



TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Town Council
 Wednesday, March 27, 2019
 Historic Schoolhouse
 765 Portola Road, Portola Valley, CA 94028

REGULAR MEETING AGENDA

7:00 PM - CALL TO ORDER AND ROLL CALL

Councilmember Richards, Councilmember Hughes, Councilmember Derwin, Vice Mayor Aalfs and Mayor Wengert

ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject may do so now. Please note however, that the Council is not able to undertake extended discussion or action tonight on items not on the agenda.

CONSENT AGENDA

The following items listed on the Consent Agenda are considered routine and approved by one roll call motion. The Mayor or any member of the Town Council or of the public may request that any item listed under the Consent Agenda be removed and action taken separately.

1. **Approval of Minutes** – March 6, 2019 (3)
2. **Approval of Minutes** – March 13, 2019 (4)
3. **Approval of Warrant List** – March 27, 2019 (17)
4. **Second Reading of Ordinance - Accessory Dwelling Units (25)**
 - (a) Second Reading, Waive Further Reading and Adopt an Ordinance of the Town Council of the Town of Portola Valley Removing Subsection (B) of Section 18.12.040 [Accessory Uses Permitted] of Chapter 18.12 [R-E (Residential Estates) District Regulations] of Title 18 [Zoning], Amending Section 8.36.040 [Accessory Uses] of Chapter 8.36 [Uses Permitted in All Districts] of Title 18 [Zoning] and Amending Section 18.48.030 [One-Time Increase] of Chapter 18.48 [Parcel Area, Open Space and Bulk-Basic Requirements] of Title 18 [Zoning] of the Portola Valley Municipal Code (Ord.____)

REGULAR AGENDA

5. **Study Session** – Wildfire Preparation Study Session (71)
6. **Study Session** – Stanford Affiliated Housing Presentation (72)
7. **Recommendation by Mayor** – Amendment No. 3 to the Employment Contract for the Town Manager (95)
 - (a) Adoption of a Resolution of the Town Council of the Town of Portola Valley Approving Amendment No. 3 to the Employment Contract for the Town Manager (Resolution No. __)
8. **COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS (114)**
 Council arising out of liaison appointments to both in-town and regional committees and initiatives. *There are no written materials and the Town Council does not take action under this agenda item.*
9. **TOWN MANAGER REPORT (115)**

WRITTEN COMMUNICATIONS

10. **Town Council Digest** – March 14, 2019 (116)
11. **Town Council Digest** – March 21, 2019 (124)

ADJOURNMENT

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley Library located adjacent to Town Hall. In accordance with SB343, Town Council agenda materials, released less than 72 hours prior to the meeting, are available to the public at Town Hall, 765 Portola Road, Portola Valley, CA 94028.

SUBMITTAL OF AGENDA ITEMS

The deadline for submittal of agenda items is 12:00 Noon WEDNESDAY of the week prior to the meeting. By law no action can be taken on matters not listed on the printed agenda unless the Town Council determines that emergency action is required.

Non-emergency matters brought up by the public under Communications may be referred to the administrative staff for appropriate action.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Town Council at, or prior to, the Public Hearing(s).

PORTOLA VALLEY TOWN COUNCIL SPECIAL MEETING NO. 964, MARCH 6, 2019

CALL TO ORDER AND ROLL CALL

Mayor Wengert called the Town Council's Special meeting to order at 6:00 p.m. Ms. Hanlon called the roll.

Present: Councilmembers Maryann Derwin, Craig Hughes and John Richards; Vice Mayor Jeff Aalfs;
Mayor Ann Wengert

Absent: None

Others: Marcie Scott, Consultant

ORAL COMMUNICATIONS

None

ADJOURN TO CLOSED SESSION

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Government Code Section 54957
Title – Town Manager

REPORT OUT OF CLOSED SESSION

No Reportable Action.

ADJOURNMENT: 6:45 pm

Mayor Wengert adjourned the meeting.

Mayor

Town Clerk

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO.965, MARCH 13, 2019

CALL TO ORDER AND ROLL CALL

Mayor Wengert called the Town Council's Regular meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Ms. Hanlon called the roll.

Present: Councilmembers Maryann Derwin, Craig Hughes, John Richards; Vice Mayor Jeff Aalfs; Mayor Ann Wengert

Absent: None

Others: Jeremy Dennis, Town Manager
Brandi de Garneau, Assistant to the Town Manager
Laura Russell, Planning & Building Director
Howard Young, Public Works Director
Arly Cassidy, Associate Planner
Cara Silver, Town Attorney
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

(1) Presentation – Countywide Flood Control and Sea Level Rise Resiliency Agency

Larry Patterson, working with San Mateo County outreach plan for Flood and Sea Level Rise Resiliency Agency, led a PowerPoint presentation regarding C/CAG's proposed Flood and Sea Level Rise Resiliency Agency. He discussed why the agency is needed, key aspects of the proposal, the start-up schedule, the funding breakdown, and endorsements. He requested endorsement of the FSLRRA Proposal and approval of three-year annual funding.

Mayor Wengert invited questions from the Council.

Councilmember Hughes asked if the County was still responsible for the \$400,000 on the MOU support if the Agency is not formed. Mr. Patterson said the challenge is the funding provided by the County was not indefinite and the time limit is coming up over the next year. He said staff involved in MOU projects are on limited term assignments that will end in June 2019. He said if the agency is not formed and the permanent funding source is not established, the Flood Control District will revert back to the County.

Councilmember Hughes asked how the tiering for the cities was developed. He said Portola Valley is on the small end of population for the County, which means it pays approximately 5x. Mr. Patterson said this issue was discussed at great length and they tried to make it as simple and equitable as possible. In response to Councilmember Hughes' question, Councilmember Derwin said Hillsborough was very supportive. She said she is on the Countywide Water Coordination Committee, consisting of elected officials. She said they initially looked at seven tiers and she helped to talk the numbers down for the smaller cities and they landed on three tiers after extensive discussion.

Mayor Wengert said the experience has been with a lot of agencies and projects that the numbers rise quite quickly. She asked if there were projections of how this might look beyond the three-year fixed time period, because it does have more material impact on a small municipality such as Portola Valley. Mr. Patterson said it would be conjecture at this point, in part because there is no investment plan yet. He said he does not expect population to be the criteria for funding in the future. He said he predicts the reaches along the coastline will break into groups, which will form additional MOUs, which may be the models going forward. In each case, there will be cities who are directly involved and directly benefitting, sitting down to talk about how they're going to share the costs and what those costs are going to be. He said for Portola Valley, there may be limited conversations in that area, because there may be

Countywide issues or stormwater quality issues that would suggest the Town's participation. He said he does not think it will be even for everyone and does not think population will be a measure of how the future is funded. He said it will be based on a reach and what projects and work needs to be done within that reach to get those projects completed.

Mr. Patterson said it is important to access <https://resilientsanmateo.org> to find a lot of information and to track what's happening with the other cities in terms of endorsement.

Councilmember Derwin said it is incredible that this agency has come this far this quickly. She described the genesis of the agency and commended Larry Patterson, Town Manager Dennis, and all the people who have worked on this. She encouraged support from her colleagues.

Jerry Hearn. Mr. Hearn lives in Los Trancos Woods and has been involved in environmental activities for 30 years as a volunteer. He said a lot of his efforts have gone into the San Francisquito Creek Watershed flooding issues and things like that. Mr. Hearn said it is very clear that the bay side of San Mateo County will be one of the most affected places in the United States due to the rising sea level. He said it took a while to get the JPA rolling, but once started, the power that came out of it was amazing. He said they have just finished a \$73 million flood control project in a fairly reasonable short period of time, once they gave up on receiving money from the Federal government. He said because there were five entities involved, money was easier to raise. He said the communities have to work together, especially with a shoreline. He said people who live here may wonder, "What's in it for me?" He talked about the infrastructure that residents may not realize they are dependent on that will be affected by the rising sea level, things such as San Francisco airport, Highway 101, emergency services, water infrastructure, sewage and treatment plants, communications, food service, childcare, economy (Google, Facebook), etc. He said what's in it for us is the preservation of our current way of life.

CONSENT AGENDA

- (2) Approval of Minutes – Town Council Regular Meeting of February 27, 2019. *[Removed from Consent Agenda.]*
- (3) Approval of Warrant List – March 13, 2019, in the amount of \$134,951.14.

Councilmember Richards moved to approve Item 3. Seconded by Vice Mayor Aalfs the motion carried 5-0, by roll call vote.

- (2) Approval of Minutes – Town Council Regular Meeting of February 27, 2019. Vice Mayor Aalfs moved to approve Item 2 as amended. Seconded by Councilmember Richards, the motion carried 4-0-1, with Councilmember Derwin abstaining.

REGULAR AGENDA

PUBLIC HEARING

- (4) Public Hearing – First Reading of Ordinance – Accessory Dwelling Units
 - (a) First Reading, Waive Further Reading and Introduce an Ordinance of the Town Council of the Town of Portola Valley Removing Subsection (B) of Section 18.12.040 [Accessory Uses Permitted] of Chapter 18.12 [R-E (Residential Estates) District Regulations] of Title 18 [Zoning], Amending Section 8.36.040 [Accessory Uses] of Chapter 8.36 [Uses Permitted in All Districts] of Title 18 [Zoning] and Amending Section 18.48.030 [One-Time Increase] of Chapter 18.48 [Parcel Area, Open Space and Bulk-Basic Requirements] of Title 18 [Zoning] of the Portola Valley Municipal Code (Ord.____)

Mayor Wengert introduced Planning & Building Director Laura Russell and Associate Planner Arly Cassidy. She also thanked the Planning Commissioners in attendance - Chair Jon Goulden and Commissioner Anne Kopf-Sill.

Planning & Building Director Russell announced several handouts were available in the back of the room covering the key elements being discussed this evening. She thanked everyone for their active participation in this process. She said the written comments received by staff since the staff report was published are included on the dais for the Council's consideration. All other comments received are included in the staff report. Planning & Building Director Russell introduced Associate Planner Cassidy.

Associate Planner Cassidy explained that tonight is a continuation of the review of the draft ADU ordinance, which began at the February 27, 2019, Town Council meeting. At that meeting, the Council requested staff provide additional data and background material. She explained that tonight's staff report is an addendum to the February 27, 2019, staff report. She explained tonight's review will include the discussion items (maximum ADU size, second driveways, owner occupancy, formatting changes), public feedback, and recommended actions as detailed in the staff report. Staff recommended that the Town Council review the draft ordinance, receive public comment, and provide direction to staff regarding any necessary changes.

Mayor Wengert invited questions from the Council.

Councilmember Richards thanked staff for all the good work. He asked if people on smaller than 2 acre lots could apply for a variance if the driveway option was removed. Associate Planner Cassidy said they could, which is the situation that currently exists. She has never seen an application for a second driveway. She said they generally discourage use of variances to get around regulations and said the findings are very difficult to make and rely on unique situations.

Councilmember Hughes thanked staff for all the good work. He had no questions.

Councilmember Derwin said she attended many of the Planning Commission meetings and expressed appreciation for the work of the Planning Commissioners. She asked if there would be a pathway through the ASCC or variance process to build a larger ADU if the maximum limit was set at 1,200 square feet. Associate Planner Cassidy said it would require a variance if someone wanted to build larger than 1,200 square feet. She said if the AMFA allowed it, but not the ADU maximum restriction, the variance would be for the ADU restriction. If the applicant wanted to build beyond the AMFA, that would be a different reason for the variance. Planning & Building Director Russell said it would be very unlikely that variance findings could be made for a larger ADU. Planning & Building Director Russell said the maximum ADU size would be the maximum and there would not be a path to approve larger than that maximum. She said the Planning Commission considered that and subsequently proposed that ADUs over 1,200 square feet up to the maximum size would require discretionary review.

Vice Mayor Aalfs asked if the variance findings for a second driveway would be more stringent. Planning & Building Director Russell said the variance findings would come from State law, which are very difficult to make. She said they require a unique aspect of the project, the physical aspects of the property. She said in this community there are already a lot of natural features, so there would need to be something unique to an applicant's property beyond similar-situated properties in their same zoning district.

Mayor Wengert said there may be situations that are different for an internal conversion, where people may be taking an existing older property and have a floor plan that may require some flexibility. She said an older home may have, for instance, a lower story of 1,400 square feet and an upper story of 1,400 square feet. She said while she believes there should be a maximum that applies to both internal and external ADUs, in the case of an internal, there may be a way to potentially segment that out. Vice Mayor Aalfs asked if an existing house that had a 1,400-square-foot level that was an obvious place to build an ADU would count as a unique condition of the property by the variance law. Planning & Building Director Russell said it would not. She said the Council may consider differently internal ADUs that are conversions of existing space without a change to the building footprint. She said the Planning

Commission did discuss that as a potential approach to this type of scenario. She said there could be a hard maximum for an external ADU that is different from an internal ADU that might accommodate the example of an existing lower level that is currently greater than 1,200 square feet. Mayor Wengert said in the instance of an older home, rather than someone buying that home and tearing it down and building a much larger property, more flexibility could be allowed for them to use the lower floor to accommodate an internal ADU that may have slightly more square footage. She said existing smaller older homes could be disadvantaged by some of these limitations.

Mayor Wengert asked why the AMFA wasn't mentioned in Section B.4.b.iii. Planning & Building Director Russell said the term "base zoning district" is used instead of AMFA because AMFA only applies to residential zoning and the ordinance would allow ADUs in all zoning districts.

With no further questions, Mayor Wengert opened the public hearing.

Nancy Shostak. Ms. Shostak applauded the hard work everyone has done on the ADU proposal. She said she has thought about what the town would look like if the maximum size ADU was allowed and there was an influx of ADUs with renters. She said Portola Valley is environmentally fragile and also fragile in terms of emergency resources. She said she just retired from teaching geology, specifically earthquake hazards, at San Jose State. She said she studied the 1906 earthquake in great detail and knows what will happen the next time there is an earthquake here. She said the town was lucky in 1989 because the rupture stopped at Page Mill Road and did not come all the way north. She said if it had, there would have been a great deal of devastation. She said stress is building up on this section of the fault which is locked. She said it is not a matter of if but when there will be a major earthquake. She said she recently completed the Community Emergency Response Team (CERT) training provided by the Woodside Fire Protection District. She said she is acutely aware of what will happen with a wildland fire, major earthquake, or even worse, a major earthquake followed by fire. She said the town will be pretty much on their own for a period of weeks. She said the one fire station in town is staffed by four or five people and the other firefighters live across the bay or in other communities and it would take a very long time for them to get to Portola Valley, if even possible. She said if 1,700-square-foot ADUs are allowed, her concern is they will draw a lot of families but will not be providing affordable housing. She said it would be wonderful to provide affordable housing to the emergency responders, teachers, Town staff, and others intimately connected with Town. She said she is not as sympathetic to the tech employees of huge companies that should be providing housing for their workers. She supports a maximum ADU limit of 1,200 square feet. She said she and her husband tore down their house and rebuilt it in the same spot. She said they have a 625-square-foot ADU with one bedroom, a bathroom, a walk-in closet, and an open living area. She said they can accommodate extra cars on their 2-1/2 acres. She said in the Corte Madera area street parking is already crowded, and if larger ADUs are allowed more people would need to park on the street. She said her concern is about access by emergency responders or gridlock that would prevent people from evacuating their residences.

Bob Shostak agreed with his wife. He said if there is a substantial increase in the town population, it will detract from the wonderful rural character in Portola Valley. He said looking at what is happening on the Peninsula along El Camino and what Google is promising, there will be tens of thousands of additional housing units available there. He said the ability to build a 1,700-square-foot unit with a separate driveway and separate utilities is a magnet for developers to come in and buy existing properties, building out the land with large ADUs, and then renting out both houses. He said many of his neighbors and readers of PV Forum were not aware that this measure was being considered. He asked that there be some kind of survey taken of residents to get their opinions and let them weigh in. He said several years ago there was a basement restriction measure proposed that the Council was scheduled to vote on. He said one of the residents mailed a letter to everyone in the community asking them to weigh in and the outcome was that it was substantially opposed.

Bruce Roberts, 40 Hillbrook. Mr. Roberts said he wrote to Town Council on February 25. He said 60 percent of the lots in town are 1 acre or more and 40 percent are under 1 acre. He said he appreciates that those on 1 acre or less could be more impacted than those living on larger lots and have more concerns about larger units. He said there is a huge difference between internal and external ADUs. He

explained his home is 5,100 square feet, built in 1960. He said he has 1,632 square feet downstairs that includes two large bedrooms, a large kitchen, a large 500-square-foot den with a fireplace, and large hallways. He said his neighbors can't see it and no one is impacted by his property. He said he raised three children at his home who at various times lived downstairs. He said at various times there were more than five cars on his property. He said he has a four-car garage with two cars downstairs and two upstairs. He said he also has a second driveway that has existed since 1960. He said his house originally had three driveways and when he remodeled the upstairs, he removed one of the driveways. He wants to be sure that if he has an existing second driveway, it will not be disallowed as part of his internal ADU application. He said with regard to the owner-occupancy rule, he does not intend to move away permanently, but he would like to be able to live in Barcelona for a year, renting out the second unit while he's gone. Or he might live downstairs and rent out the larger home upstairs. He said his rear neighbors have had tenants for 39 years, different all the time, never a problem. He said rather than taking polls and lollygagging around, ADUs have been discussed for at least three years and the residents who read the paper or check any of the websites should know about it. He said if this ordinance is not passed now, the State of California will force the Town to build multi-family housing.

Dolores Dolan, 105 Shawnee Pass. Ms. Dolan thanked everyone for all the work done. She said she mailed a letter to Council expressing her concern about how the ADU size is determined. She said it appears more square footage is given to people with larger homes which is an inequity to property owners.

Virginia Bacon, 205 Golden Oak Drive. Ms. Bacon said the requirement for 2 acres or more for a second driveway should be removed. She said she lives on a 1+ acre property where a second driveway would make a lot of sense on her property. She said if she were to extend her existing driveway to an ADU, it would parallel a road, which doesn't make sense.

Phillip Vincent. Mr. Vincent thanked the Town for all the work they've done on this issue. He said he thinks the Town should resist the State mandate and foresees that the State will continue to add more and more requirements. He said he supported the idea of additional dwellings in support of the affordable housing effort but he regrets that now because he was thinking of conversions of existing space and not added space. He said there is the philosophical question of what control the Town has over our local areas. He asked how Woodside, Los Altos Hills, and other similar communities are dealing with this issue. He said Redondo Beach is now in a lawsuit with the State over similar issues. He said communities in Orinda are also somewhat resisting. He said there are multiple definitions of density, including unit or structural density. He said a fundamental philosophical political question is the local rights relative to the State government control. He mentioned a map that shows that only the area where he lives on Portola Road is impacted. He said his area has very narrow streets and is very crowded with a lot of flag lots with ADUs. He said if the Town is going to provide affordable housing, then the Town should buy properties, develop them, and sell them. He said Habitat for Humanity has restrictions on their buildings so they cannot be sold for profit. He said his suggestion would have the Town sharing the impact instead of having most of the impact be on a certain small set of people.

George Andreini. Mr. Andreini said he has lived here many years. He said he bought his first small house here because he wanted to raise his family in a less populated area than where he lived in San Mateo. He said he does not understand what has motivated the Town Council and Planning Commission to come up with such a sweeping change to the existing Town of Portola Valley. He said there used to be 750-square-foot guest houses, then 1,000 to 1,500, and now a proposal for 1,700 square feet. He said it is a mistake to believe this will make it possible for firefighters and school teachers to live in this community. He said the Planning Commission is compromising the basic assets that have made Portola Valley so great. He said the townspeople donate to open space in order to preserve the rural aspect of town. He said that kind of activity is contrary to putting in separate driveways, separate addresses, compromising the size of the lots by building larger units, moving families in from wherever, the traffic, the additional police and fire response required, the additional school teachers, and additional school rooms. He said Portola Valley is a pristine situation between San Francisco and San Jose – a rural community with exceptional schools, a vibrant and supportive community, and limited commercial space rentals. He said the original volunteer governments worked to preserve what this community is all about. He said as

we go through life, we strive to better ourselves and the lives of the people we love, and we work hard to have something that's unique. He said the people that live here and have built here live better because of the uniqueness of this community. He said the new rules may make it so interesting economically that a citizen previously concerned about Portola Valley is now concerned only about himself. He said he does not understand why the Town would compromise the existing restrictions in order to generate rental income. He said no one will rent out their 1,700-square-foot ADU for \$500 a month instead of \$4,000.

Barbara Oliver. Ms. Oliver said she has lived in Portola Valley 48 years. She said the Alpine Hills area has several smaller and older homes ripe for change. She said she questioned whether the sweeping changes would achieve their stated purposes. She said it is an open invitation for changing the character of the smaller homes, demolishing and building two units, which becomes a financial scheme. She said a lot of her concern has to do with the size of the permitted units. She said 1,700 square feet is a full scale home which is a completely different character. She questioned why the Town was proposing that much more square footage than required by the State. She hoped the Council would consider the unintended consequences of such sweeping changes for numbers and sizes of units.

Helen Wolter, 4660 Alpine Road. Ms. Wolter thanked staff for the great outreach – the postcards, the PV Forum, the emails from staff. She said she is a single mom and sole heir to a 1.75-acre lot here in Portola Valley. She said they are trying to build an ADU on the lot and appreciates the flexibility that this proposed ordinance offers. She said she lived for 11 years in an 1,100-square-foot house with three bedrooms and two baths so she has been surprised by the limitations that 1,000 square feet was presenting to architects. She said she has talked to eight or nine architects, two of whom are willing to build a two-bedroom, two-bath unit with 1,000 square feet. The others said it was not possible. She said she has children and would like the flexibility. She said she looked at prefabs and none worked with 1,000 square feet. She said the perception of affordable housing versus reality does not match. She said neighborhood and property values increase with affordable housing. She said ADUs are not subsidized but are private properties, not developers adding ADUs to their lots. She said currently anyone with 2 acres can subdivide and it's not happening. She said she is also working with the Parkland and North Bayshore. She said there are 6,000 units proposed for the City of Mountain View, and she understands are another 14,000 in the pipeline. She said for Portola Valley to add 10 units a year, a total of maybe 100 units in the next 10 years, is not a lot. She said this is a regional issue and everyone needs to help. She said 1,700 square feet is too big, but she supports the increased flexibility. She supports the second driveway option if it reduces impervious surfaces and separate addresses for safety and for bills.

Mayor Wengert announced there were no more speaker cards but invited additional comments from the public.

Greg Franklin. Mr. Franklin responded to some of the post-hearing commentary around the last meeting of the Town Council. He said there was reference made to calibrating the maximum size with the size of the units at the Sequoias. He said the residents of the Sequoias have access to and use tremendous common facilities which essentially discounts the amount of space they actually need to live in and should be an important consideration. He said it was noted that census-wise, the town population has actually reduced by more than 500 people over the last 40 years. He said care must be taken regarding the legislation invited because of the demographics. He said the median age of the town is 55, which means 2,500 people in town are 55 years of age. In 5 or 10 years the median age will quite likely be higher. He was supportive of flexibility for second driveways on properties of less than 2 acres. He said he lives on 1 acre. He said because the cul-de-sac on which he lives wraps around his house, the Town has graciously allocated him 50-foot frontages on three sides of his home. He said that presents problems for siting an ADU. He said where he would have to place an ADU could not be serviced by his primary driveway. He repeated his previous compliments to the Town staff and Planning Commission for the amazing amount of work they've done on this incredibly complicated issue. He said he has talked to other residents in town, trying to communicate the complexity. He suggested these great presentations are appended with narratives and then put up on the Town website as You Tube videos.

Maria Southgate. Ms. Southgate said she was born here. She questioned whether so many changes had to be made all at once. She said she understands a lot of time, energy, and effort has gone into it, but

suggested maybe there could be some small changes. She said she drove up Corte Madera Road this afternoon and there was a car parked on the side of the road so she had to pull over and stop because two cars could not get by it. She asked if someone would be allowed to remodel and expand their home if they do not call it an internal ADU. She said in some cases a second driveway makes sense for safety reasons regardless of whether or not there is an ADU.

Randy True, Alpine Road. Mr. True moved here with his wife a year ago. He was supportive of the YouTube video idea. He said he is a new teacher and is a big believer of video-based education and watches a lot of math and science videos. He said he reached out to his brother, who works for the San Francisco Mayor expediting new housing, to bring himself up to speed on the housing crisis in California. He said it is his understanding that RNHA is what guides the State, with the current cycle being 2015 to 2023. He said Portola Valley's allocation over that time is 64 or 8 units per year. He said his understanding is that 34 have already been produced. He said there should not be the pressure that we are not pulling our weight because the State goals are being met. He said in terms of affordability, which is a big issue, it seems like providing very low income or low-income housing in Portola Valley will be difficult and it is arguable whether that is even appropriate. He said in chatting with neighbors, he said the dream is that new housing can be built, such as the proposed 11-unit duplexes, to provide some mechanism for first-time homebuyers that are local teachers or city workers, having the Town help these first-time homebuyers who work in the community.

Mayor Wengert said many of the comments are related to things that have been discussed and studied for a number of years. She said the Strategic Housing Plan explains what the Town Council has been doing in this regard. She said the Town Council is now into the second year of these activities and the ADU issue is the first of a three-pronged approach. She said the ADU research and everything studied related to changing the ordinance is all driven by multiple factors, not the least of which is to provide flexibility for residents who want to have children live at home, want to age in place, want the flexibility to change out their existing homes, and to really be able to facilitate individual living situations. She said everyone should understand that everyone's parcel has an attached square footage that is their maximum, specific to each property, taking into account topography, geology, etc. She said no one will be able to build additional square footage over what is already allowed today. She said the Housing Strategic Plan also talks about this as one strategy where the Town is looking to the citizens to give them the maximum flexibility to do with their properties what they need and want to do without increasing square footage on any of the lots, with every parcel staying at the same maximum square footage. She said, moving forward, other proposals will be considered for other possible ways to provide affordable housing and locations that make sense in town.

Mayor Wengert closed the public hearing and called for a 10-minute break.

Mayor Wengert brought the item back to the Council for discussion.

- Maximum ADU Size – External

Councilmember Richards said the newly-provided expanded chart showed the amount of unused FA. He said increasing the accessibility of people in town in all zones will not result in a huge increase with a lot of places having a fairly limited ability to build. He said as far as overall size goes, he researched and found three three-bedroom, 1,200-square-foot ADUs randomly on the internet, which he shared with the Council. He said he has built a number of 750-square-foot two-bedroom, two-bath ADUs in town and said 1,200 square feet is not a small space. He said in the interest of preserving the town's rural atmosphere as much as possible, he would push toward the lower sizes. He was supportive of 1,200 square feet and 30 - 40% of the main house.

Councilmember Hughes said he has thought a lot about the term accessory and what that means about the size of the accessory unit relative to the main house. He said he would be uncomfortable going over 50% of the main house size for an ADU. He said he initially was supportive of providing property owners with more flexibility but has appreciated the comments from a number of people about not changing too

much too fast. He said these numbers can always be revisited. He was supportive of 1,200 square feet and 50%.

Councilmember Derwin said her ADU is 750 square feet and seems very spacious to her. She was supportive of 1,200 square feet or 30% to 40% whichever is smaller. She said people are happier in smaller spaces.

Vice Mayor Aalfs said on the chart he noticed how many ADUs were below the current limits at the time they were approved and how many of them left unused AMFA. He said even when there is a limit, not everyone builds to it. He was supportive of 1,200 square feet and 40%. He said in his neighborhood, just off of Corte Madera, he thinks most do not have room to build an ADU. He said he has received requests from some neighbors on less than 1 acre that want to build small ADUs.

Mayor Wengert said 1,700 square feet is too much too fast. She is supportive of 1,200 square feet and 40%. She said if you have a smaller home built in probably the '50s or '60s, you would potentially be penalized by the 40% limitation which should not be encouraged. She suggested the 40% max be applied to all homes larger than 3,000 square feet. For example, if you have a 3,000-square-foot home, you will have the 40% maximum. If you have an existing home of 3,000 square feet or smaller, you would have the ability to build up to 1,200 so you are not penalized. She said this would provide flexibility so that people would not be encouraged to tear down existing homes or add onto the existing home just so their ADU could be larger.

Vice Mayor Aalfs asked if staff saw any unintended consequences of that modification. Planning & Building Director Russell said it seemed like a straightforward modification. She pointed out that some properties are allowed, under current code, to build ADUs up to 1,500 square feet on 3.5-acre parcels.

Councilmember Hughes said 50% of the 2,270-square-foot case study is 1,175 square feet, almost at the 1,200. He said an interior ADU would be 50% anyway under State law and suggested it may be simpler to go with 50% for both.

Mayor Wengert was supportive of Councilmember Hughes' suggestion for the symmetry. She said, as for internal ADUs, as mentioned tonight, someone may have a lower floor with 1,500 square feet, and it doesn't make sense that they should have to cordon off 300 square feet. She said the goal is provide flexibility. She said the statutory maximum should be 1,200 but allow for larger with a staff review. Councilmember Hughes asked if an internal ADU conversion of, say 1,600 square feet, would be allowed without a parking requirement. He asked if the State rights disappear at 1,200 square feet or if those rights would be extended to whatever maximum limit the Town sets. Associate Planner Cassidy said that question has not been considered but at first glance she does not recall any language that specifically applies only to the path that must exist as far as the requirements. Mayor Wengert said she was reluctant to make this a variance situation; however, she said there are very few situations where this would apply and if it is situationally specific with a very limited number, the variance mechanism may apply. Planning & Building Director Russell said the variance is not the right tool. She said the Planning Commission recommended that internal ADUs over 1,200 square feet up to whatever maximum would require staff discretionary review, so those findings would have to be made. She said what has not been considered is Councilmember Hughes' question about the State requirements regarding parking spaces. Mayor Wengert said if the State-required additional parking could be part of staff's discretionary review. Associate Planner Cassidy said her understanding of the State law is that it does not allow jurisdictions to require parking for internal ADUs at all. She does not know if allowing more than the 1,200 square feet would then allow the Town to require additional parking. The Council asked staff to research this question further.

Mayor Wengert asked Councilmember Hughes if his spreadsheet showed a material difference between 50% and 40% on the larger residences. Councilmember Hughes said there was almost no difference. He said of all the examples on the spreadsheet there were two that had a very small difference. He said it's 50% for internal by State rule and would be simplified if the Town rule for external was also 50%.

The Council agreed on the maximum for external ADUs to be the lesser of 1,200 square feet or 50% of the main house; the maximum for internal ADUs to be 1,700 square feet; and maintain the 1,500-square-foot maximum for lots over 3.5 acres.

- Owner Occupancy

Vice Mayor Aalfs suggested one lease contract per property. He said the entire property, including the main house and the ADU, could be leased to one person, or one structure could be leased while the owners lived in the other structure. He said that would eliminate the option of developing the property to rent out both units to separate parties.

Councilmember Richards said he does not like the idea of requiring owner occupancy but understands the reasons behind it. He said he is not convinced the fear of speculators buying up properties to rent them out is valid or reality.

