



CITY of CALABASAS

## PLANNING COMMISSION AGENDA REPORT

MARCH 4, 2021

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**TO:** Members of the Planning Commission

**FROM:** Glenn Michitsch, Senior Planner

**SUBJECT:** Review of Recommended Planning Commission Amendments to the City's Story Pole Procedures

**RECOMMENDATION:** Recommend amendments to the City's Story Pole Procedures to the City Council, as contained in Exhibit A or as further amended.

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### **REVIEW AUTHORITY:**

The City's Story Pole Procedures (Exhibit F) were originally adopted by the City Council at the June 24, 2015 regular meeting. Therefore, amendments to the Story Pole Procedures must be approved by the City Council. However, the City Council asked that the Planning Commission first discuss any proposed amendments and provide a recommendation.

### **BACKGROUND**

The Planning Commission previously discussed amendments to the City's Story Pole Procedures on June 18, 2020 and September 10, 2020. At the September 10, 2020 meeting, the Commission reviewed redlined amendments to the City's Story Pole Procedures which included language clarifications (i.e. modified language to make the

document clearer to read) proposed by Commissioner Mueller, and staff-suggested substantive changes based on discussions at the June 18, 2020 meeting. The Commission provided the following feedback to staff:

- 1) The Commission expressed their preference that one foot wide brightly colored orange mesh construction netting be specified as the preferred material to be placed between story poles to delineate proposed roof edges and ridges, with flags being the preferred permitted “back up” option if there are safety concerns. The Commission also asked that staff reach out to both the City of Malibu and story pole contractors to gain insight on issues that they have run into pertaining to the practice of erecting and maintaining story poles, including the use of the orange mesh and/or other materials;
- 2) The Planning commission discussed when renderings (possibly with story pole locations superimposed on the rendering) should be used either in-lieu of or supplemental to placement of story poles on-site, but no consensus was achieved on this issue, and asked staff to further research this issue; and
- 3) Lastly, the Commission discussed who should have the authority to make decisions on implementing the City’s story pole procedures, including when modifications to materials used and/or the number or location of story poles are made, and asked staff to further research this issue.

## **DISCUSSION**

Since the September 10, 2020 Planning Commission meeting, staff has reached out to both the City of Malibu and Agoura Hills to understand their respective story pole policies (refer to Exhibits D and E). Staff also reached out to a story pole contractor to inquire about issues surrounding safety and best practices, which has been considered and included in the discussion regarding materials below.

### **Materials**

Staff has modified the “suggested” language of the City Story Pole Procedures (Exhibit A) so that brightly colored orange mesh netting one foot wide be used as the predominant material per the suggestion by the Commission. This aligns with Malibu’s story pole procedures. The City of Malibu allows only the orange mesh netting, except in very rare circumstances where string with flags has been allowed. Agoura Hills story pole

procedures require use of either a bright orange mesh netting between 1' – 3' wide or colored ribbons to outline the roof.

Staff contacted Eric Hawner, a story pole contractor who has worked on numerous projects within the surrounding area, including the cities of Calabasas and Malibu, to inquire about his experience with placement and maintenance of story poles and use of different types of materials used to demonstrate the rooflines. Mr. Hawner voiced both safety and maintenance concerns with the use of the orange mesh netting. In his experience, the orange mesh netting is less safe and less durable because it is highly effected by wind and water loading, and very often quickly stretches, sags and causes poles to fall down, which requires him to periodically go back to a site to reset poles and/or re-do the roofline netting at an added cost to the applicant. Mr. Hawner also mentioned that these issues are worse on taller poles, and over longer time periods. He mentioned that the orange mesh netting at lower heights (i.e. one story) typically last in good condition for 30 days (depending on weather conditions) without stretching, sagging and pole failure. Mr. Hawner expressed that he has found greater success, from a time and durability perspective, using strings and flags, which can be custom made. This is the installation currently used for the West Village at Calabasas project.

