline the process we ask the Planning Commission to trust the professionals who are putting them up and putting together a certified letter. A basic story pole package including plans for a regular new home in Los Gatos costs \$20,000, which would be better spent on beautiful architectural details, especially if the house meets the design guidelines and the neighbors are not contesting it.

Catherine Somers, Los Gatos Chamber of Commerce

- Ms. Wiersema was correct in stating that we used to rely on story poles, but now there are so many new tools, and I believe we need to find ways to engage the public so they can utilize those tools. I believe story poles are causing impediments, and I represent many members of the Chamber of Commerce who are architects and builders and are frustrated with this process. I urge the Planning Commission to consider coming up with other

options so they can work through these building processes more quickly and efficiently, because it causes strain and concern on the part of the architects, builders, and homeowners, and causes constraints to the Building Department because we're spending a lot of time on some of these residential homes that are pretty easy, and then we have a lot of commercial projects also. We need to accept and acknowledge that the architects know what they're talking about, and if they say that story poles are obsolete and there are other ways of sharing their designs with the public, they should be able to do it that way.

Don Capobres, Harmonie Park Development

- I've worked on the North Forty project in Los Gatos for over 15 years. In the context in which we were required to implement it, the Town's story pole policy is an anti-housing development tool. Requiring story poles creates unnecessary tension within the community and can create false expectations about the Town's ability to deny or modify design elements such as height or massing that are consistent with the Town's development standards and create unnecessary opposition to projects that are legally entitled to move forward. The Town's outdated story pole policy is impeding housing production. The Town must allow simpler, less burdensome, and more effective ways of providing notice that convey similar information without unreasonably burdening development projects. This is especially true as meeting the Town's housing needs will entail having to allow for taller buildings with heights that make the Town's current story pole policy technically infeasible to implement. Story poles can only be seen from public right-of-way, making understanding the context of a larger proposal increasingly challenging.

Closed Public Comment.

Commissioners discussed the matter.

MOTION: **Motion by Vice Chair Raspe** to continue the public hearing on Modifications to the Town Height Pole and Netting Policy for Additions and New Construction to a date certain of May 24, 2023. **Seconded by Commissioner Burnett.**

VOTE: **Motion passed unanimously.**

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Jennifer Armer, Planning Manager

- The Town Council met on April 4, 2023, where it considered and granted a story pole exception for a project at Winchester Boulevard and Shelburne Way and further discussed the draft revised Housing Element.

- The Town resubmitted the Draft Housing Element to HCD on March 31, 2023, and on April 14, 2023, received a comment letter regarding the adopted Housing Element from January 2023. Review with HCD is ongoing on the remaining issues that were submitted as part of the March 31, 2023, draft.

SUBCOMMITTEE REPORTS/COMMISSION MATTERS

Conceptual Development Advisory Committee

Commissioner Hanssen

- The CDAC met on April 12, 2023, regarding a development proposal for 18 acres of land that sits above the Surrey Farm neighborhood.

Historic Preservation Committee

Commissioner Burnett

- The HPC met on April 26, 2023, and voted to remove a home on Fillmer from the inventory.

ADJOURNMENT

The meeting adjourned at 9:58 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the April 26, 2023 meeting as approved by the Planning Commission.

/s/ Vicki Blandin

***This Page
Intentionally
Left Blank***



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/24/2023

ITEM NO: 2

DATE: May 19, 2023
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Forward a Recommendation to the Town Council on Modifications to the Town Height Pole and Netting Policy for Additions and New Construction. The Proposed Amendments to Town Policy are Not Considered a Project Under the California Environmental Quality Act. **Project Location: Town Wide.** Applicant: Town of Los Gatos.

BACKGROUND:

On April 26, 2023, Planning Commission considered modifications to the Town's Height Pole and Netting Policy for Additions and New Construction ("Story Pole Policy"). The discussion was continued to May 24, 2023, with a request for additional information.

DISCUSSION:

As discussed in the April 26, 2023, Planning Commission Staff Report, a survey of the 15 cities/towns in Santa Clara County found that story poles are not required in nine of the cities: Campbell, Cupertino, Gilroy, Los Altos, Morgan Hill, Mountain View, San Jose, Santa Clara, and Sunnyvale. Story poles are required by five: Los Altos Hills, Milpitas, Monte Sereno, Palo Alto, and Saratoga. The available policies/regulations are included as Exhibit 4, along with five additional examples from Burbank, Corte Madera, Portola Valley, Santa Barbara, and Woodside. Milpitas does not have a written policy.

As discussed in the April 26, 2023, Planning Commission Staff Report, the City of Los Altos only recently removed their story pole requirement, on February 14, 2023, as part of the implementation of their Housing Element. The City's Housing Element included an Implementation Program that specifically stated that, "The requirement of story poles installations will be eliminated for all development applications." The staff report explained that this was because they found that the story pole requirement added subjectivity, extended

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director, Town Attorney

DISCUSSION (continued):

the review process of all development, and added additional cost for a project whereas their other requirements for renderings and 3D Modeling could effectively provide the relationship of the proposed building heights. Prior to this modification, the requirement had applied to multiple-story multiple-family, commercial, and mixed-use projects, and public facilities, and required the story poles reflect the outline of the proposed building on the site.

As a result of the Planning Commission discussion on April 26, 2023, and the public comment received for that meeting, additional information has been prepared on the following topics for discussion and direction.

A. Story Pole Requirement

Should the Town retain a requirement for installation of story poles for development projects?

As mentioned above, only 36 percent of the agencies in Santa Clara County (excluding Los Gatos) have a requirement for story pole installation for development projects. Comments received have included both those who are concerned that this requirement is out of date and should allow for digital alternatives, and would be a constraint on future housing development, as well as those who have discussed the value that it brings to the Town.

B. Types of Development Projects

What types of projects should be required to install story poles? What types should be excluded/exempt?

The current Story Pole Policy requires installation of story poles for:

- New residential (excluding single-story accessory structures) and non-residential buildings;
- Residential second story additions; and
- Nonresidential additions exceeding 100 square feet.

The Town could consider exclusion or exceptions for certain types of projects. This could be done by modifying the list above, or by creating a list of project types (by use, size, scope, or some other factor) that are excluded from the story pole requirements or allowed to use specific alternative methods. For example, the story pole requirement could exclude projects that are 100 percent affordable housing, or projects that are not asking for any exceptions from the Town's requirements. The following is a sample (not exhaustive) list of categories that could be considered as thresholds for inclusion in or exclusion from this requirement:

DISCUSSION (continued):

Use types:

- New residential
- New detached single-family residential
- New multi-family residential
- New commercial
- New mixed-use

Project size:

- Building height
- Number of proposed buildings

Project scope:

- Additions under a set square foot limit

Other factors:

- Location in Hillside Area
- Location in a Historic District
- Amount of affordable housing
- Compliance/non-compliance with Town regulations
- Reviewing body (Community Development Director, Development Review Committee, Planning Commission, Town Council)

Several of the example policies (Exhibit 4) have lists of what types of applications require installation of story poles. The requirements and specificity vary. In most cases, it is the construction of new primary buildings or additions of a certain size (over 500 square feet, over 900 square feet, “substantial additions,” etc.). In a few it is just for new construction and additions in the hillside or open space areas.

C. Modify Physical Requirements

Should the current requirements be modified?