Councilmember Hughes said the LLC issue is not the only exotic ownership structure. He said there are situations where the kids own the property that the parents live in and they charge them rent for tax reasons, which in that case is renting the main house to parents and renting the ADU to the caretaker. He agrees that this is a worry that will not likely materialize, especially with the concept of accessory units that share a driveway. He said as a landlord you would want to lease out your 3,000-square-foot home to someone who would be willing to share a driveway with someone living in the 1,200-square-foot unit in the backyard, which does not make for an attractive rental property.

Mayor Wengert said the owner-occupancy rule was originally designed as an impediment to speculators, and it may still function in that way to some degree, particularly as the values go higher.

Councilmember Derwin said she likes the owner-occupancy requirement and does not feel the Town is quite ready to give that up – either the one lease or the owner-occupancy. Mayor Wengert agreed she would not want to entirely abandon the owner-occupancy requirement. She said the primary goal is to maintain the residential character of town. She said 10 years ago nobody saw the impact Airbnb would have and she would expect that trendline to continue in that way. She said while it may be a very small firewall that may be easily circumvented, it psychologically has great impact to suggest this is a community that is very focused and motivated to maintain its residential character. Councilmember Derwin agreed it was an emotional issue. Councilmember Richards suggested the single lease agreement per property or owner-occupied.

A member from the public asked how a property that was allowed two ADUs would be handled. Mayor Wengert said it was not considered to make exceptions for that situation. Councilmember Hughes said that's why owner-occupied works better. Councilmember Richards suggested maintaining the rule as-is for owner occupancy.

The Council agreed that short-term rentals would not be allowed.

- Second Driveways

Councilmember Richards was supportive of providing more flexibility and said there are situations where it makes more sense to allow a second driveway rather than placing driveways across the middle of properties. He said he did not think the issue would come up very often. He said the required findings should be strong enough they can't be abused.

Councilmember Hughes agreed. He said with the strength of the findings, the 2 acre limit seems somewhat arbitrary. He said he did not understand why a 1.9 acre property would not be allowed a second driveway and suggested removing the 2-acre requirement.

Councilmember Derwin asked staff if they anticipated a lot of requests for driveways if the 2 acre requirement was eliminated. Planning & Building Director Russell said they do not anticipate a lot of driveways and neither did the Planning Commission. She said 2 acres was just a way to draw the line because of the hesitation around second driveways. She said as the findings have been strengthened through the process, that is the most efficient tool.

The Council agreed to remove the 2 acre requirement for second driveways.

Planning & Building Director Russell asked for clarification regarding internal ADUs given the question about State law. Town Attorney Silver said the State law provides that the parking exemption for internal ADUs applies to all internal ADUs regardless of size. In response to Councilmember Derwin's question, Town Attorney Silver said in this context State law trumps local rules.

Planning & Building Director Russell also noted that the adopted ordinance will be forwarded to HCD.

Vice Mayor Aalfs said an unintended consequence of allowing large internal ADUs, with no requirement for additional parking, is that there could be eight drivers in one house. Mayor Wengert said the intent of allowing larger internal ADUs is not to allow for a lot of extra people and cars, but is to provide flexibility for preexisting conditions and to allow staff to have discretion to approve in those situations.

Councilmember Derwin asked staff if they had discretion to find a larger internal ADU reasonable. Planning & Building Director Russell said a discretionary review could be conducted with a site inspection. She said they would need to make the findings in the ordinance and, while they are comprehensive, she is not sure they exactly capture this issue about potential impact on neighbors or parking. Staff pointed out that the findings were crafted largely to address potential impacts from external ADUs. Councilmember Hughes asked if they could have ministerial review for 1,200-square-foot internal units as required by State law but have a different category for internal units over 1,200 square feet that go through discretionary review process. Planning & Building Director Russell said that is already included but the findings do not include parking impacts. She said the discretionary review could be for other issues, but could not be for parking per State law. The only other mandate for internal conversions relates to fire sprinklers where if they're not required for the main house, they can't be required for the internal conversions.

Town Attorney Silver said the rationale behind the State law assumes that with an existing structure you are going to be able to fit in a certain number of people with a certain number of cars and that parking is taken care of with the main house and by converting a portion of the main house into an ADU you will not be increasing the parking demand. There are other opinions about that, but that is the view of the State.

Mayor Wengert asked staff if they'd be comfortable with no additional findings to make a determination about an applicant who requested an internal ADU greater than 1,200 square feet in an existing building. Planning & Building Director Russell said the finding regarding minimizing impacts toward adjacent properties could have some value. She said although additional parking cannot be required, the Town may require something to be reconfigured on the site or screening, some way to block lights from the neighbors, a different way to pull in to the property, etc. She said staff would also have the benefit of the site inspection and an ASCC member participating in the review, so there could be some good ideas about door placement, lighting, etc., that may mitigate some of the other impacts. She said she does not see a solution for specifically addressing parking.

Councilmember Hughes said he was still somewhat uncomfortable with it and preferred an incremental approach. He said he was concerned there will potentially be some project on the worst possible narrow road with fire safety issues and no sidewalks, where there is a 1,600-square-foot unit with two or three additional cars that are now parked full-time on Corte Madera Road. He said nothing can be done if it's a 1,200-square-foot ADU, but that difference of 400 square feet is potentially an extra car or two and a lot bigger burden. Mayor Wengert said she comes back to the global view that people are going to do what they're going to do with their homes and there is no way to control all of it. Councilmember Richards said in the worst case the Town may have to start looking at parking restrictions on the streets.

- Programs

Per Town Manager Dennis's request, the Council agreed they had nothing to add to the three programs described – Pre-Approval/Alternative Building Materials; Coordinating with HOAs and PUDs to Support ADUs; and, Sewer Connection & Cost.

Approve First Reading and Waive Further Reading and Introduce an Ordinance of the Town Council of the Town of Portola Valley Removing Subsection (B) of Section 18.12.04 [Accessory Uses Permitted] in Chapter 18.12 [R-E (Residential Estates) District Regulations] of Title 18 [Zoning], Amending Section 8.36.040 [Accessory Uses] of Chapter 8.36 [Uses Permitted in All Districts] of Title 18 [Zoning], and Amending Section 18.48.030 [One-Time Increase] of Chapter 18.48 [Parcel Area, Open Space and Bulk – Basic Requirements] of Title 18 [Zoning] of the Town of Portola Valley Municipal Code as revised to external ADUs 1,200 square feet maximum or 50% of the main house, 1,700-square-foot limit on internal ADUs, restoring owner/occupancy requirement, and removing 2 acre car requirement for second driveways. Seconded by Councilmember Hughes; the motion carried 5-0.

Councilmember Richards moved to approve First Reading of Ordinance as Amended to include 1) The formula to determine the size of an external ADU is 1,200 square feet or 50% of the main house, whichever is lower; 2) 1,700-square-foot limit on internal ADUs; 3) For lots over 3½ acres, maintain the 1,500-square-foot maximum size; 3) Retain the Owner/Occupancy requirement; and 4) Remove the 2 acre requirement for second driveways. Seconded by Councilmember Hughes; the motion carried 5-0.

Councilmember Richards moved to find the project exempt under CEQA. Seconded by Councilmember Hughes; the motion carried 5-0.

The Second Reading of the Ordinance is scheduled for the March 27, 2019 Town Council meeting.

STAFF REPORTS AND RECOMMENDATIONS

(5) Recommendation by Town Manager – Council Priorities Study Session, FY 2019-20

Town Manager Dennis presented the Council Priorities report as detailed in the staff report. Staff recommended that the Town Council accept a status update on the current Council Priorities and provide initial feedback on their priorities for Fiscal Year 2019-20.

In response to Mayor Wengert's question, Town Manager Dennis said he felt roads, prefab units, and long-range fiscal planning efforts should be added based on previous Council input and subsequent conversations with staff.

Mayor Wengert invited questions or comments from the Council.

Councilmember Derwin asked Town Manager Dennis if the list was too much for staff to handle. Town Manager Dennis said they are currently short-staffed with 13 full-time staff members, down three. He said the list is ambitious but it always has been ambitious.

Councilmember Hughes said it's become increasingly clear that the climate is heading in a bad direction and a lot of work has to be done. He said he is not proposing adding things to the list, but said he would support symbolically moving sustainability up to the top of the list. He said there is a measurable chance that most 20-year-olds today will eventually die of starvation. Town Manager Dennis said they can move it up the list. He said Assistant to the Town Manager de Garmeaux is a champion of sustainability issues and has an aggressive set of activities she would like to undertake based on the Town. Once she has been freed of some of her recently undertaken duties, he is confident she will come up with a lot of ideas that can be implemented. He said staff can fashion the list in a way to give it a highlight. Vice Mayor Aalfs said there are several initiatives that can provide resources.

Town Manager Dennis asked the Council to point out any items on the list that could or should be removed. Mayor Wengert asked if something was precipitating Item 4(g), Health of Town Resources, Review Town contracts and insurance requirements. Councilmember Derwin asked about Item 4(f), Review and recommend updates to Town Center Use Policies and Applications. Town Manager Dennis said staff has been doing this in incremental steps as they respond to new situations and open up old projects. He said it may not need to be on the list because it will continue regardless. In response to Councilmember Hughes' question, Town Manager Dennis said Item 4 includes staff-related issues, fiscal-related issues, building related issues, etc. He discussed the importance of 4(a), Recruitment for the Next Generation – Generation & Millennials, for future staffing.

Mayor Wengert suggested Item 1(a) be expanded from "Review of potential housing" to "Develop and refine proposals related to affiliated and Town-owned programs." Town Manager Dennis agreed.

Mayor Wengert thanked the senior staff and expressed appreciation and pride for all the great work they do.

A final copy will return to the Council as part of the 2019-20 FY Budget.

- (6) Recommendation by Town Manager – Consideration of the Letter of Support for House Resolution 530 – Local Control and Small Cell Sites

Town Manager Dennis described the background discussion items regarding the Town Council's January 9 approval of an urgency ordinance to provide for expediting permitting for small cell sites in order to comply with Federal Law, as detailed in the staff report. Staff recommended the Council authorize the Mayor to sign a letter of support for HR 530 (Eschoo).

Vice Mayor Aalfs moved to authorize the Mayor to sign a letter of support for HR 530. Seconded by Councilmember Hughes; the motion carried 5-0.

- (7) **COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS**

Councilmember Richards – None to report.

Councilmember Hughes – Attended Bicycle, Pedestrian & Traffic Safety Committee meeting, where they updated on the Pedestrian Study. He reported that a car hit a bicycle that was crossing a driveway at the Priory. There were no serious injuries and the driver was not cited because the Deputy dispatched to the scene was not trained to issue citations for that type of violation because it was an accident investigation. Staff will follow up with the Sheriff's Department regarding this incident.

Councilmember Derwin – Spoke at the Express Lanes Project groundbreaking. Attended a Foundation for San Mateo County Libraries meeting. She said April 10 is "Library Giving Day" and posters are available promoting it; however, Half Moon Bay and Portola Valley will not display the posters. Attended a C/CAG meeting where they discussed the retreat. Attended a Home for All Meeting with Mayor Wengert.

Vice Mayor Aalfs – Attended BayREN's Energy Reach Codes forum last week.

Mayor Wengert – Reported that the Parks & Recreation Committee meeting was canceled at the last minute due to lack of quorum. She said the Subcommittee Meeting with staff was productive and the ideas and thoughts will be coming to the agenda soon about how to change some of that, create some pools of resources, eliminate the monthly meeting requirements, recruitment, etc. Mayor Wengert and Town Manager Dennis met with Advancing California Finance Authority (ACFA), a group that provides financing for low-cost housing.

- (9) Town Manager Report – Town Manager Dennis reported there was a car accident on Alpine Road this morning, probable DUI, and a non-resident was arrested at Corte Madera school where he

allegedly trashed an office. There were some residents in the immediate area who were concerned that they should have been notified of an active search situation. The crossing guard service is receiving positive feedback, as well as collecting data. The trial service will be ending in a few weeks. Town Manager Dennis will speak with the Public Works Director to discuss next steps. Staff will utilize some of the funds from the Pedestrian Safety Study to perform a traffic survey in town. The budget process officially started on Monday. Departments are starting to prepare their budgets and submit to the Interim Finance Director by the end of next month. As part of this process, we will redevelop the Town's budget book to be of a more department-based budget. Next Tuesday the Sheriff will be in town to present home and personal safety information, to be held in the Community Hall. The wildfire study session will be at the next Town Council meeting.

WRITTEN COMMUNICATIONS

(9) Town Council Digest – February 28, 2019

None.

(10) Town Council Digest – March 7, 2019

#4 – Notice – Agenda Packet for the City Selection Committee – March 14, 2019. Mayor Wengert discussed the upcoming City Selection Committee meeting to select two Councilmembers to serve on the CASA Legislative Task Force.

ADJOURN TO CLOSED SESSION: [10:27 p.m.]

(11) Conference with Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to Section 54956.9(c) of the California Government Code: One potential case.

(12) Public Employee Performance Evaluation

Government Code Section 54957; Title – Town Manager

REPORT OUT OF CLOSED SESSION – No Reportable Action

ADJOURNMENT [11:45 p.m.]

Mayor Wengert adjourned the meeting.

Mayor

Town Clerk

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Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

ROBERT ADLER	Reimbursement of Per Diem Expenses, 2/19/2019 - 3/1/2019	20736	03/27/2019	
4100 FOLSOM BLVD., UNIT 6A	0877		03/27/2019	0.00
SACRAMENTO	BOA	53606	03/27/2019	0.00
CA 95819				450.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4336	Miscellaneous	450.00	0.00

Check No.	53606	Total:	450.00
Total for	ROBERT ADLER		450.00

ALMANAC	February Advertising	20737	03/27/2019	
450 CAMBRIDGE AVE	0048		03/27/2019	0.00
PALO ALTO	BOA	53607	03/27/2019	0.00
CA 94306	62621			330.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4320	Advertising	330.00	0.00

Check No.	53607	Total:	330.00
Total for	ALMANAC		330.00

ARC DOCUMENT SOLUTIONS, LLC	Plan Copies, 191 Meadowood	20739	03/27/2019	
9740 RESEARCH DRIVE	0112		03/27/2019	0.00
IRVINE	BOA	53608	03/27/2019	0.00
CA 92618-4327	2095315			145.61

GL Number	Description	Invoice Amount	Amount Relieved
05-20-3154	Miscellaneous Receipts	145.61	0.00

Check No.	53608	Total:	145.61
Total for	ARC DOCUMENT SOLUTIONS, LLC		145.61

AT&T	February Statements	20738	03/27/2019	
P.O. BOX 9011	441		03/27/2019	0.00
CAROL STREAM	BOA	53609	03/27/2019	0.00
IL 60197-9011				270.56

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	270.56	0.00

Check No.	53609	Total:	270.56
Total for	AT&T		270.56

BANK OF AMERICA	February Statement	20761	03/27/2019	
Bank Card Center			03/27/2019	
P.O. BOX 53155	0022		03/27/2019	0.00
PHOENIX	BOA	53610	03/27/2019	0.00
AZ 85072-3155				2,380.41

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State/Province Zip/Postal	Invoice Number			Check Amount

GL Number	Description	Invoice Amount	Amount Relieved
05-58-4240	Parks & Fields Maintenance	161.08	0.00
05-60-4267	Tools & Equipment	50.16	0.00
05-64-4308	Office Supplies	81.83	0.00
05-64-4311	Software & Licensinq	707.98	0.00
05-64-4312	Office Equipment	102.99	0.00
05-64-4326	Education & Training	975.00	0.00
05-64-4336	Miscellaneous	276.37	0.00
05-64-4337	Bank Fees	25.00	0.00

Check No.	53610	Total:	2,380.41
<u>Total for</u>	<u>BANK OF AMERICA</u>		<u>2,380.41</u>

CALIFORNIA WATER SERVICE CO	Water Service, 2/9/19-3/11/19	20762	03/27/2019	
			03/27/2019	
3525 ALAMEDA DE LAS PULGAS	0011		03/27/2019	0.00
MENLO PARK	BOA	53611	03/27/2019	0.00
CA 94025844				1,332.70

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	1,332.70	0.00

Check No.	53611	Total:	1,332.70
<u>Total for</u>	<u>CALIFORNIA WATER SERVICE CC</u>		<u>1,332.70</u>

GEORGE CHOI	Refund Deposit, 191 Meadowood	20740	03/27/2019	
			03/27/2019	
191 MEADOWOOD	571		03/27/2019	0.00
PORTOLA VALLEY	BOA	53612	03/27/2019	0.00
CA 94028				2,800.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	2,800.00	0.00

Check No.	53612	Total:	2,800.00
<u>Total for</u>	<u>GEORGE CHOI</u>		<u>2,800.00</u>

CITY OF FOSTER CITY	Job Posting, Communications	20741	03/27/2019	
	Analyst Postion		03/27/2019	
	0039		03/27/2019	0.00
FOSTER CITY	BOA	53613	03/27/2019	0.00
CA 94404	12782			500.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4320	Advertisinq	500.00	0.00

Check No.	53613	Total:	500.00
<u>Total for</u>	<u>CITY OF FOSTER CITY</u>		<u>500.00</u>

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CITY OF REDWOOD CITY (IT)	February IT Support	20742	03/27/2019	
			03/27/2019	
P.O. BOX 3629	586		03/27/2019	0.00
REDWOOD CITY	BOA	53614	03/27/2019	0.00
CA 94064	BR51306			2,317.90

GL Number	Description	Invoice Amount	Amount Relieved	
05-54-4216	IT & Website Consultants	2,317.90	0.00	

Check No.	53614	Total:	2,317.90
Total for	CITY OF REDWOOD CITY (IT)		2,317.90

CSG CONSULTANTS INC	Business Stormwater Consultant	20743	03/27/2019	
	C-4 Inspection Program		03/27/2019	
550 PILGRIM DRIVE	622		03/27/2019	0.00
FOSTER CITY	BOA	53615	03/27/2019	0.00
CA 94404	23287			6,210.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-54-4214	Miscellaneous Consultants	6,210.00	0.00	

CSG CONSULTANTS INC	Bldg Insp Svcs 1/26/19-2/22/19	20744	03/27/2019	
			03/27/2019	
550 PILGRIM DRIVE	622		03/27/2019	0.00
FOSTER CITY	BOA	53615	03/27/2019	0.00
CA 94404	23688			11,270.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-50-4062	Temp Bldg Inspection	11,270.00	0.00	

Check No.	53615	Total:	17,480.00
Total for	CSG CONSULTANTS INC		17,480.00

GREEN HALO SYSTEMS	Hosting/Access, March 2019	20745	03/27/2019	
			03/27/2019	
2431 ZANKER ROAD	0654		03/27/2019	0.00
SAN JOSE	BOA	53616	03/27/2019	0.00
CA 95131	2026			114.00

GL Number	Description	Invoice Amount	Amount Relieved	
05-64-4311	Software & Licensing	114.00	0.00	

Check No.	53616	Total:	114.00
Total for	GREEN HALO SYSTEMS		114.00

JON KROSINICK	Refund Deposit, 10 La Sandra	20746	03/27/2019	
			03/27/2019	
135 MONTALVO ROAD	1366		03/27/2019	0.00
REDWOOD CITY	BOA	53617	03/27/2019	0.00
CA 94062				2,400.00

GL Number	Description	Invoice Amount	Amount Relieved	
96-54-4205	C&D Deposit	2,400.00	0.00	

Check No.	53617	Total:	2,400.00
Total for	JON KROSINICK		2,400.00

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State/Province Zip/Postal	Invoice Number			Check Amount

LYNX TECHNOLOGIES, INC	February GIS	20747	03/27/2019	
			03/27/2019	
1350 41ST AVENUE	0294		03/27/2019	0.00
CAPITOLA	BOA	53618	03/27/2019	0.00
CA 95010	8680			250.00

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4311	Software & Licensinq	250.00	0.00

Check No.	53618	Total:	250.00
Total for	LYNX TECHNOLOGIES, INC		250.00

MCB REMODELING	Refund Deposit, 320 Golden Oak	20748	03/27/2019	
			03/27/2019	
1300 INDUSTRIAL RD. #14	0879		03/27/2019	0.00
SAN CARLOS	BOA	53619	03/27/2019	0.00
CA 94070				1,000.00

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4205	C&D Deposit	1,000.00	0.00

Check No.	53619	Total:	1,000.00
Total for	MCB REMODELING		1,000.00

NCE	Pavement Management System	20749	03/27/2019	
Nichols Consulting Engineers			03/27/2019	
1885 S. ARLINGTON AVE	0183		03/27/2019	0.00
RENO	BOA	53620	03/27/2019	0.00
NV 89509	424225504			880.00

GL Number	Description	Invoice Amount	Amount Relieved
05-68-4553	Pavement Management Update	880.00	0.00

Check No.	53620	Total:	880.00
Total for	NCE		880.00

NOLTE ASSOCIATES, INC. NV5	Applicant Charges, 10/28/18 - 11/24/18	20750	03/27/2019	
			03/27/2019	
P.O. BOX 74008680	0104		03/27/2019	0.00
CHICAGO	BOA	53621	03/27/2019	0.00
IL 89193-3243				20,387.59

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	20,387.59	0.00

NOLTE ASSOCIATES, INC. NV5	Applicant Charges, 11/25/18 - 12/29/2018	20751	03/27/2019	
			03/27/2019	
P.O. BOX 74008680	0104		03/27/2019	0.00
CHICAGO	BOA	53621	03/27/2019	0.00
IL 89193-3243				10,983.36

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	10,983.36	0.00

INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

03/27/2019

Date: 03/20/2019

Time: 6:03 pm

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TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

NOLTE ASSOCIATES, INC. NV5	Applicant Charges, 12/30/2018-01/26/2019	20760	03/27/2019	
			03/27/2019	
P.O. BOX 74008680	0104		03/27/2019	0.00
CHICAGO	BOA	53621	03/27/2019	0.00
IL 89193-3243				5,146.14

GL Number	Description	Invoice Amount	Amount Relieved
96-54-4194	Engineer - Charges to Appls	5,146.14	0.00

Check No.	53621	Total:	36,517.09
Total for	NOLTE ASSOCIATES, INC. NV5		36,517.09

PAGE & TURNBULL, INC.	HRE Peer Review, Re-issue	20752	03/27/2019	
	Orig#53328 VOID Missing/MIA		03/27/2019	
417 MONTGOMERY STREET	0859		03/27/2019	0.00
SAN FRANCISCO	BOA	53622	03/27/2019	0.00
CA 94104	18748			4,275.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4214	Miscellaneous Consultants	4,275.00	0.00

Check No.	53622	Total:	4,275.00
Total for	PAGE & TURNBULL, INC.		4,275.00

PG&E	February Statements	20763	03/27/2019	
			03/27/2019	
BOX 997300	0109		03/27/2019	0.00
SACRAMENTO	BOA	53623	03/27/2019	0.00
CA 95899-7300				1,891.63

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4330	Utilities	1,891.63	0.00

Check No.	53623	Total:	1,891.63
Total for	PG&E		1,891.63

RAMONA'S SECRETARIAL SERVICES	Transcription Svcs., Feb 2019	20759	03/27/2019	
			03/27/2019	
18403 WATTERS DRIVE	1370		03/27/2019	0.00
CASTRO VALLEY	BOA	53624	03/27/2019	0.00
CA 94546	6028			888.00

GL Number	Description	Invoice Amount	Amount Relieved
05-54-4188	Transcription Services	888.00	0.00

Check No.	53624	Total:	888.00
Total for	RAMONA'S SECRETARIAL SERVIC		888.00

RON RAMIES AUTOMOTIVE, INC.	February Fuel Statement	20753	03/27/2019	
			03/27/2019	
115 PORTOLA ROAD	422		03/27/2019	0.00
PORTOLA VALLEY	BOA	53625	03/27/2019	0.00
CA 94028				571.29

GL Number	Description	Invoice Amount	Amount Relieved
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INVOICE APPROVAL LIST REPORT - DETAIL WITH GL DIST

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Date: 03/20/2019

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TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

05-64-4334	Vehicle Maintenance	571.29	0.00	
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Check No.	53625	Total:	571.29
Total for	RON RAMIES AUTOMOTIVE, INC.		571.29

RR DONNELLEY	Business Card Order, K. Chinn	20764	03/27/2019	
			03/27/2019	
PO BOX 932721	582		03/27/2019	0.00
CLEVELAND	BOA	53626	03/27/2019	0.00
OH 44193	007450192			86.58

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	86.58	0.00

RR DONNELLEY	Business Card Order, C. Brown/ Art Fee, B. Adler	20765	03/27/2019	
			03/27/2019	
PO BOX 932721	582		03/27/2019	0.00
CLEVELAND	BOA	53626	03/27/2019	0.00
OH 44193	756744965			108.32

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	108.32	0.00

Check No.	53626	Total:	194.90
Total for	RR DONNELLEY		194.90

SHARP BUSINESS SYSTEMS	January Copies	20754	03/27/2019	
			03/27/2019	
DEPT. LA 21510	0199		03/27/2019	0.00
PASADENA	BOA	53627	03/27/2019	0.00
CA 91185-1510	9001705522			273.28

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	273.28	0.00

Check No.	53627	Total:	273.28
Total for	SHARP BUSINESS SYSTEMS		273.28

SMALL BUSINESS BENEFIT PLAN TR	April Dental/Vision	20755	03/27/2019	
			03/27/2019	
	0132		03/27/2019	0.00
BELMONT	BOA	53628	03/27/2019	0.00
CA 94002-0156				2,391.20

GL Number	Description	Invoice Amount	Amount Relieved
05-50-4090	Health Ins Dental & Vision	2,391.20	0.00

Check No.	53628	Total:	2,391.20
Total for	SMALL BUSINESS BENEFIT PLAN		2,391.20

STAPLES CREDIT PLAN	February Statement	20756	03/27/2019	
			03/27/2019	
DEPT. 31 - 0000306219	430		03/27/2019	0.00
PHOENIX	BOA	53629	03/27/2019	0.00
AZ 85062-8004				642.65

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TOWN OF PORTOLA VALLEY

Vendor Name	Invoice Description1	Ref No.	Discount Date	
Vendor Name Line 2	Invoice Description2	PO No.	Pay Date	
Vendor Address	Vendor Number		Due Date	Taxes Withheld
City	Bank	Check No.	Check Date	Discount Amount
State/Province Zip/Postal	Invoice Number			Check Amount

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4308	Office Supplies	642.65	0.00

Check No.	53629	Total:	642.65
Total for	STAPLES CREDIT PLAN		642.65

THERMAL MECHANICAL, INC	Quarterly PM Service, Jan '19	20757	03/27/2019	
			03/27/2019	
425 ALDO AVENUE	955		03/27/2019	0.00
SANTA CLARA	BOA	53630	03/27/2019	0.00
CA 95054	75566			1,539.00

GL Number	Description	Invoice Amount	Amount Relieved
05-66-4341	Community Hall	513.00	0.00
05-66-4346	Mechanical Sys Maint & Repair	513.00	0.00
25-66-4346	Mechanical Sys Maint & Repair	513.00	0.00

Check No.	53630	Total:	1,539.00
Total for	THERMAL MECHANICAL, INC		1,539.00

VERIZON WIRELESS	February Cellular	20758	03/27/2019	
			03/27/2019	
P.O. BOX 660108	0131		03/27/2019	0.00
DALLAS	BOA	53631	03/27/2019	0.00
TX 75266-0108	9824923945			357.02

GL Number	Description	Invoice Amount	Amount Relieved
05-64-4318	Telephones	357.02	0.00

Check No.	53631	Total:	357.02
Total for	VERIZON WIRELESS		357.02

Total Invoices:	30	Grand Total:	82,192.24
		Less Credit Memos:	0.00
		Net Total:	82,192.24
		Less Hand Check Total:	0.00
		Outstanding Invoice Total:	82,192.24

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
March 27, 2019

Claims totaling \$82,192.24 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____

Jeremy Dennis, Treasurer

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Sharon Hanlon, Town Clerk

Mayor



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Laura C. Russell, Planning and Building Director
Arly Cassidy, Associate Planner

DATE: March 27, 2019

RE: Second Reading: Waive Further Reading and Adopt Proposed Ordinance Removing Subsection (B) of Section 18.12.040 [Accessory Uses Permitted] of Chapter 18.12 [R-E (Residential Estates) District Regulations] of Title 18 [Zoning], Amending Section 18.36.040 [Accessory Uses] of Chapter 18.36 [Uses Permitted in All Districts] of Title 18 [Zoning], and Amending Section 18.48.030 [One-Time Increase] of Chapter 18.48 [Parcel Area, Open Space and Bulk – Basic Requirements] of Title 18 [Zoning] of the Portola Valley Municipal Code and Adopt a Finding that the Ordinance is Exempt from the California Environmental Quality Act
[\(Link to Attachments page\)](#)

RECOMMENDATION

Staff recommends that the Town Council:

1. Adopt a finding that the ordinance is exempt from the California Environmental Quality Act (CEQA); and
2. Waive further reading and adopt the attached ordinance Removing Subsection (B) of Section 18.12.040 [Accessory Uses Permitted] of Chapter 18.12 [R-E (Residential Estates) District Regulations] of Title 18 [Zoning], Amending Section 18.36.040 [Accessory Uses] of Chapter 18.36 [Uses Permitted in All Districts] of Title 18 [Zoning], and Amending Section 18.48.030 [One-Time Increase] of Chapter 18.48 [Parcel Area, Open Space and Bulk – Basic Requirements] of Title 18 [Zoning] of the Portola Valley Municipal Code and Adopt a Finding that the Ordinance is Exempt from the California Environmental Quality Act (Attachment 1).

DISCUSSION

Through the fall of 2018 and winter of 2019, the Planning Commission met to review Accessory Dwelling Unit (ADU) policy and craft an amendment to the Town's existing ADU ordinance. The Commission forwarded the draft ordinance to the Town Council, which held two public hearings to review its content. On March 13, 2019, the Town

Council voted 5-0 to introduce the ordinance for first reading and to adopt a finding that the ordinance be exempt from the California Environmental Quality Act.

The Council's discussion at the March 13, 2019 meeting focused on three main areas: ADU size, second driveways, and owner occupancy. The attached ordinance includes language changes in these sections, highlighted in red font in the ADU Ordinance with Council Revisions (Attachment 2) and described below. Related staff reports and meeting minutes are included in the Table of Documents Related to ADU Ordinance (Attachment 3), with draft minutes of the March 13, 2019 meeting included as a separate attachment (Attachment 4). Additional information on the progress of the ADU ordinance and its current status can be found at www.portolavalley.net/housing.

ADU Size:

- There are no changes to Adjusted Maximum Floor Area (AMFA); it continues to apply to all buildings on all residential properties
- External ADUs (New square footage) on parcels of 0-3.49 acres are limited to 1,200 SF or 50% of the existing building, whichever is more restrictive
- On parcels of 3.5 acres or more, a single ADU may be up to 1,500 SF. If two ADUs are proposed, the external ADU is limited to 1,200 SF and the internal ADU is limited to 1,700 SF
- Internal ADUs (conversions of existing buildings) are limited to 1,700 SF, with Staff Discretionary Review required for units above 1,200 SF.

Second Driveways

- A property of any size may apply to the ASCC for a second driveway for the ADU. The ASCC must find:
 - It's not feasible to serve the ADU with a single driveway
 - The second driveway will result in less impervious surface than extending the existing driveway
 - The second driveway would not cross a scenic corridor or trail, and would provide for safe movements by all road and trail users.

