

(1) CALL TO ORDER

Chair Ross called the regular meeting to order at 7:00 p.m. in the Town Center Historic School House Meeting Room, 765 Portola Road.

(2) ROLL CALL

Planning Director Debbie Pedro called roll:

Present: ASCC: Commissioners Breen, Koch, Wilson; and Vice Chair Sill, Chair Ross  
Absent: None  
Planning Commission Liaison: Denise Gilbert  
Town Council Liaison: Maryann Derwin  
Town Staff: Planning Director Debbie Pedro, Planner Cynthia Richardson and Associate Planner Arly Cassidy

(3) ORAL COMMUNICATIONS: None.

Lorrie Duval, Golden Oak Drive, Neighborhood Watch Coordinator. Ms. Duval offered help in organizing Neighborhood Watch teams for anyone interested.

(4) OLD BUSINESS

- (a) Review of a Conditional Use Permit, Variance, Architectural Review and Site Development Permit for Willow Grove, LLC (Hallett Store) 846 Portola Road. File #37-2015 and X7D-178. (Item continued to the March 13, 2017, ASCC meeting.)

(5) NEW BUSINESS [7:04 p.m.]

- (a) Study Session on Design Guidelines and Home Security Measures

Planning Director Debbie Pedro presented the staff report. She said the purpose of the study session is for the ASCC to evaluate the Design Guidelines regarding motion sensor lights, landscaping, and signage in road right of ways. She reported that this meeting was noticed via the PV Forum, the Town's emergency notification list, and the Neighborhood Watch groups.

Planning Director Pedro read from the Conservation Guide: "As residents, we were attracted to Portola Valley by its rural beauty. The continuity of grassland and native tree canopy on the Western slopes, the presence of free running streams with their native plants and animals which have evolved in mutual interdependence, and the night skies with visible constellations are treasures which we all enjoy."

Planning Director Pedro said the San Mateo County Sheriff's Department provided a home security checklist in response to recent public safety concerns related to burglaries and robberies. She said upon reviewing that checklist, staff found that a few of the Sheriff's recommendations appear to be in conflict with the Town's Design Guidelines, particularly those related to outdoor security, landscape screening, and lighting.

Planning Director Pedro said a goal of this study session is to receive input from the public and try to strike a balance between what the Design Guidelines allow and what is appropriate for homeowners looking for more security around their homes.

Chair Ross called for questions from the Commissioners for staff.

Commissioner Breen asked if there would be participation from the Planning Commission before the recommendations go to the Town Council. Planning Director Pedro advised that only the ASCC would be reviewing the guidelines.

Chair Ross asked if illuminated signage would be included in the discussion. Planning Director Pedro said the ASCC could comment, but the original direction from Council was to keep the discussion focused as directed.

Chair Ross invited questions from the public.

Jon Silver, Portola Road. Mr. Silver said he noticed in the ordinance that motion lighting was discouraged but not prohibited. He asked if a strand of Christmas lights is a single fixture or if each bulb is considered a single figure. Chair Ross said temporary time limited holiday decorative lighting is exempt from the ordinance.

Joann Cashin, Stonegate Road. Ms. Cashin said that her car, parked in their driveway, was broken in to about five years ago, her neighbor's car was burglarized about three months later, and about three years later her house was burglarized at Christmastime. She said they were stunned when three weeks ago, during the final inspection for their recent remodel, their outside lighting did not pass, and they had to remove their front entrance lanterns, their garage motion detector lights that had been there for at least 15 years, and all outdoor path lighting around the pool. She said they were not allowed to have a 20-second motion detector light which is the only thing that illuminates their driveway in front of the front entry and garage. She said they had to pay a substantial amount of money to the contractor and for the new lights which now only illuminate approximately 10 to 15 feet past their front walkway and their driveway is completely dark and unsafe. She asked why Town staff told her motion detector lights were prohibited when staff saying tonight they are only discouraged according to the ordinance. Planning Director Pedro said she will review the plans and provide an explanation. Ms. Cashin asked why they are not allowed to have any driveway lighting when it is dangerous in many respects. Planning Director Pedro said if the project was subject to ASCC review, an outdoor lighting plan would have been required, and the motion sensor light should have been shown on the plan. Skip Cashin said their house has been hit twice, and it's a security issue to have motion detector lights on the side of their house. He said the Town has to change their rules for security and safety purposes, and he hopes the Council will support that.

