



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Chair Boyle and Members of the Architectural Review Board
FROM: Laurel O'Halloran, Associate Planner
MEETING DATE: July 9, 2019
SUBJECT: Story Poles and Netting Discussion
CEQA: Does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines Section 15378

RECOMMENDATION

Receive report and attachments, discuss options and provide direction to Staff.

DISCUSSION

The City Council adopted Resolution No. 09-028 July 15, 2009 amending Resolution No. 6-023 adopting procedures and requirements for mailing of legal notices, publishing and posting legal notices, story poles and netting.

Architectural Review Board members have requested this item to be discussed and to possibly update the 2009 Resolution and policy concerning story pole and netting.

Staff has reached out to three jurisdictions within California on their procedures for public hearing noticing. The City of San Luis Obispo policy is to notice projects 7-10 days before the hearing with an on-site poster and postcards to the neighbors, story pole and netting are not required on any projects. The Town of Los Gatos policy requires story poles and netting for the following types of Community Development Department, Planning Division, land use applications: new residential (excluding single-story accessory structures) and non-residential buildings, residential second story additions and nonresidential additions exceeding 100 square feet. The City of Hillsborough policy is that story poles are required for all ARB projects twenty-two feet in height or greater (regardless of the number of stories), new two-story houses and second-story additions. Second story additions which are less than 500 square feet in floor area and do not face a street, may be reviewed administratively and may not require installation of story poles, as determined by Planning Staff.

ATTACHMENTS

1. May 16, 2018 Council Agenda Report
2. May 28, 1987 Planning Commission Memo

RESPECTFULLY SUBMITTED,

Laurel O'Halloran

Laurel O'Halloran, Associate Planner



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of City Council
FROM: Mark Brodeur, Community & Economic Development Director
MEETING DATE: May 16, 2018
SUBJECT: Consideration of Amendments to City Council Policy on Story Poles
CEQA: Does not Constitute a “Project” per California Environmental Quality Act (CEQA) Guidelines

RECOMMENDATION

Provide staff with direction to amend City Council Resolution No. 09-028 with regards to procedures for story poles and public notification.

BACKGROUND

Story poles are one of several tools employed by cities to illustrate the height and width of a proposed project. Story poles assist the general public in visualizing the dimensions of a proposed building. In recent months, the City has had three new building proposals in the downtown that have not employed story poles due to safety concerns by the Community Development Director. The Director utilized the waiver of story poles based upon a 2009 City Council Policy, which permits the use of computer simulations when the Director finds story poles are infeasible.

The 2009, the City Council amended a 2006 Council policy (Resolution 06-023) regarding story poles. The current Council Policy regarding story poles provides,

“H. In rare cases where size or position of a proposed project renders these story pole and netting procedures infeasible, applicants may seek relief and directions for effective alternatives from the Chief Planner. These alternatives may include broader mailings of public notices, a newspaper ad, photomontages, flagging or a combination of the above or other methods”

While the 2006 policy empowered the Planning Commission to suggest alternatives to the story poles and netting, the 2009 policy shifted that responsibility to the Chief Planner. The 2009 modification came after Planning Commission review on the practicalities of implementing the 2006 policy. The Commission reviewed the procedures for all types of permits, including netting and story pole requirements for architectural approvals involving building additions or modifications to height and mass. The Commission approved the new policy, findings *“due to budget constraints, streamlining of noticing procedures and requirements are necessary to reduce the time associated with planning permit review and approvals.”*

In the case of recent commercial buildings in downtown, the Director waived the story pole deployment due to safety and liability concerns, and in favor of allowing the use of computer generated photomontages to show the proposed building in relation to surrounding properties. This

tool is felt to more accurately depict the actual building in place.

DISCUSSION

Historically story poles have been used for two purposes. The primary purpose is to help illustrate proposed building locations and heights for pending development applications. The second purpose is to alert the community of development applications that are scheduled for consideration at a public hearing. The story pole installations continue to work very well in residential areas.

Proposed development projects in the downtown sit directly on the corners (zero setback) of the property without benefit of a setback. If poles are placed accurately, the four supporting guy lines to support the pole would need to extend into the public right of way. The Chief Building Official and the Community Development Director both agree that placing story poles in the commercial downtown with a zero setback present a safety and liability issue.

Alternatives to Story Pole Installation

As noted in this report, story poles provide two purposes: 1) illustrating proposed building locations and heights of pending development applications and 2) alerting the community of upcoming public hearings on the proposed development. In regards to the first purpose, the 2009 Council Policy permits alternative methods to represent the proposed development. Typically the alternative methods are photo simulations or computer models.