Owner Occupancy

- A property owner must occupy either the main house or the ADU

ENVIRONMENTAL REVIEW

The proposed ordinance is Statutorily Exempt from review under the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.17, which states that CEQA does not apply to a local agency's adoption of an ordinance to implement the provisions of Government Code Section 65852.2.

FISCAL IMPACT

No direct or immediate fiscal impact is expected from this ordinance change. It is likely that the number of second unit applications the town receives, both for ASCC review and for ministerial building permit review, will slowly increase over the next few years.

Revenue generation from these permit fees will not likely represent a significant increase in overall revenues for the Town.

ATTACHMENTS

1. Accessory Dwelling Unit Ordinance
 - a. Findings of General Plan Consistency
 - b. Environmental Review
2. ADU Ordinance with Council Revisions Voted Upon at March 13, 2019 Meeting
3. Table of Documents Related to ADU Ordinance
4. Town Council Meeting Minutes from March 13, 2019

Approved by: Jeremy Dennis, Town Manager



ORDINANCE NO. 2019 – _____

**ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF
PORTOLA VALLEY REMOVING SUBSECTION (B) OF
SECTION 18.12.040 [ACCESSORY USES PERMITTED]
OF CHAPTER 18.12 [R-E (RESIDENTIAL ESTATES) DISTRICT
REGULATIONS] OF TITLE 18 [ZONING], AMENDING
SECTION 8.36.040 [ACCESSORY USES] OF CHAPTER 8.36
[USES PERMITTED IN ALL DISTRICTS] OF TITLE 18 [ZONING],
AND AMENDING SECTION 18.48.030 [ONE-TIME INCREASE]
OF CHAPTER 18.48 [PARCEL AREA, OPEN SPACE AND BULK –
BASIC REQUIREMENTS] OF TITLE 18 [ZONING]
OF THE PORTOLA VALLEY MUNICIPAL CODE**

WHEREAS, the State of California recognizes the potential for Accessory Dwelling Units as a housing strategy, and has passed several laws to lower the local regulatory barriers to construction; and

WHEREAS, the most recent amendment to Section 65852.2 of the Government Code requires that local governments create a ministerial review path for Accessory Dwelling Units of twelve hundred (1,200) square feet or fifty percent (50%) of the existing building, whichever is less; and

WHEREAS, on May 9, 2018 the Town Council of the Town of Portola Valley did adopt an ordinance amending Title 18 [Zoning] to comply with the requirements of State law; and

WHEREAS, Section 65852.2 of the Government Code further enables local governments to go beyond the minimum requirements of said statute to encourage ADUs; and

WHEREAS, the Town Council desires to further encourage the creation of Accessory Dwelling Units to help meet its housing needs and goals; and

WHEREAS, on January 16, 2019 and February 6, 2019, the Planning Commission held duly noticed public hearings to review the draft ordinance regarding Accessory Dwelling Units at which all interested persons had the opportunity to appear and after considering the entire record of proceedings, including but not limited to, the staff report and all written and oral comments received, the Planning Commission voted to recommend that the Town Council approve the ordinance; and

WHEREAS, there exist in Town some areas where adding ADUs on properties smaller than one acre raised concerns relating to Fire Safety and the Fire Marshal of Woodside Fire Protection District provided specific criteria to improve fire safety that resulted in a conflict of interest for a Councilmember on that topic; and

WHEREAS, the Councilmember for whom a conflict of interest exists did not participate in the discussion of nor vote upon the motion to approve Section 18.36.040 (B) (3) of the proposed ordinance relating to applicability and fire safety criteria; and

WHEREAS, on February 27, 2019, the Town Council held a public hearing to review the proposed ordinance regarding Accessory Dwelling Units at which all interested persons had the opportunity to appear;

WHEREAS, on March 13, 2019, the Town Council continued the public hearing, and after considering the entire record of proceedings, including but not limited to, the staff report and all written and oral comments received and the Planning Commission recommendation, the Town Council voted to approve the ordinance.

NOW, THEREFORE, the Town Council of the Town of Portola Valley does **ORDAIN** as follows:

1. DELETION OF CODE. Subsection (B) of Section 18.12.040 [Accessory Uses Permitted] of Chapter 18.12 [R-E (Residential Estate) District Regulations] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby deleted in its entirety.

2. AMENDMENT TO CODE. Section 18.36.040 [Accessory Uses] of Chapter 18.36 [Uses Permitted in All Districts] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

- A. An accessory use is a related minor use which is either (a) necessary to the operation or enjoyment of a lawful principal use or conditional use, or (b) appropriate, incidental and subordinate to any such use. No use in any district shall be permitted as an accessory use which is not qualified as hereinabove set forth, or which constitutes in effect a conversion of a principal use to one not permitted in that district. This section shall apply to new construction and replacement fixtures. In addition to other uses meeting the qualifications set forth in this section, and subject to the limitations set forth in this title, the following accessory uses are permitted in all districts when located on the same parcel as the principal use:
1. The installation and operation of necessary facilities and equipment in connection with such schools and other institutions as are permitted in the respective district;
 2. Recreation, refreshment and service buildings in public parks;
 3. Required off-street parking spaces and required off-street loading spaces as regulated by this title;
 4. Fences and walls subject to the height and area regulations of this title;
 5. Hedges, trees, shrubs and other ornamental planting;
 6. Horticulture;

- 7. Electric and communication service lines provided that all such lines are placed underground except where exempted in accordance with the procedure set forth in subsection B of Section 18.36.010;
- 8. Outdoor Illumination [See Ordinance No. 2018-424, adopted on August 8, 2018, for full text].
- 9. Septic tanks and drain fields;
- 10. Antennas designed to receive television or microwave signals transmitted from satellite or terrestrial stations. Antennas with diameters exceeding four feet are subject to review by the architectural and site control commission as provided for by paragraph 6 of subsection A of Section 18.64.010.
- 11. Tennis courts and paddle tennis courts, provided the sum of the maximum depth of cut and maximum height of fill for such facilities shall not exceed the following:

Parcel Area	Combined Cut & Fill Feet
1.0 ac. or less	8
1.2 ac.	9
1.4 ac.	10
1.6 ac.	11
1.8 ac. or more	12

B. Accessory Dwelling Units.

- 1. Purpose. The purpose of this section is to define Accessory Dwelling Units (ADUs), and describe their development standards, review required, and additional regulations. Accessory dwelling units are allowed in certain situations in order to help achieve the Town’s goals which include but are not limited to:
 - a. Create new housing units while respecting the existing character of the Town;
 - b. Provide housing that responds to residents’ changing needs, household sizes, and increasing housing costs, and provide accessible housing for seniors and persons with disabilities;
 - c. Offer environmentally friendly housing choices with less average space per person and smaller associated carbon footprints; and
 - d. Promote provision of affordable housing for people who work in Town.
- 2. Definitions. The following definitions shall govern this Section.
 - a. Accessory Dwelling Unit, or ADU. An attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the main building to which it is accessory. An Accessory Dwelling Unit also includes:

- i. Internal ADU. Created by converting Existing Interior Space, such as bedrooms, attached garages, basements or attics, or a combination thereof. Converted space can be within or detached from the main building.
- ii. External ADU. A unit which requires new construction, either attached to or detached from the main building.
 - 1. Attached ADU. A unit which is attached to or part of the main building. Attached ADUs include new construction which is attached to the existing building, and a mix of new construction and converted space.
 - 2. Detached ADUs. A separate building, independent from the main building, built using new construction.
- b. Adjusted Maximum Floor Area, or AMFA. The maximum allowed floor area for a residential parcel, calculated by the Town using the parcel's size, slope, mapped ground movement potential, and mapped flooding potential.
- c. Director. Planning and Building Director, also referred to as the Town Planner.
- d. Discretionary Review. Review of a project against the General Plan, municipal code, and Design Guidelines. The reviewing body exercises judgment in applying policies to a specific project in context and determining whether the required findings for approval can be made. The reviewing body considers public comment and may impose conditions of approval on the project.
 - i. Staff Discretionary Review. A review process wherein the Planning and Building Director shall review certain Accessory Dwelling Unit applications in coordination with one member of the Architecture and Site Control Commission (ASCC).
 - ii. Architectural and Site Control Commission, or ASCC. A review process wherein the full ASCC reviews projects at a public meeting.
- e. Existing Interior Space. For the purposes of internal ADU creation, Existing Interior Space shall be within a building which was permitted by the Town and passed its final building inspection at least one year prior to any application for an ADU.
- f. Guest House. A building separate from the main residence which includes a bedroom and may include a bathroom, but does not include a kitchen.
- g. Junior Accessory Dwelling Unit. A unit consisting of habitable space with a separate entrance and sink, but which may share bathroom facilities with the main building. Typically created by converting existing space into a separate unit. Junior Accessory Dwelling Units do not constitute ADUs under this code.
- h. Main building. The building to which an ADU is accessory. Main buildings can have a residential or non-residential use, as permitted by this Title.

- i. Ministerial Review. A review process which is objective in nature and involves no personal judgment. The reviewing body confirms that all requirements are satisfied before approving a project, and may not consider public comment or impose conditions of approval.
 - j. Second Address. An address issued by the Planning and Building Department for a permitted Accessory Dwelling Unit on a parcel that has an existing unit with a different address.
 - k. Second Unit. See *Accessory Dwelling Unit*.
3. Applicability. Accessory Dwelling Units shall be permitted on all parcels in all zoning districts, where a main building is in existence or is proposed concurrently.
- a. Exception. ADUs are prohibited on parcels smaller than one acre whose direct vehicular access is from a road or cul-de-sac which (1) has a single point of ingress/egress and (2) has a width of less than eighteen feet (18').
4. Development Standards. All existing development restrictions in the base zoning district shall apply, except as modified by this section. These requirements include but are not limited to coverage, open space, bulk, density, floor area and adjusted maximum floor area, impervious surface, height, setbacks, parking, site development, and outdoor lighting requirements.
- a. Number.
 - i. One ADU shall be permitted on all parcels smaller than 3.5 acres in size.
 - ii. Two ADUs shall be permitted on parcels 3.5 acres or larger in size as follows: one ADU must be detached from the main building and one ADU must be internal. When two ADUs are present, the external ADU shall be limited to twelve hundred (1,200) square feet.
 - b. Floor Area Maximums
 - i. Floor Area. The minimum size of an ADU shall be defined by the California Building Code. The maximum size of an ADU shall be:
 - 1. Twelve hundred (1,200) square feet for external ADUs on parcels smaller than 3.5 acres in size.
 - 2. Fifteen hundred (1,500) square feet for external ADUs where one ADU is present on parcels 3.5 acres or larger in size.
 - 3. Seventeen hundred (1,700) square feet for internal ADUs on all parcel sizes.
 - ii. Percentage. An external ADU shall be additionally limited to 50% of the floor area of the existing or concurrently proposed main building.
 - iii. Adjusted Maximum Floor Area and Floor Area Ratio. ADU floor area shall be limited to the maximums described at subsections 4.b.i. and

- 4.b.ii. or the floor area allowed by the base zoning district, whichever is more restrictive.
- c. Floor Area – Calculations
 - i. Basements. Space which meets the definition of a basement (Section 18.04.065), whether under a main residence or an ADU, shall not be included in AMFA calculations. However, Floor Area Maximums at Section 18.36.040.B.4.b.i and ii., and Review Authority at Section 18.36.040.B.6 shall both apply to basement floor area which is part of an ADU.
 - ii. Parking provided for ADUs shall not be included in floor area calculations.
 - d. Height. Height limitations for an ADU shall be those of the base zoning district. This includes daylight planes, where applicable. ADUs taller than eighteen feet (18') vertical height or twenty-four feet (24') maximum height, where allowed by the base zoning district, shall require Staff Discretionary Review.
 - e. Parking and Driveways.
 - i. Parking Requirement. Internal ADUs shall not require any dedicated parking spaces. External ADUs shall require one dedicated parking space, as follows:
 - 1. ADU parking may be located in a covered or uncovered space, in tandem with other parking, and/or in setbacks.
 - 2. Parking space design shall conform to Section 18.60.020, Parking, Dimensions and Access.
 - 3. On parcels of one acre or larger where an ADU of twelve hundred (1,200) square feet or less is proposed, ADU parking is not required to be dedicated. The ADU parking space may be shared, or overlap with, one guest parking space, provided the property is compliant with the current parking requirements in this Title.
 - ii. Covered Parking Conversion. When covered parking which is required by this code is demolished in conjunction with the construction of an ADU or converted to an ADU, the required parking spaces must be provided elsewhere on site. The replacement parking may be covered or uncovered, in tandem, or in mechanical lifts.
 - iii. Driveways. All driveways shall conform to Section 15.12.300, except the ASCC may grant an exception to the requirement that properties only have one entrance from the road and approve a second driveway when it is able to make the following findings:
 - 1. It is not feasible for the ADU to be served by the same driveway that serves the main building, taking into consideration the cost, topography and natural landscape, among other things.

2. Providing a separate driveway for the ADU will result in less impervious surface for the property than would extending the existing driveway.
3. It is shown that the proposed driveway:
 - a. Does not exit onto a Scenic Corridor or cross a trail, as mapped by the Town; and
 - b. Provides for safe movements for all users, as determined by the Public Works Director.
- f. Materials. Color reflectivity values shall not exceed 40%, except that trim colors and roofs shall not exceed 50% reflectivity.
- g. Landscaping. Landscape plantings shall be selected from the Town's list of approved native plants and shall adhere to the Town's Landscaping Guidelines, as described in the Design Guidelines.
- h. Lighting. All lighting shall comply with Section 18.36.040.A.8, Outdoor Lighting.
- i. Setbacks. No setback shall be required for an existing garage that is converted to an Accessory Dwelling Unit, and a setback of five feet from the side and rear lot lines shall be required for an Accessory Dwelling Unit that is constructed above a garage. This shall apply to both conforming and legal non-conforming garages.
- j. Second Address. ADUs may be assigned a separate address at the property owner's request, with the exception that any ADU with an approved second driveway shall always be assigned a second address. Applicants requesting an address shall submit an application as part of the Building Permit submittal. The Planning and Building Director, in consultation with Woodside Fire Protection District, shall review and approve applications.
- k. Utilities. When visible from the public right of way, utilities installed to serve an ADU shall be grouped with any existing infrastructure for the main building and screened to the extent feasible, as determined by the Planning & Building Director. In determining feasibility, the Planning & Building Director may consider cost, topography, and the natural landscape.
 - i. Utility Undergrounding. Utilities shall be required to be placed underground, as described in Section 18.36.010.B, with the following exceptions for ADUs:
 1. An internal ADU and any associated electrical service increases shall not trigger undergrounding of utilities.
 2. A detached ADU shall always underground utilities between the main house and the ADU, when connecting from the main house.
 - ii. Any other instance of new construction for an external ADU shall require undergrounding as stipulated in Section 18.36.010.B relating to utility undergrounding, with the exception that an applicant may apply to

the ASCC for relief from these requirements, as well as the undergrounding requirement for detached ADUs at subsection 4.k.i.2, and if the ASCC thereafter finds that undergrounding is not feasible or practicable, or that there is no reasonable alternative location for the related equipment, such undergrounding requirement shall not apply. Significant financial costs, topography, and natural landscape may be included in this consideration.

- I. ADUs must comply with applicable Building Code requirements, including fire sprinkler requirements, unless a modification or waiver of the fire sprinkler requirement is approved by the Fire Marshall. An ADU created by the conversion of Existing Interior Space shall not be required to provide fire sprinklers if sprinklers are not required for the main residence.
5. Types of Review.
- a. Ministerial Review. Ministerial Review shall be completed by the Planning and Building Director or her/his qualified designee under the building permit review process. No public hearings or noticing are required as part of this review. An ADU application which qualifies for Ministerial Review shall be acted upon within 120 days of the application being accepted by the Town.
 - b. Discretionary Review.
 - i. Discretionary Review shall be conducted by one of the following review bodies:
 1. The Planning and Building Director shall complete Staff Discretionary Review in consultation with an ASCC member. The Director may refer items directly to the ASCC when in her/his opinion the public interest would be better served by having the ASCC conduct the review.
 2. Architectural and Site Control Committee (ASCC) Review is a discretionary review completed by the full ASCC at a noticed meeting.
 - ii. Findings for Approval. The review body must be able to make all of the following findings in order to approve an ADU subject to discretionary review:
 1. The structure is designed so as to minimize disturbance to the natural terrain;
 2. Existing vegetation is preserved to the maximum extent possible.
 3. The structure is designed and located to allow adequate light and air for itself and its neighbors;
 4. Landscaping, screening and fencing preserve privacy and mitigate adverse effects on neighboring properties;
 5. Entrances, exits and internal circulation shall be sited to promote traffic safety and ease and convenience of movement;

6. Night lighting is located and fixtures chosen to promote public safety but minimize effects on adjoining properties;
 7. Planting and site design mitigate the problems of drainage and soil erosion;
 8. Materials and colors are compatible with the rural setting of the town and the surrounding landscape and structures;
 9. Proposed grading minimizes the apparent disturbance to the natural terrain;
 10. The project is consistent with the Portola Valley Design Guidelines;
 11. The physical position, massing, and architectural design of the ADU reflect that it is accessory in nature and holds a subservient position to the main building;
 12. The design of the ADU and its ingress/egress reflect their physical positions on the property, such that units on or adjacent to setbacks are designed to minimize impacts toward adjacent properties.
- iii. Notice. Minimum noticing for ADUs requiring discretionary review shall include:
 1. Noticing to adjacent neighbors by the applicant, as required by the Planning and Building Director in a form consistent with application materials published to the Town website.
 2. Noticing as described by Section 18.64.085, ASCC – Notification
 - c. An ADU application which is dependent on a septic tank and drain field shall be referred to and require approval of the County Health Officer in accordance with Town policies.
 - d. An ADU application which requires soil movement greater than fifty cubic yards or other work requiring a Site Development Permit under Section 15.12.070 shall be referred to the Town Geologist, the Town Engineer, and any other review bodies necessary as determined by the Planning and Building Director.
6. Assignment of Review Responsibilities.
 - a. ASCC Review. ADUs which include any of the following shall be subject to ASCC Review:
 - i. A separate driveway for the ADU.
 - ii. Location in a non-residential zone.
 - iii. Location on a property with historic resources, as identified in the historic resources element of the general plan, as provided for in Section 18.31, H-R (Historic Resources) Combining District Regulations.
 - b. Staff Discretionary Review. ADUs which do not have any of the conditions listed in subsection 18.36.040.B.6.a., ASCC Review, and which include any of the following shall be subject to Staff Discretionary Review:

- i. An internal ADU larger than twelve hundred (1,200) square feet or fifty percent (50%) of the existing building, whichever is less;
 - ii. An ADU on a property adjacent to a Scenic Corridor;
 - iii. An ADU with a different architectural style than the main house or building;
 - iv. An ADU taller than eighteen feet (18') in vertical height or twenty-four feet (24') in maximum height;
 - v. An ADU with a light well larger than the minimum Building Code requirement;
 - vi. An attached ADU which causes the main residence to exceed 85% of the Adjusted Maximum Floor Area (AMFA);
 - c. Ministerial Review. ADUs which do not have any of the conditions listed in subsection 18.36.040.B.6.a., ASCC Review, or 18.36.040.B.6.b., Staff Discretionary Review, shall be subject to Ministerial Review. All projects subject to Ministerial Review shall comply with all code requirements. Additionally, Internal ADUs shall:
 - i. Include Sufficient side and rear setbacks for fire safety;
 - ii. Occupy Existing Internal Space, as defined by this section.
7. Additional Restrictions. In addition to the development standards described in this section, all ADUs shall be subject to the following restrictions:
- a. Sold Separately. ADUs shall not be sold separately from the main dwelling.
 - b. Owner Occupancy. Either the ADU or the main building must be owner occupied. The other unit may be rented.
 - c. Rental Restrictions. On properties where an ADU is present, any rentals of the ADU or main building shall be for a term of thirty (30) days or more.
8. Administration.
- a. Appeals. A decision by the Planning and Building Director or ASCC on an ADU may be appealed, if the appeal is filed within fifteen days of the decision.
 - i. A decision made by the Planning and Building Director is appealable to the ASCC.
 - ii. A decision made by the ASCC is appealable to the Planning Commission.
 - b. Application Administration. The Town Council authorizes the Planning and Building Director to establish permit application requirements, forms, and checklists that the Director finds necessary or useful for processing any applications governed by this Chapter.

3. AMENDMENT TO CODE. Section 18.48.030 [One-time increase] of Chapter 18.48 [Parcel Area, Open Space and Bulk – Basic Requirements] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby amended to read as follows:

Any single-family residential building or related accessory building existing on October 25, 1995, may be increased one time up to a total of five percent (5%) of the existing floor area or one hundred and fifty (150) square feet, whichever is smaller, regardless of whether such increase exceeds the floor area limit that applies to the property. This provision shall not be applied to Accessory Dwelling Unit maximums as described in subsections (i.) and (ii.) of Section 18.36.040.A.4.b.

4. CONSISTENCY WITH GENERAL PLAN. This ordinance is found to be consistent with the General Plan of Portola Valley, as provided for in Exhibit A.

5. ENVIRONMENTAL REVIEW. An ordinance providing for the creation of accessory dwelling units is not subject to the California Environmental Quality Act (CEQA), as provided for in Exhibit B.

6. CONSISTENCY WITH STATE LAW. This ordinance is intended to be consistent with State law regulating accessory dwelling units and to the extent there is any inconsistency with such State law requirements, State law shall control.

7. SEVERABILITY. If any part of this ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or the applicability of this ordinance to other situations.

8. EFFECTIVE DATE; POSTING. This ordinance shall become effective 30 days after the date of its adoption and shall be posted within the Town in three public places.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

RECUSED:

Town Clerk

By: _____
Mayor

APPROVED AS TO FORM

Town Attorney

Exhibit A: Findings of General Plan Consistency
Exhibit B: Environmental Review

**Attachment 2, Exhibit A:
Findings of General Plan Consistency**

Land Use Element

General Objectives

2102

1. To provide for residential uses and related facilities that will preserve and enhance the quality of living enjoyed by local residents.

ADUs will provide additional residential units for existing and future residents. They will allow existing residents to age in place, children to remain in Town, and local employees to live closer to their place of work. Design and floor area requirements for both ministerial and discretionary units will ensure that new ADUs will conform to existing architectural and development standards.

General Principles

2103

6. In order to maintain the rural atmosphere of Portola Valley, all buildings should be subordinate to their natural surroundings in size, scale and siting. Monumental building should be avoided.

Existing Adjusted Maximum Floor Area (AMFA) requirements will continue to control the total developable floor area on each parcel. ADUs will be further limited to 1,200 square feet, and 50% of the existing building for external units. All other development standards will still be in place.

9. In all developments in the planning area, full consideration should be given to fire protection needs, including those identified in the safety element, and adequate measures should be taken to ensure that these needs are met.
 - 9.1 Development should be limited in areas when fire risk cannot be reduced to an acceptable level and adequate emergency access cannot be provided. Also, recognizing fire protection measures could have adverse effects on native vegetation, development should be configured to minimize damage as well as fire hazard.

Fire protection is a high priority in the proposed amendment. The Fire Marshal identified ingress and egress as the most important consideration as the Town considers ADU policy on lots less than one acre. Specifically, the Fire Marshal has provided two road conditions which, in combination, raise concerns about adding additional new units: 1) a road width less than eighteen feet (18'), and 2) a single point of ingress/egress. These criteria have been described within the ordinance in order to improve fire safety where these conditions apply.

17. In all new developments, the undergrounding of utilities should be considered a high priority.

Utility Undergrounding remains a high priority for the Town. The ADU ordinance continues to enforce undergrounding for new development, with the exception of internal ADUs which do not alter the existing exterior of a building.

Residential Areas – Objectives

2104

5. To control the occupancy of parcels so as to:
 - a. Prevent overcrowding of dwellings.
 - b. Insure that occupancy of land and dwellings will be in balance with service facilities such as on-site parking, traffic capacity of access streets and capacity of utilities such as water and sewage disposal.
 - c. Insure against adverse impact on neighboring residences.
 - d. Fix responsibility for use, occupancy and conduct on the premises in relation to town standards and requirements. That is, on each parcel and in each main dwelling, someone must be “in charge” as owners or tenant of the owner.

The ADU Ordinance will continue to enforce compliance with the Adjusted Maximum Floor Area (AMFA) requirements for all residential parcels, and coverage and landscaping requirements for non-residential parcels. No additional floor area is permitted under this ordinance. Buildings developed as ADUs under this ordinance could be permitted with a different use or programming, i.e., a guest house could be developed where now an ADU would be allowed.

Residential Areas – Principles

2105

1. Lands indicated for residential use on the comprehensive plan diagram should be used primarily for residential living, a use of land characterized by a single household occupying a main detached dwelling as the principal use of a parcel, together with uses and structures customarily accessory to a main dwelling in a rural residential community.

Rural development typically consists of a main building surrounded by multiple outbuildings. The ordinance requires that accessory dwelling units are subservient to the main building. Attached ADUs which exceed 85% massing in the main building require discretionary review, including specific findings. Accessory Dwelling Units are considered an appropriate accessory use by this General Plan, as described below.

2. In addition to other accessory uses and structures, accessory living quarters within the main dwelling or in a separate structure should be deemed an appropriate accessory use on parcels large enough and under conditions adequate to insure the objectives cited in Sec. 2104.5 are met. Specific limits on accessory living quarters should be included in the zoning ordinances.

Section 2104.5 is described above; the ADU ordinance is found to be consistent with this General Plan Objective for Residential Areas. As described in the finding above, the use of the existing Adjusted Maximum Floor Area (AMFA) maximums for all parcels as a limit for ADU development ensures that all ADUs shall be sized appropriately for each parcel within its

context of slope, soil type, and size. Further limits on ADUs are described in detail in the ordinance, which include height, setbacks, proportion to the main building, and materials.

3. Population densities within the planning area should be guided by considerations of topography, geology, vegetative cover, access to transportation and services, fire hazards, emergency access, impact on preexisting residential development and other factors such as:
 - a. The highest densities should be located on relatively level land close to local shopping and service areas, other local facilities and transportation facilities. Densities should decrease as the distance from these facilities increases.
 - b. Population density should decrease as steepness of terrain increases.
 - c. The lowest densities and largest lots should be located on the steepest hillsides on which the town allows development and in mountainous areas where it is necessary to limit storm runoff, prevent erosion, preserve existing vegetation, protect watersheds, avoid potentially unstable ground and maintain the scenic quality of the terrain.

The California Department of Housing and Community Development (HCD) states that the addition of an ADU on a single family lot shall not be considered an increase in density. This General Plan describes accessory dwelling units as a use appropriate accessory use; and the proposed ordinance retains existing AMFA limits on floor area.

Existing higher density neighborhoods, where lots are generally smaller and houses are clustered together, already exist in close proximity to the two small commercial centers in Town; namely, the Village Square at Town Center, adjacent to the Highlands neighborhood, and the Nathorst Triangle area, adjacent to the Corte Madera neighborhood.

Factors of concern for emergency access, such as road width and options for ingress/egress, are taken into account by the ordinance when considering where ADUs are appropriate in Town. Specifically, ADU development on lots smaller than one acre is prohibited in areas with a road width of less than 18' and only one point of ingress/egress, in combination. These factors are often found where slopes are steepest and unstable ground exist, reinforcing the need for limiting additional development.

8. In all residential areas of the town, or its spheres of influence, particular attention must be given to the effects of approaching the maximum amount of development permitted on individual parcels. The cumulative effect of buildout under appropriate ordinances and policies should be examined and steps taken to ensure that its effect will not be injurious to the unique and desirable characteristics of each area. Overall development levels as measured by floor area ratios and impervious surfaces should be limited so as to preserve the rural setting.

No change to the Adjusted Maximum Floor Area (AMFA) or Impervious Surface (IS) limits on buildable area is proposed by this ordinance. Discretionary review is required for attached ADUs exceeding a massing of 85% in the main building.

The average rate of ADU development in Town has been slow and steady in the Town's recent history. A total of 220 ADUs are currently permitted; a continuation of these development patterns predicts only 150 new ADUs over the next 10 years. This number represents less than

10% of parcels in Town adding an ADU. Even if the rate of development increases slightly, the total development will not represent a dramatic shift in the development patterns across Town.

Area Plans

Town Center Area Plan

Objectives

6304

1. To develop the Town Center Area as an integrated area for businesses and institutional type uses serving the residents of Portola Valley and its spheres of influence along with compatible residential uses.
2. To produce a unified commercial-service-institutional-residential complex in the TCA with a scale and design quality compatible with the rural setting of the town.

Principles

6305

1. In order to serve as an integrated community serving area, the TCA shall provide space for:
 - e. Single family residences as well as housing for senior citizens.

The ADU ordinance allows for units accessory to both residential uses as well as commercial uses in non-residential zones. Residential uses are described as appropriate and compatible with the Town Center Area Plan. The addition of Accessory Dwelling Units to the existing and allowed residential uses will have little to no impact on the functioning and success of the Town Center Area as a commercial center serving the Town's residents.

Nathhorst Triangle Area Plan

Objectives

6104

2. To produce a unified commercial-service-institutional-residential complex with a scale and design quality compatible with the rural setting of the town.

Principles

6106

2. In order to meet desired design objectives:
 - b. Flexibility shall be allowed as to land use on those community commercial parcels which due to location and access can reasonably accommodate commercial, office or residential uses. Requirements shall be established to ensure their compatibility with surrounding land uses.

The ADU ordinance allows for units accessory to both residential uses as well as commercial uses in non-residential zones. Flexibility to allow residential uses is a principle of the Plan. The addition of Accessory Dwelling Units to the existing uses will have minimal impact on the functioning and success of the Nathhorst Triangle Area as a commercial center serving the Town's residents.

Housing Element

Goals & Policies

Goal 1

2475

Maintain and enhance the character and quality of Portola Valley's residential neighborhoods and the condition of its housing, and preserve the natural beauty of the town's scenic corridors and open spaces.

- Policy 1A: Accommodate new residential development in a manner compatible with the rural character of existing residential development.
- Policy 1B: Continue to control the location, design and density of new residential development in order to preserve regional open spaces, avoid areas of seismic and geologic hazards, have minimal visual impact, create minimal discernable effect on infrastructure capacity, and ensure the adequate provision of safe and convenient access to public services.
- Policy 1C: Require all housing units in the town to conform to the principles and standards set forth in the general plan and town regulations, including that all housing be subservient to the natural environment.

The ADU Ordinance will help maintain and enhance the character of Portola Valley by accommodating additional dwelling units on existing parcels. The ADU itself will not represent any new floor area not already permitted by the Adjusted Maximum Floor Area limit on each parcel. In addition, the ordinance controls for location and design to ensure appropriate siting and architecture and minimal impacts. The ordinance conforms to all applicable General Plan Land Use regulations, as described above.

Goal 2

2476

Endeavor to provide opportunities for a diverse population, including for people of all income levels and with special housing needs, particularly elderly residents and those employed in Portola Valley, to live in the town.

