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## LAND USE AND PLANNING

### INTRODUCTION

This chapter describes existing land uses, adopted General Plan land use classifications, and zoning designations on and around the Project site. This chapter also describes the applicable plans and policies that guide development in the Project area.

### SETTING

#### TOWN OF PORTOLA VALLEY GENERAL PLAN

The Town of Portola Valley General Plan (updated in 2015) designates the Project site as Conservation-Residential. Conservation-Residential includes existing developed areas where net residential land area per housing unit averages from 2 to 4 acres and relatively accessible undeveloped lands with few to considerable potential geologic instabilities. Conservation-Residential is to be developed with a slope-intensity standard whereby the net residential land area per housing unit increases from 2 acres on level to 9 acres on slopes of 50 percent or greater. The Conservation-Residential intensity is assigned to less steep land close to community and circulation facilities and existing development.

The Housing Element of the General Plan identified the Project site (Site 40) as one that could accommodate a number of new residences, including affordable housing through the Affiliated Housing Program, and noted that such development would need to be clustered along Alpine Road given the site constraints.

The following General Plan Land Use Element objectives and principles are applicable to the Project:

#### General Objectives

- 2102.1. To provide for residential uses and related facilities and services that will preserve and enhance the quality of living enjoyed by local residents.
- 2102.2. To maintain the natural character of the planning area and to provide for limited park, recreation and open space uses in appropriate scenic areas where the uses will be compatible with the maintenance of the residential nature and quality of the planning area.
- 2102.4. To minimize consumption of energy from non-renewable sources and to encourage the use of renewable energy sources while preserving the scenic and aesthetic qualities of the area.
- 2102.5. To encourage and, where appropriate, require the conservation of water in new and existing developments and buildings.
- 2102.6. To ensure that development in areas subject to geologic, fire and flooding hazards is controlled so that people and structures are not exposed to unacceptable levels of risk.

## General Principles

- 2103.1. The planning area should have the low intensity of development which is appropriate to its location on the fringe of the urban area of the Peninsula and should provide a transition between urban densities of adjoining communities and non-intensive land uses west of the skyline.
- 2103.2. Uses of land should include homes, open spaces, agricultural pursuits and such other private, office and commercial uses as are required to serve the frequent needs of local residents.
- 2103.5. In any development within the planning area, full consideration should be given to the geologic conditions so that development on unstable land can be avoided or minimized.
- 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 buildings should be avoided.
- 2103.8. In order to help minimize the adverse effects of higher intensity uses upon lower intensity uses, landscaping areas of primarily native plants appropriate to the site should be provided. Such buffers should be of a size and design that will provide an effective visual buffer.
- 2103.9. 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.
- 2103.9.1. 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.
- 2103.10. The rate of development and location of projects should not exceed the capacity of the town, special districts and utility companies to provide all needed services and facilities in an orderly and economic manner.
- 2103.11. Conservation of energy from non-renewable sources should be considered in the design, improvement, reconstruction and remodeling of buildings.
- 2103.12. The use of passive and active solar energy should be encouraged in the siting, design and construction of buildings.
- 2103.13. Where feasible, development proposals should incorporate unified planning for the largest land area practically possible in order to preserve open space, conserve unique natural features of the area, allow logical extensions of the trail and paths system, maximize the opportunities for controlling the extent and impacts of development and otherwise help ensure the application of good land use planning principles.
- 2103.14. Grading shall normally be the minimum necessary to accommodate development; however, in those instances where increased grading can provide for greater compatibility of development with the natural setting and not cause significant adverse effects on the environment, such grading shall be preferred.
- 2103.15. For all new developments within the planning area, full consideration shall be given to the fiscal ability of the town and other affected local governmental agencies to provide essential services. When fiscal impact will exceed tax revenue to be generated, provisions may be made to require off-setting fiscal impact fees.

- 2103.16. In the planning, design, construction and operation of development within the planning area, water conservation should be a high priority.
- 2103.17. In all new developments, the undergrounding of utilities should be considered a high priority.

### **Residential Areas**

#### *Objectives*

- 2104.1. To assure that all building sites and residences are developed in a manner minimizing disturbance to natural terrain and vegetation and maximizing preservation of natural beauty and open space.
- 2104.3. To provide for the grouping or clustering of residential buildings where this will maximize the opportunity to preserve natural beauty, habitat and open space without generally increasing the intensity of development otherwise possible.
- 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.