Bob Boyle, Valencia Court. He said he does not believe the newer motion detectors cause a problem with the night sky; however, he said he is seeing a lot of skylights in the new construction in his neighborhood. He asked regarding the Town's guidelines on skylights and if they were encouraged. Chair Ross said many applications come forward with skylights, and staff evaluates them to determine if there could be light spill impacts. He explained that the ASCC looks at projects that add more than 400 square feet of usable space to a house, and they would not, for example, be called upon to review a kitchen remodel that added skylights. He said there are no ordinances regarding light spill from skylights; however, on projects that do come before the ASCC for review, they pay close attention to light spill from skylights and glazing in their efforts to preserve the night sky as per the Design Guidelines. Commissioner

Koch added that the ASCC would never allow a lighted skylight, nor do they allow clerestory windows to have lighting, and they encourage shades or light screens to prevent night light spill.

Anu Khatod, Escobar. Ms. Khatod said she was also told by Town staff that her motion sensor lights were prohibited, even though they were approved on her ASCC plans. She said many of their dark-sky light fixtures have also been denied approval. She said there are no clear guidelines as to what is and is not acceptable. She said that while she was advised that it was allowable to have one outside light fixture every 10 feet at doors, her 12-foot French doors are only allowed to have one light, which leaves half of her door dark. Planning Director Pedro said other than the one light per door (per egress) that's required by the Building Code, there is no requirement for exterior lights on the property. She said the Town's Design Guidelines encourage less outdoor lighting. With regard to the fixtures, Planning Director Pedro said the Town requires outdoor light fixtures to be down-shielded, low wattage, no clear bulbs, and that the bulb is not visible from offsite. She said dark-sky compliant lights are usually in line with what the ASCC has approved. She said her comment about dark-sky compliant lights during her presentation related to motion sensor lights, advising the ASCC that there are dark-sky compliant motion sensor lights available. In response to Mrs. Khatod's question, Planning Director Pedro said if they have a lighting plan that was approved by the ASCC, and it has been installed per the plan, unless there was an error, it should be finalized. She said she will follow-up with them on their situation.

Carol Sontag, Co-Chair for Golden Oak North Neighborhood Watch. She said the Sheriffs are saying that Portola Valley has become a soft target for neighborhood crime. She asked the ASCC to meet the community halfway and be flexible enough to allow home security issues to be addressed. Chair Ross said the ASCC's mission is to uphold the Town's Design Guidelines as it applies to building construction projects, and there is a lot of room for interpretation in that. He said they are here to listen to the public comments, discuss, and make recommendations to the Town Council.

Lisa Lovazzano, Westridge Drive. Ms. Lovazzano asked if it was possible to reconsider the gate ordinance. She said that they would like to install an entry gate to secure their property; however because of the location and configuration of their driveway, a gate would not be possible on their property under the ordinance. Chair Ross said while the ASCC may look at the design of a gate, they typically have no jurisdiction regarding the placement, which is addressed by Town ordinance.

With no further questions, Chair Ross invited public comments. Chair Ross asked that remarks be limited to five minutes or less.

Jon Silver, Portola Road. Mr. Silver agreed with Planning Director Pedro's comment that a little light goes a long way if not being blinded by a bright light somewhere else. He said Portola Valley's night sky is wonderful. He suggested that the use of compliant lighting controlled by motion sensors may result in less outdoor illumination. He suggested the wording regarding motion sensors be changed so that they are not discouraged or that the guidance be more nuanced.

Neil Weintraut, Cordova Court. Mr. Weintraut said he and a few others have formed an ad-hoc group seeking to preserve and recover the Town's lifestyle and natural area through technology. He said that a year ago, home security issues were not factored into the Town's decisions. He said when decisions were made at that time, considerations for security were not important enough, and in balancing things relative to privacy concerns, ALPRs were voted down. Three

