

CALL TO ORDER AND ROLL CALL

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

Interim Planning Director Arly Cassidy called roll:

Present: ASCC: Commissioners Danna Breen, Dave Ross, and Jane Wilson; Vice Chair Megan Koch; Chair Al Sill
Absent: None
Planning Commission Liaison:
Town Council Liaison: Maryann Moise
Town Staff: Interim Planning Director Arly Cassidy; Planner Cynthia Richardson

ORAL COMMUNICATIONS

None.

NEW BUSINESS

(1) Proposed Amendments to the Accessory Dwelling Ordinance

Interim Planning Director Cassidy explained that although there will likely be changes to the Ordinance again in response to the discussions around the need for housing, the updated amendments are necessary as soon as possible to remain in compliance with the State regulations. Interim Planning Director Cassidy said the State law has been clarified, and she has made sure the Town's Code matches it. She presented staff's recommendations to approve the ordinance amending sections of Title 18 (Zoning) of the Portola Valley Municipal Code relative to accessory dwelling units, as detailed in the staff report.

In response to Commissioner Breen's question, Interim Planning Director Cassidy confirmed that the limitation for ADUs on properties of less than one acre remains intact; however, there is the intent to examine that size limitation in the future.

Commissioner Ross asked if existing zoning violations, such as setbacks, are grandfathered in and not required to meet the new requirements in the conversion process. Interim Planning Director Cassidy confirmed that if a garage was already legal and nonconforming, it would stay as such and the ADU could go into it.

Commissioner Breen asked regarding a septic or sewage issue when adding more people to a system. Interim Planning Director Cassidy said septic is part of the building permit review with health and safety requirements.

Commissioner Breen asked about the owner occupancy requirement and the requirement that the second unit not be rented for a term of less than 30 days. Interim Planning Director Cassidy said she learned at a recent ADU workshop that the owner-occupied rule is one of the most onerous requirements that prevents rental of ADUs as a separate unit. She said the 30-day restriction is basically addressing vacation rentals of property. She said it may be worth looking

at again in the future, but the goal of this proposed update is to be in compliance with the State law.

In response to Vice Chair Koch's question, Interim Planning Director Cassidy said that HOAs can create their own restrictions and would be responsible for enforcement.

Commissioner Breen asked if the requirement that the second unit not be visible from the local scenic corridor was realistic. Interim Planning Director Cassidy said it would be more difficult to get approval for an exterior ADU on the scenic corridor.

Commissioner Breen said that if there is an increase in density of ADUs, perhaps the vertical building height limits of them should be lowered. Interim Planning Director Cassidy said if ADUs will be allowed on parcels smaller than one acre, there will likely be different requirements regarding their design. She said these will be discussion items when the issue is reopened later.

Commissioner Ross moved to recommend Planning Commission approval of the proposed amendments to the Accessory Dwelling Ordinance. Seconded by Commissioner Wilson; the motion carried 5-0.

(2) Proposed Amendments to the Definitions and Yards Ordinances of the Municipal Code

Interim Planning Director Cassidy asked that ASCC review the proposed amendments to the Definitions and Yards Ordinance and recommend approval by the Planning Commission, as detailed in the staff report.

The Commission agreed this was an appropriate correction to the Ordinance.

Commissioner Breen moved to recommend Planning Commission approval of the proposed amendments to the Definitions and Yards Ordinance of the Municipal Code. Seconded by Commissioner Ross; the motion carried 5-0.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

(3) News Digest Planning Issues of the Day

Interim Planning Director Cassidy shared articles of interest with the Commissioners, one of which was titled "Is Anything Old Not Historic? Preservation Doesn't Have A Good Answer."

Town Council Liaison Moise suggested it may be time to review the Town's historic ordinance. Interim Planning Director Cassidy said she believes it's time to review the entire Zoning Code. Commissioner Ross said his sense is that when Portola Valley was founded, one of the ideas was the preservation of a number of things, including the community and character of development. He said it was probably assumed that concept would also apply to old structures or historic places; however, not much was done in terms of an ordinance for historic preservation. Commissioner Ross suggested a few paragraphs could be added to the Design Guidelines about historic preservation.

Commissioner Wilson asked how many people actually come in and pay the Town if they want to repair their decking or remodel their kitchen. Interim Planning Director Cassidy said it is very difficult to do work on a house without a neighbor noticing. She said they receive a lot of calls

from residents to verify that their neighbor has pulled permits correctly. Commissioner Wilson said if the goal is to encourage remodeling versus tear-down and rebuild, it may be a good idea to remove fees for remodels that are not structural. Interim Planning Director Cassidy said it is a good idea, but any work has code requirements for safety and must be inspected. She said the fees pay back the Town for some of the costs of making sure the work done is safely. She said fees are a great way to shape behavior. She said with any good tax structure, fees should be cut for things the Town wants to encourage, such as remodeling versus tear downs. She said, however, that the fees for remodels represent a huge proportion of the fees the Town collects, and there would need to be a very lengthy cost analysis done to assess the impact.

Commissioner Ross said that a few years back, Portola Valley created an ordinance or policy that said when a house goes on the market, the seller needed to have a code compliance inspection from a building official and that all work done must have been done with a permit or it would need to be permitted retroactively. Interim Planning Director Cassidy said this is not happening. She said a good realtor and a thorough and knowledgeable potential homebuyer will call the Town to ensure that everything is legal or to at least make sure there are no outstanding notices of violation. She said it would be difficult to ensure that everything in a house was permitted via inspection.

Commissioner Wilson and Commissioner Breen advised that they reviewed and approved the planting of the manzanitas outside the fence for the property at 5 Grove Court.

APPROVAL OF MINUTES

(4) ASCC Meeting of March 12, 2018

Commissioner Breen moved to approve the March 12, 2018, minutes as amended. Seconded by Vice Chair Koch, the motion passed 5-0.

ADJOURNMENT [7:46 p.m.]