The current Story Pole Policy requires, “At least two foot (2') wide orange woven plastic snow fencing (netting) must be erected to represent the rooflines of the proposed structure(s) or addition,” and that, “At a minimum, story poles shall be placed at all outside building corners of the building wall (excluding eaves) and along the rooflines of the proposed structure(s) or addition. Architectural elements such as towers, spires, elevator and mechanical penthouses, cupolas, mechanical equipment screening and similar elements not used for human activity or storage which are visible from the streetscape shall be represented by the story poles.”

DISCUSSION (continued):

These requirements could be modified to allow alternatives to the netting, for example flag rope or alternative color(s), though the orange netting seems to be a consistent requirement across jurisdictions. These requirements could be modified to not require the entire project to be represented, but just certain aspects, like the front facade, tallest ridge, etc.

D. Provide Alternatives

Should alternatives be detailed in the Story Pole Policy?

The inclusion of standard options/alternatives within the Story Pole Policy would provide for more clarity and predictability and could potentially reduce the number of exception requests received. Recent story pole exception requests have included one or more of the following:

- Use of one or two rows of flag rope in place of netting
- Renderings and digital simulations
- Signage
- Reduced number of poles for multi-building projects

Comments provided as Exhibit 2 to the April 26, 2023, Staff Report and verbally during the meeting included these additional suggestions:

- Relocation of poles when located close to property lines to reduce guy wire conflicts
- Attachment of guy wires to existing trees, fences, and equipment
- Exemption of buildings or portions of the buildings not visible from the public right of way

These options could be provided as part of the standard story pole requirements or as part of a modified exception process as discussed below.

E. Modify Exception Process

Should a modification be made to change the decision maker for exception requests?

The Town's policy allows the Community Development Director to determine if alternative materials (telephone poles, cranes, etc.) are appropriate for use as story poles. But the current exception process (Exhibit 1, page 4) for alternatives to other aspects of the policy, including the orange woven plastic snow fencing material or placement of poles at all outside building corners and rooflines of all buildings, requires review by Town Council. Of

DISCUSSION (continued):

the five other Santa Clara County cities that have a story pole policy, three do not have an exception process stated, and two have an exception process where the authority is placed with the Community Development Director.

F. Story Pole Plan Requirement

Should the requirement for submittal and approval of a story pole plan be removed from the policy?

As mentioned at the April 26, 2023, Planning Commission meeting, Los Gatos is the only agency in Santa Clara County that requires submittal and approval of a story pole plan. However, the two additional example Story Pole Policies that were provided from the City of Burbank and the Town of Corte Madera both include this requirements.

G. Housing Element

Do these requirements conflict with the Housing Element or Housing Accountability Act (HAA)?

The State Housing Accountability Act prohibits the Town from denying or reducing the size of housing developments that are compliant with the Town's Zoning Code and other objective standards. Any proposed story pole policy would consist of objective standards. Requiring applicants to comply with the objective standards contained in a story pole policy does not violate the State Housing Accountability Act.

State housing element law requires that the Town's Housing Element, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing. There is a potential argument to be made that the expense of story poles constrains the development of housing. Case law discussing this housing element requirement describes such constraints as including land use controls, density controls, growth management limits, building height limits, parking standards, and processing and permit procedures. Conceivably, a story pole policy falls into the category of "processing and permit procedures." There is no case law directly addressing the question of story pole policies. In the Town Attorney's opinion, a court would not consider a story pole policy to constitute a constraint on housing in that it serves the important purpose of informing the public regarding the future appearance of developments. Even if a court did consider a story pole policy to be a constraint on housing, the remedy would be for the Town to amend its Housing Element, potentially with an implementation program to remove/reduce that constraint.

CEQA DETERMINATION:

The Planning Commission's recommendation is not a project subject to CEQA, because any story pole policy will be adopted by Town Council action.

CONCLUSION:

A. Summary

The Town of Los Gatos has a Height Pole and Netting Policy for Additions and New Construction, and staff has developed a list of a number of elements that might warrant modification. The discussion topics were developed following research by staff on other story pole policies and with input from local story pole installers.

B. Recommendation

The Story Pole Policy has been forwarded to the Planning Commission for review. Staff recommends that the Planning Commission:

1. Receive and consider public comments;
2. Complete the review of the existing Story Pole Policy;
3. Provide input on any recommended modifications to the Story Pole Policy; and
4. Forward a recommendation to the Town Council to approve modifications to the Story Pole Policy.

C. Alternatives

Alternatively, the Commission can:

1. Forward a recommendation to the Town Council that no changes be made to the Story Pole Policy; or
2. Continue the matter to a date certain with specific direction to staff.

EXHIBITS:

Previously received with the April 26, 2023, Staff Report:

1. Current Story Pole Policy
2. Story Pole Installer Input

Previously received with the April 26, 2023, Addendum Report:

3. Public Comments received between 11:01 a.m., Friday, April 21, 2023, and 11:00 a.m., Tuesday, April 25, 2023

PAGE 7 of 7

SUBJECT: Story Pole Policy Amendments

DATE: May 19, 2023

EXHIBITS (continued):

Received with this Staff Report:

4. Story Pole Policy Examples

***This Page
Intentionally
Left Blank***

TOWN OF LOS ALTOS HILLS

26379 Fremont Road
Los Altos Hills, CA 94022
Phone: (650) 941-7222
www.losaltoshills.ca.gov



Story Pole Policy

PURPOSE

To request new construction and some remodels be staked on site and that height poles and fencing shall be erected to provide the decision making bodies (City Council, Planning Commission, Planning Staff) and neighbors with a better visual tool to evaluate proposed construction.

POLICY

Story poles shall be used for the following types of applications:

- New buildings
- Second story additions
- Additions exceeding 900 square feet and increases in roof height
- Accessory structures (exceeding 900 square feet)
- Second units (if in conjunction with new residence or major addition)
- Driveway entrance modifications, sports court and pools (outlined with stakes and ribbon at ground level)
- Open Space easements
- Trees proposed to be removed (marked with ribbons or tags or some type of obvious marker)

Exceptions may be granted by the Planning Department based on scope of work proposed.

Timing

Story poles shall be installed approximately two weeks prior to advertising the project for public hearing. Staff will inform the applicant when the story poles should be installed. The story poles shall remain in place until the project has been reviewed at a public hearing and the appeal period has passed. If the project is appealed, the story poles shall remain until the appeal has been acted upon. The applicant shall provide photographs of the installed story poles. Please note that public notices will not be mailed until the staking has been completed and approved by staff.

Requirements

The project Surveyor or Civil Engineer shall determine the perimeter points of the proposed structures for story pole installation. Story poles shall be constructed of rigid material (plastic piping is not acceptable) and a two (2) foot wide band of plastic orange snow fencing which must clearly outline the proposed ridgelines and eaves for the new structure, addition and/or accessory buildings. In addition, proposed swimming pools, tennis courts, open space easements, and/or

driveway modifications should be outlined and marked with ribbon at ground level. Please note that all trees proposed to be removed shall be marked with tape, flags, or other obvious identification markers.

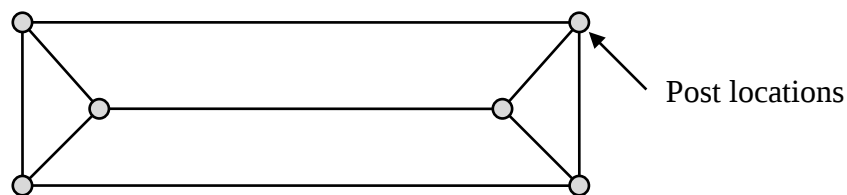
Staff may approve alternative materials for story pole construction for minor projects. If you have questions about materials contact the Planning Department.