weeks following that, the most violent crime in the history of Portola Valley occurred. He said shortly after that, Town management reminded citizens of the low crime rate in Portola Valley, downplaying that something may be brewing here. Two weeks after that there were two burglaries. He said in November, he talked with someone from the Town about security and heard why the recent crimes were just a fluke, and in the scheme of things, certainly not significant enough to warrant things like architectural review adjustments. Two weeks after that there was another burglary, and just last week there was another burglary. He said the idea that this recent activity is just a fluke has been debunked. He said there seems to be a mindset that may have been accurate to hold for 50 years, that personal security should not be a weighing factor as it relates to architectural considerations. He said that even as crimes are occurring, and as the facts indicate otherwise, this continues to be heard from the Town and people of influence in Town. He said it is hard to determine what security measures are effective because the only real input you get is when something is not effective. He said the requests for motion detectors are the result of real security concerns and not citizens just trying to avoid design objectives. Mr. Weintraut said that on December 20, for the first time, actual perpetrators were caught while still here in Portola Valley due to the resident's security camera. He said local security measures are proven to be far more valuable than, for example, the Neighborhood Watch signs and ALPRs, and he hopes the Commission considers that fact when receiving those requests. He said when we talk about protecting our lifestyle and stopping it from changing, it must be acknowledged that, sadly, the Town's lifestyle has already changed – people are becoming more fearful and anxious. He suggested the current task should be to preserve and recover as much lifestyle as possible. Mr. Weintraut said he would welcome the opportunity, at another time, to share information about the available technologies, such as a video camera that feeds to real time and motion detectors that differentiate between an animal, a person, or a car.

David Beaver, Creek Park Drive. Mr. Beaver encouraged the Commission to better balance decisions between architectural design and night sky versus safety. He said the slide show included excellent quotes, but then became biased toward architectural issues over safety issues. He said that he moved from San Francisco to Portola Valley because he likes the small town feel. He said the safety and security, which was not in the presentation, was also a very important reason he moved here. He said “the rural feel and tranquility of our community” has been significantly negatively affected. He said that although the staff report says that humans can see better when ambient light is low, cameras can see better with light, which the Town will not allow. He said one of the slides mentioned individual choices; however, the Town representatives are not allowing citizens to implement their individual choices. He said a Neighborhood Watch sign on his street had to be taken down because it was in a 10-foot right of way that they did not know about. He encouraged the Commission to let the balance needle swing more toward the middle and to not let this issue become an “us versus them” where the citizens feel they're trying to make their lives safer yet the Town isn't letting them.

Bob Boyle, Valencia Court. Mr. Boyle agreed with Mr. Weintraut and Mr. Beaver. He said individual circumstances should determine how long a motion detector light should be on because not all driveways are the same length, an elderly person takes longer to walk to a front door than a child, etc. He said if he had a motion detector light at the time of his robbery, he probably would have had time to get into his house. He said he agrees there is too much signage on Bear Gulch and Golden Oak. He said the residents of Golden Oak, who have been hit very hard, need to have more autonomy to decide what to do for that section of Portola Valley. He said instead of multiple individual signs, perhaps signs could be consolidated to highlight certain less-illuminated areas, such as at the beginning of Golden Oak or the intersection of Bear Gulch and Valencia. He suggested signs be fewer and smaller.

Lorrie Duval, Golden Oak Drive. Ms. Duval said she supports motion sensor lights if they are placed thoughtfully. She said everyone needs to be sensitive to neighbors to be sure the lights illuminate what they are supposed to be illuminating and not shining into neighbor windows. She said it would be helpful to get to know neighbors face-to-face and work together when implementing some of these things, for example, viewing their homes from their neighbor's perspective. She said, with regard to signage, industrial strength Neighborhood Watch signs sunk in concrete in the Town right-of-way at the entrances to the Town, near the ALPRs, can be a good deterrent to criminals coming into Portola Valley. She said there are currently approximately 10 teams, with another 4 teams scheduled for kickoff meetings with the Deputy in April, and another 11 teams in development. She said if each team is allowed one to four Neighborhood Watch signs, the Town will be peppered with these signs and too much signage will lose its impact quickly. She said the initial reaction was to immediately place signs, but now, as things are developing and the Neighborhood Watch teams forming, she suggested that residents can focus on things that will be more effective and strategic for the long run. She suggested citizens prioritize protecting their homes and working with their neighbors.

John Murray, Antonio Court. He said that one size does not fit all with regard to signage, due to the different considerations for different areas. He said his court is located in an area off of Sausal, which has one way in and one way out and consists of about 60 homes. He said there is now a sign in the public right of way at the intersection of Adair and Sausal that says "not a through street" which would be an ideal spot for the Neighborhood Watch sign. He agrees with Ms. Duval that having too many signs will detract from the beauty of the neighborhood. He said that as decisions are made about what and where signs will be placed, the different neighborhoods need to be looked at individually to determine what will be the most effective. He said he thought a single sign at an entrance and exit to a neighborhood will eventually blend into the landscaping and go unnoticed.