#### *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.
- 2105.3. 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 pre-existing 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.
- 2105.4. Steep slopes, potentially unstable ground, canyons and ravines should be left undisturbed as residential open space preserves.

- 2105.4.1 When residences are grouped or clustered in areas where intensity standards require one acre or more per dwelling unit:
- a. Each residence should have substantial direct frontage on a common open space of sufficient size to convey a feeling or being on the edge of a large and significant open space.
  - b. Clusters should generally consist of a small number of detached residences, and each cluster should be well-separated from adjacent clusters rather than interconnected in a linear form.
- 2105.5. On tree covered buildable slopes, development should be designed to preserve groves of trees as well as individual trees and native understory to the maximum extent possible.
- 2105.7. To the extent feasible, all structures (including residences) should complement and blend in with the natural setting of the planning area; and to this end, the following principles should be adhered to:
- a. Structures may be located in existing tree covered areas to the extent possible and still be consistent with slope, geologic and related conditions and the need to preserve locally unique or especially beautiful wooded areas.
  - b. Largely bare slopes and sparsely wooded ridges visible from large portions of the town or planning area should be kept free of structures to the maximum extent possible.
  - c. If development does take place on highly visible barren slopes or ridges, it must be unobtrusive and of a scale and design to maintain the character of the natural setting, and with required planting of native trees and plants where appropriate.
- 2105.8. 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.
- 2105.9. To the extent feasible, the design of subdivisions should retain a representative composition of habitats on the site and their interrelationships.
- 2105.10. Residential development should not occur in areas subject to flooding as shown on the Flood Insurance Rate Maps issued under the National Flood Insurance Program by the U.S. Department of Housing and Urban Development.

## **Parks, Recreation Areas and Open Spaces**

### *Objectives*

- 2134.1. To retain areas of natural terrain and vegetation sufficient to preserve the overall natural open character and quality of the area, and to buffer the town from its neighbors and its constituent neighborhoods from each other while permitting reasonable development of private lands.
- 2134.2. To provide for appropriate park and recreation areas for community and neighborhood use.
- 2134.3. To encourage public parks, recreation areas and open spaces serving other than primarily local residents only in locations where they will not be a disruptive influence on local

residents and where they will preserve unique natural resources for use by residents of the larger region.

### **Public Facilities and Services**

#### *Objectives*

- 2163.1. To ensure the development of public utilities in a manner that will cause minimum disruption of the natural beauty of the area.
- 2163.2. To provide utilities adequate to serve local needs in the planning area.
- 2163.3. To conserve natural resources and prevent pollution of water and air.

#### *Principles*

- 2164.1. All lines and facilities related to the transmission and distribution of power and telecommunications should be placed underground. If this is not practical and such lines or facilities are to be placed aboveground, the impact should be compensated by the undergrounding of lines or facilities in other locations within the planning area. The undergrounding of lines and facilities should be balanced against adverse effects on native vegetation.
- 2164.3. All utility installations should be sited, designed, developed and landscaped so as to blend with the natural scenery of the area.
- 2164.4. All utility installations should be designed to minimize damage from identified geologic hazards.
- 2164.5. Water, electric and gas supply lines should be loop systems where feasible.
- 2164.6. Water supply systems must conform with established health and fire protection standards.
- 2164.7. Waste water must not pollute ground water or streams or cause public or private nuisance.
- 2164.8. Vegetative ground cover should be sustained to prevent storm water erosion. Unobstructed natural drainage channels should remain the principal storm drainage system, and riparian vegetation along their sides should be maintained in order to reduce erosion and bank failure and preserve habitat. Publicly owned drainage structures should be provided and maintained in accordance with the current Storm Drainage Plan of Portola Valley.
- 2164.9. A solid waste and hazardous waste program which will assure adequate services, protect health, reduce waste generation and conserve energy and resources without adversely affecting the environment should be supported. Wastes resulting from animal keeping should also be controlled and disposed of in a sanitary manner.
- 2164.10. The planting of native vegetation in developments should be encouraged as a water conservation measure.

The General Plan Safety Element includes the following goals, objectives, principles, and policies could be applicable to the Project:

### **Safety Goals**

- 4104 The basic goals of the Town of Portola Valley in adopting this element of the general plan are to prevent loss of life, to reduce injuries and property damage and to minimize economic and social dislocation that may result from earthquakes, other geologic hazards, fires and flooding.