Orange snow fencing at least two feet (2') wide must be erected to represent the roofline of the proposed structure/addition. The fencing must be supported by height poles strong enough to accurately maintain the outline and height as shown below (plastic piping is not acceptable).

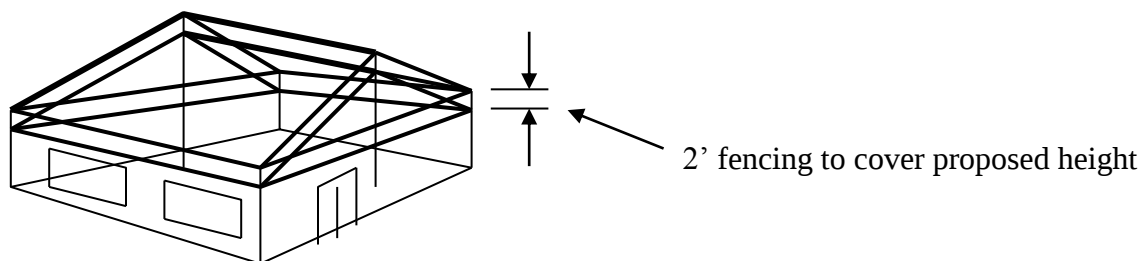
The height of story poles should indicate the final height of the building (grading should be accounted for in the height of the poles).

Example:

Roof Plan



Story Poles





CITY OF MONTE SERENO
18041 Saratoga-Los Gatos Road
Monte Sereno, CA 95030
Phone (408) 354-7635 Fax (408) 395-7653
www.cityofmontesereno.org

APPLICANTS DON'T FORGET!!!!!!!!!!!!!!!!!!!!!!

Netting and Ribbon Requirements

If your project is one of the following, story poles and certification are **REQUIRED**:

- Any second story addition
- The construction of any structure exceeding 500 sq. ft.
- Any addition exceeding 500 sq. ft.

THE FOLLOWING MUST BE COMPLETE BY 9:00am 14 DAYS PRIOR to the Site and Architecture Meeting:

- Erection of story poles and netting
- Outline of footprint
- Tagging of trees
- Completion and submittal of Story Pole Certification Form

Erection of netting and outline of footprint must remain in place for a period of 15 days following the final decision. After the 15 days, the netting shall be removed within one week.

BUILDING ROOFLINE

Netting at least two (2) feet wide and made of woven plastic snow fencing (orange in color) must be erected to represent the roofline of the proposed structure. Stakes or wires strong enough to accurately maintain the outline and height as shown above must support netting.



2' orange netting to show the entire roofline and all ridges

BUILDING FOOTPRINT AND FLOOR LEVEL

Ribbon at least two (2) inches wide and of a bright color must be staked to represent the perimeter or outline of the building AND floor levels of all floors. Different color ribbons must be used for the building AND the floor levels of all floors. Different color ribbon must be used for the building and decks located on the first level.



City of Palo Alto Municipal Code Section 18.28.070 Additional OS District Regulations

The following additional regulations shall apply in the OS district:

...

(o) Story Poles and Other Visual Review Aids

Story poles (with associated taping or flagging) shall be erected for projects involving new residences or other structures, or for substantial additions to new residences, for the purpose of providing a better understanding of the visual impacts of a proposal in the OS district. Story poles shall accurately outline the perimeter and key and highest rooflines of the proposed structure(s) and shall be durable and sturdy enough to be visible from distant views. Story poles shall be constructed to the satisfaction of the director prior to notice of a hearing and shall remain in place through the public hearing date. Erection of story poles prior to public hearing notice may be required by the director to allow for staff and neighbors to view the project. Other aids, such as taping the perimeter of other development (structures, pools, sport courts, etc.) on the site and identifying trees to be removed, may also be required by the director. Story poles shall be removed upon final action on a project or upon the direction of the director.

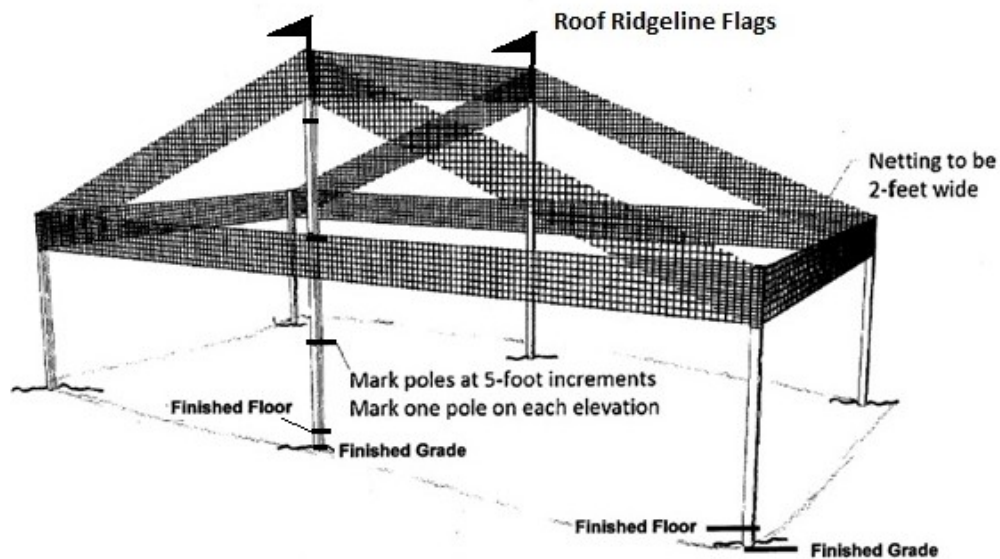


Community Development Department
City of Saratoga
13777 Fruitvale Avenue
Saratoga, California 95070

Story Pole Requirements

Story poles shall be constructed of wood or metal which delineate the height, area, and approximate shape and massing of a proposed structure. Story poles must be installed in the manner set forth below:

- 1) On each building elevation of the proposed structure at least one story pole shall show graduated five-foot interval height measurement markings in either paint or tape.
- 2) At least one building elevation of the proposed structure must show the proposed finished grade and finished floor elevation markings in either paint or tape.
- 3) The story poles shall be erected so that orange netting (or other materials approved by the Community Development Director) will be used to approximate the mass, shape and roofline (e.g., roof pitch/slope, ridge, and volume, including covered porches) of the proposed structure as shown below. For complex roof forms, the Community Development Director may also require that ridge flags be installed to delineate a main roof ridge or high point.



Tree Removals: Any tree proposed for removal as part of the proposed project shall be clearly marked in the field. Acceptable means of identifying trees include using fluorescent tape wrapped around the tree's trunk, removable marking on the tree trunk that is easily visible, or another means approved by the Community Development Director

Required Signage: The applicant shall erect on the story pole elevation facing the main access to the building site or the main street frontage, a minimum 11-inch by 17-inch sign which contains the following information:

- a) Name of applicant/property owner
- b) Contact telephone number of applicant/property owner
- c) A brief description of the proposed project's scope of work
- d) Community Development Department main telephone number

Duration: Once story poles are installed, all concerned parties will have fifteen (15) calendar days to review the application and provide written comments. The Community Development Director shall approve or deny the application within fifteen (15) days of the close of the review period. The decision may be appealed to the Planning Commission within fifteen (15) calendar days of the decision. The story poles shall not be removed until a final action has been taken and all appeal periods have expired.