Bud Eisberg, Wyndham Drive. Mr. Eisberg said he strongly supports the Design Guidelines and the concepts behind it; however, he said things need to be reviewed and updated occasionally. He said the intersection of Wyndham Drive and Portola Road is not safe. He said he and his neighbors are working with the Town Police Commissioner to improve sight lines and speed limit enforcement on Portola Road. He said traffic in Town has increased dramatically, including increases in service and construction vehicles and commuters. Mr. Eisberg said he has met with the Traffic Committee several times on this issue, and there is resistance due to the Design Guidelines regarding signage. In response to a question from the audience, Planning Director Pedro said road traffic safety signage is not regulated by the ASCC and is a Public Works matter. She said she will bring the comments made at this meeting to the attention of the Public Works Director. Mr. Eisberg said the traffic safety signs should be considered separately and not minimized to meet Design Guidelines. He said the Bicycle, Pedestrian and Traffic Safety Committee can work on standardizing the road safety signs.

Anne Kopf-Sill, Minoca Road. She said she supportive of protecting the night sky. She said her friends know to bring a flashlight when they come to visit. She said she wants the middle of the streets to stay dark even if private homes increase illumination.

With no other public comments, Chair Ross brought the issue back to the Commission for discussion.

Commissioner Koch said the small signs that come with home alarm systems or cameras do not come before the ASCC for review. She said the Commission should discuss the difference between reflective signage and illuminated signage and the consolidation of signs. She said

there must be sensitivity to neighbors regarding motion sensor lights. She said some lights may only be visible to the homeowner, but some are visible to neighbors who look out of their homes and are seeing lights going on and off as those motion lights are triggered. This changes their experience. She said she agrees that the appropriate timing of the lights may be different for different homes, but they should be dark-sky compliant and placed more in the interior spaces of a property and not impact neighbors. She said she is concerned about illuminated driveways or side yards, but she wants people to feel safe.

Commissioner Breen said she is excited about the possibilities of new security technologies and was hoping to hear more about that. She said she is a Neighborhood Watch captain and has a camera. She said the General Plan, which is the constitution of the Town, is an important document that emphasizes darkness. She said the dark sky is one of the treasures of the Town to be maintained. She said she felt safer and was more comfortable in the dark. She said if someone is coming onto her property, they will need a flashlight. She said her neighbors have a motion detector light that negatively affects her and her property and how she lives. She said the best security for everyone are relationships with neighbors. She said the installation of a motion detector light should be discussed with neighbors to make sure they can't see the source or glow of your light. She said it contributes to the climate of the Town, what it looks like, and how we choose to live in our space. With regard to landscaping, she was more concerned about things that cross property lines, such as light, sound, and smell. She said she was not concerned with people pruning their shrubs for safety reasons, which is subjective and too difficult for the Town to monitor. She said she was concerned about the Sheriff's language and thought it was a broad stroke to suggest that people should be installing lighting. She said she did a lot of research on light and security and could find no data that suggested that lighting made a community safer. She said she wanted to study the data, the products, and the technology. She said the Commission is bound by the General Plan and Design Guidelines, which need to be looked at along with new technologies. She said she agrees that less is more with regard to signage and is concerned about sign clutter. She agreed that too many signs lose their effectiveness. She said she was not supportive of lighted signs.

Commissioner Wilson said she was concerned that the public seemed to have a feeling of us versus them. She said she does not want to give the impression that the Town is unapproachable. She said she would like to see a list of approved lights and motion sensor light timing guidelines. She said she preferred smaller, single-color signs placed in strategic locations.

Vice Chair Sill said he did not think there was an issue with landscaping. He said he was open to discuss motion sensor lights. He said they should discuss how to balance the number and placement of Neighborhood Watch signs to get the most impact.