### **Safety Objectives**

- 4105 The objectives of the Town of Portola Valley in adopting this element of the general plan are:
1. To define the relative degree of risk in various parts of the planning area so that this information can be used as a guide for minimizing or avoiding risk for new construction and for risk abatement for existing development.
  2. To minimize the risk to human life from structures located in hazardous areas.
  3. To provide a basis for designating land uses that are appropriate to the geologic, fire and flooding risks in the planning area.
  4. To ensure that facilities whose continued functioning is essential to society, and facilities needed in the event of emergency, are so located and designed that they will continue to function in the event of fire or natural disaster.
  5. To facilitate post-disaster relief and recovery operations.
  6. To increase public awareness of geologic, fire and flooding hazards, and of available ways to avoid or mitigate the effects of these hazards.

### **Safety Principles**

- 4106 The following principles are intended to guide the town and private parties in future actions.
1. Land uses should be controlled to avoid exposure to risk in excess of the level generally acceptable to the community (defined in this element as “Acceptable Risk”).
  2. Locate development, to the maximum extent feasible, so that it will avoid areas which present high risk exposure.
  3. Development in hazardous areas should be limited to structures and improvements that would not threaten human life or cause substantial financial loss if damaged, or the development or site should be engineered to mitigate the hazard if possible without unduly disturbing the natural environment.
  4. Where utility lines and roads are located in or cross high hazard areas, all reasonable measures should be taken to insure continuity or quick restoration of service and prevention of secondary hazards such as fire or flood.
  5. High hazard areas should not be subdivided unless and until adequate mitigating measures are assured.
  6. Critical facilities, such as major transportation links, communications and utility lines and emergency shelter facilities, should be located, designed and operated in a manner that maximizes their ability to remain functional after a disaster.
  7. New structures should be designed and constructed to withstand, within levels of acceptable risk, the hazards known to exist at their locations.
  8. Additions to or modifications of existing structures should increase rather than decrease the ability of the original structure to withstand any earthquake or other geologic hazards.
  9. The public should be made aware of hazards and measures that can be taken to protect their lives and property.

10. Reports of geologic and/or soil investigations should be required in all instances when a permit is sought and available information indicates a potential substantial threat to life or property from a geological hazard.
11. The location and extent of areas covered by soil and geologic investigations received by the town should be recorded by the town geologist on the town's Geologic Map and Ground Movement Potential Map, and the reports thereon should be considered to be public records. Where appropriate, the results of such detailed investigations will be utilized to supplement and supersede more general information.

#### Acceptable Risk (In Relation to Structures and Occupancies)

- 4108 The term "acceptable risk" is used to describe the level of risk that the majority of citizens accept without expecting governmental action to provide protection. To illustrate this point, consider a site that is subject to occasional flooding. If the chances are one in a thousand that the site will be flooded in any given year, local citizens will probably accept that risk without asking for special protection. If the chances of flooding are one in ten, however, either governmental regulations would be enacted to keep people from building on the site (in order to protect life and property), or property owners would ask the government to build protection devices to control the flood waters.

#### **General Safety Policies**

- 4158 The preceding pages contain recommendations for avoiding or mitigating hazards that have been identified. Many of the measures that might be taken to mitigate hazards cited in this element could produce results in conflict with other elements of the general plan. Just because natural hazards can be mitigated does not mean that in all cases they should be, especially if such mitigation would produce results that are in conflict with the conservation element, the land use element, the open space element, or other sections of the general plan.
- 4159 For example, take a tract of land in the hillside areas of Portola Valley that is afflicted with several small landslides and is in an area with very poor fire protection. Merely because the hazards of landslide and fire can be reduced to an acceptably low level of risk does not mean that the town should approve the building of a subdivision there. Before any decision is made on the matter, the town should consider environmental impacts of the mitigation as well as the costs and the benefits of such hillside development, both immediate and long range, and then judge whether or not the public interest would be best served by the approval of the proposed land development.