Photographs of Story Poles: the applicant shall submit photos of the completed story pole installation including required signs to the project Planner, *prior to the Notice of Intent to Approve/Public Hearing being distributed.*

Story Pole Certification: Upon completion of installation the applicant must provide to the Community Development Department a stamped and signed letter from a State licensed land surveyor or civil engineer verifying the accuracy of the story pole installation in terms of location, heights, and elevation data. In addition, the Architect/Designer shall sign below stating that they have inspected the story poles and they accurately represent the proposed plans prepared by them and return to the project planner and *prior to the Notice of Intent to Approve/Public hearing being distributed.*

I have inspected the story poles and find they accurately represent the mass, shape and roofline as shown on the plans.

Print name

Date

Signature



City of Burbank
Planning Division
Single-Family Hillside
STORY POLE INSTRUCTIONS AND REQUIREMENTS

150 North Third Street
Burbank, California 91502
www.burbankca.com
T: 818-238-5250
F: 818-238-5150
E: planning@burbankca.gov

PURPOSE: To provide requirements for the installation of story poles for new construction and additions for all projects subject to a Hillside Development Permit (HDP) located within the designated hillside area of the R-1 Single Family Residential zone.

Why Story Poles? Story poles are three-dimensional, full-scale, silhouette structures that best represent the location, bulk and mass of a proposed structure(s) on a site for view assessment, allowing property owner(s), neighbor(s), and city staff to consider the visual impact of a structure(s) from various vantage points (*also known as a view study*). Story poles are required in order to document the impacts of a proposed structure(s) on views from adjacent properties prior to a final decision on an HDP by the Community Development Director, or their designee. The view impacts may not be limited to only those parcels that are abutting or adjacent to the project site. In some cases, a house may impact the views from homes further up (or down) the hillside, depending upon the surrounding terrain. In unique cases, the story pole requirements may be waived where it is determined through on site investigation, evaluation of topographic maps, photographic evidence, or by other means that there is no possibility the proposed development will create or contribute to adverse impacts upon views.

Who Can Assist Me With Story Poles? Story poles must be installed by a story pole or construction company who can certify the accuracy of installation to the proposed project plans. You can consult with your architect or designer for recommendations or review the complimentary list of companies enclosed.

STEP 1 – Story Pole Plan: Once your Hillside Development Permit has been reviewed for code compliance and your plans are in good order, your Project Planner will advise you to prepare a story pole plan. *Your application can not be deemed complete until a view study has been completed.*

- Provide one hardcopy (11" x 17" format) and one electronic copy (PDF) of your Story Pole Plan to your Project Planner for review and approval before installation on site.
- The story pole locations are to be shown on the roof plan and building elevations of the proposed new structure or addition. Story poles should be shown in a distinct color (e.g. red preferred) superimposed on black-and-white plan sheets. Hand-drawn plans will not be accepted.
- At minimum, the poles shall be placed at all outside building corners and at each end of the prominent ridgelines of the structure(s) to accurately demonstrate the different roof lines and maximum roof heights. The height should be accurate for the finished building surface at that point. The end of the roof ridge and top of the hip roof should also be marked. See example story pole plans on following page.
- The plan should include the existing grade elevation at the base of each pole and the elevation of the ridges. If the storypoles are constructed entirely above an existing structure such that the poles do not touch existing grade, the existing grade at the base of the existing structure shall be shown on the elevations along the peak height of the new roofline. Story poles at deck locations shall extend to the top of railings.
- The plan must also include the contact information for the licensed contractor, surveyor, architect, or engineer installing the story poles.
- If at any time the plans are modified, City staff may require the story poles and certification to be updated.

STEP 2 – Story Pole Installation:

- The story pole material shall be constructed of 2" x 4" lumber, or other sturdy material (*PVC is not acceptable*), and should be properly braced and supported to ensure the health, safety and general welfare of the public and withstand weather.
- The top one foot of the pole shall be painted with black paint and the height of each pole should be clearly marked on the base of each pole.
- The netting shall be of bright orange construction mesh (snow fencing) material, or a comparable material or color, measuring at least twenty-four (24) inches in width and be able to withstand reasonably foreseeable weather. Netting shall be extended atop one pole to another pole to depict the roofline and ridgelines and should be placed on top of the blank painted portions of the posts. Flags, string, or rope are not acceptable netting materials.
- If story poles are damaged or at any time become unsafe, they must be replaced or repaired and reset immediately. The City is not liable for any damage or injury associated with the erection of story poles.

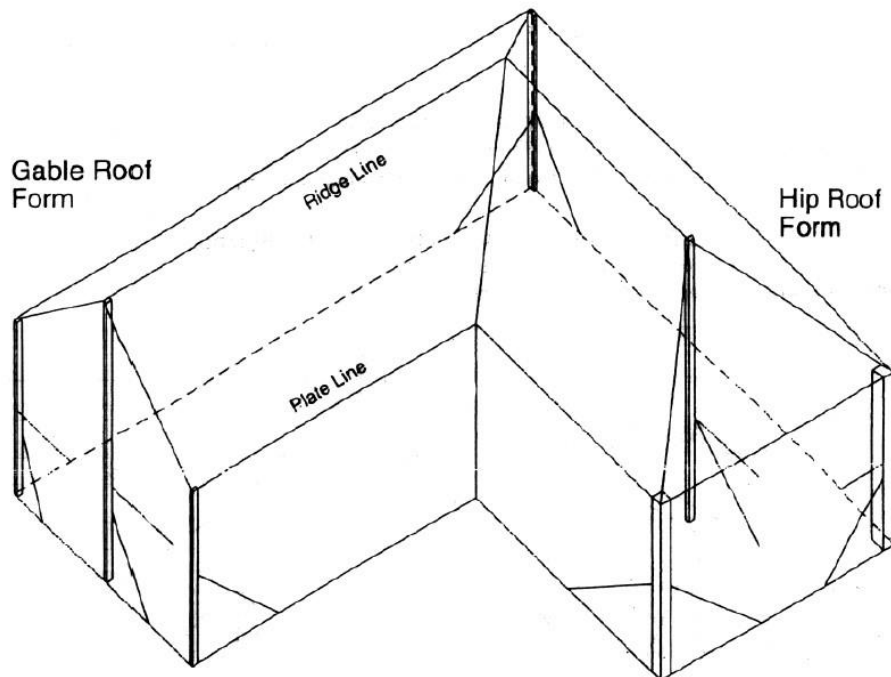
- The City can request the story poles be removed or modified if it is determined at any time there is a risk to public health and safety.

STEP 3 – Story Pole Certification:

- Upon completion of the story pole installation per the Planner-approved story pole plan, the installation must be certified accurate by a licensed architect, engineer, or surveyor with the enclosed *Story Poles Affidavit* based on the Story Pole Plan. The property owner may not certify the story pole height or position.
- Once installed, the applicant shall submit photographs from at least 3 vantage points showing the completed story pole installation. ***The photos submitted for certification must include a key that identifies the location and direction of each of the views photographed from perspectives of neighboring properties.*** Photographs and drawings should be numbered or otherwise keyed to the locations shown on the site map.
- Once the affidavit and photos are completed, submit them to your Project Planner for verification. The Project Planner will verify the Affidavit was completed and conduct a site visit. Upon confirmation by your Project Planner, the public noticing period for your HDP application can begin once the postcards have been mailed out.

STEP 4 – Story Pole Removal:

- Story poles must remain in place throughout the application review process, inclusive of the 15-day appeal period. They can be removed the next business day after conclusion of the appeal period, if no appeal has been filed.
- Should an appeal be filed on the permit, the story poles must remain in place until a final decision has been made on the application by the Planning Board and/or City Council and the subsequent appeal periods have concluded.