- Policy 2A: Accept and fulfill responsibility for a reasonable share of the regional need for affordable housing.
- Policy 2B: Encourage the creation of a diversity of housing options to meet the needs of people in different stages of the life cycle and with different income levels.
- Policy 2E: Continue to encourage affordable housing that can be produced in association with market rate housing and otherwise.
- Policy 2F: Distribute diverse and affordable housing options throughout the community.
- Policy 2G: Use an open and inclusive process when implementing housing policies and programs, by consulting as appropriate with people with differing housing needs and income levels, housing advocates, housing developers, property owners, and the community at large.

Accessory Dwelling Units will provide additional housing units accessible to a wider range of income levels and family arrangements than currently served by the traditional housing stock of Portola Valley. It provides additional housing units needed desperately both at the regional and local level. ADUs will allow existing residents to age in place, create options for local children to return home, and provide options for individuals with accessibility or developmental challenges. The smaller size of ADUs will naturally lower their rental price, creating more affordable housing options in Town.

The ADU ordinance is a product of significant public outreach over a year's time. Facilitated convenings with Town residents, a Town Council study session, and five Planning Commission meetings were held to study the topic; Town staff organized an ADU open house and attended the local Farmer's Market to answer questions; and webpage devoted to housing issues was created on the Town's website, with a dedicated email address for housing questions.

Goal 3 2477

As set forth in the Sustainability Element of this General Plan, encourage energy conservation and green building practices, and adopt housing policies to reduce costs of living, respect wildlife and plants and protect the environment.

- Policy 3B: Continue to encourage cluster development in order to preserve resources and encourage sustainability.
- Policy 3C: Continue to require native landscaping, which reduces water and power consumption, provides habitat, and helps to strengthen natural ecosystems in town.
- Policy 3D: Allow and encourage green building practices.
- Policy 3E: Design and locate housing to minimize impacts on wildlife and be subservient to the environment.

The ADU ordinance encourages the clustering of new dwelling units where an existing building already exists and is connected to services. Requirements for ADUs include native landscaping and Build It Green evaluation.

Goal 4 2478

Work to address housing issues on a regional basis while preserving local control and minimizing fiscal impacts on the town.

- Policy 4A: Continue to participate in regional and county efforts to increase the availability of affordable housing in the region and county, including housing for people with special needs, while working to ensure that factors such as size, geographical and seismic hazards, fire risks, and land dedicated to open space are considered in establishing housing requirements.
- Policy 4C: Preserve local control over zoning, diversified housing locations and design.
- Policy 4D: Minimize the fiscal impact of new housing on the town.

- Policy 4E: Define housing needs in a manner recognizing the special cultural and historic planning conditions for the town, including the agricultural and rural history and a culture of respecting the environment.

ADUs create additional units for residents and local employees while continuing to support and retain the Town's rural values and aesthetic. By locating ADUs on lots already containing a house or commercial use, ADUs will require minimal additional infrastructure and associated fiscal investment. The ADU ordinance will not encourage or further allow subdivision of existing park or agricultural land.

Safety Element

Potential Hazards in the Planning Area:

Fire Hazards

4141

Conclusions drawn from the analysis of fire hazards in Portola Valley are:

2. The western hillsides of Portola Valley, which are steep, have few roads, lack an adequate water supply and have dense vegetation are relatively hazardous when judged from a fire safety point of view. These areas cannot be reached quickly by fire fighters, and when reached, fire fighters may have substantial difficulty in fighting the fire because of an inadequate road system, dependence on hand carried equipment, and lack of water. These lands are clearly the most hazardous in the planning area.

*In light of the concerns summarized above and expressed by the Fire Marshal of the Woodside Fire Protection District, the ADU ordinance excludes certain parcels from external ADU development (Internal ADUs are allowed, as required by State law). Parcels are excluded where **all** of the following conditions apply: parcels which are smaller than one acre and therefore do not already have ADU development rights; accessed by roads less than eighteen feet wide; and accessed by a road with only one point of ingress/egress. These conditions cause increased difficulty for emergency services and evacuation.*

Policies Concerning Fire Hazards

1. Do not construct buildings for human occupancy, critical facilities and high value structures in areas classified as having the highest fire risk unless it is demonstrated that mitigation measures will be taken to reduce the fire risk to an acceptable level.

Where higher fire risk exists, the ADU ordinance prohibits development of external ADUs in certain instances. In areas with limited emergency access, as defined by roads less than eighteen feet in width and with only one point of ingress/egress, parcels of less than one acre are prohibited from ADU development.

**Attachment 2, Exhibit B:
Environmental Review**

Statutory Exemption. Statutory exemptions apply to classes of projects determined by the California Legislature to promote an interest important enough to justify not undertaking environmental review. Unlike Categorical Exemptions, a project that falls within a Statutory Exemption is not subject to CEQA even if it has the potential to significantly affect the environment. The California Legislature has found and declared that ADUs provide an essential component in addressing housing needs in California.

The proposed ordinance makes adjustments to the Town's Municipal Code which are consistent with state law requirements established in Government Code Section 65852.2. This section expressly allows local agencies to amend their zoning ordinances to incorporate policies applicable to the creation of Accessory Dwelling Units (ADUs). Furthermore, the section authorizes local agencies to adopt less restrictive regulations for the creation of ADUs. State law contemplates that municipalities may go beyond the minimum requirements of Section 65852.2 to further encourage ADUs, as is proposed with certain aspects of the proposed ordinance. The proposed ordinance is therefore Statutorily Exempt from review under the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.17, which states that CEQA does not apply to a local agency's adoption of an ordinance to implement the provisions of Government Code Section 65852.2.

Alternative Exemption. If the Statutory Exemption is found to not cover the incremental portion that goes beyond the State law requirements (internal ADU floor area above 1,200 square feet), the proposed amendments are exempt from further environmental review pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

The ordinance would allow internal ADUs up to 1,700 square feet, which goes beyond the floor area of 1,200 which is cited in the State Law. The 1,700 square feet size would only occur in rare cases where the project is within the allowed floor area, inside existing interior space, and meets all other development standards. Furthermore, the Town's data for ADUs approved in the last three years shows that many applicants do not build up to the allowed maximum size, even where floor area limits would allow it. That trend is expected to continue.

The rate at which Portola Valley residents are choosing to build Accessory Dwelling Units has been increasing by approximately 0.6 units each year for the last eighteen year period, which includes three Code amendments to encourage construction of ADUs. If this trend continues, approximately 150 new ADUs (both internal and external) will be proposed over the next ten years. With 220 ADUs already built, this represents

less than a doubling of the total number of ADUs, and less than 10% of all parcels in Town adding a new ADU, over a ten year period.

If 150 ADUs may be expected over the next ten years, a conservative estimate is that 20% of those could be internal and between 1,200 square feet (State law) and 1,700 square feet (Town limit), resulting in 30 units. This is negligible for CEQA analysis purposes because the potential impact of the additional floor area of (up to) 500 square feet in 30 units results in 15,000 square feet total. The units would be dispersed throughout Town and all units would be subject to generally applicable development standards related to grading, tree removal, creek setbacks, impervious surface, noise and related environmental standards.

In regards to traffic, it is difficult to extract the new demand from ADUs from the demand generated by the main housing units. The ADU may be used by members of the primary residence household, resulting in no net new trips. The ADU may be rented at some times, but not others in the life of a property. Or the ADU may be rented by existing residents of the Town, which changes traffic patterns but does not increase trips.

The Institute of Traffic Engineers (ITE) does not have a published trip generation rate for ADUs. Some municipalities use a rate of 3 trips per day for ADUs, for purposes of calculating traffic mitigation feesⁱ. This rate assumes small ADUs and is a reasonable proxy for the 500 square foot increment beyond State law under consideration by the Town. If 30 units produce an additional 3 trips per day, the result is 90 trips per day spread throughout the Town road system, which is an insignificant impact. For context, the traffic volume on Portola Road was measured in 2016 and found to be 4,900 vehicles per day (referred to as “average daily traffic”). This is well below the industry standard capacity for a two-lane road, which is of 15,000 vehicles per day, or average daily traffic. Moreover, for CEQA purposes, traffic impacts are typically calculated at peak hours and the assumed 90 trips would not all take place during such peak hours.

Therefore, it can be seen with certainty that the incremental difference between the State law’s floor area of 1,200 square feet and the Town’s limit of 1,700 square feet for internal ADUs will not have a significant effect on the environment.

Exemption for Individual ADUs. Construction of individual ADUs is covered by CEQA Guidelines Section 15303(a) which exempts a second dwelling unit in a residential zone. ADUs in commercial zones are covered by Guidelines Section 15303(a) and (c), which exempt new small residential and commercial buildings on sites zoned for such use.

ⁱ Trip generation for ADUs is an emerging area of CEQA analysis. Statistically valid information is limited because ADUs are typically integrated with the primary land use. Municipalities that use trip generation rates for the purposes of traffic impact fee analysis include San Francisco, Benicia, and Bend, Oregon. Those cities use (approximately) 3 trips per day for small ADUs.

ADU Ordinance with Council Revisions
Voted Upon at March 13, 2019 Meeting

B. Accessory Dwelling Units.

1. Purpose. The purpose of this section is to define Accessory Dwelling Units (ADUs), and describe their development standards, review required, and additional regulations. Accessory dwelling units are allowed in certain situations in order to help achieve the Town's goals which include but are not limited to:
 - a. Create new housing units while respecting the existing character of the Town;
 - b. Provide housing that responds to residents' changing needs, household sizes, and increasing housing costs, and provide accessible housing for seniors and persons with disabilities;
 - c. Offer environmentally friendly housing choices with less average space per person and smaller associated carbon footprints; and
 - d. Promote provision of affordable housing for people who work in Town.

2. Definitions. The following definitions shall govern this Section.
 - a. Accessory Dwelling Unit, or ADU. An attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the main building to which it is accessory. An Accessory Dwelling Unit also includes:
 - i. Internal ADU. Created by converting Existing Interior Space, such as bedrooms, attached garages, basements or attics, or a combination thereof. Converted space can be within or detached from the main building.
 - ii. External ADU. A unit which requires new construction, either attached to or detached from the main building.
 1. Attached ADU. A unit which is attached to or part of the main building. Attached ADUs include new construction which is attached to the existing building, and a mix of new construction and converted space.
 2. Detached ADUs. A separate building, independent from the main building, built using new construction.
 - b. Adjusted Maximum Floor Area, or AMFA. The maximum allowed floor area for a residential parcel, calculated by the Town using the parcel's size, slope, mapped ground movement potential, and mapped flooding potential.

- c. Director. Planning and Building Director, also referred to as the Town Planner.
 - d. Discretionary Review. Review of a project against the General Plan, municipal code, and Design Guidelines. The reviewing body exercises judgment in applying policies to a specific project in context and determining whether the required findings for approval can be made. The reviewing body considers public comment and may impose conditions of approval on the project.
 - i. Staff Discretionary Review. A review process wherein the Planning and Building Director shall review certain Accessory Dwelling Unit applications in coordination with one member of the Architecture and Site Control Commission (ASCC).
 - ii. Architectural and Site Control Commission, or ASCC. A review process wherein the full ASCC reviews projects at a public meeting.
 - e. Existing Interior Space. For the purposes of internal ADU creation, Existing Interior Space shall be within a building which was permitted by the Town and passed its final building inspection at least one year prior to any application for an ADU.
 - f. Guest House. A building separate from the main residence which includes a bedroom and may include a bathroom, but does not include a kitchen.
 - g. Junior Accessory Dwelling Unit. A unit consisting of habitable space with a separate entrance and sink, but which may share bathroom facilities with the main building. Typically created by converting existing space into a separate unit. Junior Accessory Dwelling Units do not constitute ADUs under this code.
 - h. Main building. The building to which an ADU is accessory. Main buildings can have a residential or non-residential use, as permitted by this Title.
 - i. Ministerial Review. A review process which is objective in nature and involves no personal judgment. The reviewing body confirms that all requirements are satisfied before approving a project, and may not consider public comment or impose conditions of approval.
 - j. Second Address. An address issued by the Planning and Building Department for a permitted Accessory Dwelling Unit on a parcel that has an existing unit with a different address.
 - k. Second Unit. See *Accessory Dwelling Unit*.
3. Applicability. Accessory Dwelling Units shall be permitted on all parcels in all zoning districts, where a main building is in existence or is proposed concurrently.
- a. Exception. ADUs are prohibited on parcels smaller than one acre whose direct vehicular access is from a road or cul-de-sac which (1) has a single point of ingress/egress and (2) has a width of less than eighteen feet (18').

4. Development Standards. All existing development restrictions in the base zoning district shall apply, except as modified by this section. These requirements include but are not limited to coverage, open space, bulk, density, floor area and adjusted maximum floor area, impervious surface, height, setbacks, parking, site development, and outdoor lighting requirements.
- a. Number.
 - i. One ADU shall be permitted on all parcels smaller than 3.5 acres in size.
 - ii. Two ADUs shall be permitted on parcels 3.5 acres or larger in size as follows: ~~only one ADU may~~ must be detached from the main ~~dwelling building and one ADU must be internal. When two ADUs are present, the external ADU shall be limited to twelve hundred (1,200) square feet.~~ be detached if they are created by converting Existing Internal Space in legal buildings.
 - b. Floor Area Maximums
 - i. Floor Area. The minimum size of an ADU shall be defined by the California Building Code. ~~The maximum size of any type of ADU shall be within the range of twelve hundred (1,200) to seventeen hundred (1,700) square feet. The maximum size of an ADU shall be:~~
 1. Twelve hundred (1,200) square feet for external ADUs on parcels smaller than 3.5 acres in size.
 2. Fifteen hundred (1,500) square feet for external ADUs where one ADU is present on parcels 3.5 acres or larger in size.
 3. Seventeen hundred (1,700) square feet for internal ADUs on all parcel sizes.
 - ii. Percentage. An external ADU shall be additionally limited to ~~50%~~ 70% of the floor area of the existing or concurrently proposed main building.
 - iii. Adjusted Maximum Floor Area and Floor Area Ratio. ADU floor area shall be limited to the maximums described at subsections 4.b.i. and 4.b.ii. or the floor area allowed by the base zoning district, whichever is more restrictive.
 - c. Floor Area – Calculations
 - i. Basements. Space which meets the definition of a basement (Section 18.04.065), whether under a main residence or an ADU, shall not be included in AMFA calculations. However, Floor Area Maximums at Section 18.36.040.B.4.b.i and ii., and Review Authority at Section 18.36.040.B.6 shall both apply to basement floor area which is part of an ADU.
 - ii. Parking provided for ADUs shall not be included in floor area calculations.

- d. Height. Height limitations for an ADU shall be those of the base zoning district. This includes daylight planes, where applicable. ADUs taller than eighteen feet (18') vertical height or twenty-four feet (24') maximum height, where allowed by the base zoning district, shall require Staff Discretionary Review.
- e. Parking and Driveways.
 - i. Parking Requirement. Internal ADUs shall not require any dedicated parking spaces. External ADUs shall require one dedicated parking space, as follows:
 - 1. ADU parking may be located in a covered or uncovered space, in tandem with other parking, and/or in setbacks.
 - 2. Parking space design shall conform to Section 18.60.020, Parking, Dimensions and Access.
 - 3. On parcels of one acre or larger where an ADU of twelve hundred (1,200) square feet or less is proposed, ADU parking is not required to be dedicated. The ADU parking space may be shared, or overlap with, one guest parking space, provided the property is compliant with the current parking requirements in this Title.
 - ii. Covered Parking Conversion. When covered parking which is required by this code is demolished in conjunction with the construction of an ADU or converted to an ADU, the required parking spaces must be provided elsewhere on site. The replacement parking may be covered or uncovered, in tandem, or in mechanical lifts.
 - iii. Driveways. All driveways shall conform to Section 15.12.300, except the ASCC may grant an exception to the requirement that properties only have one entrance from the road and approve a second driveway when ~~it is able to make an ADU is proposed on a property of two (2.0) acres or more, and the ASCC makes~~ the following findings:
 - 1. It is not feasible for the ADU to be served by the same driveway that serves the main building, taking into consideration the cost, topography and natural landscape, among other things.
 - 2. Providing a separate driveway for the ADU will result in less impervious surface for the property than would extending the existing driveway.
 - 3. It is shown that the proposed driveway:
 - a. Does not exit onto a Scenic Corridor or cross a trail, as mapped by the Town; and
 - b. Provides for safe movements for all users, as determined by the Public Works Director.
- f. Materials. Color reflectivity values shall not exceed 40%, except that trim colors and roofs shall not exceed 50% reflectivity.

- g. Landscaping. Landscape plantings shall be selected from the Town's list of approved native plants and shall adhere to the Town's Landscaping Guidelines, as described in the Design Guidelines.
- h. Lighting. All lighting shall comply with Section 18.36.040.A.8, Outdoor Lighting.
- i. Setbacks. No setback shall be required for an existing garage that is converted to an Accessory Dwelling Unit, and a setback of five feet from the side and rear lot lines shall be required for an Accessory Dwelling Unit that is constructed above a garage. This shall apply to both conforming and legal non-conforming garages.
- j. Second Address. ADUs may be assigned a separate address at the property owner's request, with the exception that any ADU with an approved second driveway shall always be assigned a second address. Applicants requesting an address shall submit an application as part of the Building Permit submittal. The Planning and Building Director, in consultation with Woodside Fire Protection District, shall review and approve applications.
- k. Utilities. When visible from the public right of way, utilities installed to serve an ADU shall be grouped with any existing infrastructure for the main building and screened to the extent feasible, as determined by the Planning & Building Director. In determining feasibility, the Planning & Building Director may consider cost, topography, and the natural landscape.
 - i. Utility Undergrounding. Utilities shall be required to be placed underground, as described in Section 18.36.010.B, with the following exceptions for ADUs:
 - 1. An internal ADU and any associated electrical service increases shall not trigger undergrounding of utilities.
 - 2. A detached ADU shall always underground utilities between the main house and the ADU, when connecting from the main house.
 - ii. Any other instance of new construction for an external ADU shall require undergrounding as stipulated in Section 18.36.010.B relating to utility undergrounding, with the exception that an applicant may apply to the ASCC for relief from these requirements, as well as the undergrounding requirement for detached ADUs at subsection 4.k.i.2, and if the ASCC thereafter finds that undergrounding is not feasible or practicable, or that there is no reasonable alternative location for the related equipment, such undergrounding requirement shall not apply. Significant financial costs, topography, and natural landscape may be included in this consideration.
- l. ADUs must comply with applicable Building Code requirements, including fire sprinkler requirements, unless a modification or waiver of the fire sprinkler requirement is approved by the Fire Marshall. An ADU created

by the conversion of Existing Interior Space shall not be required to provide fire sprinklers if sprinklers are not required for the main residence.

5. Types of Review.

- a. Ministerial Review. Ministerial Review shall be completed by the Planning and Building Director or her/his qualified designee under the building permit review process. No public hearings or noticing are required as part of this review. An ADU application which qualifies for Ministerial Review shall be acted upon within 120 days of the application being accepted by the Town.
- b. Discretionary Review.
 - i. Discretionary Review shall be conducted by one of the following review bodies:
 1. The Planning and Building Director shall complete Staff Discretionary Review in consultation with an ASCC member. The Director may refer items directly to the ASCC when in her/his opinion the public interest would be better served by having the ASCC conduct the review.
 2. Architectural and Site Control Committee (ASCC) Review is a discretionary review completed by the full ASCC at a noticed meeting.
 - ii. Findings for Approval. The review body must be able to make all of the following findings in order to approve an ADU subject to discretionary review:
 1. The structure is designed so as to minimize disturbance to the natural terrain;
 2. Existing vegetation is preserved to the maximum extent possible.
 3. The structure is designed and located to allow adequate light and air for itself and its neighbors;
 4. Landscaping, screening and fencing preserve privacy and mitigate adverse effects on neighboring properties;
 5. Entrances, exits and internal circulation shall be sited to promote traffic safety and ease and convenience of movement;
 6. Night lighting is located and fixtures chosen to promote public safety but minimize effects on adjoining properties;
 7. Planting and site design mitigate the problems of drainage and soil erosion;
 8. Materials and colors are compatible with the rural setting of the town and the surrounding landscape and structures;
 9. Proposed grading minimizes the apparent disturbance to the natural terrain;
 10. The project is consistent with the Portola Valley Design Guidelines;

11. The physical position, massing, and architectural design of the ADU reflect that it is accessory in nature and holds a subservient position to the main building;
 12. The design of the ADU and its ingress/egress reflect their physical positions on the property, such that units on or adjacent to setbacks are designed to minimize impacts toward adjacent properties.
- iii. Notice. Minimum noticing for ADUs requiring discretionary review shall include:
 1. Noticing to adjacent neighbors by the applicant, as required by the Planning and Building Director in a form consistent with application materials published to the Town website.
 2. Noticing as described by Section 18.64.085, ASCC – Notification
 - c. An ADU application which is dependent on a septic tank and drain field shall be referred to and require approval of the County Health Officer in accordance with Town policies.
 - d. An ADU application which requires soil movement greater than fifty cubic yards or other work requiring a Site Development Permit under Section 15.12.070 shall be referred to the Town Geologist, the Town Engineer, and any other review bodies necessary as determined by the Planning and Building Director.
6. Assignment of Review Responsibilities.
- a. ASCC Review. ADUs which include any of the following shall be subject to ASCC Review:
 - ~~i. External ADUs larger than:

 1. 1,200 square feet, on parcels 0—3.49 acres; or
 2. 1,500 square feet on parcels 3.5 acres or larger.~~
 - ~~ii.i.~~ A separate driveway for the ADU.
 - ~~ii.ii.~~ Location in a non-residential zone.
 - ~~iv.iii.~~ Location on a property with historic resources, as identified in the historic resources element of the general plan, as provided for in Section 18.31, H-R (Historic Resources) Combining District Regulations.
 - b. Staff Discretionary Review. ADUs which do not have any of the conditions listed in subsection 18.36.040.B.6.a., ASCC Review, and which include any of the following shall be subject to Staff Discretionary Review:
 - i. An internal ADU larger than twelve hundred (1,200) square feet or fifty percent (50%) of the existing building, whichever is less;
 - ii. An ADU on a property adjacent to a Scenic Corridor;
 - iii. An ADU with a different architectural style than the main house or building;
 - iv. An ADU taller than eighteen feet (18') in vertical height or twenty-four feet (24') in maximum height;

- v. An ADU with a light well larger than the minimum Building Code requirement;
 - vi. An attached ADU which causes the main residence to exceed 85% of the Adjusted Maximum Floor Area (AMFA);
 - c. Ministerial Review. ADUs which do not have any of the conditions listed in subsection 18.36.040.B.6.a., ASCC Review, or 18.36.040.B.6.b., Staff Discretionary Review, shall be subject to Ministerial Review. All projects subject to Ministerial Review shall comply with all code requirements. Additionally, Internal ADUs shall:
 - i. Include Sufficient side and rear setbacks for fire safety;
 - ii. Occupy Existing Internal Space, as defined by this section.
7. Additional Restrictions. In addition to the development standards described in this section, all ADUs shall be subject to the following restrictions:
- a. Sold Separately. ADUs shall not be sold separately from the main dwelling;
 - a-b. Owner Occupancy. Either the ADU or the main building must be owner occupied. The other unit may be rented.
 - b-c. Rental Restrictions. On properties where an ADU is present, any rentals of the ADU or main building shall be for a term of thirty (30) days or more.
8. Administration.
- a. Appeals. A decision by the Planning and Building Director or ASCC on an ADU may be appealed, if the appeal is filed within fifteen days of the decision.
 - i. A decision made by the Planning and Building Director is appealable to the ASCC.
 - ii. A decision made by the ASCC is appealable to the Planning Commission.
 - b. Application Administration. The Town Council authorizes the Planning and Building Director to establish permit application requirements, forms, and checklists that the Director finds necessary or useful for processing any applications governed by this Chapter.

Table of Documents Related to ADU Ordinance

Additional information and updates on the progress of the ADU ordinance and its current status can be found at www.portolavalley.net/housing.

Body	Date	Document Title & Topics	Link
Town Convening	3/3/18	<u>Report</u> : Listening session on how residents experience housing crisis	http://www.portolavalley.net/home/showdocument?id=10945
Town Convening	5/5/18	<u>Report</u> : Listening session on how ADUs might fit in Town	http://www.portolavalley.net/Home/ShowDocument?id=11155
Town Council	7/11/18	<u>Power Point Presentation</u> : Study Session on ADUs	http://www.portolavalley.net/home/showdocument?id=11147
Planning Commission	10/3/18 Continued on 10/17/18	<u>Staff Report</u> : Programs, Staff Discretionary Review, Second Addresses, Discussion of Policies	http://www.portolavalley.net/Home/ShowDocument?id=12227
		<u>10/3/18 Meeting Minutes</u>	http://www.portolavalley.net/Home/ShowDocument?id=12301
		<u>10/17/18 Meeting Minutes</u>	http://www.portolavalley.net/Home/ShowDocument?id=12345
ASCC	10/22/18	<u>Staff Report</u> : ADU Design Issues	http://www.portolavalley.net/Home/ShowDocument?id=12273
		<u>Meeting Minutes</u>	http://www.portolavalley.net/Home/ShowDocument?id=12319
Planning Commission	11/7/18	<u>Staff Report</u> : Draft Code Outline, Staff Discretionary Review; ADUs as Accessory; Individual Policies	http://www.portolavalley.net/Home/ShowDocument?id=12295
		<u>Meeting Minutes</u>	http://www.portolavalley.net/Home/ShowDocument?id=12357
Planning Commission	12/5/18	<u>Staff Report</u> : ADU Size; Data on Review, Size, Past Regulations; Second Driveways; Utilities.	http://www.portolavalley.net/Home/ShowDocument?id=12321

		<u>Meeting Minutes</u>	http://www.portolavalley.net/Home/ShowDocument?id=12403
Planning Commission	12/19/18	<u>Staff Report</u> : Fire Safety; Second Addresses; ASCC Feedback; ADUs in Non-Residential Zones	http://www.portolavalley.net/Home/ShowDocument?id=12363
		<u>Meeting Minutes</u>	http://www.portolavalley.net/Home/ShowDocument?id=12436
Planning Commission	1/16/19	<u>Staff Report</u> : Feedback; Fire Safety; Proposed Resolutions; General Plan Consistency; CEQA Review	http://www.portolavalley.net/Home/ShowDocument?id=12405
		<u>Meeting Minutes</u>	http://www.portolavalley.net/Home/ShowDocument?id=12478
Planning Commission	2/6/19	<u>Staff Report</u> : Draft Ordinance; ADU Size; Secondary Issues; General Plan Consistency; CEQA Review	http://www.portolavalley.net/Home/ShowDocument?id=12446
		<u>Draft Meeting Minutes</u>	https://www.portolavalley.net/Home/ShowDocument?id=12494
Town Council	2/27/19	<u>Staff Report</u> : ADU Ordinance; ADU Size; Fire Safety & ADUs on All Parcel Sizes; ADUs in All Zones; Second Addresses; Second Driveways; Owner Occupancy; Staff Discretionary Review	http://www.portolavalley.net/Home/ShowDocument?id=12496
		<u>Meeting Minutes</u>	http://www.portolavalley.net/Home/ShowDocument?id=12569
Town Council	3/13/19	<u>Staff Report</u> : First Reading of ADU Ordinance; Maximum ADU Size; Second Driveways; and Owner Occupancy	http://www.portolavalley.net/Home/ShowDocument?id=12551

If you would like to read any of the material listed above and do not have access to a computer and/or printer, please visit Town Hall. Staff can assist with accessing and printing documents related to this report during Town Hall hours: 8 am -12 pm and 1 pm – 5 pm, Monday – Friday.

PORTOLA VALLEY TOWN COUNCIL REGULAR MEETING NO.965, MARCH 13, 2019

CALL TO ORDER AND ROLL CALL

Mayor Wengert called the Town Council's Regular meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Ms. Hanlon called the roll.

Present: Councilmembers Maryann Derwin, Craig Hughes, John Richards; Vice Mayor Jeff Aalfs; Mayor Ann Wengert

Absent: None

Others: Jeremy Dennis, Town Manager
Brandi de Garneau, Assistant to the Town Manager
Laura Russell, Planning & Building Director
Howard Young, Public Works Director
Arly Cassidy, Associate Planner
Cara Silver, Town Attorney
Sharon Hanlon, Town Clerk

ORAL COMMUNICATIONS

(1) Presentation – Countywide Flood Control and Sea Level Rise Resiliency Agency

Larry Patterson, working with San Mateo County outreach plan for Flood and Sea Level Rise Resiliency Agency, led a PowerPoint presentation regarding C/CAG's proposed Flood and Sea Level Rise Resiliency Agency. He discussed why the agency is needed, key aspects of the proposal, the start-up schedule, the funding breakdown, and endorsements. He requested endorsement of the FSLRRA Proposal and approval of three-year annual funding.

Mayor Wengert invited questions from the Council.

Councilmember Hughes asked if the County was still responsible for the \$400,000 on the MOU support if the Agency is not formed. Mr. Patterson said the challenge is the funding provided by the County was not indefinite and the time limit is coming up over the next year. He said staff involved in MOU projects are on limited term assignments that will end in June 2019. He said if the agency is not formed and the permanent funding source is not established, the Flood Control District will revert back to the County.

Councilmember Hughes asked how the tiering for the cities was developed. He said Portola Valley is on the small end of population for the County, which means it pays approximately 5x. Mr. Patterson said this issue was discussed at great length and they tried to make it as simple and equitable as possible. In response to Councilmember Hughes' question, Councilmember Derwin said Hillsborough was very supportive. She said she is on the Countywide Water Coordination Committee, consisting of elected officials. She said they initially looked at seven tiers and she helped to talk the numbers down for the smaller cities and they landed on three tiers after extensive discussion.

Mayor Wengert said the experience has been with a lot of agencies and projects that the numbers rise quite quickly. She asked if there were projections of how this might look beyond the three-year fixed time period, because it does have more material impact on a small municipality such as Portola Valley. Mr. Patterson said it would be conjecture at this point, in part because there is no investment plan yet. He said he does not expect population to be the criteria for funding in the future. He said he predicts the reaches along the coastline will break into groups, which will form additional MOUs, which may be the models going forward. In each case, there will be cities who are directly involved and directly benefitting, sitting down to talk about how they're going to share the costs and what those costs are going to be. He said for Portola Valley, there may be limited conversations in that area, because there may be Countywide issues or stormwater quality issues that would suggest the Town's participation. He said he

does not think it will be even for everyone and does not think population will be a measure of future is funded. He said it will be based on a reach and what projects and work needs to be done within that reach to get those projects completed.

Mr. Patterson said it is important to access <https://resilientsanmateo.org> to find a lot of information and to track what's happening with the other cities in terms of endorsement.

Councilmember Derwin said it is incredible that this agency has come this far this quickly. She described the genesis of the agency and commended Larry Patterson, Town Manager Dennis, and all the people who have worked on this. She encouraged support from her colleagues.