#### **Fault Displacement Hazard Policies**

- 4143.1. Consider all faults shown on the map "Fault Lines Mapped by W.R. Dickenson, November 1971" (2), "Special Studies Zones Maps" (4), the town's Geologic Map and maps prepared by Lettis and Associates (36, 37) as each may be amended, as active faults, unless and until evidence to the contrary is developed through field investigations.
- 4143.2. Show active and potentially active faults on the town Geologic Map and Ground Movement Potential Map. On the Ground Movement Potential Map show required setbacks for buildings for human occupancy and add corresponding provisions to the zoning ordinance.
- 4143.3. Subdivisions, structures or other developments within the special studies zones shown on the maps Earthquake Fault Zoning maps (41) should at a minimum comply with pertinent state regulations.

- 4143.4. Design and construct new roads, bridges and utility lines (either public or private) that cross active fault traces in a manner which recognizes the hazard of fault movement. Such designs should consider that there is a possibility of up to a 20-foot right-lateral displacement on the Woodside and Trancos traces of the San Andreas Fault. Equip water, gas, and electric lines that cross active fault traces with shut-off devices which utilize the best available technology for quick shut-off consistent with providing reliable service.
- 4143.5. Examine all existing utility lines that cross active fault traces to determine their ability to survive fault movement (in the amount described in paragraph d. above). Utility companies should institute orderly programs of installing shut-off devices on these lines, starting with the lines that cross the Woodside and Trancos traces and those which serve the most people. Consider above-ground crossing of fault traces where continued service and safety cannot be assured for subsurface lines. Establish and maintain adequate emergency water supplies in areas served by water lines that cross active fault traces.
- 4143.6. Consider fault traces identified as “Fault other than the San Andreas” in the review of applications for the construction of buildings for human occupancy, site development, land divisions and subdivisions. Appropriate geological investigations should be made and reviewed to determine the fault location and characteristics prior to the approval of any such applications.

#### **Ground Shaking Hazards Policies**

- 4144.1. Design and construct essential services buildings to withstand the “Maximum Considered Earthquake” that has a 2% probability of exceedance in 50 years and remain in service (2007 California Building Code and California Geological Survey). (See Section 4154a for the definition of essential services buildings.)
- 4144.2. Review the structural integrity of all essential services buildings in the town, and strengthen, remove or replace those that are found to be unable to meet policy a. above.
- 4144.3. Design and construct residences to retain their structural integrity when subjected to the maximum earthquake that has a 10% probability of exceedance in 50 years (2007 California Building Code and California Geological Survey). Place emphasis on seismic design and seismic bracing systems. Where deemed appropriate by the town, designs should be reviewed by a structural engineer.
- 4144.4. The Town of Portola Valley endorses the continuing review and updating of the California Building Code (109), which the town has adopted by reference, with the objective of adding to it revisions that reflect information gained from recent earthquakes.

#### **Landslide Hazards Policies**

- 4145.1. Review all proposed developments with respect to the “Geologic Map” and “Ground Movement Potential Map” of the town. Require geologic and soil reports, when deemed necessary by the town geologist, for developments in all areas shown with landslides. Reports should be responsive to the information indicated on these maps.
- 4145.2. Locate structures for human habitation and most public utilities so as minimize disturbances from potential landslides. Give due consideration to mitigating measures, based on geologic and other reports acceptable to the town, that can be taken to reduce the risk from seismic and non-seismic hazards to an acceptable level (as defined in Table 1 and related text).
- 34145.3. Where roads or utility lines are proposed to cross landslide areas for reasons of convenience or necessity, they should be permitted only if special design and construction techniques can be employed to assure that acceptable risk levels will be met.



- 4145.4. Adopt implementing policies and regulations that correlate the various land uses permitted by the zoning ordinance with the several categories of landslides shown on the Ground Movement Potential Map which will help assure that any failures of ground due to landslides will not endanger public or private property beyond levels of acceptable risk defined in this element.
- 4145.5. When considering development in areas that contain unstable ground, it is preferable to develop on those areas of natural stable terrain and thereby avoid the potential negative environmental impacts from engineered solutions.

#### **Ground Settlement Policy**

- 4146.1. Consider those areas shown on the “Geologic Map” as alluvium, slope wash or landslide deposits to be areas of potential ground settlement and require detailed site investigation of this potential. Address potential for settlement in other locations in routine site investigations.

#### **Soil Liquefaction Policies**

- 4147.1. Consider the possibility of soil liquefaction in site investigations in connection with applications for development, especially in areas along the valley floor underlain by unconsolidated alluvium and a seasonally high water table.
- 4147.2. Review new development proposals against the California Geologic Survey Seismic Hazard Zone Maps as a guide to investigations.