Chair Ross agreed there was no issue with landscaping. He said the Commission generally discourages intense landscaping. He said they do respond to the need for landscape screening from neighbors, but it also blocks views of things that might be happening at the neighbor's house. He agrees that safety is all about knowing your neighbors, cooperating with them, and doing things for each other. He said it's harder to keep an eye out for each other when the properties are completely screened. He said he was also concerned about visual clutter. He said the Commission rarely reviews signs because most are regulated by ordinances, but they like them to be discreet and focused and not create visual blight, especially in view corridors. He wondered if a sign was more effective at creating a sense of safety for the person in the neighborhood than actually deterring the criminal who enters the neighborhood. He said the Commission should discuss the placement of the Neighborhood Watch signs. He said before

anyone does something that is visible to the whole Town or a neighborhood or in the public right of way, they should take advantage of the tremendous resources available from Town staff or online regarding guidelines and ordinances. He said the resources available at Town Hall should be more publicized so that the general public is aware of them. He said the lighting ordinances do not really address the Design Guidelines. He said that while staff can disallow things in an applicant's proposal that violates ordinances, it does not mean that because something does not violate an ordinance it will be approved by the ASCC. He said they are very concerned about offsite impacts. He said he lives on a very dark street, and he does carry a flashlight, but he only turns it on if there's a car coming because there is almost always enough ambient light to see his way. He said he loves being able to see the stars. He said that would not be possible if he triggered a motion sensor floodlight at every house he walked by. He said preservation of a dark sky is one of the highest orders of business for him. He said he is supportive of the newer technology of motion sensor lighting that has replaced the double-bullet spotlight commonly mounted on the front of a garage. He said that it is nearly impossible for the Town staff to enforce what's going on with motion sensor lights so if a light is bothering someone, that person must become the enforcer, which is not a comfortable position. He said that there should be clear guidelines about motion sensor lights and that the lighting ordinance needs to be revised. He said the lighting ordinance bears little relationship to the Design Guidelines which causes confusion. He said even if the ordinance does not get changed, there needs to be a modern-day description of what the Town wants. Planning Director Pedro suggested an informational handout. She said if someone wants to install a motion sensor light on their property, it may require a building permit if they have to run conduit. She said it would be helpful to those people to have a handout explaining the requirements. Commissioner Breen said she is supportive of motion sensor lights, but they are too often installed improperly.

Karen Vahtra said the currently available and inexpensive motion sensor products are not what the Town wants. She said Ring recently announced a motion floodlight product, but it is not dark-sky compliant. She knows of no dark-sky compliant motion sensitive camera system. She said most people who install the cameras or motion sensor lights do not apply for a permit. She said a lot of the security companies are pushing the big floodlights because they think it makes people feel safer. She said there are LED battery operated lights with very low lumens that can be put on a driveway. Commissioner Breen said something that like could contribute to actually making the Town darker because there would be less path lighting. Ms. Vahtra said residents need to be encouraged to talk with their neighbors if they will be installing a security system with lights. She asked if neighbors could be noticed about requests to install motion sensor lights. Commissioner Breen said her research suggested that people could be putting themselves in greater danger by poor placement of their security lighting. Ms. Vahtra said she likes the visibility of the illuminated Ring sign and pointed out the reflective security signs require a light to shine on it in order to be visible.

Chair Ross said that Ms. Vahtra's illuminated sign would only be visible to people on her property; however, in his neighborhood, if everyone had an illuminated sign, it would be very visible and abhorrent. He said illuminated signs are not allowed under the ordinance. He said crafting an ordinance for this kind of thing is difficult, and enforcement is even more difficult. Chair Ross said, referring to Mr. Beaver's comment about his car repeatedly getting broken into in San Francisco, is a great example of how pervasive, strong lighting does not necessarily deter crime. Chair Ross said he feels very safe in the quiet and the dark because he is more aware of what's going on in his surroundings than if there were lots of lights and noise from air conditioners, etc. He said in the Commission's deliberations about recommendations to make to the Town Council, they must consider that perception of safety is a personal thing. He said some people may want a Neighborhood Watch sign on the corner and in front of their driveway,

with an illuminated security sign and floodlights to make them feel safer, whether or not they actually make them safer. He said autonomy in decision making within certain parameters is a great idea.

Commissioner Breen said she would like to study this further with more information before taking it to the Council. She would like to hear from a lighting consultant. Planning Director Pedro said she and Chair Ross tried unsuccessfully a few years ago to find a lighting consultant.

Chair Ross said they could recommend to Council that they need more time to study this after receiving input from specialists and consultants.

Commissioner Wilson asked if people in Town might feel frustrated at being prohibited from doing anything while waiting for the Town to make a decision on a Town ordinance. Planning Director Pedro said motion sensor lights are not prohibited in Town. She said the effort here is to provide guidance. She said motion sensor lights are strongly discouraged, but if the Commission makes a decision that they are acceptable, then the next step would be craft guidance on exactly what is acceptable. Chair Ross said the reason motion sensors were discouraged is that they shine across properties. Commissioner Breen said they must be dark-sky compliant.