Regarding the second purpose, public notification, most jurisdictions, including Pacific Grove, require posting signs on the property where there is a pending development application. This can be a very useful tool for notifying the public of a pending hearing since the sign could include the photo simulations as well as all the necessary hearing information. While story poles may be effective in communicating building bulk and mass, they only alert the public that a hearing is pending, but do not provide the necessary details on the project and hearing. Those items can be found on the 11x17 postings that Planning Staff currently attaches to each building façade.

In addition, City staff includes information on proposed projects on the City website. Projects that are not suitable for story poles could be given a special location on the Department webpage (“What’s New and Exciting”) to draw the residents’ attention.

As an alternative, the City could develop standards for posting **larger signs** on the property. The standards can include sign size requirements based on the type of application, color, detailed project description, hearing information, staff contact information, photo simulations, etc. The City could establish standards for the number and location of signs. For example the standards could require the placement of pending development signs on two property frontages. Staff recommends that such signs be of sufficient size to alert motorists as well as pedestrians, such as a 4x4 foot sign that is at least five feet off the ground.

In most cases, the City Council’s 2009 Policy and City staff procedures have been successful in providing a basic understanding of the proposed development and notifying the community of a pending development application. However, due to concerns expressed by some members of the City Council and community members on some recent downtown applications, and based on the review of a survey of other jurisdictions, staff is recommending the following possible modifications to the existing policy and or procedures:

- Only allow applicants to request alternatives to story poles when required due to existing property use or public safety considerations. Requests must be in writing, providing both the justification for the exception and proposed alternatives for increased public noticing and project visualization. Only the Director can approve exceptions *upon verbal notice to the full Council during “Staff Announcements”*.
- Develop specifications for public notification signs, including but not limited to: number, size, height from the ground, location/placement, required information, color, timelines for when the sign(s) is required to be installed and removed, and maintenance provisions (such as graffiti removal), etc.
- Regularly update the City’s web page (What’s New and Exciting”) that contains the list of pending projects and other news-worthy.

CEQA

The recommended action does not constitute a “Project” as that term is defined under the California Environmental Quality Act (CEQA) Guideline Section 15378, as it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

OPTIONS

1. Do nothing, thereby continuing the current 2009 Policy to stand.
2. Authorize a “Pilot Project” for one year to see how the new recommendations might work.

GOAL ALIGNMENT

Operational Excellence

FISCAL IMPACT

No direct impact.

ATTACHMENTS

1. Resolution No. 09-028
2. Community Development Handout for Project staking and story poles.

RESPECTFULLY SUBMITTED,

REVIEWED BY,



Mark Brodeur
Community and Economic Development Director

Ben Harvey
City Manager

RESOLUTION NO. 09-028

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE
AMENDING RESOLUTION NO. 6-023 ADOPTING PROCEDURES AND
REQUIREMENTS FOR MAILING OF LEGAL NOTICES, PUBLISHING AND
POSTING LEGAL NOTICES, STORY POLES AND NETTING**

WHEREAS, on October 4, 2006, the City Council adopted Resolution 6-023, specifying procedures and requirements for mailing of legal notices, publishing and posting legal notices, story poles and netting; and

WHEREAS, based on the Planning Commission's review and the practicalities of implementing this resolution, the modifications to Resolution 6-023 clarify and improve the noticing procedures for all types of permits, including netting and story pole requirements for architectural approvals involving building additions or modifications to height and mass; and

WHEREAS, due to budget constraints, streamlining of noticing procedures and requirements are necessary to reduce the time and cost associated with planning permit review and approval; and

WHEREAS, the procedures and requirements for noticing for use permits, variances, or equivalent permits are consistent with California Planning and Zoning Laws, as defined by Government Code Sections 65090, 65091 and 65905;

WHEREAS, the procedures and requirements for noticing of Architectural Approvals are consistent with Municipal Code Section 23.73.050 and the City of Pacific Grove Architectural Review Guidelines for Single-Family Residences.

WHEREAS, the Planning Commission reviewed this resolution and recommends the Council adopt it as presented; and

WHEREAS, adoption of this resolution is not defined as a project under the California Environmental Quality Act (CEQA), as set forth in CEQA Guideline Section 15378(B)(5)), organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE:

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. This council hereby adopts as City Policy the procedures specified in attachment "A," attached hereto and incorporated herein by reference, regarding mailing legal notices, publishing and posting legal notices, story poles and netting and projects for which story poles and netting are required.

SECTION 3. The Chief Planner, and his/her designates, is directed to administer these new policies and ensure compliance for all projects where these policies are applicable.