#### **Erosion and Sedimentation Policies**

- 4149.1. Maintain natural slopes and preserve existing vegetation, especially in hillside areas. When change in natural grade or removal of existing vegetation is required, employ remedial measures to provide appropriate vegetative cover to control storm water runoff. Give special attention to minimizing erosion problems resulting from the keeping of animals. In specific applications, these policies will be tempered by the need for fire safety.
- 4149.2. The town currently administers the provisions of the subdivision ordinance concerning landscaping and erosion control and the provisions of the site development ordinance concerning grading, giving special attention to the protective measures that are appropriate prior to the advent of seasonal rains.

#### **Expansive Soils and Soil Creep Policy**

- 4150.1. In areas where information available to town officials indicates the probability of expansive soils or soil creep, soils reports should be submitted in connection with all applications for development. In those instances where expansive or creep soils are reported, measures as are necessary to mitigate the probable effects of this hazard should be required.

#### **Fire Hazard Policies**

- 4151.1. 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.
- 4151.2. Prior to the approval of any subdivision of lands in an area of high fire risk, the planning commission should review the results of a study that includes at least the following topics:
- a. A description of the risk and the factors contributing to the risk.
  - b. Actions that should be taken to reduce the risk to an acceptable level.
  - c. The costs and means of providing fire protection to the subdivision.

- d. An indication of who pays for the costs involved, and who receives the benefits.
- 4151.3. Homeowners should provide adequate clearance around structures to prevent spread of fire by direct exposure and to assure adequate access in times of emergency and for the suppression of fire.
- 4151.4. Adopt a town program to reduce fire hazards along the town's public roads.
- 4151.5. Establish a public information program regarding fire hazards and how property owners can reduce such hazards.
- 4151.6. In locations identified as presenting high fire hazard, require special protective measures to control spread of fire and provide safety to occupants, including but not limited to types of construction and use of appropriate materials.
- 4151.7. When reasonable and needed, make privately owned sources of water, such as swimming pools, in or adjacent to high fire risk areas, accessible to fire trucks for use for on-site fire protection.
- 4151.8. Establish street naming and numbering systems to avoid potential confusion for emergency response vehicles.
- 4151.9. Design and maintain all private roads to permit unrestricted access for all Woodside Fire Protection District equipment.
- 4151.10. Apply Chapter 7A of the California Building Code to the entire town to increase the resistance of buildings to fire ignition, and when reviewing developments under Chapter 7A, attempt to choose those materials and colors that are consistent with the visual aspects of the town.
- 4151.11. When undertaking actions to reduce fire risk by removing or thinning vegetation, homeowners should try to remove the most hazardous material while leaving some native vegetation to reduce risks of erosion, habitat loss and introduction of potentially dangerous invasive weeds.

### **Scenic Roads and Highways Element**

The Scenic Roads and Highways element of the Portola Valley General Plan notes that within Portola Valley, Skyline Boulevard (Route 35) and Highway 280 are state scenic highways. Alpine Road and Portola Road are additionally designated as local scenic roads. The General Plan has the following to say about Alpine Road:

- 3310 Alpine Road is now a route of great natural beauty and variety. The creeks it follows through the foothills are lined with tall trees, and the countryside has kept much of its rural tranquility. The mountain canyon is still wild and new views open up at each turn of the road. A superb scenic route already exists. It is threatened by change. The challenge is to find and pursue the ways that can protect and preserve this route through the mountains for our present enjoyment and the delight of future generations.
- 3311 The town has, since its incorporation, endeavored to protect the scenic quality of the Alpine corridor. From a policy statement adopted in July 1969:
- 3312 "The policy of the Town of Portola Valley has always been to maintain a tranquil, rural atmosphere, and to preserve a maximum of green open space. The Alpine Scenic corridor should be developed in accordance with the policy. The natural look and feeling of the land between the road and the creek should be maintained. Trees and natural growth should be preserved and increased. Recreational uses should be in keeping with a peaceful and rural atmosphere."