STORY POLES AFFIDAVIT



TO: City of Burbank
Community Development Department
Planning Division

REFERENCE:

Name of Applicant

Project Address

Permit Number

As the licensed architect / engineer / surveyor (circle one) for the above-referenced project, I hereby declare that the project's story poles have been installed in accordance with the approved Story Pole Plan on file in the Planning Division office. I further declare that all story poles have been accurately placed, installed to ensure the safety of all persons and the general public, and are the correct height in accordance with the approved Story Pole Plan. A certified copy of the Story Pole Plan (site plan and roof plan) that verifies accuracy is attached herewith. This information is accurate to the best of my knowledge.

I/WE DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED ON _____, 20____ AT _____, CALIFORNIA.

PREPARER'S SIGNATURE

PREPARER'S NAME (PLEASE PRINT CLEARLY)

COMPANY NAME

PREPARER'S TELEPHONE NUMBER

FOR OFFICE USE ONLY

Date Stamp Received:

STORY POLE CONTRACTOR LIST

Note: This list is provided as a convenience only. The City of Burbank assumes no responsibility for the product or actions of the companies herein described.

Scharff Construction Inc. 3714 Sawtelle Blvd. Los Angeles, CA 9006 (310) 391-4464 ext. 303	Coastline Story Poles (310) 266-7197 coastlinestorypoles@gmail.com
California Story Poles (310) 439-3203 info@californiastorypoles.com	Bronze House Development Inc. 501 W. Glenoaks Blvd, Suite 610 Glendale, CA 91202 (818)913-9119 info@bronzehousedevlopment.com



Town of Corte Madera

Story Pole Information and Requirements

Planning Department
240 Tamal Vista Blvd., Ste. 110, Corte Madera
415-927-5064

Definition:

Story poles are three-dimensional, full-scale, silhouette structures that outline the location, bulk and mass that a proposed structure or addition will occupy on a site. They are required for certain design review applications and may be requested for any discretionary review where warranted by visual impact or location issues. Story poles allow staff, neighbors and others to assess the location and general massing of a proposed building from various vantage points.

Requirements:

- ☐ The applicant shall provide a **Story Pole Plan** at the time of application. The plan shall indicate the location and height of the story poles, based on the roof plan of the proposed structure. Staff approval of the story pole plan is required prior to installation of the story poles.
- ☐ Install story poles to accurately outline the proposed building/addition's major wall planes, gables and ridges. Decks, balconies, entries and other similar features must be shown if staff believes they have the potential to impact neighboring properties. Story poles at deck locations shall extend to the top of railings.

Story poles shall be constructed of 2x4 or 2x6 lumber or similar other sturdy building material. Story poles should be braced at the base to ensure that they remain correctly positioned and can withstand strong winds, shaking and gravity. A building permit may be required to ensure public safety. Bright orange construction mesh, tape, or similar high-visibility material shall connect poles to show the building's major exterior walls and roof ridgelines. Where grading would change the site's natural grade elevation, story poles shall represent the final height of the building, with grading accounted for in the height of the poles.

- ☐ Following construction of the story poles, the applicant shall provide a **Story Pole Certification** (on reverse), signed by a licensed land surveyor or civil engineer, certifying that the poles located on the site were surveyed and found to be in conformance with the project plans and story pole site plan. (Other qualified professionals, such as an architect, may certify the location of the story poles if such measurement is made from a point that can easily be verified in the field, such as the finished floor of an existing structure.)
- ☐ Note that if plans are modified, staff may require the story poles and certification to be updated.

Installation and Removal Timing:

- ☐ The story poles must be satisfactorily installed at least 14 days before the scheduled hearing date unless an earlier date is deemed necessary by staff. If at any time the story poles become unsafe or shift location, they shall be repaired and reset immediately. The Town shall not be liable for any damage or injury associated with the erection of story poles.
- ☐ Story poles must remain in place until the later of: (1) The expiration of any appeal period to the Town Council; or (2) The final determination on an appeal by the Town Council.
- ☐ Story poles must be removed within 10 calendar days following the expiration of the appeal period, unless other arrangements have been made with the Planning Department.

Exceptions/Compliance

The Director of Planning and Building may grant exceptions to this policy based on unusual circumstances provided that the purposes of this policy are not impaired.

The Zoning Administrator, Planning Commission or Town Council may determine that failure to comply with these requirements is grounds to continue a public hearing to allow the story poles to be installed.



Town of Corte Madera Story Pole Certification

Instructions: The story pole certification must be performed by a registered land surveyor or civil engineer. Please attach a copy of the roof plan with the surveyed roof ridge elevations labeled.

I, _____ have surveyed
NAME OF LAND SURVEYOR/CIVIL ENGINEER

the story poles located at _____
ADDRESS OF SUBJECT PROPERTY

on _____, which is based on Planning Application
DATE OF SURVEY

number _____, submitted to the Town of Corte Madera
APPLICATION NUMBER

by _____ . The survey was taken from the following
NAME OF APPLICATION

benchmark: _____
DESCRIPTION/LOCATION OF BENCHMARK

at an elevation of _____. The ridge elevations silhouetted are indicated on
ELEVATION
the attached plan.

I have surveyed the building envelope, setbacks and ridge elevations of the story poles and silhouette described above, and I certify that all dimensions, location and elevations are accurate within _____ of the plans submitted (Town standard is within 6" maximum).
INCHES

Name (Please Print)

License Number/Expiration Date

Date

Address

Phone

Email

PLEASE STAMP AND SIGN BELOW:

Story Poles

Requirements and Guidelines

The placement of story poles is extremely helpful and important during the course of Town architectural review of applications for new development. Proper and accurate placement of story poles provides a demonstration of the planned rooflines and heights and some indication of the potential massing of the proposed structure. Story poles enhance understanding of the project and potential impacts not only for the Town's Architectural and Site Control Commission (ASCC) and staff, but also for the residents of neighboring properties and home owner association committees that may be involved in review of the project. The statements that follow set forth the Town's ordinance requirements and guidelines associated with the placement and removal of story poles.

Municipal Code Section 18.64.040.D. requires that the perimeter of all proposed structures are to be clearly staked and labeled on the site at the time of submittal of an application for ASCC review. The staking is to be maintained throughout the time period the application is under review by the Town. Pursuant to this ordinance section, the ASCC may also require that the actual bulk of the structure be demonstrated through story poles and ridgeline taping.

Staff will inform an applicant and/or his or her designer during the pre-application meeting if story poles will be required for the proposed project. If it is determined story poles are to be placed on the project site, a site plan depicting the proposed location of the story poles shall be provided for staff review at the time application is made for architectural review. The above notwithstanding, pursuant to the policy of the ASCC story poles must be installed as part of the application review process for all proposals for new residences.

The story poles should be in place for review at least 10 days prior to the scheduled hearing date with the ASCC. Staff will inform an applicant and/or designer of the anticipated hearing date in order to provide adequate time for placement of the story poles. Once the application has been reviewed and acted on by the ASCC (i.e., to approve, conditionally approve or deny the project), the story poles shall remain in place during the 15 day architectural review appeal period, and removed no later than 10 days after the appeal period has expired. If an application has been appealed, the poles shall remain in place during the appeal process and then be removed within 10 days of completion of action on the appeal.