Jerry Hearn. Mr. Hearn lives in Los Trancos Woods and has been involved in environmental activities for 30 years as a volunteer. He said a lot of his efforts have gone into the San Francisquito Creek Watershed flooding issues and things like that. Mr. Hearn said it is very clear that the bay side of San Mateo County will be one of the most affected places in the United States due to the rising sea level. He said it took a while to get the JPA rolling, but once started, the power that came out of it was amazing. He said they have just finished a \$73 million flood control project in a fairly reasonable short period of time, once they gave up on receiving money from the Federal government. He said because there were five entities involved, money was easier to raise. He said the communities have to work together, especially with a shoreline. He said people who live here may wonder, "What's in it for me?" He talked about the infrastructure that residents may not realize they are dependent on that will be affected by the rising sea level, things such as San Francisco airport, Highway 101, emergency services, water infrastructure, sewage and treatment plants, communications, food service, childcare, economy (Google, Facebook), etc. He said what's in it for us is the preservation of our current way of life.

CONSENT AGENDA

- (2) Approval of Minutes – Town Council Regular Meeting of February 27, 2019. *[Removed from Consent Agenda.]*
- (3) Approval of Warrant List – March 13, 2019, in the amount of \$134,951.14.

Councilmember Richards moved to approve Item 3. Seconded by Vice Mayor Aalfs the motion carried 5-0, by roll call vote.

- (2) Approval of Minutes – Town Council Regular Meeting of February 27, 2019. Vice Mayor Aalfs moved to approve Item 2 as amended. Seconded by Councilmember Richards, the motion carried 4-0-1, with Councilmember Derwin abstaining.

REGULAR AGENDA

PUBLIC HEARING

- (4) Public Hearing – First Reading of Ordinance – Accessory Dwelling Units
 - (a) First Reading, Waive Further Reading and Introduce an Ordinance of the Town Council of the Town of Portola Valley Removing Subsection (B) of Section 18.12.040 [Accessory Uses Permitted] of Chapter 18.12 [R-E (Residential Estates) District Regulations] of Title 18 [Zoning], Amending Section 8.36.040 [Accessory Uses] of Chapter 8.36 [Uses Permitted in All Districts] of Title 18 [Zoning] and Amending Section 18.48.030 [One-Time Increase] of Chapter 18.48 [Parcel Area, Open Space and Bulk-Basic Requirements] of Title 18 [Zoning] of the Portola Valley Municipal Code (Ord._____)

Mayor Wengert introduced Planning & Building Director Laura Russell and Associate Planner Arly Cassidy. She also thanked the Planning Commissioners in attendance - Chair Jon Goulden and Commissioner Anne Kopf-Sill.

Planning & Building Director Russell announced several handouts were available in the back of the room covering the key elements being discussed this evening. She thanked everyone for their active

participation in this process. She said the written comments received by staff since the staff report was published are included on the dais for the Council's consideration. All other comments received are included in the staff report. Planning & Building Director Russell introduced Associate Planner Cassidy.

Associate Planner Cassidy explained that tonight is a continuation of the review of the draft ADU ordinance, which began at the February 27, 2019, Town Council meeting. At that meeting, the Council requested staff provide additional data and background material. She explained that tonight's staff report is an addendum to the February 27, 2019, staff report. She explained tonight's review will include the discussion items (maximum ADU size, second driveways, owner occupancy, formatting changes), public feedback, and recommended actions as detailed in the staff report. Staff recommended that the Town Council review the draft ordinance, receive public comment, and provide direction to staff regarding any necessary changes.

Mayor Wengert invited questions from the Council.

Councilmember Richards thanked staff for all the good work. He asked if people on smaller than 2 acre lots could apply for a variance if the driveway option was removed. Associate Planner Cassidy said they could, which is the situation that currently exists. She has never seen an application for a second driveway. She said they generally discourage use of variances to get around regulations and said the findings are very difficult to make and rely on unique situations.

Councilmember Hughes thanked staff for all the good work. He had no questions.

Councilmember Derwin said she attended many of the Planning Commission meetings and expressed appreciation for the work of the Planning Commissioners. She asked if there would be a pathway through the ASCC or variance process to build a larger ADU if the maximum limit was set at 1,200 square feet. Associate Planner Cassidy said it would require a variance if someone wanted to build larger than 1,200 square feet. She said if the AMFA allowed it, but not the ADU maximum restriction, the variance would be for the ADU restriction. If the applicant wanted to build beyond the AMFA, that would be a different reason for the variance. Planning & Building Director Russell said it would be very unlikely that variance findings could be made for a larger ADU. Planning & Building Director Russell said the maximum ADU size would be the maximum and there would not be a path to approve larger than that maximum. She said the Planning Commission considered that and subsequently proposed that ADUs over 1,200 square feet up to the maximum size would require discretionary review.

Vice Mayor Aalfs asked if the variance findings for a second driveway would be more stringent. Planning & Building Director Russell said the variance findings would come from State law, which are very difficult to make. She said they require a unique aspect of the project, the physical aspects of the property. She said in this community there are already a lot of natural features, so there would need to be something unique to an applicant's property beyond similar-situated properties in their same zoning district.

Mayor Wengert said there may be situations that are different for an internal conversion, where people may be taking an existing older property and have a floor plan that may require some flexibility. She said an older home may have, for instance, a lower story of 1,400 square feet and an upper story of 1,400 square feet. She said while she believes there should be a maximum that applies to both internal and external ADUs, in the case of an internal, there may be a way to potentially segment that out. Vice Mayor Aalfs asked if an existing house that had a 1,400-square-foot level that was an obvious place to build an ADU would count as a unique condition of the property by the variance law. Planning & Building Director Russell said it would not. She said the Council may consider differently internal ADUs that are conversions of existing space without a change to the building footprint. She said the Planning Commission did discuss that as a potential approach to this type of scenario. She said there could be a hard maximum for an external ADU that is different from an internal ADU that might accommodate the example of an existing lower level that is currently greater than 1,200 square feet. Mayor Wengert said in the instance of an older home, rather than someone buying that home and tearing it down and building a much larger property, more flexibility could be allowed for them to use the lower floor to accommodate an internal ADU that may have slightly more square footage. She said existing smaller older homes could be disadvantaged by some of these limitations.

Mayor Wengert asked why the AMFA wasn't mentioned in Section B.4.b.iii. Planning & Building Director Russell said the term "base zoning district" is used instead of AMFA because AMFA only applies to residential zoning and the ordinance would allow ADUs in all zoning districts.

With no further questions, Mayor Wengert opened the public hearing.

Nancy Shostak. Ms. Shostak applauded the hard work everyone has done on the ADU proposal. She said she has thought about what the town would look like if the maximum size ADU was allowed and there was an influx of ADUs with renters. She said Portola Valley is environmentally fragile and also fragile in terms of emergency resources. She said she just retired from teaching geology, specifically earthquake hazards, at San Jose State. She said she studied the 1906 earthquake in great detail and knows what will happen the next time there is an earthquake here. She said the town was lucky in 1989 because the rupture stopped at Page Mill Road and did not come all the way north. She said if it had, there would have been a great deal of devastation. She said stress is building up on this section of the fault which is locked. She said it is not a matter of if but when there will be a major earthquake. She said she recently completed the Community Emergency Response Team (CERT) training provided by the Woodside Fire Protection District. She said she is acutely aware of what will happen with a wildland fire, major earthquake, or even worse, a major earthquake followed by fire. She said the town will be pretty much on their own for a period of weeks. She said the one fire station in town is staffed by four or five people and the other firefighters live across the bay or in other communities and it would take a very long time for them to get to Portola Valley, if even possible. She said if 1,700-square-foot ADUs are allowed, her concern is they will draw a lot of families but will not be providing affordable housing. She said it would be wonderful to provide affordable housing to the emergency responders, teachers, Town staff, and others intimately connected with Town. She said she is not as sympathetic to the tech employees of huge companies that should be providing housing for their workers. She supports a maximum ADU limit of 1,200 square feet. She said she and her husband tore down their house and rebuilt it in the same spot. She said they have a 625-square-foot ADU with one bedroom, a bathroom, a walk-in closet, and an open living area. She said they can accommodate extra cars on their 2-1/2 acres. She said in the Corte Madera area street parking is already crowded, and if larger ADUs are allowed more people would need to park on the street. She said her concern is about access by emergency responders or gridlock that would prevent people from evacuating their residences.

Bob Shostak agreed with his wife. He said if there is a substantial increase in the town population, it will detract from the wonderful rural character in Portola Valley. He said looking at what is happening on the Peninsula along El Camino and what Google is promising, there will be tens of thousands of additional housing units available there. He said the ability to build a 1,700-square-foot unit with a separate driveway and separate utilities is a magnet for developers to come in and buy existing properties, building out the land with large ADUs, and then renting out both houses. He said many of his neighbors and readers of PV Forum were not aware that this measure was being considered. He asked that there be some kind of survey taken of residents to get their opinions and let them weigh in. He said several years ago there was a basement restriction measure proposed that the Council was scheduled to vote on. He said one of the residents mailed a letter to everyone in the community asking them to weigh in and the outcome was that it was substantially opposed.

Bruce Roberts, 40 Hillbrook. Mr. Roberts said he wrote to Town Council on February 25. He said 60 percent of the lots in town are 1 acre or more and 40 percent are under 1 acre. He said he appreciates that those on 1 acre or less could be more impacted than those living on larger lots and have more concerns about larger units. He said there is a huge difference between internal and external ADUs. He explained his home is 5,100 square feet, built in 1960. He said he has 1,632 square feet downstairs that includes two large bedrooms, a large kitchen, a large 500-square-foot den with a fireplace, and large hallways. He said his neighbors can't see it and no one is impacted by his property. He said he raised three children at his home who at various times lived downstairs. He said at various times there were more than five cars on his property. He said he has a four-car garage with two cars downstairs and two upstairs. He said he also has a second driveway that has existed since 1960. He said his house originally had three driveways and when he remodeled the upstairs, he removed one of the driveways. He wants to be sure that if he has an existing second driveway, it will not be disallowed as part of his internal ADU application. He said with regard to the owner-occupancy rule, he does not intend to move away permanently, but he would like to be able to live in Barcelona for a year, renting out the second unit while he's gone. Or he might live downstairs and rent out the larger home upstairs. He said his rear neighbors

have had tenants for 39 years, different all the time, never a problem. He said rather than taking ~~Polysa 66~~ lollygagging around, ADUs have been discussed for at least three years and the residents who read the paper or check any of the websites should know about it. He said if this ordinance is not passed now, the State of California will force the Town to build multi-family housing.

Dolores Dolan, 105 Shawnee Pass. Ms. Dolan thanked everyone for all the work done. She said she mailed a letter to Council expressing her concern about how the ADU size is determined. She said it appears more square footage is given to people with larger homes which is an inequity to property owners.

Virginia Bacon, 205 Golden Oak Drive. Ms. Bacon said the requirement for 2 acres or more for a second driveway should be removed. She said she lives on a 1+ acre property where a second driveway would make a lot of sense on her property. She said if she were to extend her existing driveway to an ADU, it would parallel a road, which doesn't make sense.

Phillip Vincent. Mr. Vincent thanked the Town for all the work they've done on this issue. He said he thinks the Town should resist the State mandate and foresees that the State will continue to add more and more requirements. He said he supported the idea of additional dwellings in support of the affordable housing effort but he regrets that now because he was thinking of conversions of existing space and not added space. He said there is the philosophical question of what control the Town has over our local areas. He asked how Woodside, Los Altos Hills, and other similar communities are dealing with this issue. He said Redondo Beach is now in a lawsuit with the State over similar issues. He said communities in Orinda are also somewhat resisting. He said there are multiple definitions of density, including unit or structural density. He said a fundamental philosophical political question is the local rights relative to the State government control. He mentioned a map that shows that only the area where he lives on Portola Road is impacted. He said his area has very narrow streets and is very crowded with a lot of flag lots with ADUs. He said if the Town is going to provide affordable housing, then the Town should buy properties, develop them, and sell them. He said Habitat for Humanity has restrictions on their buildings so they cannot be sold for profit. He said his suggestion would have the Town sharing the impact instead of having most of the impact be on a certain small set of people.

George Andreini. Mr. Andreini said he has lived here many years. He said he bought his first small house here because he wanted to raise his family in a less populated area than where he lived in San Mateo. He said he does not understand what has motivated the Town Council and Planning Commission to come up with such a sweeping change to the existing Town of Portola Valley. He said there used to be 750-square-foot guest houses, then 1,000 to 1,500, and now a proposal for 1,700 square feet. He said it is a mistake to believe this will make it possible for firefighters and school teachers to live in this community. He said the Planning Commission is compromising the basic assets that have made Portola Valley so great. He said the townspeople donate to open space in order to preserve the rural aspect of town. He said that kind of activity is contrary to putting in separate driveways, separate addresses, compromising the size of the lots by building larger units, moving families in from wherever, the traffic, the additional police and fire response required, the additional school teachers, and additional school rooms. He said Portola Valley is a pristine situation between San Francisco and San Jose – a rural community with exceptional schools, a vibrant and supportive community, and limited commercial space rentals. He said the original volunteer governments worked to preserve what this community is all about. He said as we go through life, we strive to better ourselves and the lives of the people we love, and we work hard to have something that's unique. He said the people that live here and have built here live better because of the uniqueness of this community. He said the new rules may make it so interesting economically that a citizen previously concerned about Portola Valley is now concerned only about himself. He said he does not understand why the Town would compromise the existing restrictions in order to generate rental income. He said no one will rent out their 1,700-square-foot ADU for \$500 a month instead of \$4,000.

Barbara Oliver. Ms. Oliver said she has lived in Portola Valley 48 years. She said the Alpine Hills area has several smaller and older homes ripe for change. She said she questioned whether the sweeping changes would achieve their stated purposes. She said it is an open invitation for changing the character of the smaller homes, demolishing and building two units, which becomes a financial scheme. She said a lot of her concern has to do with the size of the permitted units. She said 1,700 square feet is a full scale home which is a completely different character. She questioned why the Town was proposing that much more square footage than required by the State. She hoped the Council would consider the unintended consequences of such sweeping changes for numbers and sizes of units.

Helen Wolter, 4660 Alpine Road. Ms. Wolter thanked staff for the great outreach – the postcard ~~Page B4~~ Forum, the emails from staff. She said she is a single mom and sole heir to a 1.75-acre lot here in Portola Valley. She said they are trying to build an ADU on the lot and appreciates the flexibility that this proposed ordinance offers. She said she lived for 11 years in an 1,100-square-foot house with three bedrooms and two baths so she has been surprised by the limitations that 1,000 square feet was presenting to architects. She said she has talked to eight or nine architects, two of whom are willing to build a two-bedroom, two-bath unit with 1,000 square feet. The others said it was not possible. She said she has children and would like the flexibility. She said she looked at prefabs and none worked with 1,000 square feet. She said the perception of affordable housing versus reality does not match. She said neighborhood and property values increase with affordable housing. She said ADUs are not subsidized but are private properties, not developers adding ADUs to their lots. She said currently anyone with 2 acres can subdivide and it's not happening. She said she is also working with the Parkland and North Bayshore. She said there are 6,000 units proposed for the City of Mountain View, and she understands are another 14,000 in the pipeline. She said for Portola Valley to add 10 units a year, a total of maybe 100 units in the next 10 years, is not a lot. She said this is a regional issue and everyone needs to help. She said 1,700 square feet is too big, but she supports the increased flexibility. She supports the second driveway option if it reduces impervious surfaces and separate addresses for safety and for bills.

Mayor Wengert announced there were no more speaker cards but invited additional comments from the public.

Greg Franklin. Mr. Franklin responded to some of the post-hearing commentary around the last meeting of the Town Council. He said there was reference made to calibrating the maximum size with the size of the units at the Sequoias. He said the residents of the Sequoias have access to and use tremendous common facilities which essentially discounts the amount of space they actually need to live in and should be an important consideration. He said it was noted that census-wise, the town population has actually reduced by more than 500 people over the last 40 years. He said care must be taken regarding the legislation invited because of the demographics. He said the median age of the town is 55, which means 2,500 people in town are 55 years of age. In 5 or 10 years the median age will quite likely be higher. He was supportive of flexibility for second driveways on properties of less than 2 acres. He said he lives on 1 acre. He said because the cul-de-sac on which he lives wraps around his house, the Town has graciously allocated him 50-foot frontages on three sides of his home. He said that presents problems for siting an ADU. He said where he would have to place an ADU could not be serviced by his primary driveway. He repeated his previous compliments to the Town staff and Planning Commission for the amazing amount of work they've done on this incredibly complicated issue. He said he has talked to other residents in town, trying to communicate the complexity. He suggested these great presentations are appended with narratives and then put up on the Town website as You Tube videos.

Maria Southgate. Ms. Southgate said she was born here. She questioned whether so many changes had to be made all at once. She said she understands a lot of time, energy, and effort has gone into it, but suggested maybe there could be some small changes. She said she drove up Corte Madera Road this afternoon and there was a car parked on the side of the road so she had to pull over and stop because two cars could not get by it. She asked if someone would be allowed to remodel and expand their home if they do not call it an internal ADU. She said in some cases a second driveway makes sense for safety reasons regardless of whether or not there is an ADU.

Randy True, Alpine Road. Mr. True moved here with his wife a year ago. He was supportive of the You Tube video idea. He said he is a new teacher and is a big believer of video-based education and watches a lot of math and science videos. He said he reached out to his brother, who works for the San Francisco Mayor expediting new housing, to bring himself up to speed on the housing crisis in California. He said it is his understanding that RNHA is what guides the State, with the current cycle being 2015 to 2023. He said Portola Valley's allocation over that time is 64 or 8 units per year. He said his understanding is that 34 have already been produced. He said there should not be the pressure that we are not pulling our weight because the State goals are being met. He said in terms of affordability, which is a big issue, it seems like providing very low income or low-income housing in Portola Valley will be difficult and it is arguable whether that is even appropriate. He said in chatting with neighbors, he said the dream is that new housing can be built, such as the proposed 11-unit duplexes, to provide some mechanism for first-time homebuyers that are local teachers or city workers, having the Town help these first-time homebuyers who work in the community.

Mayor Wengert said many of the comments are related to things that have been discussed and studied for a number of years. She said the Strategic Housing Plan explains what the Town Council has been doing in this regard. She said the Town Council is now into the second year of these activities and the ADU issue is the first of a three-pronged approach. She said the ADU research and everything studied related to changing the ordinance is all driven by multiple factors, not the least of which is to provide flexibility for residents who want to have children live at home, want to age in place, want the flexibility to change out their existing homes, and to really be able to facilitate individual living situations. She said everyone should understand that everyone's parcel has an attached square footage that is their maximum, specific to each property, taking into account topography, geology, etc. She said no one will be able to build additional square footage over what is already allowed today. She said the Housing Strategic Plan also talks about this as one strategy where the Town is looking to the citizens to give them the maximum flexibility to do with their properties what they need and want to do without increasing square footage on any of the lots, with every parcel staying at the same maximum square footage. She said, moving forward, other proposals will be considered for other possible ways to provide affordable housing and locations that make sense in town.

Mayor Wengert closed the public hearing and called for a 10-minute break.

Mayor Wengert brought the item back to the Council for discussion.

- Maximum ADU Size – External

Councilmember Richards said the newly-provided expanded chart showed the amount of unused FA. He said increasing the accessibility of people in town in all zones will not result in a huge increase with a lot of places having a fairly limited ability to build. He said as far as overall size goes, he researched and found three three-bedroom, 1,200-square-foot ADUs randomly on the internet, which he shared with the Council. He said he has built a number of 750-square-foot two-bedroom, two-bath ADUs in town and said 1,200 square feet is not a small space. He said in the interest of preserving the town's rural atmosphere as much as possible, he would push toward the lower sizes. He was supportive of 1,200 square feet and 30 - 40% of the main house.

Councilmember Hughes said he has thought a lot about the term accessory and what that means about the size of the accessory unit relative to the main house. He said he would be uncomfortable going over 50% of the main house size for an ADU. He said he initially was supportive of providing property owners with more flexibility but has appreciated the comments from a number of people about not changing too much too fast. He said these numbers can always be revisited. He was supportive of 1,200 square feet and 50%.

Councilmember Derwin said her ADU is 750 square feet and seems very spacious to her. She was supportive of 1,200 square feet or 30% to 40% whichever is smaller. She said people are happier in smaller spaces.

Vice Mayor Aalfs said on the chart he noticed how many ADUs were below the current limits at the time they were approved and how many of them left unused AMFA. He said even when there is a limit, not everyone builds to it. He was supportive of 1,200 square feet and 40%. He said in his neighborhood, just off of Corte Madera, he thinks most do not have room to build an ADU. He said he has received requests from some neighbors on less than 1 acre that want to build small ADUs.

Mayor Wengert said 1,700 square feet is too much too fast. She is supportive of 1,200 square feet and 40%. She said if you have a smaller home built in probably the '50s or '60s, you would potentially be penalized by the 40% limitation which should not be encouraged. She suggested the 40% max be applied to all homes larger than 3,000 square feet. For example, if you have a 3,000-square-foot home, you will have the 40% maximum. If you have an existing home of 3,000 square feet or smaller, you would have the ability to build up to 1,200 so you are not penalized. She said this would provide flexibility so that people would not be encouraged to tear down existing homes or add onto the existing home just so their ADU could be larger.

Vice Mayor Aalfs asked if staff saw any unintended consequences of that modification. Planning & Building Director Russell said it seemed like a straightforward modification. She pointed out that some properties are allowed, under current code, to build ADUs up to 1,500 square feet on 3.5-acre parcels.

Councilmember Hughes said 50% of the 2,270-square-foot case study is 1,175 square feet, almost 50% of the 1,200. He said an interior ADU would be 50% anyway under State law and suggested it may be simpler to go with 50% for both.

Mayor Wengert was supportive of Councilmember Hughes' suggestion for the symmetry. She said, as for internal ADUs, as mentioned tonight, someone may have a lower floor with 1,500 square feet, and it doesn't make sense that they should have to cordon off 300 square feet. She said the goal is provide flexibility. She said the statutory maximum should be 1,200 but allow for larger with a staff review. Councilmember Hughes asked if an internal ADU conversion of, say 1,600 square feet, would be allowed without a parking requirement. He asked if the State rights disappear at 1,200 square feet or if those rights would be extended to whatever maximum limit the Town sets. Associate Planner Cassidy said that question has not been considered but at first glance she does not recall any language that specifically applies only to the path that must exist as far as the requirements. Mayor Wengert said she was reluctant to make this a variance situation; however, she said there are very few situations where this would apply and if it is situationally specific with a very limited number, the variance mechanism may apply. Planning & Building Director Russell said the variance is not the right tool. She said the Planning Commission recommended that internal ADUs over 1,200 square feet up to whatever maximum would require staff discretionary review, so those findings would have to be made. She said what has not been considered is Councilmember Hughes' question about the State requirements regarding parking spaces. Mayor Wengert said if the State-required additional parking could be part of staff's discretionary review. Associate Planner Cassidy said her understanding of the State law is that it does not allow jurisdictions to require parking for internal ADUs at all. She does not know if allowing more than the 1,200 square feet would then allow the Town to require additional parking. The Council asked staff to research this question further.

Mayor Wengert asked Councilmember Hughes if his spreadsheet showed a material difference between 50% and 40% on the larger residences. Councilmember Hughes said there was almost no difference. He said of all the examples on the spreadsheet there were two that had a very small difference. He said it's 50% for internal by State rule and would be simplified if the Town rule for external was also 50%.

The Council agreed on the maximum for external ADUs to be the lesser of 1,200 square feet or 50% of the main house; the maximum for internal ADUs to be 1,700 square feet; and maintain the 1,500-square-foot maximum for lots over 3.5 acres.

- Owner Occupancy

Vice Mayor Aalfs suggested one lease contract per property. He said the entire property, including the main house and the ADU, could be leased to one person, or one structure could be leased while the owners lived in the other structure. He said that would eliminate the option of developing the property to rent out both units to separate parties.

Councilmember Richards said he does not like the idea of requiring owner occupancy but understands the reasons behind it. He said he is not convinced the fear of speculators buying up properties to rent them out is valid or reality.

Councilmember Hughes said the LLC issue is not the only exotic ownership structure. He said there are situations where the kids own the property that the parents live in and they charge them rent for tax reasons, which in that case is renting the main house to parents and renting the ADU to the caretaker. He agrees that this is a worry that will not likely materialize, especially with the concept of accessory units that share a driveway. He said as a landlord you would want to lease out your 3,000-square-foot home to someone who would be willing to share a driveway with someone living in the 1,200-square-foot unit in the backyard, which does not make for an attractive rental property.

Mayor Wengert said the owner-occupancy rule was originally designed as an impediment to speculators, and it may still function in that way to some degree, particularly as the values go higher.

Councilmember Derwin said she likes the owner-occupancy requirement and does not feel the Town is quite ready to give that up – either the one lease or the owner-occupancy. Mayor Wengert agreed she would not want to entirely abandon the owner-occupancy requirement. She said the primary goal is to maintain the residential character of town. She said 10 years ago nobody saw the impact Airbnb would

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have and she would expect that trendline to continue in that way. She said while it may be a very small firewall that may be easily circumvented, it psychologically has great impact to suggest this is a community that is very focused and motivated to maintain its residential character. Councilmember Derwin agreed it was an emotional issue. Councilmember Richards suggested the single lease agreement per property or owner-occupied.

A member from the public asked how a property that was allowed two ADUs would be handled. Mayor Wengert said it was not considered to make exceptions for that situation. Councilmember Hughes said that's why owner-occupied works better. Councilmember Richards suggesting maintaining the rule as-is for owner occupancy.

The Council agreed that short-term rentals would not be allowed.

- Second Driveways

Councilmember Richards was supportive of providing more flexibility and said there are situations where it makes more sense to allow a second driveway rather than placing driveways across the middle of properties. He said he did not think the issue would come up very often. He said the required findings should be strong enough they can't be abused.

Councilmember Hughes agreed. He said with the strength of the findings, the 2 acre limit seems somewhat arbitrary. He said he did not understand why a 1.9 acre property would not be allowed a second driveway and suggested removing the 2-acre requirement.

Councilmember Derwin asked staff if they anticipated a lot of requests for driveways if the 2 acre requirement was eliminated. Planning & Building Director Russell said they do not anticipate a lot of driveways and neither did the Planning Commission. She said 2 acres was just a way to draw the line because of the hesitation around second driveways. She said as the findings have been strengthened through the process, that is the most efficient tool.

The Council agreed to remove the 2 acre requirement for second driveways.

Planning & Building Director Russell asked for clarification regarding internal ADUs given the question about State law. Town Attorney Silver said the State law provides that the parking exemption for internal ADUs applies to all internal ADUs regardless of size. In response to Councilmember Derwin's question, Town Attorney Silver said in this context State law trumps local rules.

Planning & Building Director Russell also noted that the adopted ordinance will be forwarded to HCD.

Vice Mayor Aalfs said an unintended consequence of allowing large internal ADUs, with no requirement for additional parking, is that there could be eight drivers in one house. Mayor Wengert said the intent of allowing larger internal ADUs is not to allow for a lot of extra people and cars, but is to provide flexibility for preexisting conditions and to allow staff to have discretion to approve in those situations.

Councilmember Derwin asked staff if they had discretion to find a larger internal ADU reasonable. Planning & Building Director Russell said a discretionary review could be conducted with a site inspection. She said they would need to make the findings in the ordinance and, while they are comprehensive, she is not sure they exactly capture this issue about potential impact on neighbors or parking. Staff pointed out that the findings were crafted largely to address potential impacts from external ADUs. Councilmember Hughes asked if they could have ministerial review for 1,200-square-foot internal units as required by State law but have a different category for internal units over 1,200 square feet that go through discretionary review process. Planning & Building Director Russell said that is already included but the findings do not include parking impacts. She said the discretionary review could be for other issues, but could not be for parking per State law. The only other mandate for internal conversions relates to fire sprinklers where if they're not required for the main house, they can't be required for the internal conversions.

Town Attorney Silver said the rationale behind the State law assumes that with an existing structure you are going to be able to fit in a certain number of people with a certain number of cars and that parking is

taken care of with the main house and by converting a portion of the main house into an ADU you will be increasing the parking demand. There are other opinions about that, but that is the view of the State.

Mayor Wengert asked staff if they'd be comfortable with no additional findings to make a determination about an applicant who requested an internal ADU greater than 1,200 square feet in an existing building. Planning & Building Director Russell said the finding regarding minimizing impacts toward adjacent properties could have some value. She said although additional parking cannot be required, the Town may require something to be reconfigured on the site or screening, some way to block lights from the neighbors, a different way to pull in to the property, etc. She said staff would also have the benefit of the site inspection and an ASCC member participating in the review, so there could be some good ideas about door placement, lighting, etc., that may mitigate some of the other impacts. She said she does not see a solution for specifically addressing parking.

Councilmember Hughes said he was still somewhat uncomfortable with it and preferred an incremental approach. He said he was concerned there will potentially be some project on the worst possible narrow road with fire safety issues and no sidewalks, where there is a 1,600-square-foot unit with two or three additional cars that are now parked full-time on Corte Madera Road. He said nothing can be done if it's a 1,200-square-foot ADU, but that difference of 400 square feet is potentially an extra car or two and a lot bigger burden. Mayor Wengert said she comes back to the global view that people are going to do what they're going to do with their homes and there is no way to control all of it. Councilmember Richards said in the worst case the Town may have to start looking at parking restrictions on the streets.

- Programs

Per Town Manager Dennis's request, the Council agreed they had nothing to add to the three programs described – Pre-Approval/Alternative Building Materials; Coordinating with HOAs and PUDs to Support ADUs; and, Sewer Connection & Cost.

Approve First Reading and Waive Further Reading and Introduce an Ordinance of the Town Council of the Town of Portola Valley Removing Subsection (B) of Section 18.12.04 [Accessory Uses Permitted] in Chapter 18.12 [R-E (Residential Estates) District Regulations] of Title 18 [Zoning], Amending Section 8.36.040 [Accessory Uses] of Chapter 8.36 [Uses Permitted in All Districts] of Title 18 [Zoning], and Amending Section 18.48.030 [One-Time Increase] of Chapter 18.48 [Parcel Area, Open Space and Bulk – Basic Requirements] of Title 18 [Zoning] of the Town of Portola Valley Municipal Code as revised to external ADUs 1,200 square feet maximum or 50% of the main house, 1,700-square-foot limit on internal ADUs, restoring owner/occupancy requirement, and removing 2 acre car requirement for second driveways. Seconded by Councilmember Hughes; the motion carried 5-0.

Councilmember Richards moved to approve First Reading of Ordinance as Amended to include 1) The formula to determine the size of an external ADU is 1,200 square feet or 50% of the main house, whichever is lower; 2) 1,700-square-foot limit on internal ADUs; 3) For lots over 3½ acres, maintain the 1,500-square-foot maximum size; 3) Retain the Owner/Occupancy requirement; and 4) Remove the 2 acre requirement for second driveways. Seconded by Councilmember Hughes; the motion carried 5-0.

Councilmember Richards moved to find the project exempt under CEQA. Seconded by Councilmember Hughes; the motion carried 5-0.

The Second Reading of the Ordinance is scheduled for the March 27, 2019 Town Council meeting.

STAFF REPORTS AND RECOMMENDATIONS

(5) Recommendation by Town Manager – Council Priorities Study Session, FY 2019-20

Town Manager Dennis presented the Council Priorities report as detailed in the staff report. Staff recommended that the Town Council accept a status update on the current Council Priorities and provide initial feedback on their priorities for Fiscal Year 2019-20.