- 3313 In May, 1971, the town adopted the Alpine Parkway Plan, subsequently renamed the Alpine Scenic Corridor Plan, as a part of the town general plan which includes detailed description of the road and of related design policies (see part 6). Special provisions to implement the plan and to protect the corridor include:
1. Open space zoning for sections of the corridor.
  2. Special setback lines along a major portion of Alpine Road.
  3. An open space program which does and should include recommendations for land acquisition and regulations pertaining to the corridor.
  4. The recreation element and the trails and paths element which include proposals for trails and paths in the corridor.

### **Scenic Roads and Highways Objectives**

- 3302.1 To provide policies with respect to designation of highways within the planning area that are or may be eligible for scenic highway designation by the state.
- 3302.2 To provide guidance regarding the maintenance of the scenic qualities of our major roads. Because Portola Valley is a place of unusual natural beauty, all roads in Portola Valley can be considered “scenic.” However, it is possible that the pressure of increasing development and the resultant traffic could lead to the erosion of the aesthetic quality of our roadsides if care is not taken.

### **Scenic Roads and Highways Principles**

- 3303 These principles are intended to guide future actions of the town and private parties.
1. Regulate density and land use, as provided in the general plan and zoning ordinances, with special attention to the view from the road.
  2. Give special consideration to site development, including controlled access for driveways and special setbacks for buildings.
  3. Keep the amount of roadway cuts and fills required in road maintenance or construction to a reasonable minimum.
  4. Contour and plant cut and fill slopes as an integral part of the road design, construction and maintenance process.
  5. Carefully control earth moving, grading, contouring and replanting in areas adjacent to and visible from the road.
  6. Keep traffic signs and markers to a minimum and place with consideration for the visual quality of the road. In addition, all commercial signs on scenic routes must be of such design as to be in keeping with a rural and natural atmosphere.
  7. Control the design of all structures abutting scenic routes, including review by the Architectural and Site Control Commission.
  8. Landscape all development along scenic routes and maintain such landscaping.
  9. The town and user groups should be responsible for the regular pick up of trash in the rights of way of town scenic routes.
  10. Encourage planting of native wildflowers, shrubs, and trees on public and private property. Wherever possible, remove aggressive exotic volunteers such as yellow star thistle, pampas grass, acacia, Scotch and French broom and eucalyptus.

11. Provide hiking and riding trails and bicycling paths separated from the pavement, where possible, as a part of future road improvements.
12. As a condition of their conditional use permit, require commercial developments along scenic roads to maintain a neat and tidy appearance. Surroundings of the buildings must be kept clean, and planted areas must be maintained.
13. Give high priority to placing underground all existing overhead utility lines, and structures to the extent possible, along the town scenic roads. Do not erect new or additional overhead facilities.

### **Alpine Scenic Corridor Plan**

The General Plan includes the Alpine Scenic Corridor Plan, which is described and defined in the following excerpts. (See Chapter 4: Aesthetics for additional information including a portion of the diagram including the Project site as Figure 4.1):

- 6203 The Alpine Scenic Corridor is of particular importance since it serves as the gateway from the more developed urban peninsula to the rural setting of Portola Valley. The roadsides and creeksides in the corridor remain in a natural state through much of the route, although the lower section of Alpine Road is a busy thoroughfare linking Portola Valley, Ladera and other foothill communities to Midpeninsula employment and shopping centers. Residential properties, shopping centers, and tennis and swim clubs touch the roadway, yet most of the land is still rural in appearance with grassland pastures, rolling grass-covered hills studded with oaks, and steeper wooded hill and mountain sides. Low density building, generous setbacks and the native woods have preserved much of the natural setting and rural feeling. Magnificent stands of trees border the San Francisquito and Los Trancos creeks—oaks, bays and alders, 75 to 100 feet tall, many of them hundreds of years old. Small open meadows remain in bends of the creeks.
- 6207 The watershed landscape is a major unifying element of the corridor. The creeks and creekside trees, the valleys through which they flow, the canyons, the confining ridges and the mountain tops all relate to the watershed of the San Francisquito and its tributaries, including the Corte Madera and Los Trancos Creeks.
- 6210 Although much of the scenic corridor is within the Town of Portola Valley, this scenic route is also of vital interest to the larger Midpeninsula community. Of prime concern are the creeks that form the common boundary of San Mateo and Santa Clara Counties. These creeks are not "wild" throughout their length, in the sense of remaining free flowing and unaltered by people, but they are largely unspoiled and offer opportunities by trail and path for education and enjoyment. They are a resource of great value, of a kind that is fast disappearing in our urban area. Therefore, these creeks and their immediate banks, including the well-defined band of trees along the creeksides and a suitable minimum width (at least 200') on either side of the creek, comprise a natural resource area which should be protected through public acquisition, stringent regulation and other appropriate means.
- 6211 The Alpine Scenic Corridor includes four areas of special concern: the Creekside environment, the immediate roadside, the primary vista corridor and secondary vista corridor. All four of these areas contribute to the natural quality of the scenic corridor. Distant views seen from the road are identified in the element but are not included within the corridor. While all structures and modifications to the natural environment within the corridor are of concern, the degree of concern with details decreases with distance from the road. Unless otherwise noted, the following items are of concern within the four areas described in