The key factors in the placement of story poles are that the poles accurately show locations and proposed heights and remain "accurately" in place during the course of project review. *If poles are not installed accurately, the ASCC may continue project review until such time that the pole placement has been corrected.*

In addition to the above, the following story pole guidelines should be followed:

- The story pole site plan shall clearly identify where the story poles have been placed, what they model and the heights of the story poles relative to existing ground elevation. The tops of the story poles should accurately match the heights of the features they are modeling and the heights of the poles should be clearly recorded on the site plan. The story pole plan and the actual placement of the story poles shall be certified by the project surveyor, engineer or architect.
- The story poles should model the proposed ridgeline heights and should outline the locations where the roofs meet the planned wall planes and not the roof eave extensions.
- The tape used to outline the ridges and tops of walls should be tightly strung and have sufficient size and color to be readily identifiable from reasonable distances. Further, the story poles should be of sufficient size, 2"x4" or heavier boards, and placed with sufficient support to stand for two weeks without leaning so that taping can be as stable as possible during the project review process.
- If, during the course of project review, a design change is made or required by the ASCC that changes the planned heights, the story poles shall be modified if required by the ASCC. If the story poles are required to be modified, they shall be in place in the modified condition at least 10 days prior to final ASCC action.

If the application requires public hearing review by the Planning Commission, the story poles shall remain in place until the Commission has completed its review. Once the application has been reviewed and acted on by the Planning Commission, the story poles shall remain in place during the appeal period, which will be 15 or 30 days after the action depending on the nature of the specific application. The poles shall be removed within 10 days of the expiration of the appeal period. If an application has been appealed, the poles shall remain in place during the appeal process and removed within 10 days of completion of the action on the appeal.

Timely removal of story poles maintains the visual quality of the Town and is respectful of relationships with neighbors.



VISUAL AIDS & STORY POLES

SUPPLEMENTAL APPLICATION



GENERAL INFORMATION

WHAT IS A VISUAL AID?

“Visual aids” include story poles, photo simulations, digital animations, and other means, such as 3-D computer models, to assist the City and the public in understanding a project’s size, bulk and scale in relation to the neighborhood and its effects on important public scenic views.

WHEN ARE STORY POLES NECESSARY?

Story poles are required on most development review projects subject to review by the Planning Commission or Staff Hearing Officer in order to make the required findings, or when necessary to make a determination on whether the project will result in significant environmental impacts on important public scenic views. Design Review bodies also require story poles or other visual aids in order to make findings regarding appropriate size, bulk and scale, and neighborhood compatibility.

HOW DOES THE PROCESS WORK?

If required, story poles shall be installed after design review conceptual review but before project design approval or Planning Commission or Staff Hearing Officer review. Planning staff, or the design review bodies, may consider exceptions to the requirements for story poles, based on the criteria described on page 3, prior to determining application completeness. Design review bodies or planning staff may also request other visual aids, such as photo simulations, perspective drawings, neighborhood context studies, three-dimensional aerial views, or massing models, on a case-by-case basis.



STORY POLE REQUIREMENTS

Story poles are required for the following projects. On development review projects, exemptions must be requested by the applicant and granted by staff prior to determining application completeness. On design review projects, the design review body will consider requests to waive story poles during conceptual review.

Development Review Projects

- A new **nonresidential, mixed-use, or multi-unit** residential building, or substantial addition, that exceeds 17-feet in height from existing grade.
- A new **single-unit** residential building, or substantial addition, when **ANY** of the following apply:
 - Floor to lot area ratio exceeds **0.40**
 - Height of the building **substantially exceeds** that of surrounding buildings
 - Building will block or reduce important **public scenic views**
 - Building is **highly visible to the public***
 - Proposed on, or to project above, a topographic **ridgeline**
 - Exceeds **85%** of the required **Maximum Floor Area**

Design Review Projects

- A **single-unit** residential project that exceeds **85%** of the required **Maximum Floor Area**
- At the **discretion** of the design review body, story poles may be required if the project has the potential to substantially exceed the height of surrounding buildings, or block or reduce important public scenic views, or if the majority of the design review body is having difficulty finding the project consistent with the **Project Compatibility** criteria or **Neighborhood Preservation** findings.
- Multi-unit housing projects using the **Average Unit-Size Density Incentive Program** require story poles when **ANY** of the following apply (per City Council Resolution 17-006):
 - Projects with **4 stories** located outside of El Pueblo Viejo (EPV) Landmark District
 - Projects with **3 stories**, or that measure 30-feet or more in height (whichever is lower) when proposed in a **residential zone** (R-M or R-MH Zones)
 - Projects with 3 stories, or that measure 30-feet or more in height (whichever is lower) when proposed in a location where 3-story buildings do not currently exist within **300-feet** of the project site.
 - Projects of any height proposed within 150 feet of a designated **Historic Resource**
 - Projects that require **Planning Commission Concept Review** pursuant to [Section 30.150.060](#), Pre-Application and Concept Review Required.
 - Projects that are determined to be **highly visible to the public*** and referred by the design review body for Planning Commission comments.

Projects That Do Not Include Buildings

Tentative Subdivision Maps often do not include future buildings to be constructed on the new parcels. In order to provide information necessary to evaluate the project, the following information shall be provided on site for the Planning Commission or Staff Hearing Officer site visit:

- Mark all **trees** to be removed.
- Stake all **building envelopes** or footprints and driveway locations.
- Stake or otherwise mark all existing and proposed property and **parcel corners**.
- In some cases, where impacts on important **public scenic views** are potentially significant, story poles may be required to delineate a reasonable worst-case scenario for environmental review. Planning staff will determine if they are required. In some cases, staff may request story poles to show **retaining walls** that are more than 42-inches in height. Story poles should be installed at the ends of the retaining walls, as well as at various points in-between sufficient to indicate the length and height of the retaining walls.

Criteria for Story Pole Exemptions

The following projects may be exempted from story pole requirements if planning staff, or the design review bodies, make the following determinations during Conceptual Review, or prior to determining application completeness.

- Structures are **clearly consistent** in terms of size, bulk, and scale with other buildings in the surrounding neighborhood.
- Structures are the **same height** as, or smaller than, existing buildings in the neighborhood.
- The proposed structures will not involve blockage or substantial reduction of an important **public scenic view**.
- The proposed structures will not be on or project above a **topographic ridgeline**.
- The **existing condition** of the site (dense vegetation, existing buildings, etc.) does not allow for adequate story pole installation. In this case, one or more of the other types of visual aids will be required.

***Highly Visible to the Public.** A building, structure, or improvement is highly visible to the public if it appears prominently and is easily observed by an average person standing or traveling upon a public right-of-way (including streets and sidewalks) or prominent and easily visible from a public park, beach, or other area generally open for public use. A building, structure or improvement highly visible to the public usually fronts public streets or other public areas.



SUBMITTAL INFORMATION

Provide any supporting materials described in this Supplemental Application and submit it along with a complete Planning (PLN) Application.

STORY POLE SITE PLAN

Plans are required for all story pole installations prior to the application being determined complete.



Location

Show location and height of each pole. Show major plate heights and ridgelines to be identified in the field. Focus on major ridgelines and wall plate lines along the building edges. The goal is to show a simple “box” that outlines the mass of the building. It is not necessary or appropriate to include all of the articulations. Do not forget to account for proposed changes in grade or finished floor with depictions of proposed finished height and elevation notations. Show location of any stakes or chalk/string lines used to outline the building footprint.



Legend

Include a legend on the Story Pole Plan that shows the location of each story pole with a symbol for each story pole that includes its number, location and height. In addition, all stake locations and all chalk/string line locations shall be noted.

STORY POLE INSTALLATION

Story poles shall be installed prior to the public hearing for decision-maker determination as follows.