In response to Mayor Wengert's question, Town Manager Dennis said he felt roads, prefab units, and long-range fiscal planning efforts should be added based on previous Council input and subsequent conversations with staff.

Councilmember Derwin asked Town Manager Dennis if the list was too much for staff to handle. Town Manager Dennis said they are currently short-staffed with 13 full-time staff members, down three. He said the list is ambitious but it always has been ambitious.

Councilmember Hughes said it's become increasingly clear that the climate is heading in a bad direction and a lot of work has to be done. He said he is not proposing adding things to the list, but said he would support symbolically moving sustainability up to the top of the list. He said there is a measurable chance that most 20-year-olds today will eventually die of starvation. Town Manager Dennis said they can move it up the list. He said Assistant to the Town Manager de Garmeaux is a champion of sustainability issues and has an aggressive set of activities she would like to undertake based on the Town. Once she has been freed of some of her recently undertaken duties, he is confident she will come up with a lot of ideas that can be implemented. He said staff can fashion the list in a way to give it a highlight. Vice Mayor Aalfs said there are several initiatives that can provide resources.

Town Manager Dennis asked the Council to point out any items on the list that could or should be removed. Mayor Wengert asked if something was precipitating Item 4(g), Health of Town Resources, Review Town contracts and insurance requirements. Councilmember Derwin asked about Item 4(f), Review and recommend updates to Town Center Use Policies and Applications. Town Manager Dennis said staff has been doing this in incremental steps as they respond to new situations and open up old projects. He said it may not need to be on the list because it will continue regardless. In response to Councilmember Hughes' question, Town Manager Dennis said Item 4 includes staff-related issues, fiscal-related issues, building related issues, etc. He discussed the importance of 4(a), Recruitment for the Next Generation – Generation & Millennials, for future staffing.

Mayor Wengert suggested Item 1(a) be expanded from "Review of potential housing" to "Develop and refine proposals related to affiliated and Town-owned programs." Town Manager Dennis agreed.

Mayor Wengert thanked the senior staff and expressed appreciation and pride for all the great work they do.

A final copy will return to the Council as part of the 2019-20 FY Budget.

- (6) Recommendation by Town Manager – Consideration of the Letter of Support for House Resolution 530 – Local Control and Small Cell Sites

Town Manager Dennis described the background discussion items regarding the Town Council's January 9 approval of an urgency ordinance to provide for expediting permitting for small cell sites in order to comply with Federal Law, as detailed in the staff report. Staff recommended the Council authorize the Mayor to sign a letter of support for HR 530 (Eschoo).

Vice Mayor Aalfs moved to authorize the Mayor to sign a letter of support for HR 530. Seconded by Councilmember Hughes; the motion carried 5-0.

- (7) **COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS**

Councilmember Richards – None to report.

Councilmember Hughes – Attended Bicycle, Pedestrian & Traffic Safety Committee meeting, where they updated on the Pedestrian Study. He reported that a car hit a bicycle that was crossing a driveway at the Priory. There were no serious injuries and the driver was not cited because the Deputy dispatched to the scene was not trained to issue citations for that type of violation because it was an accident investigation. Staff will follow up with the Sheriff's Department regarding this incident.

Councilmember Derwin – Spoke at the Express Lanes Project groundbreaking. Attended a Foundation for San Mateo County Libraries meeting. She said April 10 is "Library Giving Day" and posters are available promoting it; however, Half Moon Bay and Portola Valley will not display the posters. Attended a C/CAG meeting where they discussed the retreat. Attended a Home for All Meeting with Mayor Wengert.

Vice Mayor Aalfs – Attended BayREN's Energy Reach Codes forum last week.

Mayor Wengert – Reported that the Parks & Recreation Committee meeting was canceled at the last minute due to lack of quorum. She said the Subcommittee Meeting with staff was productive and the ideas and thoughts will be coming to the agenda soon about how to change some of that, create some pools of resources, eliminate the monthly meeting requirements, recruitment, etc. Mayor Wengert and Town Manager Dennis met with Advancing California Finance Authority (ACFA), a group that provides financing for low-cost housing.

(9) Town Manager Report – Town Manager Dennis reported there was a car accident on Alpine Road this morning, probable DUI, and a non-resident was arrested at Corte Madera school where he allegedly trashed an office. There were some residents in the immediate area who were concerned that they should have been notified of an active search situation. The crossing guard service is receiving positive feedback, as well as collecting data. The trial service will be ending in a few weeks. Town Manager Dennis will speak with the Public Works Director to discuss next steps. Staff will utilize some of the funds from the Pedestrian Safety Study to perform a traffic survey in town. The budget process officially started on Monday. Departments are starting to prepare their budgets and submit to the Interim Finance Director by the end of next month. As part of this process, we will redevelop the Town's budget book to be of a more department-based budget. Next Tuesday the Sheriff will be in town to present home and personal safety information, to be held in the Community Hall. The wildfire study session will be at the next Town Council meeting.

WRITTEN COMMUNICATIONS

(9) Town Council Digest – February 28, 2019

None.

(10) Town Council Digest – March 7, 2019

#4 – Notice – Agenda Packet for the City Selection Committee – March 14, 2019. Mayor Wengert discussed the upcoming City Selection Committee meeting to select two Councilmembers to serve on the CASA Legislative Task Force.

ADJOURN TO CLOSED SESSION: [10:27 p.m.]

(11) Conference with Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to Section 54956.9(c) of the California Government Code: One potential case.

(12) Public Employee Performance Evaluation

Government Code Section 54957; Title – Town Manager

REPORT OUT OF CLOSED SESSION – No Reportable Action

ADJOURNMENT [11:45 p.m.]

Mayor Wengert adjourned the meeting.

Mayor

Town Clerk

There are no written materials for Wildfire Preparation Study Session



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Jeremy Dennis, Town Manager

DATE: March 27, 2019

RE: Stanford Affiliated Housing Presentation
([Link to Attachments Page](#))

RECOMMENDATION

Staff recommends receiving information from Stanford University regarding an update on the Stanford Wedge property.

BACKGROUND

Since the late 1990's the Town's Housing Element has included a program, currently called the Affiliated Housing Program, to allow three institutions in Portola Valley (the Priory, the Sequoias, and Stanford University) to construct multifamily housing on their properties¹.

As part of the Housing Strategic Plan (Attachment 1) that was adopted by the Council in late 2016, the Town has been exploring options to increase housing opportunities for three Portola Valley populations affected by the ongoing housing crisis:

- Seniors who have few opportunities to age in place
- Grown children of Portola Valley families who are unable to move back
- Workers who support Portola Valley's institutions, schools and businesses who commute long distances and/or pay high rents to work in this community

The Council identified the Affiliated Housing Program as a tool to further the goals of the Housing Strategic Plan. Since that time, the Council has:

- Invited affiliated housing partners to address their housing efforts at two council meetings (April 26, 2017 and September 28, 2018)
- Requested staff communicate with partners on a regular basis regarding the Town's efforts
- Created a subcommittee of the Council to consider future expansion of the program, if feasible

¹ The Program was amended in 2014 to limit the program to those employees of the institutions who build the affiliated housing.

Stanford Affiliated Housing

At their April 26, 2017 meeting, the Town Council indicated interest in Stanford potentially partnering with the Town on housing at the site known as the Wedge, identified in the Town's Housing Element as a site for an affiliated housing project (Attachment 2).

At their September 28, 2018 meeting, the Town Council directed staff and the Home for All Council Committee (Mayor Wengert and Councilwoman Derwin) to meet with Stanford as needed in provide zoning information regarding the site.

Stanford indicated earlier this year interest in sharing with the Town Council their thinking on a potential project for the Wedge, and this meeting is to hear from their representatives.

ATTACHMENTS

1. [Housing Strategic Plan](#)
2. [Housing Element, Affiliated Housing Program](#)

Approved by: Jeremy Dennis, Town Manager





MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Town Council

FROM: Jeremy Dennis, Town Manager
Debbie Pedro, Planning Director

DATE: October 12, 2016

RE: Draft Housing Options Strategic Plan - Follow-Up Discussion

RECOMMENDATION

Staff recommends adoption of a draft housing options strategic plan which contains recommendations to:

- Create a list of programs and concepts for further review by Town staff, commissions and committees, as listed in the staff report
- Adopt a public outreach plan
- Adopt a timetable for research and input
- Create an ad hoc committee to explore potential housing options to be built in Portola Valley
- Postpone completion of the housing impact fee study

BACKGROUND

On July 13th, 2016, the Town Council reviewed a staff report requesting direction on “next steps” to begin a conversation about the impacts of the ongoing housing crisis in Portola Valley, and the Town’s part in addressing its impact on the community (Attachment 1). The July 13th staff report provided a summary of the Town staff’s understanding of the local impacts of the regional housing crisis:

1. Talented education professionals and public safety officials are moving away as they cannot afford to live in or near Town
2. Seniors or “empty nesters” who wish to downsize are unable to do so as there are no real housing opportunities in Town, and as a result, their homes do not reenter the housing market
3. Traffic to employment centers is unbearable immediately outside Town, and more people are using Town streets to attempt to skirt freeway traffic
4. Employees of Town businesses are driving long distances to reach their jobs, or are finding other jobs closer to home

5. Family members who grew up in Portola Valley are unable to live in or near Town, unless they move back into their family's home

After discussion, the Council directed staff to provide at a later meeting a process for community engagement, and identify potential options for the Town to explore.

This memo summarizes the Council's direction to staff, provides follow-up discussion on each of the six "buckets" of ideas identified by Council as potential solutions, and a timeline to carry out the strategic plan.

Regardless of the approach adopted, it must be noted that Portola Valley cannot solve the region's housing ills on its own; any set of solutions ultimately approved should be appropriate to the community's size and value system and must build upon the successes that have made Portola Valley such a special place to live and work.

DISCUSSION

At the July 13th meeting, the Town Council identified six "buckets", or groupings of ideas to be considered, that should be prioritized by staff:

1. Accessory Dwelling Units (ADUs)
2. Affiliated Housing Opportunities
3. Housing Opportunities on Town-Owned Land
4. Review of the Inclusionary Housing Program/Update on Housing Impact Fee
5. Shared Housing
6. Public Outreach/Timeline/Review by Commissions and Committees

Each was researched by Town staff, and below are recommendations based on that research. The recommendations make up the draft housing options strategic plan.

1. Accessory Dwelling Units (ADUs)-Second Units and Junior Second Units

Secondary Dwelling Units-The Town's Second Unit Ordinance was last updated on September 9, 2015 (Ord. 2015-408). Per Program 3 of the approved 2014 Housing Element, the following amendments were made to the Zoning Ordinance to encourage the production of second units.

1. Allows second units on parcels two acres or larger to have up to 1,000 square feet of floor area, rather than the previous limit of 750 square feet.
2. Allows two second units to be built on parcels 3.5 acres or larger. One of the units is required to be attached to the main house and the other unit would be a detached structure. This change allows owners of larger properties to accommodate more housing, particularly for family members and potentially any employees, such as groundskeepers or caregivers.
3. Allows staff level review and approval of second units up to 750 square feet, rather than the previous limit of 400 square feet.

In the 11 months since the adoption of the Ordinance amendments, the Town has received eight (8) second unit applications. Historically, the Town has strongly supported

the creation of second units as a way to create affordable housing opportunities and as a preferable alternative to construction of other housing types such as multi-family developments. Given the success of the ordinance, its expansion to other zoning districts is recommended for review.

Recommendation One: Direct the Planning Commission to review amendments to the Second Unit Ordinance that could increase the maximum allowable size of the unit; allow second units on smaller (<1 acre) properties; waive permit fees; and possibly subsidize development cost.

Cost of a Second Unit

In general, commonly cited impediments to developing second units include minimum lot size and parking requirements. In addition, utility upgrades (electrical, water, sewer/septic) and fire sprinkler requirements may be triggered when adding new floor area to a property.

The Town's natural physical environment represents a significant constraint to development. Due to steeply sloping properties, geotechnical constraints, and the provision of utilities and sewage systems, the cost of construction in Portola Valley is considerably higher than elsewhere in the Bay Area. Projects are reviewed to ensure that landslides and other slope/soil stability hazards are suitably mitigated. The necessity for additional engineering and construction provisions, as well as for greater scrutiny in design and construction oversight, adds to the cost of development.

According to a local architect, the estimated cost for residential construction in 2016 is between \$350 and \$500 per square foot, not including permit fees levied by the Town and/or other public agencies.

Below is an explanation of the permit fees and the estimated cost to construct a 750 square foot second unit on a property with a septic system in 2016.

The Planning fee is comprised of a non-refundable flat fee and a deposit, against which professional planning and engineering staff charge to provide review services. This fee structure reflects the Town's actual cost for staff time for preparing projects for ASCC review and approval.

Building permit fees are charged to cover costs associated with the review of building plans for conformance with the California Building Standards Code as well as costs associated with conducting building construction inspections. The fees charged for building permits are based on the valuation of the construction.

The Town and special districts also impose new development fees for the construction and/or connection of new infrastructure systems to existing systems. This includes water and sewer fees and connection charges to address issues associated with increased system capacity demands and impacts.

While not imposed by the Town, local school districts charge a fee that is linked to the size of new construction and must be paid prior to issuance of building permits. The purpose of the fee is to compensate serving school districts for the costs associated with the demand for additional services and classroom space generated by new residential

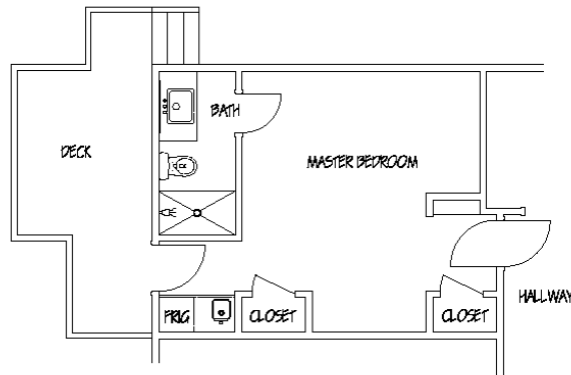
development. The two districts which collect fees in the Town are the Sequoia Union High School District (SUHSD) and the Portola Valley School District (PVSD), which levies a combined fee of \$3.48 per square foot for residential construction within the Town.

Estimated Permit Fees	Approximate Cost for Second Unit (750 sq. ft.)
Building Permit (plan check and inspection)	Fee: \$ 5,300
Planning Permit-ASCC, <i>if applicable</i>	Fee: \$675, Deposit: \$1500
Geologic Review	Fee: \$260, Deposit: \$2500
Fire Dept. Review	Fee: \$120
County Environmental Health Review (septic system), <i>if applicable</i>	Fee: \$909
Schools Fees - \$3.48/SF x 750 sq. ft.	Fee: \$2,610
Subtotal	\$13,874
Estimated Plan Preparation/Design Cost	
Architect	\$25,000-\$50,000
Structural Engineer	\$7,000-\$15,000
Surveyor	\$1,500-\$1,800
Geotechnical Engineer	\$4,000-\$5,000
Septic System Designer	\$8,000-\$10,000
Subtotal	\$45,500-\$81,800
Estimated Construction Cost	
Labor and materials \$350-\$500 per sq. ft.	\$262,500-\$375,000
Fire sprinklers (Build holding tank or install new line and meter)	\$2,000 or \$100,000
Septic system upgrade, <i>if applicable</i>	\$20,000-\$30,000
Subtotal	\$284,500-\$505,000
Total Estimated Cost for a 750 sq. ft. Second Unit	\$343,874-\$600,674

The above chart demonstrates the limited ability for the Town to influence the cost of the production of a second unit. However, Town staff does believe conversations with our partners at the County and in the private sector could provide better understanding of their costs and opportunities for improvement.

Recommendation Two: Direct staff to work with regional agencies and private sector partners to reduce costs and eliminate barriers to second unit construction.

Junior Second Units (JSU)- Junior second units are smaller, less impactful living spaces that would entail conversion of an existing bedroom within a dwelling to create a flexible-private living situation in conjunction with the owner-occupied unit. The concept of JSUs was first developed in Marin County by Rachel Ginis, Executive Director of Lilypad Homes, a non-profit organization dedicated to creating second unit housing that offers more affordable housing options for homeowners and renters.



Similar to secondary units, JSU's count towards a jurisdiction's Regional Housing Needs Allocation (RHNA) numbers. Each jurisdiction's requirements may differ slightly but in the City of Novato, which adopted a Junior Second Units ordinance in December 2014, the JSU program provides flexibility for homeowners to repurpose an extra bedroom in the house for additional rental income with minimal additional code requirements.

- No additional parking required
- No water or sewer connection fees
- No fire sprinkler requirement
- Simple approval process (building permit for interior remodel)

Recommendation Three: Direct the Planning Commission to work with Town staff to further review and develop a Junior Second Unit Ordinance to allow conversion of existing space within single family homes into a junior accessory dwelling unit.

2. Affiliated Housing Opportunities

Housing Element Program on Affiliated Housing - In the early 1990's, the Town developed a housing program that expanded zoning to allow multifamily housing on institutional sites for employees and staff affiliated with the institutions that own the parcels. This program (Program 2 of the 2015 Housing Element) allows affiliated affordable multifamily housing on three designated sites in town: the Sequoias, the Priory School, and the Stanford Wedge. Town staff regularly engages with these affiliated housing partners to understand their needs as well as to share the Town's priorities.

During the course of these regular meetings, initial thoughts were shared regarding potential housing concepts at the Stanford Wedge property for housing. Town staff, the appropriate commissions, and the Town Council will review any proposal should Stanford wish to pursue housing concepts at the Wedge.

Additional housing is currently being pursued at Woodside Priory School; once complete, the Priory School will have 27 housing units in total. The Sequoias has no plans for affiliated housing at this time; staff will continue to engage with both of these affiliated housing partners.

Employee Housing on Commercial and Institutional Properties

The affiliated housing program is a useful tool to link local employment with housing needs. There is currently no Town policy that addresses affordable housing on non-residential uses except for the Sequoias, Priory School and Stanford Wedge. Given that there are additional employers in town that may have the capacity and desire to house their employees, staff recommends engagement with these future partners to determine general interest and any possible barriers to housing on their properties.

At the July 13, 2016 Council meeting, Vice Mayor Hughes suggested that the Town survey workers in Portola Valley to gauge the need for local housing for the Town's workforce. The Council can direct staff to design a survey to collect this information and report back to Council with the findings before developing a program for employee housing on commercial and institutional properties.

Recommendation Four: Direct staff to engage with businesses in Town to gauge interest in joining the Town's Affiliated Housing program created by the Housing Element. Changes to the Housing Element requires a recommendation by the Planning Commission, one public hearing by the Town Council, and appropriate public noticing.

Recommendation Five: Direct staff to conduct outreach to local employers and pre-approve an employee survey

3. New Housing Opportunities on Town-Owned Land

Like many other municipalities, the Town of Portola Valley owns a number of lots acquired through the Inclusionary Housing Ordinance, remnants of larger lots, and acquisitions. The Town currently owns 26 properties¹, ranging in size from 0.017 to 16.05 acres (Attachment 2). Most are not developable given their location, size,

¹ Not including Town facilities

proximity to utilities, or geologic challenges. However, if the Council would like to further explore opportunities to produce modest and appropriate numbers of housing on town-owned land, Town staff can more formally examine potential locations: additional study is required to determine any development constraints and the number of potential housing units the sites may yield. This option may require General Plan and Zoning amendments.

In conjunction with this evaluation, Town staff would develop criterion for the occupancy of such units, based on employment and income range. Staff believes that teachers, public safety officials, health care providers, and residents who wish to age in the community should be priority occupants.

Recommendation Six: *Create an ad hoc committee to review and recommend potential housing on Town-owned properties. Staff recommends the ad hoc committee be made up of two Councilmembers, two Planning Commissioners chosen by that body, and three residents appointed by the Town Council.*

Recommendation Seven: *Direct staff and ad hoc committee to identify potential town-owned sites for potential housing units, and criteria for their occupancy.*

4. Inclusionary Housing Ordinance/Housing Impact Fee

Inclusionary Housing Ordinance- Inclusionary housing is a tool that requires all market rate housing developers to provide some below market rate housing as part of a development. Portola Valley first adopted an inclusionary housing program as part of the 1990 Housing Element update. The Town's Inclusionary Housing Ordinance (ORD. # 1991-262) requires developers to provide 15% of new lots to the Town for below market rate housing as part of every subdivision, or pay an in-lieu fee. Currently, this is the only program the Town has that produces resources for affordable housing, either in the form of below market rate units or in-lieu funds. Given that very few subdivisions are created in Portola Valley, funds for affordable housing (while significant given the size of the subdivision) are not dependable.

Program 1 of the 2014 Housing Element calls for an update to the Town's inclusionary housing program to require developers to build affordable housing units with an approved subdivision, reducing the percentage of lots required for below market rate housing, and/or applying a housing impact fee to projects. A nexus study is needed to support any amendments to the Town's inclusionary housing requirements.

In 2015, the Town participated in the County-wide Grand Nexus Study project, a collaborative effort to study residential and commercial impact fees to support affordable housing in San Mateo County. A draft report was prepared for the Town by Strategic Economics and Venazza Wolfe Associates; Other municipalities in San Mateo County have participated the nexus study project and some have adopted housing impact fees based on the results of their jurisdiction specific reports. The draft report for Portola Valley is on hold pending further review of the need for the housing impact fee.

The Town's Inclusionary Housing Ordinance explicitly links its fees to affordable housing projects and programs, but does not specify what those programs are. If the Town chooses to adopt a housing impact fee, it is anticipated that fees would be generated every year (depending on the type of fee eventually adopted). However, the Town does

not have a program that would currently benefit from such a fee (Town staff have identified potential small-scale programs that could be supported by the fee, but it is not anticipated that any large projects would require ongoing fee support similar to the types of programs larger municipalities manage).

A housing impact fee could be used, like it is in other municipalities, to support the Housing Endowment and Regional Trust (HEART)'s affordable housing support programs; the County of San Mateo has committed half of the funds from their housing impact fee to HEART; other cities are following suit.

Recommendation Eight: *Postpone further work on the draft housing impact fee study until the Town Council has adopted the housing option strategic plan, which will include a list of concepts and programs and identified which program(s) may be funded by a housing impact fee. Once the program(s) have been adopted, Town staff can return to the Town Council with recommendations on the future of the Inclusionary Housing Ordinance and the housing impact fee. The General Plan and Town ordinances may require amendments.*

Use of Existing Affordable Housing Funds – Because of the inclusionary housing program, as of September 1, 2016, the Town has accumulated \$3,482,477.00 in its affordable housing fund.

These existing funds can be expended under the current Inclusionary Housing Ordinance to assist in the purchase or development of housing projects in Town.

Recommendation Nine: *Postpone allotment of existing affordable housing funds accumulated from the Inclusionary Housing Ordinance until completion of the housing options strategic plan.*

5. Shared Housing

HIP Housing - HIP Housing, a San Mateo County nonprofit organization, has been helping people find housing opportunities through the agency's Home Sharing Program.

HIP Housing's Home Sharing Program:

- Offers a home sharing program free of charge
- Interviews prospective renters and completes an application
- Requests three character references, proof of income and identification
- Checks and follows up with the San Mateo County Superior Court and National Sex Offender databases to determine if clients have a criminal history
- Provides resources to clients on what questions to ask of prospective tenants during interviews
- Assists clients in completing a Living Together Agreement
- Provides mediation and follow-up support

In 2015, in collaboration with the Town, HIP Housing sent letters to Portola Valley homeowners who have a second unit or possible space available in their home to provide information about the Home Sharing Program. In addition, to assist HIP

Housing with their outreach efforts, the Town has provided a booth at the Farmer's Market and posts their monthly flyers on the PV Forum.

Recommendation Ten: *Continue to assist HIP Housing with publicizing their services by providing more exposure on the Town's website, at the Farmer's market, or develop an outreach program that specifically targets potential providers.*

6. Public Outreach/Timeline

Critical to this process is the engagement of residents. Engagement on an issue like housing is a two-way street; it is both an opportunity to hear from residents on their ideas and concerns, but also a chance to educate and update the community. Given the sensitivities that typically surround a conversation about housing, it is imperative that any public process be transparent and inclusive.

Town staff suggests the following robust engagement:

- The use of online tools, such as the one recently used successfully by the Town Center Master Plan Committee, to gather as many residents' ideas as possible
- Hold at least two public meetings in the Community Hall to provide a forum for in-person engagement as well as information on the housing crisis
- Identify resources to help visualize ideas outlined in this staff report
- Refer ADUs (second units and junior second units) review to the Planning Commission
- Create an ad hoc committee, made up of members of the Town Council, the Planning Commission and community members to review staff work and potential proposals of new housing in Portola Valley

It is anticipated that the above engagement can be completed early spring 2017, with a draft housing options strategic plan ready for review by the Town Council mid-spring 2017.

Recommendation Eleven: *Direct staff to begin work on the above public engagement process.*

FISCAL IMPACT

There is no fiscal impact associated with approval of the majority of the recommendations in this staff report. Recommendation One could result in waiver of fees or subsidy of development by the Town. Recommendations Five and Eleven will result in costs associated with the production of a survey, the use of an online engagement tool, and visualization of any of the ideas subsequently generated; funding for these items will be proposed to the Town Council at a later date.

ATTACHMENTS

1. Council staff report dated July 13, 2016
2. Town-owned property map



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Mayor and Members of the Town Council

FROM: Jeremy Dennis, Town Manager

DATE: July 13, 2016

RE: Preliminary Discussion of Potential Affordable Housing Solutions and Direction to Staff

RECOMMENDATION

It is recommended that the Town Council provide staff with direction and guidance on:

- A timeline, with a tentative delivery date, for materials for further Council review
- Community engagement – type and number of meetings, the use of online engagement tools similar to those being used by the Town Center Master Plan Committee, and other ideas
- Roles for the Planning Commission and other committees
- The scope of staff research on affordable housing tools for consideration by the Council

BACKGROUND

Over the last three years, the shortage of housing in Bay Area communities has created a housing crisis that has, by all accounts, reached crisis levels. While the reasons for the crisis are complex, the impact has been apparent and alarming – the cost to purchase a home in the region has drastically increased, rents for all levels of housing are out of reach except for the highest earners, and more and more people are forced to commute long distances to their jobs from more affordable housing options.

Portola Valley has not escaped the impact of the housing crisis – those who work in Town who are commuting across multiple counties to reach their jobs; those seniors who wish to downsize their living situations but stay in the community have no alternative housing option; and the children of residents are unable to live in or near the communities they grew up in.

In April of this year, the Town Council set its priorities for the 2016-17 fiscal year. Affordable housing was identified as the number one Council priority. Councilmembers

related their desire to explore potential mechanisms for Town adoption to help address the housing crisis that has put enormous pressure on the Town.

A conversation about affordable housing is often a contentious one. Anxieties about changes to quality of life, the physical and natural environment, and impacts from traffic are real concerns that must be addressed. To that end, this staff report is merely the start of the conversation, and does not portend a particular solution; much more transparent and inclusive discussion will follow.

This staff report provides:

- Information on the housing crisis in Portola Valley and San Mateo County
- An update on implementation of the Housing Element, and a review of outstanding commitments
- A recent history of the Town's affordable housing efforts
- Requests for Council direction on next steps

Regional Perspective

The current housing crisis stems from a historic decrease in the annual number of homes built in the entire San Francisco Bay region. The history of housing in San Mateo County is emblematic of the scope of the problem. From 1950 to 1979, an average of 53,821 units of housing (both single family and multifamily units) was constructed each decade in the County. After that time, housing production slowed considerably as the economy ebbed and flowed, communities adopted stricter land control policies, land was taken out of production and saved for open space, and suburban communities were developed in other parts of the Bay Area:

- 1980-89 26,818 units
- 1990-99 16,323 units
- 2000-09 14,492 units¹

The story illustrated above is similar to most Bay Area counties, and given the regional nature of the economy and the relatively smaller size of the counties themselves, significant job creation in any one county affects housing occupancy in the others.

Although there have been concerns about the provision of housing since the late 1980's, the period immediately preceding the housing bubble was the first indication of a serious lack of housing in the region. Housing production deficiencies were recognized in the 1998 San Mateo County Housing Needs Analysis, showing the growing gap between job creation and housing need. Housing costs and rents greatly increased in short periods of time and long-time residents were forced to find new housing outside the area. The housing bubble and subsequent recession, while causing large-scale and negative worldwide economic impacts, perversely stabilized housing prices in the Bay Area for a short period of time.

¹ San Mateo County 2014-2022 Housing Element

The national recovery from the recession has been, in large part, centered in the Silicon Valley, and the rapid increase in employment in San Mateo and Santa Clara County without the development of a commiserate number of housing units has put enormous pressure on the price of existing stock. Since 2010, approximately 250,000 jobs have been created in the two counties, while approximately 41,000 units of housing have been built². As prices have risen, fewer people have been able to afford to purchase or rent a home. Further pressure has been placed on existing housing stock by domestic and international investors who are purchasing homes at extremely high prices and either renting out the properties at exorbitant levels or, in many cases, leaving the homes unoccupied.

The results have been catastrophic for many existing residents. Those who already own a home, while benefitting from the current rise in the value of their property, are unable to move within the region as most of their wealth is in their home. Most current homeowners would not be able to buy their home today at its current valuation.

Likewise, many renters face regular, significant rent increases, causing many to move out of their long-term homes. Other large multifamily properties are being “remodeled” and the current renters are responsible for paying for the upgrades, resulting in additional residents looking for new housing. The cost of the units available to displaced renters on the market is subsequently driven to unaffordable levels.

Individuals or families with income that would qualify them as upper middle class or upper class in any other community are unable to save enough for a down payment to purchase a home. They also continue to pay excessive rents or, along with other renters who have been driven out of the region, must commute long distances to their places of employment. This has resulted in unbearable traffic conditions and considerable negative impacts on the environment. In 2015, only 27% of first time homebuyers could afford to purchase a home in San Mateo County.

Hiring has become a serious problem for most employers, as they are not able to provide an income that allows people to stay in their communities or attract new talent from outside the region who are willing to commute hours a day for low-paying work. Anecdotal evidence suggests that many “mom and pop” businesses are under severe financial strain, and some of the region’s long-standing business institutions have shuttered their doors.

Between traffic, the lack of parking, and the changes in community character from closing businesses and their replacements that cater to different socio-economic populations, tensions are rising in cities that pit existing residents against those who wish to see increased housing stock.

² 2016 Silicon Valley Indicators, Joint Ventures Silicon Valley

Portola Valley Perspective

Portola Valley has escaped much of the ongoing crisis; few people have been forced out of their homes due of rent increases, and traffic levels in Town are still low compared to other parts of the region. However, as land costs skyrocket, enormous pressure is being placed on the Town, creating other less immediately-obvious problems:

1. Talented education professionals and public safety officials are moving away as they cannot afford to live in or near Town
2. Seniors or “empty nesters” who wish to downsize are unable to do so as there are no real housing opportunities in Town, and their homes do not reenter the housing market
3. Traffic to employment centers is unbearable immediately outside Town, and more people are using Town streets to attempt to skirt freeway traffic
4. Employees of Town businesses are driving long distances to reach their jobs, or are finding other jobs closer to home
5. Family members who grew up in Portola Valley are unable to live in or near Town, unless they move back into their family’s home

The long-term results of these trends are serious – businesses may be forced to close, schools will suffer, the Town’s ability to respond to public safety emergencies will be strained, and families will live longer distances from one another.