Sections 6212, 6213 and 6214, but the degree of concern should be tempered based on the visual impact when viewed from areas along the road.

1. Points of access to Alpine Road should be limited to the maximum extent possible.
2. All utilities along Alpine Road should be underground.
3. Building setbacks along Alpine Road should be increased as necessary to reduce the feeling of encroachment on the road.
4. In commercial areas, particular attention should be given to signs, lighting, parking and planting so as to provide the least possible intrusion on the natural feeling of the corridor.
5. Buildings and structures should be subservient to the natural landscape in design, materials and color.
6. Planting should be in keeping with the natural landscape, leaving native trees and open space grasslands where possible and using native plant materials or other drought resistant plants in keeping with the natural scene.
7. Removal of trees or other native vegetation cover should be stringently controlled.
8. On-street parking should be limited to the maximum extent possible.
9. The effects of any building near a riparian corridor or any alteration to the riparian corridor must be minimized in the planning and/or building process.

#### The Immediate Roadside

- 6212 This band on either side of the roadway, generally 50 to 100 feet wide, extends to the nearby stands of trees at the edge of the roadside, or to fences, banks or other features tending to define the roadside area. No specific limits of this area are indicated on the plan diagram. This strip is of great importance to the scenic values of the corridor. Here buildings, grading, clearing, planting and access roads should be carefully regulated.

#### Primary Vista Corridor

- 6213 The lands in view beyond the roadside determine the character of the scenic corridor and are thus designated as the "Primary Vista Corridor." This corridor takes in the nearby ridges viewed from the road and includes the foreground, up to an arbitrary 1000', where long vistas extend up valleys beyond the corridor. It is not practical to prohibit all building within this corridor, but in the development of individual properties, building construction and planting should be designed to be compatible with and retain the natural and rural appearance of the area.

#### Secondary Vista Corridor

- 6214 In the secondary vista corridor, including hills in the middle distance and the land in view down open valleys, all major projects should be carefully reviewed and stringently regulated to prevent any significant alterations of the natural scene.

The Project site frontage including the development site is identified on the Alpine Scenic Corridor Diagram as within the Primary Vista Corridor and the remainder of the site is within the Secondary Vista Corridor (see definitions above). The following additional notation is indicated for the Project site:

29. Steep wooded canyon and hillside (Stanford land); extreme care needed in design and construction if lands are developed in the future; maintain as permanent open space if possible.

### **Alpine Scenic Corridor Plan Objectives**

1. To establish the San Francisquito Creek system as an important element in the Midpeninsula waterway system.
2. To protect the Alpine Scenic Corridor, providing a natural link between the mountains and the Bay plain, to add to the sense of order and well-being of those who live in the Midpeninsula – with intimate views of the creeks, the sight of rolling hills, and striking vistas of the Santa Cruz Mountains.
3. To retain the natural beauty of the scenic corridor, a route through which many people travel and will travel daily so that the corridor will continue to provide a welcome contrast with the nearby urban activity centers.
4. To define a scenic corridor that preserves the intrinsic qualities of the creeks and creeksides of the San Francisquito Creek system.
5. To provide for the use and enjoyment of the creeks, valleys and canyons in a manner consistent with preservation of their integrity as natural features.
6. To utilize the opportunity for passive and active recreation at appropriate locations within the corridor.
7. To provide a basis for interjurisdictional arrangements needed to protect and enhance the corridor.
8. To exercise extreme care to preserve the Corte Madera Creek riparian corridor when undertaking maintenance or improvement of Alpine Road between Willowbrook Drive and Ciervos Road. Particular attention should be given to utilizing biotechnical slope protection techniques.