SECTION 4. This resolution shall become effective immediately following passage and adoption thereof.


PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE THIS 15th day of July, 2009, by the following vote:

AYES: Council Members Bennett, Cohen, Garcia, Kampe, Lindsay, and Stilwell

NOES: None


ABSENT: Mayor Cort

APPROVED:




DANIEL E. CORT, Mayor

ATTEST:



JAMES L. BECKLENBERG, City Clerk

APPROVED AS TO FORM:



DAVID C. LAREDO, City Attorney

Attachment A**I. PROCEDURES FOR NOTICING OF PUBLIC HEARINGS FOR VARIANCE, USE PERMIT, AND HISTORIC PRESERVATION PERMIT APPLICATIONS AND RELATED APPEALS**Community Development Department Responsibilities:

1. Use the Notice of Public Hearing format in Attachment C for posting on site as well as for mailing. The Notice of Public Hearing shall include the project's status under the California Environmental Quality Act.
 - A. The onsite posting shall consist of the two following elements, each on a separate sheet of 11x17-inch bright yellow paper: 1) A copy of the Notice of Public Hearing and 2) The most affected elevation(s) of the project.
 - B. The two sheets shall be laminated and secured side by side to a signboard by the Community Development Department.
 - C. A signboard with the public notice and drawings of the project (if applicable) shall be posted on each street frontage of the subject site within three feet of the property line in a place that is visible from the street and sidewalk. The signboards and notice(s) must remain on site until the appeal period has closed, and shall not be removed except by Community Development Department staff.
2. Mailed notices shall be sent ten days in advance of the public hearing and mailed to owners and occupants within a 300 foot radius of the project site, except for projects in the Asilomar Dunes neighborhood, as delineated in the Land Use Plan of the Local Coastal Program, where the mailing radius shall be 350 feet.
3. For adoption of zoning amendments or projects that may impact residents throughout the City, additional forms of noticing may also be required, as determined by the Planning Commission.
4. Publish notices in the legal section of a newspaper of general circulation within the City of Pacific Grove at least ten days in advance of the public hearing at which an application will be considered. Consolidate items for the same meeting into one notice and include the City seal.
5. Post all vital information from the notices in agenda form on the City of Pacific Grove website. After the hearings, leave agendas on the website for no less than two years.
6. Post courtesy copies of notices and agendas at the Pacific Grove Public Library.
7. Post agendas on the exterior City Hall bulletin board.
8. Upon request, send courtesy notices and/or agendas by mail or e-mail at no cost to the recipient. Post this policy on the agenda section of the City of Pacific Grove website.

9. The subject property shall have a notice posted on site at least ten days in advance of the hearing.
10. Include the following in the submittal checklist for all applications: "Owners and applicants are encouraged to contact adjacent property owners and discuss the proposed project with them."

Applicant Responsibilities:

1. The applicant shall ensure the notice(s) are maintained in good condition until the appeal period is over.
2. For commercial or multi-family projects greater than 7,000 square feet, the Planning Commission may determine noticing may be required beyond the minimum mailing radius, prior to the application being deemed complete. Such additional noticing shall be at the expense of the applicant.

II. NOTICING AND NETTING PROCEDURES FOR ARCHITECTURAL APPROVALS

Community Development Department Responsibilities:

1. Notices of Architectural Review Board hearings shall be posted at the project site (as specified in Municipal Code Section 23.73.050) and mailed to the owners and occupants of adjacent properties and those directly across the street. The City is required to post notices at least seven days in advance of the hearing.

Applicant Responsibilities:

1. Story poles and netting are required for all projects involving building additions or modification of massing or height. They shall be installed and maintained by the applicant as follows:
 - A. The proposed ridgelines and exterior wall lines of such projects shall be delineated with international orange netting supported by poles or other appropriate materials. Netting shall be a minimum of one foot in width.
 - B. The netting and supports shall accurately reflect the extent of the proposed project as well as its position on the site. A pole and flag shall indicate the chimney height. New or modified architectural details such as windows, doors, or small gables need not be indicated by netting. Changes to exterior materials also are exempt.
 - C. Story Poles and netting shall be in place at the time the public notice or notices are posted for "concept" architectural approval of building height and mass of a building addition or modification. Netting shall remain in place until all appeal and call-up periods have ended for the "concept" architectural approval. If substantial building mass or height changes are made to the project after

“concept” approval, new story poles and netting may be needed, as determined by the Chief Planner.

