

REGULAR PLANNING COMMISSION MEETING, TOWN OF PORTOLA VALLEY, SEPTEMBER 20, 2006, TOWN CENTER, HISTORIC SCHOOLHOUSE, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Chairman McIntosh called the meeting to order at 8:10 p.m. Ms. Lambert called the roll:

Present: Commissioners Wengert and Zaffaroni, and Chairman McIntosh
Absent: Commissioners Elkind and McKitterick
Staff Present: George Mader, Town Planner
Leslie Lambert, Planning Manager
Maryann Derwin, Council Liaison

ORAL COMMUNICATIONS

Carter Warr, ASCC, asked that the Commission agendaize a field meeting to the Lefteroff site.

Bill Lane, Westridge, congratulated the Town for its support of the U.S. Mayors' Climate Protection Agreement, which addressed global warming. He described projects/conferences taking place in Silicon Valley to address climate change. The work that had gone into the planning of the Town Center, including the structures and plant material, as well as the protection of open space demonstrated the Town's leadership in this area.

REGULAR AGENDA

- (1) Public Hearing: Conditional Use Permit Amendment X7D-135, 130 Portola Road, Pollock Office Building

Town Planner Mader said the notification in the paper did not meet the 10-day requirement. The item was continued to the next meeting.

- (2) Revision of Resolution 500-1974

Town Planner Mader reviewed the staff report of 9/14/06 on the revisions to Resolution 500. He distributed copies of the most recent draft dated 9/20/06. Referring to the recitals section (p. 1), he said Craig Breon suggested adding an additional clause that related to protection of people from geologic hazards. He suggested: "WHEREAS, the Town has determined it is necessary to control or prevent development on geologically hazardous lands in order to protect the health, safety and welfare of the Town residents." Commissioners agreed.

Town Planner Mader noted that the resolution that adopted a slightly updated version of the geologic map had been added to the list. Responding to Commissioner Zaffaroni, he said the language in the document about revised maps remained and still pertained. Referring to the Adoption section (p. 4), Commissioner Zaffaroni felt it should be made clear that the maps listed had been revised and would continue to be revised.

Referring to the Background section (p. 1), Town Planner Mader said it had been suggested to add San Andreas Fault system, which was a term used later in the document.

Referring to the first sentence of the last paragraph on page one, Commissioner Wengert suggested taking out the first sentence and starting that section with: "Geologic maps have been prepared by the Town that are based on the study of..." That was a much more positive, declarative statement that described what the section addressed (i.e., the geologic maps served as the basis for policy/decision making). Commissioner Zaffaroni said this had been discussed, and the Commission decided to stay with the language that was part of the original resolution. Town Planner Mader noted that the intent was to indicate that these were not the

best maps and had been done using aerial photographs and surficial geology without borings. Commissioners agreed the first sentence could be omitted.

Town Planner Mader reviewed changes on pages 2-9, as annotated in the margins of the 9/20/06 version. In the last paragraph of Section XI (p. 9), he said Craig Breon had suggested allowing increases in floor area "...of up to 25% of an original building..." so that people couldn't just keep adding to a structure over time. At the time it was allowed, 25% would be the absolute limit. Commissioner Wengert said she was slightly confused by this section and by the placement of that sentence. It addressed a fifth scenario in addition to the four listed in section A that involved additions on unstable ground not involving engineered solutions. She suggested adding it to Section XI as A.5 and again as B.3—both with approval of the Planning Commission. Town Planner Mader said it had been placed above sections A and B because it was overriding; any repair, alteration, reconstruction, etc., could be referred to the Planning Commission. Commissioner Zaffaroni said the provision indicated that it applied to both sections A and B. She felt it was clear as written. Chairman McIntosh concurred.

Town Planner Mader reviewed changes on pages 10-13. He noted that this resolution was adopted by the Council; subsequent resolutions of amendment updating the maps could be done by the Planning Commission. It was set forth that way because it would be cumbersome to go to the Council for deliberation on map modifications. He felt the system worked and worked well for minor map changes.