Materials

Story poles should be made of 2x lumber, PVC piping, or other sturdy material and should be properly braced for safety purposes. The connections used to show ridgelines and plate heights should be made of bright construction tape or netting. Other materials may be acceptable, subject to approval by the Planning Division.



Placement

The major building corners, outer plate heights (not the outer edge of the eaves) and ridgelines should be shown. In addition, stake and string or chalk the property lines where they are not clear and outline the building footprints with stakes and strings or chalk lines. Also, mark all trees to be removed. If there is substantial grading that will result in tall or long retaining walls, the Planning Division may request that their location and height be marked on the property. The number and placement of story poles may be reduced in order to reduce costs, subject to consultation with staff or design review bodies, to assure that there will be sufficient story poles to illustrate the end product.



Timing

The story pole installation shall be completed a **minimum of 7 days** prior to the public

hearing and shall stay in place until the public hearing, unless story pole placement will result in substantial obstructions to the existing use of the property and a shorter installation period has been approved in advance by the Planning Division. For major projects, longer installation periods may be required. Planning staff will determine whether they will be installed prior to the environmental hearing or for the project consideration hearing. In certain circumstances, re-installation of the story poles may be required for City Council appeals. The applicant may choose to leave the installation in place until the appeal period is over.



Adequacy

In the event required story poles are not installed, or are inadequate, the applicant will be requested to install or improve the story poles and the project hearing will then be continued to a future date to allow the decision-making board or commission to make an additional site visit.



Photographic Record

Once the story poles are in place, the applicant shall photograph the story pole installation, including any angles from which it is visible to the public. Where the project has the potential to affect important public scenic views, additional photos from more distant points may be required. Include a plan or map showing the locations from which the photos were taken and the direction of the photos (i.e., with an arrow), keyed to the photos. The record shall be submitted to the Planning Division at least 1 day prior to removal of the story poles or earlier, if possible. It is recommended that at least one of the photos include a person next to a story pole to provide scale. In addition, prior to issuance of the Final Inspection/Certificate of Occupancy for the project, the applicant will be required to submit photographs of the completed building from the same locations as the photographs taken of the story pole installation for documentation purposes.



Certification Letter

Story poles shall be installed and certified by a licensed professional (surveyor, engineer, architect, landscape architect or contractor). A signed certification letter shall be submitted to staff after installation of the story poles, and before their removal. The certification letter shall include the project address, Assessor Parcel Number (APN), the PLN Record ID number, plus the following statement:

This is to certify that on _____ (date), the story poles located on the above-referenced site were installed or inspected by the undersigned, and found to be in conformance (+/- six inches) with the design, height and location shown on the plans, elevations and the attached story pole plan. For additional information, please contact me at:

_____ (Email and Phone No.)

_____ Signature

_____ Name (printed or typed)

_____ Title and Professional License Stamp

OTHER VISUAL AIDS

Other visual aids are required as noted below or may be requested on a case-by-case basis by the design review body or planning staff prior to project design approval.

NEIGHBORHOOD CONTEXT STUDY

A Neighborhood Context Study is required on all Full Board/Commission projects to assist in the presentation of proposed infill development projects. A Neighborhood Context Study is required for SFDB projects greater than 85% of the maximum required Floor to Lot Area Ratio (FAR).

- The Neighborhood Context Study should include at least **10 surrounding parcels** (ABR and HLC) or **20 surrounding parcels** (SFDB projects). Begin by selecting all parcels directly abutting the project site, parcels located directly across the street and at least one parcel in each direction along the streetscape.
- **Aerial Photographs** to show the project's site and the parcels selected for the Neighborhood Context Study. The maps must display the following: property lines, building outlines, and locational reference for the photos provided.
- Supplemental **photographs** must include the following: all buildings, any established public vistas of the ocean and mountains, photos must be keyed to match the locational reference on the map described above.
- Neighborhood context **data** for the surrounding properties should include heights of buildings, number of stories, zoning designation, size of parcels, building lot coverage (square footage of building outlines).

PHOTO SIMULATIONS

Photo simulations help demonstrate how a proposed building will integrate into its surroundings.

- At a minimum, the **proposed project** shall be shown as an overlay over the existing property, showing the existing buildings on either side of the proposed project for a minimum of one parcel in either direction.
- The photographs should be taken at **eye level** (approximately 5 feet above grade). Reduce proposed building elevations to match the scale of the photographs and overlay on the site photograph. **Color** the elevation to match the proposed materials. If **landscaping** is shown, it shall be shown at no more than 5 years growth unless it is included as a separate overlay. Verify the accurate depiction of plate height, overall roof height and other measurements.
- Include a **map** or plan showing the locations from which the photos were taken and the direction of the photos (with an arrow), keyed to the photos.
- The photo simulation may be created by combining a drawing of the proposed building with photographs. The drawing may be cut out and pasted into a **panoramic photograph** or several photographs put together into a montage of the subject property and neighboring properties. It is vital that the **scale** of the drawing accurately match the scale of the photographs. Also, the viewing perspective of the drawing must accurately match the **viewing perspective** of the

photographs. An effective and accurate way to produce the photo simulation is with a computer program such as SketchUp, CAD, REVIT, or similar 3-D program.

- **Streetscape:** In some cases, a larger section of streetscape, such as the entire street block, may be required to be presented to evaluate a project's compatibility. In these cases, a **rendered streetscape elevation** may be required. The elevation may need to show all of the buildings on the block, including the proposed new building. This elevation should be no less than 1/8" scale and should be in **color**. It is helpful to see the streetscape drawn with and without **trees**. An additional plan sheet might include building elevations that are color-coordinated to show the setback from the street (0 to 5 feet, 5 to 10 feet, etc.).

PERSPECTIVE DRAWINGS

A perspective drawing shows an object as solid volume, rather than as a flat, two-dimensional drawing and shows the composition of the project as it would appear from a certain distance and height, or "perspective" from the project.

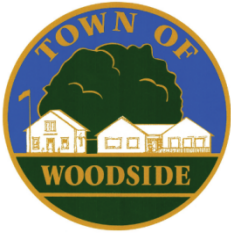
- Perspective drawings from one or more prominent **viewpoints** may be required. All roofing variations, wall articulation and eave lines (including plate heights) must be shown. Major trees should also be shown. These drawings must be drawn from the viewpoint of a person (approximately 5 feet above grade).
- The drawings should show **neighboring buildings** and **important features** of adjacent sites in sufficient detail to demonstrate the relationship between the proposed development and its surroundings.
- The drawing must represent how the proposed project would appear to a passerby as seen from the public street at the primary **property frontage**. If the project does not have frontage on a public right of way or is not clearly viewable from the public right of way, the drawing must display an on-site **front view** of the project the drawing must include at least **one human figure** to give a sense of scale.

THREE-DIMENSIONAL MASSING MODEL & AERIAL VIEWS

Computer based 3-D modeling or physical scale models may help visually explain the project.

- Design details are not required; however, all **roofing variations**, **wall articulation** and **eave lines** (including plate heights) should be shown. Major trees should also be included as part of the model. Changes in topography in the area covered by the model must be shown accurately.
- Provide a minimum of **four** aerial photographs from different angles of the existing project site along with the 10 closest properties. Aerial view modeling may be added to the **aerial photographs** to create a photo simulation to visually represent the proposed project's building massing, height, lot coverage, and open space in relation to neighboring buildings and the surrounding area.

A technical guide titled [*A Comparative Analysis of Three Story Buildings for Downtown Santa Barbara with Respect to Size, Bulk and Scale*](#) is available on the City's website to assist in the preparation of supplemental studies for the purpose of comparing height, length, elevation, floor-to-floor heights, and relative scale of architectural elements.