Commissioner Breen said this is one of the guiding principles in the General Plan and must be looked at carefully. Commissioner Wilson said people are afraid and should be given some guidance on what they can do now. Chair Ross said the study of this issue does not stop anybody from doing anything, because right now anybody in Town can do whatever they want, although it may result in enforcement action if a neighbor complains. He said the goal is that the Commission provide guidance to the Council that harmonizes with the Design Guidelines so that there is an informational resource available to citizens.

Vice Chair Sill said PV Ranch has already done what the Commission is trying to do with regard to lighting. He suggested they reach out to the Ranch to learn about their process.

The Commissioners agreed that the lighting issue should be studied further, bringing in a lighting consultant if possible to provide information about the new technology available.

The Commissioners were supportive of having a representative from PV Ranch come to the Commission to share their guidelines crafting process.

With regard to signage, Planning Director Pedro said there is a desire to install some Neighborhood Watch signs in the road right of way, which would require an encroachment permit. She said the ASCC could make decisions this evening regarding signage to help the Neighborhood Watch group move forward. The Commission supported installing signs near where the ALPRs would be installed. Planning Director Pedro shared photographs of the stock signs and said that there could also be custom signs made. In response to Commissioner Koch's question, Planning Director Pedro said they are reflective signs as are all new road signs.

The Commission selected the blue sign as the preferred sign, to be mounted on a corten steel post; however, they would prefer to place the signs on existing posts where they are allowed instead of installing additional posts.



The Commission had no recommendations for changes to the Design Guidelines regarding landscaping.

**(b) Proposed Amendments to the Accessory Dwelling Units Ordinance.**

Planning Director Pedro presented the staff report regarding the recent State law passed relating to second units, requiring all towns and cities to update or amend their second unit ordinances to comply with the State law. She presented the recommended changes developed by the ad hoc committee, as detailed in the staff report.

Planning Director Pedro clarified that a car share vehicle pickup location refers to a designated car share, i.e., carpool lots, ZIP car parking, etc.

Planning Commissioner Denise Gilbert said the Planning Commission was initially prepared to discuss increasing the allowable size of an ADU on larger properties and allowing ADUs on properties of less than one acre. She said when they delved into the State law further and learned it placed ADUs under administrative review, meaning they do not come before the ASCC, they decided to form an ad hoc committee for further study of that process. She said the Planning Commission has not yet reviewed the ad hoc committee's report and therefore, the ASCC should not assume the Planning Commission is in agreement with their findings. She asked the ASCC to comment if they are comfortable with broadening the ADUs and the Design Requirements checklist as proposed.

In response to Planning Commissioner Gilbert's question, Planning Director Pedro said the proposed Design Requirements are pretty much the same as the existing, but there are certain types of ADUs that will be brought to ASCC for review – i.e., second-story additions, buildings that have color reflectivity value issues, or units that do not have colors, materials, or architecture similar to the main dwelling or are visible from the local scenic corridor. She said any project that requires a site development permit will still come to the ASCC if there is over a certain amount of grading.

In response to Chair Ross's question, Planning Director Pedro said the State law says the unit may be up to 1,200 square feet, but that number can vary by jurisdiction.

In response to Chair Ross's question, Planning Director Pedro said if an application for a complete redevelopment of a site comes in, that includes building a new house and an ADU, the ASCC would see the complete application as a whole. She confirmed that this proposed ordinance is meant to remove the barriers and make it easier to build an ADU on existing properties and to incentivize homeowners to create new ADUs.

In response to Commissioner Wilson's question, Planning Director Pedro said there would still be a building permit fee, but there would no longer be the ASCC fee. Commissioner Wilson asked if a further incentive would be to remove the building permit fee. Planning Director Pedro said that could be a recommendation for Council to consider. She said the Town currently has no way to ensure that the ADUs are being rented out. Commissioner Wilson asked if the applicant could sign something promising to rent out the unit for a certain amount of time in exchange for waiving the fee. Planning Director Pedro said that could be an option – a deed restriction or some sort of agreement with the homeowner in exchange for waiving a fee.

With no further questions, Chair Ross invited questions or comments from the public.