Referring to the Objectives section (III, pp. 2-3), Chairman McIntosh suggested Town Planner Mader wordsmith item #5 to make it clearer.

Commissioner Zaffaroni asked why designation "sc" had been removed from the table. Responding, Town Planner Mader said Ted Sayre indicated that there was no area in Town mapped that way. If it developed, it could be added back in, but that was unlikely to be a concern. He said he would verify with Mr. Sayre.

Craig Breon, Bonita Rd., said a lot of the language changes in the Resolution made good sense. In the past, people felt certain properties were allowed to do whatever they wanted and others were allowed to do nothing; the clarifications would help with that impression. He added that in the past, the Planning Commission used a guideline that allowed a 10% increase in floor area. As proposed, it was 25%. The feeling had been that additional dwelling space should not be added to the property. The best argument for making these changes was that the safety of people in these areas could be increased. That did not necessarily mean more people up there; it meant allowing things that could make the people in the homes up there safer. If it was necessary to allow 25% in additions or extra bedrooms in order to get that stability, and it outweighed the risk of having additional people up there, that was the best argument for making these changes. With respect to the fairness issue, he said the Town treated differently situated properties differently. That was fine when there was a basis for treating properties with difficult geology differently from those that were stable. The western hillsides had been downzoned several times based primarily on geologic concerns. Fairness should not weigh more than safety and good planning, and he was unconcerned with arguments about fairness. As long as the Commission was grounded in the General Plan and used good sense, that was adequate. If having safer homes necessitated increasing the number of people and living space in these areas, it could be supported. If that was not a necessary part of making it safer, it should not be done. Everyone pushed the rules to the limit. Before, people were at 10%; now, they would go for 25% almost all of the time and probably add bedrooms or guestrooms.

Responding, Commissioner Wengert said the subcommittee that worked with the residents on this also dismissed the fairness argument. Overall, the Commission believed that there would be increased safety if people were allowed to improve their properties within a reasonable limit; that might include having additional people. In the end, because of the quality and age of the housing stock in that area, the improvements would far outweigh any of the additional safety concerns. The Town would have enough control relative to the individual situations that would be looked at; that warranted making this type of change. The technology had advanced dramatically in terms of engineered solutions. The concerns had always been disturbing the natural environment, the amount of grading, traffic, etc. The consensus reached

was that it was reasonable to allow for some potential expansion with careful review. Chairman McIntosh concurred and added that with today's technology, engineered solutions could result in a potentially very safe property even in a slide zone. The Town had a great deal of control over engineered solutions.

Jean Isaacson, Santa Maria, thanked everyone for nine months of hard work. She fully supported the revised Resolution and felt the result would be improved housing stock with more safety. Jeff Milo, Trinity Ln., concurred.

By motion of Commissioner Zaffaroni, seconded by Commissioner Wengert, the revised draft dated 9/20/06 of Resolution 500 as amended was referred to the Geologic Safety Committee by a vote of 3-0. Town Planner Mader suggested that if minor changes were recommended by the Committee, two Commissioners be appointed to review those changes. If there were major changes, it would come back to the Planning Commission before going to the Council. Ms. Lambert noted that the Geologic Safety Committee would be meeting next week on the draft.

(3) Status of Planning Commission Program for FY 06/07

Town Planner Mader reviewed the staff report of 9/14/06 on the status of 7 items in the FY 06/07 planning program.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

Ms. Lambert noted that the Council authorized the Mayor to sign the U.S. Mayors' Climate Protection Agreement, as noted by Mr. Lane during oral communications. Mayor Toben would be hosting a kick-off meeting for the Town's Climate Change Task Force on October 3, 2006, at 7:30. Anyone who was interested in attending or participating was welcome. Meetings would be on a quarterly basis, and the Committee would be driven by the residents with staff providing information.

APPROVAL OF MINUTES

By motion and second, the minutes of the August 2, 2006, meeting were approved as submitted by a vote of 3-0.

ADJOURNMENT: 9:15 p.m.

Chip McIntosh, Chairman
Planning Commission

Leslie Lambert
Planning Manager