- D. Story poles and netting shall not be required for “final” architectural approval.
- E. Netting and its supports shall be kept in an accurate, well-maintained, and safe condition until the end of the appeal period, or as long as they remain in place.
- F. If trees or branches are proposed for removal as part of a project, they shall have fluorescent pink or red flagging ribbon, with a minimum width of 1”, tied around their most visible portion. This ribbon shall be in place by the time the notice or notices are posted and shall remain in place until the end of the appeal period.
- G. It is the applicant/property owner’s responsibility to ensure the accuracy of the staking and flagging of the proposed project. If staking and netting is found to be inaccurate in the field, the project may be continued to a future meeting date.
- H. In rare cases where the size or position of a proposed project renders these story pole and netting procedures infeasible, applicants may seek relief and directions for effective alternatives from the Chief Planner. These alternatives may include broader mailings of public notices, a newspaper ad, photomontages, flagging, or a combination of the above or other methods.
- I. EXCEPTIONS: Proposed netting procedures will not apply to projects deemed eligible for administrative approval by the Chief Planner or to projects that are exempt from discretionary review. Refer to Section 23.73.042 of the Pacific Grove Municipal Code for these exceptions.

CITY OF PACIFIC GROVE COMMUNITY DEVELOPMENT DEPARTMENT

APPLICANT REQUIREMENTS FOR PROJECT STAKING AND STORY POLES & IDENTIFICATION OF TREES OR BRANCHES PROPOSED FOR REMOVAL

Story poles and netting are required for all projects involving building additions or modification of massing or height. They shall be installed and maintained by the applicant as follows:

- A. The proposed ridgelines and exterior wall lines of such projects shall be delineated with international orange netting supported by poles or other appropriate materials. Netting shall be a minimum of one foot in width.
- B. The netting and supports shall accurately reflect the extent of the proposed project as well as its position on the site. A pole and flag shall indicate the chimney height. New or modified architectural details such as windows, doors, or small gables need not be indicated by netting. Changes to exterior materials also are exempt.
- C. Story Poles and netting shall be in place at the time the public notice or notices are posted for architectural approval. Netting shall remain in place until all appeal and call-up periods have ended.
- D. Netting and its supports shall be kept in an accurate, well-maintained, and safe condition until the end of the appeal period, or as long as they remain in place.
- E. If trees or branches are proposed for removal as part of a project, they shall have fluorescent pink or red flagging ribbon, with a minimum width of 1", tied around their most visible portion. This ribbon shall be in place by the time the notice or notices are posted and shall remain in place until the end of the appeal period.
- F. It is the applicant/property owner's responsibility to ensure the accuracy of the staking and flagging of the proposed project. If staking and netting is found to be inaccurate in the field, the project may be continued to a future meeting date.
- G. In rare cases where the size or position of a proposed project renders these story pole and netting procedures infeasible, applicants may seek relief and directions for effective alternatives from the CDD Director. These alternatives may include broader mailings of public notices, a newspaper ad, photomontages, flagging, or a combination of the above or other methods.
- H. EXCEPTIONS: Proposed netting procedures will not apply to projects deemed eligible for administrative approval by the CDD Director or to projects that are exempt from discretionary review. Refer to Section 23.73.042 of the Pacific Grove Municipal Code for these exceptions.