Helen Wolter, Alpine Road. She was supportive of allowing more square footage for ADUs. She said she appreciates the proposal for 1,000 square feet on a property up to 2 acres; however, she would recommend increasing the allowable size for an ADU on a property of 2 to 3.5 acres. As stated in her letter attached to the staff report, she suggested the total gross floor area ratio (FAR) be considered when calculating the allowable size of an ADU. She suggested requiring a 60 days or less restriction instead of 30 days.

With no further public comment, Chair Ross brought the issue back to the Commission for discussion.

Commissioner Wilson said that a restriction of 60 days or less may restrict someone who needed to stay here because their child was being treated at Stanford.

The Commissioners agreed that no ADUs should be allowed on properties of less than 1 acre.

The Commissioners agreed that a 1,000-square-foot unit should be allowed on a property of 1 to 1.99 acres.

Commissioner Wilson said there should be a better middle ground as to the allowable size of an ADU on a 2- to 3.49-acre property, considering if a property was just over the 3.5 acres it could have two units. The Commissioners recommended the size allowed on a 2- to 3.49-acre property should be 1,200 square feet.

The Commissioners recommended that on a property of 3.5 or more acres, two 1,000-square-foot units (with only one detached) or one 1,500-square-foot unit should be allowed.

The Commissioners agreed that any ADU of less than 1,000 square feet would be administrative review and anything above would go to the ASCC for review.

Chair Ross asked if the law distinguished about the type of occupancy with regard to the length of time allowed – for instance a renter versus a visiting family member. Planning Director Pedro said the term “rented” is the key. She added that enforcement would be very difficult and would likely be complaint driven. Ms. Wolter said that in Mountain View, companies have purchased several ADUs and turned them all into Air BnB or VRBO rentals, in essence becoming a hotel, but not paying taxes or complying with the same regulations. Commissioner Breen noted that this was a Planning Commission issue, not the ASCC.

Commissioner Wilson asked if anything should be added regarding reduction in fees. Planning Director Pedro said that might be proposed with an agreement with the owner that the ADU will be rented out and not kept vacant or used as a guest house or home office.

(c) **Proposed “Clean-Up” Text Amendments to the Municipal Code Regarding Vending Machines, Basements and Scenic Corridor Setbacks**

Associate Planner Cassidy presented the staff report regarding text clean-ups of three different subsections of the Zoning Code.

The Commissioners agreed that Section D.3.c. should include an additional sentence stating that the use of the structure must not change.

(6) **COMMISSION AND STAFF REPORTS: [10:03 p.m.]**

**(a) Update on Portola Road Shoulder Widening Project at Town Center**

Planning Director Pedro presented an informational update regarding the Portola Road Shoulder Widening Project that was brought before the ASCC in November 2016. She explained that in 2014, the Bicycle, Pedestrian, and Traffic Safety Committee had recommended widening the shoulder to make it safer for cyclists at two pinch points – Alpine Road, which has already been completed, and at Portola Road in front of Town Center. She said in November, the ASCC suggested as many trees as possible should be preserved, possibly by reducing the shoulder widening. Planning Director Pedro showed where the 2-foot widening would occur, which will create a 4- to 5-foot-wide shoulder. She showed the trees that would be impacted, some of which have been damaged by vehicle accidents and some of which are in poor condition. She said that once the drawings are finalized, it will go out to bid. Commissioner Breen said she would hate to see Tree #1 go. Planning Director Pedro said she will check with the Public Works Director, but said that because it is so close to the shoulder there may be little option to save it.

Chair Ross noted that this problem with the narrow road shoulder came about when the left turn lane into the Town Center was added a couple of years ago.

Commissioner Breen said she would like to see the large sign that identifies the three Town Center buildings removed as it is unnecessary.

In response to the Commissioners' request, Planning Director Pedro will ask for clarification regarding the power pole. She said the project is targeted to begin in June and completed in July.

(7) APPROVAL OF MINUTES: February 13, 2017. Commissioner Wilson moved to approve the February 13, 2017, minutes as submitted. Seconded by Vice Chair Sill, the motion passed 4-0, with Commissioner Breen abstaining.

Commissioners Koch and Sill visited the project at 315 Grove. Planning Director Pedro said the property owner contacted staff and said that, after weighing all her options, she will remove the boxwoods and lights and will call them out for an inspection upon completion.

(8) ADJOURNMENT [10:13 p.m.]