Portola Valley and Affordable Housing – A Recent History

In 2012, the Town entered into a contract to acquire property on Portola Road for the purposes of building a modest affordable housing project. Given considerable community concerns over any potential affordable housing project, as well as concerns about environmental cleanup on the site that had not been completed, the contract was allowed to expire.

As the Town prepared to study and develop a new housing element, the Council created an ad hoc Affordable Housing Committee to evaluate ideas and provide a forum for community comment. Although primarily focused on the development of a new housing element, ideas about affordable housing production and funding were included in the element and were ultimately adopted by the Council in early 2015.

The staff report of June 12, 2013 entitled “Report from the Ad Hoc Committee on Affordable Housing” included two important documents that are relevant to this staff report and are attached (Attachment 1). They are the “Report to the Town Council” of May 28, 2013 that shared the committee’s recommendations on affordable housing for the Town, and the “Executive Summary of Community Meetings on Affordable Housing”, which detail resident feedback on the process, thoughts on design and local control, and the desire for information.

The Executive Summary is a critical document, and staff recommends that it be a blueprint for constructing a community outreach project.

One final important development during the discussions on the Housing Element was the sale of lots at the Blue Oaks Subdivision. These four lots were intended to be a location for potential affordable housing stock, but ultimately were determined to not be suitable for that use. The sale of those lots generated \$2.8 million to be used for affordable housing projects in the future. The Council has stated a desire to find a proper use of these dollars, as well as any that are generated in the future from the current inclusionary in lieu fee or any future tool adopted that provides funding.

In 2016, the Council unanimously identified affordable housing as its number one priority for the coming fiscal year.

2014-22 Housing Element Implementation Update

In January of 2015, the Council adopted the 2014-2022 Housing Element. Included in the Element are a number of objectives to be implemented/reviewed/monitored over the life of the Element. A description of each of these objectives and their status is attached to this staff report (Attachment 2).

Some of the objectives could play a significant role in providing the Town options to tackle the current lack of affordable housing.

DISCUSSION

Given the Council's great concerns over the state of housing in Portola Valley and the region, making affordable housing its number one priority requires the development of a process for community engagement, staff resource allocation and overall direction-setting. In considering the delicate nature of any conversation around affordable housing, staff is recommending an incremental but steady approach that maximizes resident involvement and transparency.

Staff is seeking direction on the following from the Council:

- A timeline, with a tentative delivery date, for materials for further Council review
- Community engagement – type and number of meetings, the use of online engagement tools similar to those being used by the Town Center Master Plan Committee, and other ideas
- Roles for the Planning Commission and other committees
- The scope of staff research on affordable housing tools for consideration by the Council

1. **Timeline** - The following timeline is not a recommendation by staff – it is merely a prompt to be used for the purpose of discussion for a plan to be recommended by Council:

- July 13, 2016 – staff receives feedback and direction from Council
- September 2016 – staff provides Council with community engagement plan and potential topics for discussion
- September –October 2016 – community engagement process
- November 2016- Staff provides Council with feedback from community engagement process
- January – February 2017 – Review period, as needed by other Committees
- Late February 2016- plan presented to Council for adoption

- 2. Community Engagement** – Given the sensitivities related to conversations around affordable housing, a community engagement process is not only advisable, it is necessary to provide the maximum transparency to the process overall and give multiple opportunities for residents to share their thoughts and concerns.

Staff believes that the following concepts should be included in any community engagement plan:

- a. Multiple meetings in various locations throughout Portola Valley
- b. The use of online engagement tools similar to those used for the Town Center Master Plan process
- c. Partnering with the School District, The Sequoias and the Priory to help in sharing information with residents
- d. Engagement with employees working at Town businesses

- 3. Roles for Commissions and Committees-** The Planning Commission could be utilized to research specific affordable housing concepts and provide additional venues for residents to participate in the process.

- 4. Staff Research on Affordable Housing Tools** – No one community can solve the housing crisis; indeed, each community in San Mateo County has unique opportunities and challenges related to what they can accomplish. Portola Valley is no exception. Any solutions adopted will continue to support the Town’s values and land-use decisions that have made Portola Valley the exceptional place it is. To that end, staff does not believe that significant changes to zoning, for example, are appropriate for consideration. However, there are many other potential opportunities for the Town to contribute toward regional solutions while also addressing its own needs.

For the purposes of discussion, staff has grouped concepts for discussion in the following categories:

- a. Working with Partners – Portola Valley has a long history of affordable housing, with projects in the Priory being built in the 1980’s. Further discussion, as part of the Housing Element, could be expanded to more formal partnerships with our partners.

- b. Financial – San Mateo County cities have begun to implement housing impact fees that could be used to support regional housing organizations. This fee is one of the Housing Element objectives and is currently in draft form.
- c. Zoning – Changes to the zoning code provide the most direct opportunity for Town-based solutions. An example of zoning changes already adopted include the modification of second unit rules during the last Housing Element process.
- d. Land acquisition/development – the Town owns property that may be suitable for small, appropriate housing projects for teachers, public safety officials, and employees of Town businesses. Additionally, the Town could explore the purchase of suitable property.
- e. Other ideas – Staff welcomes any additional ideas that may not fall into the categories listed above.

Staff does not recommend any of these at this time; they are mentioned to provide examples within each category, and do not indicate endorsement.

FISCAL IMPACT

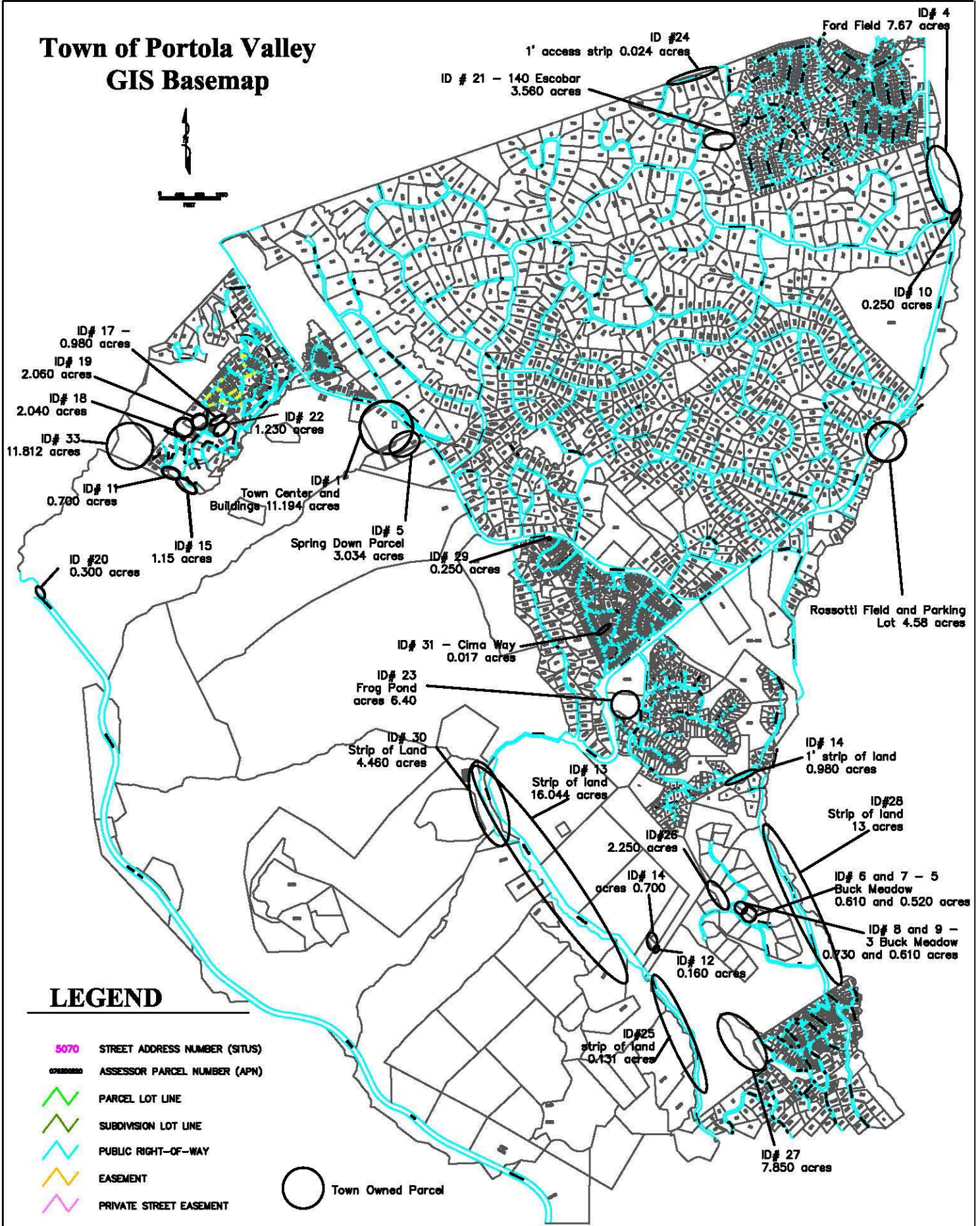
There is no significant fiscal impact related to staff engagement on this issue, as current resources are available to provide support for any research as directed by the Council. Depending on the scope of community engagement and what is decided by Council, there may be a significant financial requirement.

ATTACHMENTS

Attachment 1 “Report from the Ad Hoc Committee on Affordable Housing”, June 12, 2013

Attachment 2 2014-2022 Housing Element objectives implementation chart

Town of Portola Valley GIS Basemap



LEGEND

- 5070 STREET ADDRESS NUMBER (SITUS)
- ASSESSOR PARCEL NUMBER (APN)
- / PARCEL LOT LINE
- / SUBDIVISION LOT LINE
- / PUBLIC RIGHT-OF-WAY
- / EASEMENT
- / PRIVATE STREET EASEMENT
- Town Owned Parcel

constraints on the land, probably no more than 25 homes could be built on this property. However, the current property owners have stated that they intend to hold the property as open space. Therefore, no new residential development is anticipated for this site by 2022.

Site 20 (Spring Ridge LLC) is located next to Site 21 and faces many of the same challenges: steep slopes, landslides, the San Andreas Fault, and a lack of sewer service. New development on this site would likely also need to be clustered, and a maximum of 29 units could probably be built here. Much of the parcel is now being used to grow grapes for the winery on the property. Property owners have indicated that they might be interested in developing the land but that they are not in a hurry to do so. No new residential development is anticipated on this site by 2022.

Site 40 (Stanford Wedge) is an 89 acre site owned by Stanford University. The land consists of a relatively flat portion along Alpine Road surrounded by steep hillsides to the sides and rear of the property. Development on this site would need to be clustered in the land by Alpine Road. There is approximately 4 acres of usable land on the parcel once all of the steep slopes, unstable areas and required setbacks are subtracted. Under the town's regulations, up to 27.6 single family dwelling units would be allowed on the parcel overall. Affiliated housing would also be allowed on this parcel, as is discussed further below.

Sites 56–63, 65–66 (Fogarty Winery) are occupied by an award winning winery including vineyards, storage and bottling facilities and an event center. The remote site is located in the western hillsides and includes many steep slopes and landslide hazards. In addition, an open space easement covers much of the winery. There is no sewer service or public water supply. Although these sites together could theoretically eventually accommodate some number of new homes in the future, additional development is not anticipated by 2022.

Affiliated Development

2472d Portola Valley is a rural community with a history of single family development on large lots. To accommodate some multifamily development, however, the town developed a housing program in the early 1990s that would allow multifamily housing on institutional sites for employees and staff affiliated with the institutions that own the parcels. This program allows affiliated affordable multifamily housing on three designated sites in town, each with a planned development permit. These sites are discussed below and shown on Exhibit 7, Potential Affiliated Affordable Housing Sites.

Exhibit 7



Source: Town of Portola Valley General Plan, Housing Element (2009)

2472e The Stanford Wedge is an 89 acre site owned by Stanford University, which was discussed above as one of the large parcels of land remaining in town that could be developed with housing. The town’s regulations would allow 27.625 single family dwelling units on the parcel overall, and Section 2106e of the General Plan allows this density to increase by a factor of three for

multifamily affordable housing, as long as the overall floor area does not exceed the amount allowed for market rate development. Therefore, up to 82.9 units could potentially be provided on this site, although the number would likely be lower.

- 2472f This site could potentially be developed with faculty or graduate student housing; because of the distance from the university campus, undergraduate housing is unlikely. Town officials and staff have discussed this possibility with Stanford officials over many years, but the University has not indicated any intention to either sell or develop this land.
- 2472g The second site for multifamily housing is The Priory School site. In 2001, the town approved an application to construct seven multifamily units for faculty and staff on the site. These units were approved with the following condition:
- “The Priory shall make every effort reasonably possible, to the satisfaction of the planning commission, to ensure a majority of the units are occupied so as to achieve the below market rate town housing element objectives. These objectives anticipate at least one unit would be for a very low income household, one unit for a low income household, and three units for moderate income households. Relative to this condition, the Priory shall file a report with the planning commission on the projected unit occupancy prior to initial occupancy and annually thereafter. The report shall advise the commission how occupancy relates to the housing element objectives.”*
- 2472h The housing element goals set forth in this condition were based on the draft housing element that was under discussion at the time the project was approved in 2001. The Priory School reports annually to the town on whether these income targets are being met. In 2012, one unit was occupied by a low income household, two units were occupied by moderate income households, three units were occupied by above moderate income households, and one unit was vacant. Each unit is being provided at rents at or below 30% of the household income. Overall, the School usually does meet the requirements, although a unit may be occupied by a higher income household for a period of time when household incomes increase. The school works to provide the housing to the lowest income staff possible when a unit turns over.
- 2472i In 2005, the town approved a Master Plan for the school property that includes eleven additional housing units to be built in the future. The school has been working on implementing other portions of its Master Plan to

date, but those units are still approved. Because the Priory has had difficulty maintaining units at the very low income level, this housing element anticipates that the 11 new units would be divided among the income categories as follows: 3 low income units, 4 moderate income units, and 4 above-moderate income units.

- 2472j The Sequoias has not added any housing at their facility between 2009 and 2014. The affiliated housing program would permit employee housing to be built on the site. Town staff has talked with representatives of the Sequoias about the possibility of employee housing on the site. The Sequoias is exploring options for employee housing, although the site is severely constrained by geology, including an active trace of the San Andreas fault which passes through part of the property

Second Units

- 2472k Exhibit 8 shows where second units are allowed in Portola Valley. Between July of 2008 and December of 2013, 29 new second units were approved in Portola Valley, for an average of 5.3 new units per year. This is an increase over the Town's previous average, which was 4.9 new second units per year as reported in the 2009 housing element. The 2009 element included actions to encourage additional second unit production, including increased publicity and preparation of a second units manual for the town. Second unit production does now appear to be increasing in town, and more applications are including second units.

- 2472l This housing element also includes provisions to encourage increased production of second units, including allowing staff-level review of second units up to 750 square feet in size, allowing two second units on parcels that are over 3.5 acres in size, and allowing larger second units up to 1,000 square feet on lots that are 2 acres or more.

- 2472m These measures are anticipated to increase the number of second units built in the town by about one unit per year, from an average of 5.3 units annually to approximately 6.5 units annually. The town therefore anticipates the construction of 6.5 second units per year for the eight-year planning period. Total second unit production is therefore estimated to be 52 units.

Summary of Site Inventory

- 2473 As described above, there are four types of housing sites in Portola Valley: single family home sites, large parcels, affiliated housing sites, and sites for



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Cara Silver, Town Attorney

DATE: March 27, 2019

RE: Amendment 3 to the Town Manager Employment Agreement

RECOMMENDATION

Adopt Resolution Authorizing Mayor to Sign Amendment No. 3 to Town Manager's Employment Agreement (Attachment 1).

DISCUSSION

On March 7, 2016, the Town of Portola Valley ("Town") and Jeremy Dennis ("Manager") entered into the Town Manager Employment Agreement ("Agreement") to set forth the terms and conditions of Manager's employment. (Attachment 2.) Beginning in November 2018, the Town Council conducted the Annual Evaluation of the Manager's performance in compliance with Section 3 of the Agreement. The Town Council desires to amend the Agreement to increase Manager's Base Salary to reflect a 6 percent cost of living and merit increase to \$215,325 per year effective on March 1, 2019 and to extend the Agreement through June 30, 2020 to align with the budget cycle. (Attachment 3.) The attached amendment implements these terms.

The Town also recognizes that it is becoming more difficult to attract executive public sector employees in the Bay area due to increasing housing costs and accordingly towns and cities in the Peninsula are offering a range of housing cost assistance programs to recruit and retain qualified town managers. In recognition of the evolving housing market, during the term of this Amendment No. 3, and upon initiation by the Town Manager, the Town Council will consider and discuss a request for housing cost assistance for the Town Manager. If such request is made, the Town Council will render a decision at that time.

ATTACHMENTS

1. [Resolution of the Town Council of the Town of Portola Valley Approving Amendment 3 to The Town Manager Employment Agreement](#)
2. [Town Manager's Employment Agreement](#)
3. [Amendment 3 to Town Manager Employment Agreement](#)

cc: Town Manager

RESOLUTION NO. _____

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY APPROVING AMENDMENT 3 TO THE TOWN MANAGER EMPLOYMENT AGREEMENT

WHEREAS, on March 7, 2016, the Town of Portola Valley (“Town”) and Jeremy Dennis (“Manager”) entered into the Town Manager Employment Agreement (“Agreement”) to set forth the terms and conditions of Manager’s employment;

WHEREAS, on January 25, 2017, the Town Council approved Amendment No. 1 to the Agreement;

WHEREAS, on January 24, 2018, the Town Council approved Amendment No. 2 to the Agreement;

WHEREAS, the Town Council desires to amend the Agreement to increase Manager’s Base Salary to reflect a 6 percent cost of living and merit increase to \$215,325 per year effective on March 1, 2019 and to extend the Agreement through June 30, 2020 to align with the budget cycle; and

WHEREAS, the Town Council has read and considered that certain Amendment 3 to Town Manager Employment Agreement (“Amendment”).

NOW, THEREFORE, the Town Council of the Town of Portola Valley does hereby **RESOLVE** as follows:

1. Public interest and convenience require the Town to enter into the Amendment described above.
2. The Amendment is approved and the Mayor is authorized on behalf of the Town to execute the Amendment.

PASSED AND ADOPTED this 27th day of March, 2019.

By: _____

Ann Wengert, Mayor

ATTEST:

Town Clerk

TOWN MANAGER EMPLOYMENT AGREEMENT

This Town Manager Employment Agreement ("Agreement") is made and entered into effective the 7th day of March, 2016, by and between the Town of Portola Valley ("Town") and Jeremy Dennis ("Manager").

1. **Employment and Duties.** The Town by its Town Council hereby employs Manager to serve as the Town Manager and Manager hereby accepts such employment. Manager's employment shall be as an at-will employee and Manager serves at the pleasure of the Town Council in accordance with Government Code Section 36506. Manager shall perform the duties and obligations and exercise the authority of the Town Manager, as stated in the Town Manager Job Description, attached hereto as Exhibit A (which may be amended by the Town Council in its discretion), and as may be assigned by the Town Council from time to time.

2. **Term.** The term of this Agreement shall commence on the effective date set forth above and shall continue until December 31, 2017, or the date of earlier termination in accordance with provisions in this Agreement. This Agreement shall be automatically extended for one (1) year, unless at least sixty (60) days prior to the end of the term the Town Council notifies Manager of its intent not to extend the Agreement. The Town Council's decision not to extend this Agreement shall not entitle Manager to Severance, pursuant to Paragraph 5 of this Agreement. Notwithstanding the foregoing, the Town retains the right to terminate Manager pursuant to the terms of this Agreement at any time.

3. **Evaluations.** The Town Council shall evaluate Manager's performance at least once annually during the term of this Agreement during the month of November or December ("Annual Evaluation"). Prior to the Annual Evaluation date, the Town Council, with the Manager, will develop an Annual Evaluation process that may include, but not be limited to a 360-degree multi-source assessment, including direct feedback from Manager's subordinates, peers and supervisors, as well as a self-evaluation. If necessary, the Town Council and Manager will utilize the services of a facilitator either in developing or implementing the Annual Evaluation process. Such facilitator will be selected by the Town Council, subject to the Manager's consent, which shall not be unreasonably withheld. Furthermore, as part of the Annual Evaluation, the Town Council, in consultation with the Manager, shall define such goals and performance objectives that they determine to be necessary for the proper operation of the Town and shall further establish a relative priority among the various goals and objectives.

4. **Salary and Benefits.**

4.1 **Base Salary.** The Town shall pay Manager a salary of One Hundred Ninety Thousand Dollars (\$190,000) per year ("Base Salary"). The Base Salary shall be payable in installments at the same time as other employees of the Town receive their salaries. The Base Salary may be increased from time to time in the discretion of and

as approved by the Town Council. The Base Salary shall be prorated on a daily basis for the first and last months during which Manager is employed as Town Manager.

4.2 Car Allowance. The Manager's duties require him to attend to Town business both inside and outside of the Town. In lieu of a vehicle provided and maintained by the Town, Town shall pay Manager Three Thousand Dollars (\$3,000) per year as a car allowance, payable in installments at the same time as Manager receives his salary.

4.3 Retirement. Manager is enrolled in the California Public Employees' Retirement System (CalPERS) as a "classic member". The Town's contribution to CalPERS on behalf of Manager shall be the same as provided to other Town employees also considered classic members by CalPERS.

4.4 Other Benefits. In addition to the benefits described in Paragraphs 4.1-4.3, above, benefits allowed to Manager in the course of his employment under this Agreement shall be as follows:

4.4.1 IRS Section 125 Cafeteria Plan. Town shall provide Manager with the same cafeteria plan flex-dollar allowance that is provided to other Town employees for his level of coverage, and shall disburse the flex-dollars for eligible benefits in accordance with the Town's adopted IRS Section 125 cafeteria plan document.

4.4.2 Life Insurance. The Town agrees to pay for a term life insurance policy in the face amount of One-Hundred Fifty Thousand Dollars (\$150,000) on Manager's life with a carrier selected by the Town in addition to the amount provided all employees to bring the total value of life insurance provided to Manager up to Two Hundred Thousand Dollars (\$200,000). Manager shall designate the beneficiaries of the policy.

4.4.3 All Other Insurances. Manager shall receive the same dental, vision, long term disability, accidental death and dismemberment insurance, and any other insurance added in the future that are provided to other Town employees.

4.5 Paid Time Off.

4.5.1 Vacation Leave. Manager shall accrue vacation leave at the rate of fifteen (15) paid days per year, in addition to recognized Town holidays. Upon termination or resignation from employment or the non-renewal of this Agreement, Manager shall be paid for all accrued and unused vacation time. However, at no time may Manager accrue more than thirty (30) days of vacation time. Furthermore, in accordance with the Town's Personnel Policies

Manual, once per calendar year, Manager may elect to sell back to the Town accrued, but unused vacation.

4.5.2 Sick Leave. Manager shall receive the same days of sick leave as accorded to other Town employees.

4.5.3 Administrative Leave. Manager shall receive seven (7) days of administrative leave per year of this Agreement, which leave shall be awarded in a lump sum on the effective date of this Agreement and on January 1st of each year thereafter. Any administrative leave not taken by Manager shall not be accrued from year to year, nor shall the value of such administrative leave be paid to Manager upon termination of his employment. Use of administrative leave is allowed at the discretion of the Mayor or the Vice Mayor in the event the Mayor is unavailable.

4.5.4 Other Leaves. Manager shall receive the same benefit of leaves not specified in this Agreement but provided to other Town employees.

4.5.5 Holidays. Manager shall receive the same paid holidays as accorded to other Town employees.

4.5.6 Professional Growth. Manager is encouraged to attend professional courses and conferences in California during the term of his employment with the Town, including the Progress Seminar. The Town shall pay reasonable expenses of such attendance, including course fees, travel, food and lodging expenses (if reasonably necessary) up to a maximum of Five Thousand Dollars (\$5,000) per calendar year. Paid time off to attend such courses and conferences shall not exceed six (6) days per year. The Town shall also pay Manager's yearly dues for full membership in the International City Management Association (ICMA) and the California City Management Foundation (CCMF).

5. Termination; Severance.

5.1 Termination Without Cause. If the Town terminates this Agreement and Manager's employment without Cause as determined by the affirmative votes of a majority of the members of the Town Council at a regular meeting of the Town Council, and if Manager signs and delivers to the Town Council, the General Release Agreement ("Release Agreement") substantially in the form attached hereto as Exhibit B, Town shall pay Manager a lump sum benefit equal to six (6) months of his then Base Salary, and shall provide six months of cafeteria plan allowance (the cash payment and continuing benefits, collectively "Severance").

5.2 Termination with Cause. If Town terminates this Agreement and Manager's employment with Cause (as defined below), as determined by the affirmative votes of a majority of the members of the Town Council at a regular meeting of the Town Council, Manager shall not be entitled to any additional compensation or payment, including Severance, but shall only be entitled to accrued Base Salary, accrued vacation pay, and any other accrued and unused benefit allowances according to their terms as provided in Paragraph 4 of this Agreement ("Accrued Salary and Benefits"). As used in this Agreement, "Cause" shall only mean any of the following:

5.2.1 Conviction of, or plea of guilty or nolo contendere to, any crime or offense (other than minor traffic violations or similar offenses) which is likely to have a material adverse impact on the Town or on the Manager's reputation;

5.2.2 Failure of the Manager to observe or perform any of the duties and obligations as detailed in the job description attached hereto as Exhibit A or as otherwise directed by Council, if that failure continues for a period of thirty (30) days from the date of the notice from the Town Council specifying the acts or omissions deemed to amount to that failure;

5.2.3 Conviction of any crime involving an "abuse of office or position," as that term is defined in Government Code Section 53243.4;

5.2.4 Any negligent action or inaction by Manager that materially and adversely: (a) impedes or disrupts the operations of Town or its organizational units; (b) is detrimental to employees or public safety; or (c) violates Town's properly-established rules or procedures.

5.3 After Municipal Election. In no event may Manager be terminated without Cause ninety (90) days after any municipal election for the selection or recall of one or more of the members of the Town Council.

5.4 Manager's Death. If, during the term or any extended term of this Agreement, Manager dies, Manager's estate shall receive Accrued Salary and Benefits, but shall not be entitled to any additional compensation or payment, including Severance.

5.5 Permanent Disability or Unable to Perform Duties. In the event Manager is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, or mental incapacity for a period of four (4) consecutive months beyond any provided sick leave, Manager agrees that this would be an undue hardship to the Town and the Town may terminate Manager's employment and this Agreement without payment of Severance.

5.6 Resignation. Manager may resign from his employment at any time, upon giving sixty (60) days written notice to the Town Council. Manager is entitled to payment of Accrued Salary and Benefits, but is not entitled to Severance.

6. Personnel Manual. The Town's personnel ordinances, resolutions, rules and policies shall apply to the Manager. Manager acknowledges receipt and review of a copy of the Town's Personnel Policies Manual. Manager acknowledges and agrees that if the Town becomes aware of a complaint relative to the Manager, the Town Council may place Manager on paid or unpaid leave during any review and consideration of the matter.

7. Normal Work Hours. The parties agree that the Manager shall normally be present at Town Hall during business hours. It is further recognized that the Manager must devote a great deal of time to the business of the Town outside of the Town's customary office hours, and to that end the Manager's schedule of work each day and week shall vary in accordance with the work required to be performed. It is further recognized by both parties that there is no provision for additional compensation of any form under this Agreement for Manager's hours worked outside of customary office hours.

8. Abuse of Office or Position. If Manager is convicted of a crime involving an abuse of his office or position all the following shall apply: (a) if Manager is provided with pay while on leave pending an investigation, Manager shall be required to fully reimburse the Town such amounts paid; and (b) if this Agreement is terminated, any Severance related to the termination that Manager may receive from the Town shall be fully reimbursed or shall be void if not yet paid to Manager. For purposes of this paragraph, abuse of office or position means either an abuse of public authority including waste, fraud and violation of the law under color of authority or a crime against public justice.

9. Indemnification. Consistent with the California Government Code, Town shall defend, hold harmless, and indemnify Manager using legal counsel of Town's choosing, against expense or legal liability for acts or omissions by Manager occurring within the course and scope of Manager's employment under this Agreement.

10. Conflict of Interest. Manager warrants that he presently does not have and agrees that he will not acquire any direct or indirect financial interest which would conflict with his performance of this Agreement.

11. Documents. All documents provided to Manager by the Town and all reports and supporting data prepared by Manager for the Town are the sole property of the Town and shall be delivered to the Town upon termination of this Agreement or at the Town's written request. All reports, information, data and exhibits prepared or assembled by Manager during his employment are confidential until released by the Town to the public, and Manager shall not make any of these unreleased documents or information

available to any individual or organization not employed by the Town without the prior written consent of the Town Council.

12. Arbitration. Any controversy involving the construction or application of any terms or conditions of the Agreement, or any dispute between the parties, including, without limitation, whether Manager's federal or state statutory rights regarding discrimination and/or harassment have been violated, shall be submitted by the parties to arbitration with the American Arbitration Association ("AAA"). Arbitration shall be governed by the rules and regulations of the AAA. Any arbitration award shall be subject to the laws of the State of California governing such awards. The arbitration process shall be commenced and concluded within one-hundred twenty (120) days of either party's written request for arbitration being delivered to the other. Said request must be delivered within ten (10) calendar days of the event giving rise to the arbitration. Prior to the arbitration hearing, the parties shall submit the dispute to at least one mediation session before a retired trial court judge or other mediator jointly selected by the parties. Both parties shall endeavor to select and agree upon a mediator in a good-faith, timely manner. All arbitration and mediation costs shall be shared equally between the parties; however, each party shall bear the costs of its/his own attorneys and witnesses. The result of the arbitration shall be final and binding on both parties.

13. Entire Agreement; Amendment. This Agreement supersedes any and all other agreements, either oral or in writing, between the parties. Each party to this Agreement acknowledges that no representation, inducement, promise, or agreement, orally or otherwise, has been made by any party, or anyone acting on behalf of any party, which is not embodied herein, and that no other agreement, statement, or promise not contained in this Agreement shall be valid or binding on either party. Any modification of this Agreement will be effective only if it is in writing and signed by both the Town and the Manager. The parties agree that the Town's personnel policies except as superseded by the terms of this Agreement, either explicitly or implicitly, apply to Manager.

14. Effect of Waiver. The failure of either party to insist on strict compliance with any of the terms, covenants, or conditions of this Agreement by the other party shall not be deemed a waiver of that term, covenant, or condition, and no waiver or relinquishment of any right or power on any given occasion shall be deemed a waiver or relinquishment of that right or power on any subsequent occasions.

15. Partial Invalidity. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, the remaining provisions shall continue in full force without being impaired or invalidated in any way.

16. Law. This Agreement shall be governed by the laws of the State of California.

17. Notices. Any notice or communication permitted or required by this Agreement shall be in writing and shall become effective on personal delivery or three (3) days after


the mailing thereof by certified mail, return receipt requested; postage prepaid, to either party at Town Hall, 765 Portola Road, Portola Valley, California 94028.

