



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 12/5/2023

ITEM NO: 12

DATE: November 30, 2023
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution, Based on Planning Commission Recommendations, Modifying the Height Pole and Netting Policy for Additions and New Construction. The Proposed Modifications to Town Policy are Not Considered a Project Under the California Environmental Quality Act. Project Location: Town Wide. Applicant: Town of Los Gatos.

RECOMMENDATION:

Adopt a Resolution, based on Planning Commission recommendations, modifying the Height Pole and Netting Policy for Additions and New Construction.

BACKGROUND:

On August 1, 2023, Town Council considered the recommendations received from the Planning Commission on modifications to the Town's Height Pole and Netting Policy for Additions and New Construction (Story Pole Policy). As a result of this discussion motions were made with the following recommendations for modifications:

- Waive story pole requirements for projects with 30 percent Below Market Price housing or 20 percent Low Income or Very Low Income housing and in its place require signage with a QR code that links to renderings and videos of the project;
- Require story poles for changes to existing non-residential projects if the project includes a request for a variance or exception to physical development standards (height, setbacks, FAR, lot coverage) or exceeds 20 percent of the existing building floor area;
- Require story poles for all new non-residential projects;
- Retain existing story pole guidelines for the Hillsides;

PREPARED BY: Jennifer Armer, AICP
Planning Manager

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Community Development Department Director

BACKGROUND (continued):

- Retain existing story pole guidelines for sites in the Historic Resource Inventory;
- Require story poles for single-family residential projects if the project includes a new two-story house or second story addition where both of the adjacent neighboring homes are single-story, or if there is a request for a variance or exception to physical development standards;
- Replace mesh netting requirement with double flagging as the default unless the applicant prefers to use mesh netting; and
- Do not require full story poles for multi-building projects, instead depict just the outside perimeter and the height of the tallest building.

This item was advertised in the paper for a continuation of the discussion by Town Council on September 19, 2023, and then rescheduled to October 17, 2023; November 7, 2023; and December 5, 2023 to allow for time on the Town Council agenda for other priority items.

DISCUSSION:

Attachment 11 is a revised Draft Story Pole Policy. This draft takes the Draft Story Pole Policy (Attachment 1) prepared based on the Planning Commission recommendation, and incorporates the initial modifications approved by Town Council on August 1, 2023, and described above.

Additional discussion topics that were not resolved during the August 1, 2023 discussion, or that are suggested by staff based on the changes made, are listed below.

A. Buildings over 55 Feet

One of the Council's August motions established that mesh netting or double flagging would be required for projects up to a height of 55 feet. It did not include specific direction on how projects that exceed that height would be required to indicate the proposed height and massing. Some ideas that were discussed were balloons, video renderings, and signage. As currently written, the revised draft Policy imposes the same requirements on all buildings regardless of height.

B. Specifications for Animated Visual Renderings

Based on recent experience with video representations, staff recommends that Town Council consider what details should be required to be included in video renderings. For example, a requirement that accurate representations of the height and massing of adjacent existing structures; videos that show the project from the street from a pedestrian

DISCUSSION (continued):

level and speed; views of all sides of the proposed structures; and a representation of how the building could affect views of the hills.

C. Multi-Family and Mixed-Use Projects

The current Policy provides direction on story pole requirements for the following categories:

- Residential projects;
- Non-residential projects;
- Properties in the Historic Resource Inventory; and
- Properties in the Hillside Area.

Based on the Planning Commission and Town Council discussions, staff understands that the “residential projects” currently included are single-family and duplex projects. For multi-family or mixed use projects, staff recommends the requirements be consistent with the non-residential category, with the specific exceptions already discussed for affordable housing projects and multi-building projects.

D. Timeframe for Installation

The current Story Pole Policy requires that story poles be installed and maintained until a decision has been made on the project and the appeal period has ended. The recommendation from Planning Commission was to limit the length of installation to no more than 30 days after the first public hearing. Town Council did not provide specific direction on this item.

E. Public Notice

The Planning Commission recommends the following requirements to ensure that public notice is provided on all projects:

1. Require on-site signage for all publicly noticed projects;
2. Require QR codes and email contact information on signage;
3. Recommend signage earlier in the process; and
4. Provide signage standards to ensure visually striking signs.

The Town Council may want to define visually striking signage, the timing of signage installation, and any other parameters. In addition, staff recommends that Town Council

DISCUSSION (continued):

consider whether the Story Pole Policy should also include allowance for visual simulations in certain circumstances.

F. Exception Process

The Planning Commission recommendation is that exceptions to the Story Pole Policy be reviewed by the Community Development Director, rather than the existing process which requires Town Council review. Staff recommends that Town Council consider whether to include any specific guidance on when exceptions should be considered/allowed and based on what criteria.

PUBLIC COMMENT:

No additional public comment has been received as of the preparation of this staff report.

CONCLUSION:

Staff recommends that the Town Council adopt a resolution to adopt the revised Story Pole Policy document based on the Planning Commission's recommendations (Attachment 12 with Exhibit 1), with findings that the project is not subject to the California Environmental Quality Act [Section 15061(b)(3)] and is consistent with the General Plan; and include any specific changes agreed upon by the majority of the Town Council.

ALTERNATIVES:

Alternatively, the Town Council may:

1. Continue this item to a date certain with specific direction to staff;
2. Refer this item back to the Planning Commission with specific direction; or
3. Take no action, leaving the policy unchanged.

ATTACHMENTS:

Previously received with the August 1, 2023 Staff Report:

1. Draft Revised Story Pole Policy with Changes Red-Lined
2. Draft Resolution with Exhibit 1
3. April 26, 2023 Planning Commission Staff Report with Exhibits 1-2
4. April 26, 2023 Planning Commission Addendum Report with Exhibit 3
5. April 26, 2023 Planning Commission Verbatim Minutes
6. May 24, 2023 Planning Commission Staff Report with Exhibit 4
7. May 24, 2023 Planning Commission Addendum Report with Exhibit 5

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SUBJECT: Story Pole Policy Modifications

DATE: November 30, 2023

ATTACHMENTS (continued):

- 8. May 24, 2023 Planning Commission Desk Item Report with Exhibits 6
- 9. May 24, 2023 Planning Commission Verbatim Minutes

Previously received with the August 1, 2023 Desk Item:

- 10. Public Comment received between 11:01 a.m., Monday, July 31, 2023, and 11:00 a.m., Tuesday, August 1, 2023

Received with this Staff Report:

- 11. Revised Draft Story Pole Policy with Changes Red-Lined
- 12. Revised Draft Resolution with Exhibit 1

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