Approved by City Council on July 15, 2009

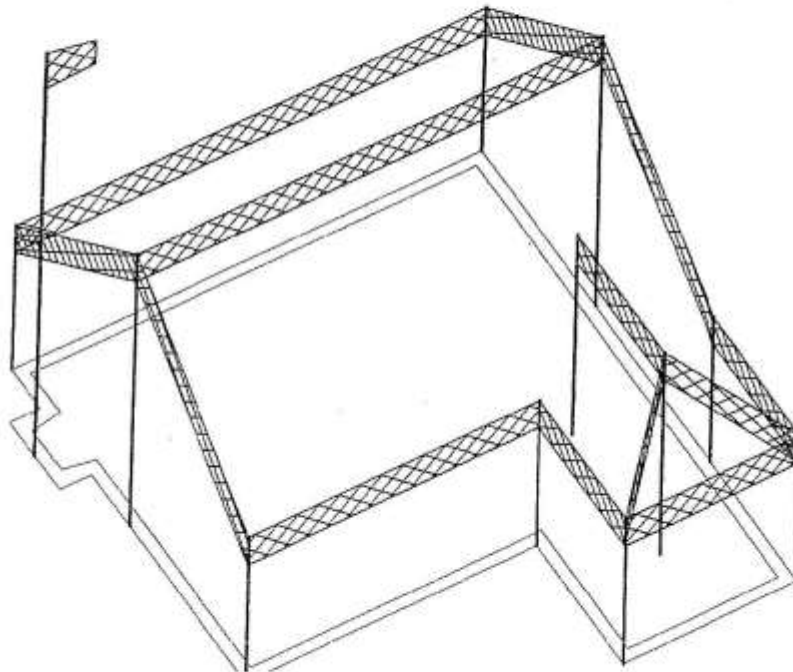
DUE DATES FOR NETTING AND SUBMITTAL OF SITE PLAN

PLANNING COMMISSION MEETINGS

Monday	Tuesday	Wednesday	Thursday	Friday
NETTING & PLAN DUE				
Monday	Tuesday	Wednesday	Thursday	Friday
			MEETING DAY	

ARCHITECTURAL REVIEW BOARD MEETINGS

Monday	Tuesday	Wednesday	Thursday	Friday
				Netting and Plan Due for Historic Preservation Permit Projects
Monday Netting and Plan Due for Architectural Approval Projects	Tuesday	Wednesday	Thursday	Friday
Monday	Tuesday	Wednesday	Thursday	Friday
	MEETING DAY			



NETTING SAMPLE

CITY OF PACIFIC GROVE, CALIFORNIA

C O U N C I L P O L I C Y

SUBJECT	POLICY NO.	DATE
Requirements for Graphic Presentation	600-2	8/05/87

June 9, 1987

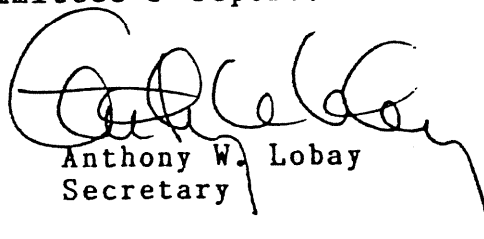
MEMORANDUM

TO: Mayor and City Council
FROM: Planning Commission
SUBJECT: POLICY RE REQUIREMENTS FOR GRAPHIC PRESENTATIONS
FOR DEVELOPMENT PERMITS

At your request, the Planning Commission developed a policy governing the types of graphic materials to be requested of applicants during the permit review process.

Attached is a copy of the Commission's subcommittee report which was considered at the June 4, 1987 meeting.

On a motion by Schmidt, seconded by Robertson, the Planning Commission voted 5 - 0 to recommend to the City Council the policy contained in the subcommittee's report.


Anthony W. Lobay
Secretary

enclosure

Approved By City
Council 6/17/87

MEMORANDUM

DATE: May 28, 1987
TO: Planning Commission
FROM: Commissioners Flatley, Honegger, and Cram
SUBJECT: Presentation Material Requirements for Applicants

Discussion:

At the request of the City Council, a Planning Commission subcommittee has reviewed methods of providing sufficient information about a project to enable decision-makers and the public to assess a proposal in a comprehensive manner. Commissioners Cram and Honegger replaced former Planning Commissioners Cotham and Culp in serving on this subcommittee.

The subcommittee acknowledges a desire to not unduly burden applicants with costly requirements, but concludes that the obligation of decision-makers to make reasoned choices necessitates certain requirements for applicants.

The subcommittee has reviewed the photomontage technique of simulating a project and concluded that this is generally a more effective planning tool than a model. Models may offer unrealistic views of a project as well as often not providing contextual information.

The subcommittee met with local architects to discuss various aspects of the application process. The importance of notifying applicants of submittal requirements as early as possible was stressed by participants in this meeting. The issue of a standard policy vs. case-by-case flexibility was also discussed, with varying opinions expressed.


Recommendation:

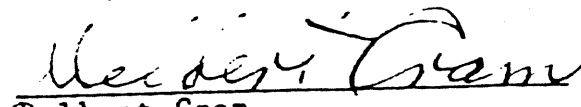
The subcommittee recommends that the following policy be adopted:


Applicants for new construction and proposed additions which in staff's judgement have the potential for massing and height impacts and/or which are located in visually sensitive areas are required to include photomontages in their application documents. For some applications, other means of simulation and representation may provide more information and therefore be preferable to a photomontage. During the course of project review, further information may

Requirements for photomontages:

- 1) Photomontages must be technically accurate and be certified as such by the preparer.
- 2) Photomontage simulations shall include at least two views for an interior location on a block's frontage, and at least three views for a corner location. More points may be required if necessitated by grade or other aspects of the site or project. View points shall be approved by staff in consultation with the applicant.
- 3) Visual simulations shall be considered part of the application and retained with the project file.


John Flatley
Subcommittee Chairman


Delbert Cram


Steve Honegger