LOCATION OF STORY POLES – WORKSHEET

Town of Woodside

2955 Woodside Road
Woodside, California 94062
650 851.6790
www.woodsidetown.org

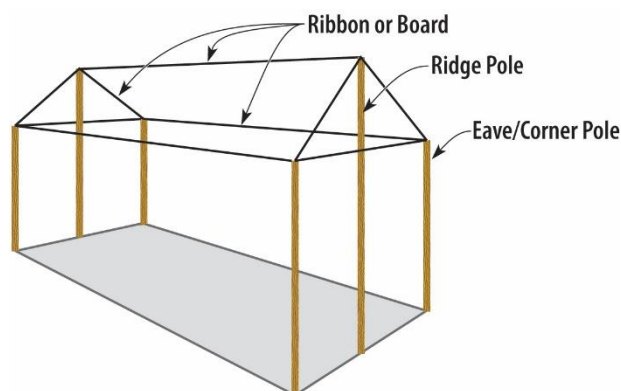
Story poles are frequently used in Woodside to help decision makers, staff, neighbors, and other interested parties to visualize the mass of a proposed project and potential visual impacts to adjacent properties and streets. Story poles should reasonably indicate building corners, roof ridges, setbacks, or other physical aspects of the projects.

Story poles should be erected at least ten days prior to the meeting date, and removed no later than fourteen days after the appeal period ends, unless requested differently by staff.

Please follow these steps if your project entails a second story addition, a new structure, a major addition, and/or if staff requests that they be erected.

1. Erect poles equal to eave heights at each corner of the proposed structure. Such poles should be erected at appropriate heights to approximate heights of the finished project.
2. Erect story poles equal to the heights of the proposed roof ridges. Poles should be placed at the ends of the ridges.
3. Connect the eave poles and ridge poles with ribbon or boards so that the outline of the proposed structure/project is easily discernible on site. **(See diagram below.)**
4. All story poles need to be erected so as to withstand weather and remain standing until meeting dates.
5. If a new driveway entrance is being proposed, please mark the driveway with white stakes to show where it will enter the road.
6. If address numbers are not clearly seen from the roadway, please place a sign at the property entrance which identifies the address of the property.
7. If a swimming pool and/or gate is proposed, the location(s) of the swimming pool and/or gate shall be shown using stakes for the gate and string or ribbon for the swimming pool.

Contact Planning Staff (650 851-6790) at the Planning Department should you have any questions, or would like direction as to what poles need to be erected.



***This Page
Intentionally
Left Blank***



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/24/2023

ITEM NO: 2

ADDENDUM

DATE: May 23, 2023
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Forward a Recommendation to the Town Council on Modifications to the Town Height Pole and Netting Policy for Additions and New Construction. The Proposed Amendments to Town Policy are Not Considered a Project Under the California Environmental Quality Act. **Project Location: Town Wide.** Applicant: Town of Los Gatos.

REMARKS:

Exhibit 5 includes public comment received between 11:01 a.m., Friday, May 19, 2023, and 11:00 a.m., Tuesday, May 23, 2023.

EXHIBITS:

Previously received with the April 26, 2023, Staff Report:

1. Current Story Pole Policy
2. Story Pole Installer Input

Previously received with the April 26, 2023, Addendum Report:

3. Public Comments received between 11:01 a.m., Friday, April 21, 2023, and 11:00 a.m., Tuesday, April 25, 2023

Previously received with the May 24, 2023, Staff Report:

4. Story Pole Policy Examples

Received with this Addendum Report:

5. Public Comments received between 11:01 a.m., Friday, May 19, 2023, and 11:00 a.m., Tuesday, May 23, 2023

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

***This Page
Intentionally
Left Blank***

From: Chris Spaulding

Sent: Friday, May 19, 2023 2:27 PM

To: Jennifer Armer <JARmer@losgatosca.gov>

Subject: Re: Planning Commission to Continue Discussion of Modifications to Story Pole Policy

[EXTERNAL SENDER]

Hi Jennifer,

I'd be happy to add some comments:

1. The requirement for orange netting is unnecessarily alarming. There is no need to scare people. No new structure will be bright orange. If the purpose is to encourage people to complain, then the orange netting is working.
2. The story poles are also unnecessarily expensive. Many cities allow individual story poles, without the need to connect them together with netting. The netting is actually the expensive part, as it requires a lift to attach the netting that high above the ground.

- Chris

***This Page
Intentionally
Left Blank***



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 05/24/2023

ITEM NO: 2

DESK ITEM

DATE: May 24, 2023
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Forward a Recommendation to the Town Council on Modifications to the Town Height Pole and Netting Policy for Additions and New Construction. The Proposed Amendments to Town Policy are Not Considered a Project Under the California Environmental Quality Act. **Project Location: Town Wide.** Applicant: Town of Los Gatos.

REMARKS:

Exhibit 6 includes Planning Commissioner comments.

EXHIBITS:

Previously received with the April 26, 2023, Staff Report:

1. Current Story Pole Policy
2. Story Pole Installer Input

Previously received with the April 26, 2023, Addendum Report:

3. Public Comments received between 11:01 a.m., Friday, April 21, 2023, and 11:00 a.m., Tuesday, April 25, 2023

Previously received with the May 24, 2023, Staff Report:

4. Story Pole Policy Examples

Received with the May 24, 2023, Addendum Report:

5. Public Comments received between 11:01 a.m., Friday, May 19, 2023, and 11:00 a.m., Tuesday, May 23, 2023

Received with this Desk Item Report:

6. Commissioner Comments

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Community Development Director

***This Page
Intentionally
Left Blank***

From: Emily Thomas
Sent: Wednesday, May 24, 2023 10:15 AM
To: Alexa Nolder
Cc: Joel Paulson; Jennifer Armer; Jocelyn Fong
Subject: Re: ADDENDUM: Planning Commission Meeting - 05/24/2023

Hi,

Can the following suggestions to the Story Pole Policy recommendations be shared as a Desk Item, please?

II. Height Poles and Netting:

Height story poles and netting shall be used for the following types of Community Development Department, Planning Division, land use applications:

- *For Hillsides and Open Space:*
 - *New Buildings*
 - *Second story additions*
 - *Additions exceeding 900 square feet and increases in roof height*
 - *Accessory structures exceeding 900 square feet*
 - *Tees proposed to be removed (marked with ribbons, tags, or other approved & obvious marker)*
- *Other:*
 - *Projects in Historic Districts asking for exceptions to height, FAR, setbacks (?), etc*
 - *Special Story Pole Requirements for "Specific Plans" (ie North 40 Specific Plan) (if legal and possible)*

III. Project Identification Signs:

All development applications that must comply with the story pole and netting requirements shall also provide project identification signs on the development site consistent with the following requirements.

E. Sign Content:

- *Requirements need to be updated (the address and phone number of the planning department is less helpful than website information) - what information should be required to be included?*
- *How can we make sure these signs act as a "visual notice" for the community?*
- *Can we require a QR code and/or website link for people to scan to get to the application? Contact information for town staff or developers? Town Meeting & Agenda page? AND any digital representations required?*

The above ideas are informed by the following:

- The Town's Current Height Pole and Netting Policy
- The Town of Los Altos' findings that story poles (1) add subjectivity, (2) extend the review process, and (3) add additional cost
- Los Altos Hills current Story Pole Policy
- Information provided in the staff report and exhibits (including public comment)

Thanks,
Emily Thomas

EXHIBIT 6

***This Page
Intentionally
Left Blank***