### Use of Renderings

The City's current story pole procedures require only proposed commercial development projects to erect a sign with a photo or rendering. Commercial projects that do not depict 100 percent of structure(s) must show the story pole locations overlain on the rendering.

By comparison, the City of Malibu does not mandate the use of renderings along with placement of story poles for any project that requires story poles. In contrast, the City of Agoura mandates the use of a rendering for every project requiring story poles, and, for projects that cannot depict 100 percent of the structures(s) with story poles, the rendering must also show the locations of the story poles that were placed on-site.

Although there was no consensus from the Commission on this issue, certain members of the Commission had noted instances when use of a rendering for some non-commercial projects would have been useful. To that end, staff is supportive of amending the City's story pole procedures to require placement of signs that include a photo simulation or rendering on every project that requires placement of story poles. Further, staff is also supportive of requiring the renderings or photo simulations to demonstrate story pole locations for all projects that cannot depict 100 percent of the project with story poles. While requiring project renderings or photo simulations will add cost not originally borne by non-commercial project applicants, the public would benefit by being able to better

visualize all future projects subject to story pole requirements, and the story pole procedures would now be applied more consistently throughout the City.

### Implementation Authority

The City's current story pole procedures splits decision making authority between the Director and the Planning Commission. The Director has been given the lion's share of the authority, with the ability to make decisions regarding pole locations (for uniquely shaped structures), material type for story poles and roofline representation, determinations on site suitability for story poles (taking into account a variety of factors such as safety, stability, impacts to resources, inaccurate depiction, site constraints, and excessive cost), modifications/reductions in the number of story poles required (up to a 50 percent reduction), and the ability to use the City's Architectural Review Panel for recommendations (as desired). The Planning Commission's authority occurs when the Director has made the determination that more than 50 percent of the proposed project mass should not or cannot be represented with story poles. In such cases, a report is generated for review and final consideration by the Planning Commission.

By comparison, in both the cities of Malibu and Agoura Hills, the Director has sole authority to implement story pole policies, including the granting of modifications and/or waivers, with no ability to appeal to their respective Planning Commissions and/or City Councils. To this end, Calabasas currently provides a broader oversight regarding implementation of its story pole procedures. Staff's recommendation is to continue to allow the Director to implement the story pole procedures, and not to expand the Commission's role in implementation of story pole procedures for a variety of reasons.

1. Implementation of story pole procedures is just one step of many in an already multi-faceted and lengthy development review process. Per the California Permit Streamlining Act, for projects that are exempt from the CEQA environmental review process (which include new homes and/or additions to most homes), a decision on the project must be made by the City within a maximum period of 90 days from receipt of a completed application. Between the time that is needed for an applicant to draft a story pole plan, submit it to the City, the city staff to review, and the contractor to put the poles up, added to the mandatory four week requirement that story poles need to be up prior to a hearing, more added time for Planning Commission review could put the City at risk of not meeting the mandated project review deadlines under California State law.
2. Also, for projects having to be reviewed and considered by the Planning Commission, it is best for the Commission to not involve itself in story pole matters in order to not introduce any perception that one or more members of the

Commission lack sufficient open-mindedness and impartiality when the project is later considered at the public hearing.

3. Lastly, to date, implementation has been successful at the staff level. There have been very few exceptions needed, and those that have been granted reductions and/or modifications, have been mostly for safety reasons.

### Proposed Modifications

Included in Exhibit A, attached to this staff report, is a redline (track changes) version of the City's Story Pole Procedures. The recommended edits are a combination of language clarifications suggested by Commissioner Mueller and a number of revisions suggested by staff.

### **ATTACHMENTS:**

- Exhibit A: Redline Amendments to the Story Pole Procedures
- Exhibit B: Agenda Report for the June 18, 2020 Planning Commission Meeting
- Exhibit C: Agenda Report for the September 10, 2020 Planning Commission Meeting
- Exhibit D: City of Malibu Story Pole Policy
- Exhibit E: City of Agoura Hills Story Pole Procedures
- Exhibit F: City of Calabasas (Current) Story Pole Procedures