18. Successors. This Agreement shall be binding on the heirs, beneficiaries, and successors in interest of the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates written below.

ATTEST:


Town Clerk


Maryann Derwin
Mayor of the Town of Portola Valley

Date: 1/27/16


Jeremy Dennis

Date: 1-23-16

Exhibit A
JOB DESCRIPTION - TOWN MANAGER

TOWN OF PORTOLA VALLEY TOWN MANAGER

Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job.

DUTIES AND OBLIGATIONS

The Town Manager shall be the administrative head of the Town government under the direction and control of the Town Council. The Town Manager shall be responsible for the efficient administration of all affairs of the Town and shall assume full management responsibility for all Town operations. The Town Manager shall work with the Town Council to direct the development and implementation of the Town's goals, objectives, policies and priorities. In consultation with the Town Council, the Town Manager shall develop strategic planning processes to guide the future of the Town. The Town Manager shall perform functions directed and assigned by the Town Council.

- A. **Performance of Duties.** To perform such duties and obligations and exercise such powers as may be delegated to him/her from time to time by ordinance, resolution, or other action of the Town Council. To perform the functions identified in the Portola Valley Municipal Code, including but not limited to the functions of Town Treasurer and Director of Emergency Services.
- B. **Attendance at Meetings.** To attend all meetings of the Town Council, unless excused therefrom, except when his/her removal is under consideration. To attend, when appropriate, the meetings of Town commissions and committees. To attend and represent the Town at meetings of outside agencies and organizations.
- C. **Administration.** To provide highly responsible and complex administrative support to the Town Council, including, but not limited to staffing assistance, preparing and presenting staff reports and other necessary documents. To provide staff support to Town commissions and committees. To coordinate Town activities with those of other cities, counties and outside agencies and organizations.
- D. **Authority.** To control, order and give direction to all department heads, subordinate officers, and employees of the Town, including those appointed by contract or agreement, except elected officers and the Town Attorney. To appoint, remove, promote, and demote employees of the Town, except the Town Attorney. To recommend to the Town Council such organization of offices, positions and departments as may be indicated in the interests of the efficient, effective, and economical conduct of the business of the Town.

To assess and monitor workload, administrative support systems and internal reporting relationships and identify opportunities for improvement. To select, motivate and evaluate personnel and consultants. To resolve personnel concerns and issues unrelated to the Town Manager in accordance with Town policy and to cooperate in the resolution of any concerns and issues related to the Town Manager.

- E. Service Delivery. To monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures and to allocate staffing resources accordingly. To plan direct and coordinate, through staff and consultants, the work plan for the Town. To meet with appropriate staff and consultants to identify and resolve problems. To assess the need for, select and evaluate contract services. To work with, promote and encourage the use of volunteers.
- F. Law Enforcement. To enforce any of the provisions of the Portola Valley Municipal Code or any other ordinance of the Town, or any rule, regulation or order promulgated or issued pursuant to the Portola Valley Municipal Code, and to ascertain that all contracts, permits and privileges granted by the Town are faithfully observed.
- G. Recommendation of Legislation. To recommend to the Town Council for adoption such measures and ordinances as he/she deems necessary or expedient. To monitor State and Federal legislation and recommend appropriate action to the Town Council as needed. To attend and participate in professional group meetings and stay abreast of new trends and innovations in the field of public administration and management.
- H. Finances. To keep the Town Council at all times fully advised as to the financial conditions and needs of the Town. To prepare and submit to the Town Council for its approval the proposed annual budget and the proposed compensation plan. To approve expenditures and implement budgetary adjustments as appropriate and necessary.
- I. Purchases and Expenditures. To purchase all supplies for all the departments or divisions of the Town. No expenditure shall be submitted to the Town Council, except with the report and approval of the Town Manager.
- J. Conduct. To conduct him or herself with due regard to public conventions and morals. To refrain from engaging in any conduct that would reasonably tend to degrade him or herself or bring the Town into public hatred, contempt or ridicule, or tend to offend the community.
- K. Communication. To respond to media inquiries, Town Council

concerns, issues and community needs. To respond to and resolve difficult and sensitive citizen inquiries and complaints.

QUALIFICATIONS

Knowledge of current:

- Operations, services and activities of a municipality.
- Advanced principles and practices of public administration.
- Principles and practices of program development and administration.
- Principles and practices of municipal budget preparation and administration.
- Principles and practices of personnel administration.
- Principles of supervision, training and performance evaluation.
- Principles of business letter writing and report preparation.
- Rules and regulations governing public meetings.
- Pertinent Federal, State and local laws, codes and regulations.

Ability to:

- Plan, organize and direct the work of lower level staff and consultants.
- Select, supervise, train and evaluate staff.
- Delegate authority and responsibility.
- Direct and manage the operations, services and activities of a municipality.
- Identify and respond to community and Town Council issues, concerns and needs.
- In consultation with the Town Council, develop and administer departmental goals, objectives and procedures.
- Prepare clear and concise administrative and financial reports.
- Prepare and administer large and complex budgets.
- Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.
- Research, analyze and evaluate new service delivery methods and techniques.
- Interpret and apply Federal, State and local policies, laws and regulations.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.
- Maintain physical condition appropriate to the performance of assigned duties and responsibilities.
- Work in a political environment.

Experience and Training Guidelines

Any combination of experience and training that would likely provide the required knowledge and abilities is desirable. A typical way to obtain the knowledge and abilities would be:

Town Manager
Position Description

Experience:

At least five (5) years of experience with increasing responsibility in municipal government, including significant administrative and supervisory responsibility.

Training:

Equivalent to a Bachelor's degree from an accredited college or university with major course work in public administration, business administration or a related field. An MPA or equivalent additional experience is desirable.

Exhibit B

GENERAL RELEASE AGREEMENT

This General Release Agreement ("Release Agreement") is entered into by and between Jeremy Dennis ("Manager") and the Town of Portola Valley ("Town"), in light of the following facts:

- A. Manager's employment with the Town concluded on _____.
- B. Certain disputes have arisen between the Town and the Manager and both parties desire to fully and finally resolve any and all such disputes.
- C. Nothing in this Release Agreement is intended as an acknowledgement or acceptance of liability by either party.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Manager has had the opportunity to consult with independent legal counsel of his selection prior to entering into this Release Agreement.

2. Manager acknowledges payment by the Town of all amounts owed to Manager pursuant to the Town Manager Employment Agreement dated _____ ("Employment Agreement"), through the date of identified in Recital A, above ("Salary Payment"). Manager also acknowledges that Town has made this Salary Payment without regard to whether he signs this Release Agreement. The Salary Payment does not constitute consideration for this Agreement.

3. Severance. To receive the Severance identified in Paragraph 5 of the Employment Agreement, Manager must sign this Release Agreement on or before twenty-one (21) days from the date employment with the Town concluded identified in Recital A, above. Within five (5) days following Manager's execution and delivery of this Release Agreement to the Town, the Town shall pay Manager the Severance. Manager acknowledges that the Severance is in excess of all amounts due and owing him as a result of his employment by Town.

4. General Release. In consideration of the Severance to be paid and provided to Manager, and other good and valuable consideration, Manager hereby releases and discharges Town and its past and present Town Council Members, employees, representatives and agents, from all rights, claims, causes of action, and damages, both known and unknown, in law or in equity, concerning and/or arising out of his employment by Town which he now has, or ever had, including but not limited to any rights, claims, causes of action or damages arising under Title VII of the Civil Rights Act of 1964, the Vocational Rehabilitation Act of 1973, the Employee Retirement Income Security Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Older Workers Benefits Protection Act, the Family and Medical Leave Act of 1993, the Domestic Partners Act of 2003, the California Labor Code, the Private Attorneys General Act of 2004, the California Moore-Brown-Roberti Family Rights Act,

the California Unruh Civil Rights Act, the California Fair Employment and Housing Act, any other federal, state, or local employment practice legislation, or any federal or state common law, including wrongful discharge, breach of express or implied contract, or breach of public policy.

Manager hereby waives and relinquishes all rights and benefits afforded by Section 1542 of the Civil Code of California. Manager understands and acknowledges the significance and consequences of this specific waiver of Section 1542. Section 1542 of the Civil Code of California states as follows:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

Notwithstanding the provisions of Section 1542, and for the purpose of implementing a full and complete release and discharge of the Town and its past and present Town Council Members, employees, representatives and agents, Manager expressly acknowledges that this General Release is intended to include in its effect, without limitation, all claims which he does not know or suspect to exist in his favor.

Manager further acknowledges that he has read this General Release and that he understands that this is a general release, and that he intends to be legally bound by the same.

5. Fees and Costs. Manager and Town agree that in the event of litigation relating to this Release Agreement, the prevailing party shall be entitled to recover his/its reasonable attorneys' fees and costs.

Dated: _____

TOWN OF PORTOLA VALLEY

Mayor

MANAGER

Dated: _____

Jeremy Dennis

APPROVED AS TO FORM:

By: _____
Town Attorney

Date: _____

ATTEST:

By: _____
Town Clerk

Date: _____

AMENDMENT 3
TOWN MANAGER
EMPLOYMENT AGREEMENT

This Amendment 3 (“Amendment”) is made as of March 1, 2019, with respect to that certain Town Manager Employment Agreement (“Agreement”) by and between the Town of Portola Valley (“Town”) and Jeremy Dennis (“Manager”).

RECITALS

- A. The Town and Manager entered into the Town Manager Employment Agreement on March 7, 2016 to set forth the terms and conditions of Manager’s employment.
- B. On January 25, 2017, the Town and Manager entered into Amendment No. 1 to provide for an increase to Manager’s Base Salary to reflect a three percent cost of living increase after one year of employment.
- C. On January 24, 2018, the Town and Manager entered into Amendment No. 2 to provide for an increase to Manager’s Base Salary to Two Hundred and Three Thousand One Hundred Thirty Seven Dollars (\$203,137.00) per year, effective on the pay period that included March 8, 2018.
- D. The Town desires to provide Manager with an additional cost of living increase as well as a merit increase.

NOW, THEREFORE, in consideration of the mutual covenants, the Town and Manager do hereby agree as follows:

1. Term. Section 2 of the Agreement is hereby amended to read: The term of this Agreement shall commence on the effective date set forth above and shall continue until June 30, 2020, or the date of earlier termination in accordance with provisions in this Agreement. Effective July 1, 2020, this Agreement shall be automatically extended on a month to month basis, unless upon at least sixty (60) days prior notice, the Town Council notifies Manager of its intent not to extend the Agreement. The Town Council’s decision not to extend this Agreement shall not entitle Manager to Severance, pursuant to Paragraph 5 of this Agreement. Notwithstanding the foregoing, the Town retains the right to terminate Manager pursuant to the terms of this Agreement at any time.
2. Base Salary. The Base Salary set out in Section 4.1 of the Agreement is hereby amended to be Two Hundred and Fifteen Thousand Three Hundred Twenty Five Dollars (\$215,325) per year, effective at the start of the pay period beginning March 1, 2019.
3. Agreement. Other than the amendment set forth in Sections 1-2 above, no other provisions of the Agreement are amended and all other provisions of the Agreement are in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment 3 as of the date set forth above.

TOWN OF PORTOLA VALLEY:

JEREMY DENNIS:

Ann Wengert, Mayor

Town Manager

ATTEST:

Town Clerk

#8

There are no written materials for Council Liaison Committee and Regional Agencies Reports

There are no written materials for Town Manager Report

TOWN COUNCIL WEEKLY DIGEST

Thursday – March 14, 2019

1. Agenda (Action) – Town Council – Wednesday, March 13, 2019
2. Agenda – Sustainability Committee – Monday, March 18, 2019
3. Agenda – Trails & Paths Committee – Tuesday, March 19, 2019
4. Agenda (Cancelation) – Planning Commission – Wednesday, March 20, 2019
5. Email from Jackie Leonard-Dimmick re Affordable Housing
6. Invitation – Daly City “State of the City” – Monday, March 25, 2019

Attached Separates (Council Only)
(placed in your town hall mailbox)

1. Invitation from Supervisor Canepa to the Third Annual District 5 Together Community Fair
2. LABOR Newsletter – March 2019



TOWN OF PORTOLA VALLEY

7:00 PM – Regular Meeting of the Town Council
Wednesday, March 13, 2019
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

ACTION AGENDA

7:00 PM - CALL TO ORDER AND ROLL CALL

Councilmember Richards, Councilmember Hughes, Councilmember Derwin, Vice Mayor Aalfs and Mayor Wengert

All Present

ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject may do so now. Please note however, that the Council is not able to undertake extended discussion or action tonight on items not on the agenda.

None

1. PRESENTATION – Countywide Flood Control and Sea Level Rise Resiliency Agency

Larry Patterson presented a proposed new agency to study sea level rise and flood control for San Mateo County, requesting endorsement and funding

CONSENT AGENDA

The following items listed on the Consent Agenda are considered routine and approved by one roll call motion. The Mayor or any member of the Town Council or of the public may request that any item listed under the Consent Agenda be removed and action taken separately.

2. Approval of Minutes – February 27, 2019

Approved as Amended 4-0-1 Councilmember Derwin abstained

3. Approval of Warrant List – March 13, 2019

Approved 5-0

REGULAR AGENDA

PUBLIC HEARING

4. Public Hearing – First Reading of Ordinance - Accessory Dwelling Units

- (a) First Reading, Waive Further Reading and Introduce an Ordinance of the Town Council of the Town of Portola Valley Removing Subsection (B) of Section 18.12.040 [Accessory Uses Permitted] of Chapter 18.12 [R-E (Residential Estates) District Regulations] of Title 18 [Zoning], Amending Section 8.36.040 [Accessory Uses] of Chapter 8.36 [Uses Permitted in All Districts] of Title 18 [Zoning] and Amending Section 18.48.030 [One-Time Increase] of Chapter 18.48 [Parcel Area, Open Space and Bulk-Basic Requirements] of Title 18 [Zoning] of the Portola Valley Municipal Code (Ord.____)

Council approved 5-0 First Reading of Ordinance as Amended to include 1) The formula to determine the size of an external ADU is 1200 sq ft or 50% of the main house, whichever is lower; 2) 1700 sq ft limit on internal ADUs; 3) For lots over 3 ½ acres maintain the 1500 sq ft maximum size; 3) Retain the Owner/Occupancy requirement, and 4) Remove the two-acre requirement for second driveways. Approved 5-0 the project is exempt under CEQA.

Second Reading of Ordinance is scheduled for the March 27 Town Council Meeting.

5. Recommendation by Town Manager – Council Priorities Study Session, FY 2019-20

Council approved draft Council Priorities for FY 2019-20 as amended. A final copy will return to the Council as part of the 2019-20 FY Budget.

6. **Recommendation by Town Manager** – Consideration of the Letter of Support for House Resolution 530 – Local Control and Small Cell Sites

Council authorized the Mayor to sign a letter of support for HR 530 5-0

7. **COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS**

Council arising out of liaison appointments to both in-town and regional committees and initiatives. *There are no written materials and the Town Council does not take action under this agenda item.*

Councilmember Richards -
None to Report

Councilmember Hughes -
Reported on a Planning Commission meeting and attended a Bicycle, Pedestrian & Traffic Safety Committee meeting

Councilmember Derwin -
Spoke at the Express Lanes Project groundbreaking, attended a Foundation for San Mateo County Libraries meeting, a C/CAG meeting and a Home for All meeting

Vice Mayor Aalfs -
None to Report

Mayor Wengert -
The Parks & Recreation Committee was canceled due to lack of a quorum. Mayor Wengert and Town Manager Dennis met with Advancing California Finance Authority (ACFA) which is a group that provides financing for low-cost housing. Attended a Home for All meeting with Councilmember Derwin

8. **TOWN MANAGER REPORT**

Town Manager Dennis reported there was a car accident on Alpine Road today. The crossing guard service is receiving positive feedback, as well as collecting data. The trial service will be ending in a few weeks. Town Manager will speak with the Public Works Director to discuss next steps. Staff will utilize some of the funds from the Pedestrian Safety Study to perform a traffic survey in town. The budget process officially started on Monday. Departments are starting to prepare their budgets and submit to the Interim Finance Director by the end of next month. As part of this process, we will redevelop our budget book to be of a more department-based budget. Next Tuesday the Sheriff will be in town to present home and personal safety information, to be held in the Community Hall. The wildfire study session will be at the next council meeting.

WRITTEN COMMUNICATIONS

9. **Town Council Digest** – February 28, 2019 - **None**
10. **Town Council Digest** – March 7, 2019 – **Mayor Wengert discussed the upcoming City Selection Committee meeting to select two Council Members to serve on the CASA Legislative Task Force.**

ADJOURN TO CLOSED SESSION: 10:27 pm

11. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Initiation of litigation pursuant to Section 54956.9(c) of the California Government Code: One potential case
12. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Government Code Section 54957
Title – Town Manager

REPORT OUT OF CLOSED SESSION – No Reportable Action

ADJOURNMENT: 11:45 pm

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.



TOWN OF PORTOLA VALLEY
Sustainability Committee Meeting
Monday, March 18, 2019 10:30AM to 12:30 PM
Town Hall – Conference Room
765 Portola Road, Portola Valley, CA 94028

MEETING AGENDA

- 1. Call To Order**
- 2. Oral Communications**
- 3. Approval of Minutes**
- 4. Update from Jeremy – Leaf Blower Incentives**
- 5. Old Business:**
 - a. Updates from Maryann**
 - b. Updates from Brandi**
- 6. New Business:**
 - a. Updates from Sub- Committees**
 - b. 2019-20 Fiscal Year Budget**
- 7. Set Date and Topics for Next Meeting**
 - a. Monday, May 20, 2019**
- 8. Announcements**
- 9. Adjournment**



TOWN OF PORTOLA VALLEY
Trails and Paths Committee
Tuesday, March 19, 2019 8:15 AM
Historic Schoolhouse at Town Center
765 Portola Road, Portola Valley, CA

MEETING AGENDA

- 1. Call to Order**
- 2. Oral / Community Communications**
- 3. Approval of Minutes – January 15 and February 19, 2019 (amended)**
- 4. Old Business**
 - a. **Monthly (March) Trail Conditions, Work, and Budget Update:** (Discussion)
 - b. **Coal Mine Ridge Trails – Education:** Trail head / parking signage, maps, and trail signage (Discussion)
 - c. **Portola Trail (In front of Spring Down) – Update on Trail routing past and through** (Update)
- 5. New Business**
 - a. **PV Connect** – Online maintenance request submittals (Demo by Howard)
 - b. **Site Development Plans:** (Discussion, as filed and applicable)
 - c. **Accolades:** (Discussion, if any applicable)
- 6. Other Business**
- 7. Adjournment**

Enclosures:

Minutes from January 15 and February 19, 2019 (amended)
Trail Work Map & Memo – February 2019
Financial Review – February 2019



TOWN OF PORTOLA VALLEY
7:00 PM – Regular Meeting of the Planning Commission
Wednesday, March 20, 2019
Historic Schoolhouse
765 Portola Road, Portola Valley, CA 94028

NOTICE OF MEETING CANCELLATION

PORTOLA VALLEY PLANNING COMMISSION
MEETING REGULARLY SCHEDULED FOR
Wednesday, March 20, 2019

Notice is hereby given that the Portola Valley Planning Commission meeting regularly scheduled for Wednesday, March 20, 2019 has been cancelled.

The next regular meeting of the Portola Valley Planning Commission is scheduled for Wednesday, April 3, 2019 at 7:00 PM, in the Historic Schoolhouse, located at 765 Portola Road, Portola Valley, CA.

jackie leonard-dimmick

Sun 3:57 PM

Town Center TownCenter@portolavalley.net

Affordable Housing:

Dear Portola Valley City Council Members:

I have read articles in "The Almanac" about cities including Portola Valley, trying to find ways to provide more affordable housing. This is another point of view. There cannot be an EFFECT without a CAUSE. Global Warming, Rising Tides and a Lack of Affordable Housing are all EFFECTS. What is the CAUSE? Most of our environmental problems stem from an overabundance of people.

We all need a comfortable place to live - a place to call "OUR OWN". It seems to me we are all putting too much emphasis on the problem, and not on the solution. When the toilet over flows, the first thing one must do is turn the water off. It is the same thing with the over flow of people. It is people who consume our natural resources, - make life more difficult for animals, wild and domestic alike- and people themselves.

How can we help retain a BALANCED population- worldwide? Support Family Planning and encourage all companies (especially large corporations) to hire most all of their employees locally. -We have been encouraged to buy locally. We can also hire LOCALLY. Unfortunately too many people - especially those in different levels of government, for too long have been afraid to address this issue, (OVERPOPULATION). A BALANCED population is not something that will happen overnight, but it is something to strive for, because it will make life more comfortable for all and even make housing more affordable.

Thank you for letting me share this point of view.

Jackie Leonard-Dimmick



STATE OF THE CITY



2019 ADDRESS BY THE MAYOR

<h3>March 25</h3>	<h3>City Hall 333 90th St</h3>	<h3>6 PM</h3>
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TOWN COUNCIL WEEKLY DIGEST

Thursday – March 21, 2019

1. Agenda (Special) – Parks & Recreation Committee – Monday, March 25, 2019
2. Agenda – Architectural & Site Control Commission – Monday, March 25, 2019
3. Agenda – Conservation Committee – Tuesday, March 26, 2019
4. Agenda (Special) – Trails & Paths Committee – Wednesday, March 27, 2019
5. Letter from Resident re Fuel Load along Alpine and Portola Roads
6. Vacancy Notice from Clerk of the Board for April City Selection Committee
7. Invitation to HEART Annual Networking & Fundraising Event – Thursday, May 2, 2019

Attached Separates (Council Only)
(placed in your town hall mailbox)

1. None



**Town of Portola Valley
Special Parks & Recreation Committee Meeting
Monday, March 25, 2019 – 6:00 PM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA**

SPECIAL MEETING AGENDA

1. **Call to Order**
2. **Oral Communications (5 minutes)**
Persons wishing to address the Committee on any subject, not on the agenda, may do so now. Please note however, the Committee is not able to undertake extended discussion or action tonight on items not on the agenda. *Two minutes per person.*
3. **Approval of Minutes:** February 4, 2019
4. **Discuss and Finalize plans for 2019 events: Picnic and potential second other event**
5. **Annual Report to Town Council**
6. **Annual Committee Budget**
7. **Adjournment**



TOWN OF PORTOLA VALLEY

Meetings of the Architectural Site Control Commission (ASCC)

Monday, March 25, 2019

7:00 PM – Regular ASCC Meeting

Historic Schoolhouse

765 Portola Road, Portola Valley, CA 94028

SPECIAL ASCC FIELD MEETING

4:30 PM 5050 Alpine Road - Architectural Review for Landscaping Improvements

Those wishing to attend must meet at the Historic School House, 765 Portola Road at 4:30 p.m. and travel to the site at the same time

REGULAR MEETING AGENDA

7:00 PM - CALL TO ORDER AND ROLL CALL

Commissioners Ross, Sill, Wilson, Vice Chair Breen and Chair Koch

ORAL COMMUNICATIONS

Persons wishing to address the Architectural and Site Control Commission on any subject not on the agenda may do so now. Please note however, that the Architectural and Site Control Commission is not able to undertake extended discussion or action tonight on items not on the agenda.

NEW BUSINESS

1. Architectural Review for conversion of a detached carport to a garage and legalization of an artist's studio located below the carport, 25 Pomponio Court, Jennifer Hammer and Edward Oates Residence, File # PLN ARCH 3-2019 (C. Richardson)
2. Architectural Review for a Driveway Entry Gate and Fence, File #: PLN ARCH 5-2019, 345 Golden Oak, Chuard Residence (A. Cassidy)
3. Architectural Review for Landscaping Improvements, File #: PLN ARCH 25-2019, 5050 Alpine Road, Owned by Monte Leon, LLC (A. Cassidy)

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

4. Commission Reports
5. Staff Report
6. News Digest: Planning Issues of the Day

APPROVAL OF MINUTES

7. ASCC Meeting of February 25, 2019

ADJOURNMENT

AVAILABILITY OF INFORMATION

For more information on the projects to be considered by the ASCC at the Special Field and Regular meetings, as well as the scope of reviews and actions tentatively anticipated, please contact Carol Borck in the Planning Department at Portola Valley Town Hall, 650-851-1700 ex. 211. Further, the start times for other than the first Special Field meeting are tentative and dependent on the actual time needed for the preceding Special Field meeting.

Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours. Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall.

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (650) 851-1700. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge any proposed action(s) in court, you may be limited to raising only issues you or someone else raised at the Public Hearing(s) described in this agenda, or in written correspondence delivered to the Architectural and Site Control Commission at, or prior to, the Public Hearing(s).



**TOWN OF PORTOLA VALLEY
Conservation Committee Meeting
Tuesday, March 26, 2019 – 8:00 PM
Historic Schoolhouse
765 Portola Road, Portola Valley, CA**

MEETING AGENDA

1. Call to Order
2. Oral Communications
3. Approval of Minutes – February 26, 2019
4. Current Site Visits
5. Tree Permits
6. Old Business
 - A. Oversight of Significant Town Owned Open Space properties – updates.
 1. Springdown Preserve
 - i. Comprehensive care calendar
 - a. Photo documentation – Plunder
 - ii. Management Plan
 - a. What needs doing this month
 - iii. Monarch butterfly habitat
 - iv. Pond
 2. Frog Pond – last report June '18
 - i. Ad-Hoc Committee on Guiding Principles
 3. Ford Field – revised
 - i. Open Space comments pending
 4. Town Center – last report April '18
 - i. Details of implementing plan given to Public Works beginning of this month
 - ii. Protecting Heritage oak
 - iii. ASCC for screening tennis courts
 5. Rossotti's Field and ROW revised
 - i. Open Space comments pending
 6. Triangle Park
 - B. Intermediate Properties Analysis and Recommendations
 1. #26 Blue Oaks/Los Trancos Neighborhood pond – Murphy/Walz
 2. #32 Dengler – Heiple/Magill
 3. #33 Shady Trail parklet - Bourne/Plunder
 4. #Roadside strips – Chiariello/Eckstrom
 - C. Tip of the Month – Magill
 - D. What's blooming now – Magill
 - E. Kudos of the Month – Plunder
 - F. BYH – De Staebler
 - G. Vegetation Management
 1. MROSD - Plunder
 2. Fire District - Murphy
 3. Evening lecture – Chiariello and Sustainability and Emergency Prep
 4. List of high risk and lower risk plants - Magill

- H. Committee/Town cooperation
 - 1. Public Works – Murphy
 - 2. Sustainability Committee – Murphy
 - 3. Trails – Bourne
 - 4. Open Space - Chiariello
 - I. Broom Pull March 3
7. New Business
- A. Coal Mine Ridge Nature Preserve proposal
 - B. Budget
 - C. Hedgest vs fences
 - D. Additions to Discouraged Plant list
 - E. Annual Report
 - 1. Line of sight, Heritage shrubs. etc.
8. Adjournment
9. Next meeting 4/23/2019, 7:30 pm, Old Schoolhouse



TOWN OF PORTOLA VALLEY
Special Trails and Paths Committee
Wednesday, March 27, 2019 10:00 AM
Field Meeting - Corner of Alpine Road & Willowbrook
765 Portola Road, Portola Valley, CA

SPECIAL FIELD MEETING AGENDA

1. Call to Order
2. Oral / Community Communications
3. Walk Coal Mine Ridge trails and visualize the areas where the proposed PV Ranch signage will be installed
4. Adjournment

To: Portola Valley Town Council
Cc: Jeremy Dennis, Town Manager

March 19, 2019

Please address fuel reduction at the March 27th Town Council meeting

Dear Town Council,

After reading the March 13th Almanac article: *Local roadside clearing has become a top wildfire prevention priority*, I am very concerned about the fuel load along Alpine and Portola Roads. If clearing vegetation from the sides of Kings Mountain Road is ranked as the second most important project in California to reduce the risk of wildfires, then I think it is the duty of the Town Council to address the fuel load along Alpine and Portola Roads as these are ingress and egress for many of our town's residents.

<https://www.almanacnews.com/print/story/2019/03/13/state-report-local-roadside-clearing-a-top-wildfire-prevention-priority>

Unfortunately I am not able to attend the special March 27th Town Council meeting, so I am voicing my concern in this letter.

I applaud the town and the Woodside Fire District for the chipper program, but this is not enough. We need to encourage the town's residents to reduce the fuel loads on their properties. I think a financial incentive to increase and maintain defensible space around homes is not only helpful but has become a necessity. This is my second letter asking the town council to implement the same or similar program that Woodside has successfully used for many years.

https://www.woodsidetown.org/sites/default/files/fileattachments/community/page/3311/defensible_space_matching_fund_info_page_2016.pdf

We must reduce the fuel loads along Alpine and Portola Roads as well as around our homes. Portola Valley is on the Cal Fire Very High Fire Hazard Severity Zone list. Insurance carriers are refusing to renew insurance policies in town. We should not become the town where you cannot get a fire insurance policy. Let us protect our property values, let us protect our properties.

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_zones_maps_citylist

Thank you for your consideration.

Diana Fischer

Portola Valley, CA 94028

Sukhmani Purewal spurewal@smcgov.org Thu 5:50 PM

Vacancy Notice for April City Selection Committee

Good evening Clerks,

Please find the vacancy notice for City Selection Committee (CSC) attached. Please forward this notice to your Mayor/Councilmembers.

The April 26th CSC meeting will be part of Council of Cities Dinner, hosted by City of Daly City. More info. to come!

Best,

Sukhmani S. Purewal

Assistant Clerk of the Board of Supervisors
Secretary to City Selection Committee



COUNTY OF SAN MATEO

400 County Center | Redwood City, CA 94063
Tel. (650) 363-1802 | spurewal@smcgov.org

Updated as of 3/14/19

Positions currently vacant or expiring soon!

Please submit your “Letters of Interests” no later than **5p.m. on Friday, April 12, 2019** to Sukhmani Purewal, Secretary of City Selection Committee and Assitant Clerk of the Board of Supervisors via email or fax. Please email: spurewal@smcgov.org or fax: 650-363-1916.

The next City Selection Committee meeting will on April 26, 2019 in Daly City (more info. to come)

➤ **Local Agency Formation Commission (LAFCo)**

- Harvey Rarback, Half Moon Bay – *Alternate* (expiring)
 - Expires: First Monday of May (5/6/19)
 - Representing: Cities (All eligible)
 - Term will be from: 5/7/19 – 5/1/23

➤ **Housing Endowment and Regional Trust (HEART)**

- Ron Collins, San Carlos (resigned – effective March 31)
 - Representing: Cities (All eligible)
 - Term will be from: 4/26/19 – 2/28/2021 (remaining term of CM Collins)

[CLICK HERE TO REGISTER!](#)

The Housing Endowment and Regional Trust of San Mateo County



Come Celebrate Our Success!
Annual Networking & Fundraising Event



Networking – Beer & Wine – Hors d’oeuvres

 **Special Guest: Mike Callagy** 
San Mateo County Manager

THURSDAY, MAY 2, 2019 • 5:00 TO 7:30 PM



Devils Canyon Brewing Company
935 Washington Street, San Carlos

SPACE IS LIMITED! REGISTER TODAY AT HEARTOFSMC.ORG