### **Alpine Scenic Corridor Plan Future Actions**

1. Additional open space acquisitions of land within the corridor are set forth in Open Space Element Appendix 2: Implementation of the Open Space Element.
2. Where acquisitions of land to protect the corridor are not appropriate, easements should be obtained to protect the corridor.
3. In any new developments with frontage on Alpine Road, care should be taken to preserve natural land forms and vegetation in close proximity to the road to protect the corridor.
4. Consideration should be given to adding the design review combining district of the zoning regulations to land along Alpine Road.
5. From Los Trancos Road to the southern town boundary, easements or dedications in fee should be secured as undeveloped acreage is subdivided. To the west of the road, implementation will be somewhat difficult because of the prevalence of small parcels of land. A combination of regulation and acquisition of easements or full fee title through purchase or dedication will be needed.

For the trail and path system, easements for recommended trails should be acquired as part of the subdivision process. Some easements on the west may need to be purchased. A bicycle lane in the roadway is recommended. This will require more detailed design study.

6. It is recommended that the town request a resolution by San Mateo and Santa Clara County Supervisors declaring mutual concern in San Francisquito and Los Trancos Creeks and their watersheds as valuable natural resources along their common boundary and designating these streams as “scenic streams.” The San Mateo County Supervisors should be asked to also designate Corte Madera Creek as a “scenic stream.” The entire corridor should be designated as an open space scenic preserve.
7. Change in creek flow of Los Trancos and San Francisquito Creeks should be investigated to determine whether there have been long term undesirable effects from diversion of waters and what remedial action, if any, may need to be taken. The need for creek bank protection in critical locations should be evaluated.
8. Advice of an ecologist or arborist should be sought for recommendations on tree care, particularly for large important trees. Valley oaks are reportedly not replacing themselves. Seeding, with protection of young trees from grazing cattle and other damage for a few years, could ensure perpetuation of these valuable groves on the hillsides. Introduced species of trees such as eucalyptus have seeded along the creek in some section and should be removed where undesirable. County cooperation should be sought.
9. The town should continue to pursue undergrounding of overhead lines through funds obtained from the utility companies.
10. Outside of the town, the town should seek the cooperation of other jurisdictions in the corridor to have overhead lines placed underground.
11. The town should cooperate with CRMP (Coordinated Resource Management and Planning) Process in its efforts to protect the San Francisquito Creek.
12. The town should sponsor programs for appropriate tree planting and for encouraging cooperative actions by residents and other property owners in landscaping and maintenance compatible with the scenic corridor.

### **TOWN OF PORTOLA VALLEY ZONING**

The Project site is zoned Residential Estate (R-E) and is subject to the 3.5A (3.5 acres) residential density combining district, the SD-2 slope-density combining district, and the D-R design review combining district.

Maximum allowable density at the site is governed by the Municipal Code and the State Density Bonus Law (Government Code section 65915). Municipal Code sections 18.50.040 and 18.50.050(A) impose a slope-density formula that yields 21 lots for the site. Municipal Code sections 17.20.215, 18.04.055 and 18.44.060(H) allow and require inclusionary housing that may take the form of lots transferred to the Town for construction by a third party or, alternatively, that the project subdivider itself may construct the multifamily housing. These provisions increase allowable units to 18 single-family units and 12 multifamily affordable units (30 total units prior to any density bonus). The Town’s Housing Element recognizes that the Project site is one of only three sites in Town that contemplates multi-family housing (Program 2412).

The Applicant proposes for 6 of the affordable units (20 percent of the units) to be affordable at the “low income” level, which entitles the Project to a 35 percent affordable housing density bonus, allowing up to 41 units. The Project proposes development of 39 units.

## IMPACTS AND MITIGATION MEASURES

### THRESHOLDS OF SIGNIFICANCE

Under the CEQA Guidelines, Appendix G – Environmental Checklist Form, development of the Project site as proposed would have a significant environmental impact if it were to result in the following:

1. Result in the physical division of an established community; or
2. Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The following conclusions are focused on an analysis of current policies and regulations that might lead to adverse effects on the physical environment. This environmental analysis is not intended to pre-suppose the Town's determinations on consistency, or prevent imposition of "conditions of approval" to correct any determined inconsistencies outside of the CEQA forum.

Conflicts with applicable plans, policies or regulations do not inherently result in a significant effect on the environment under CEQA. As stated in Section 15358(b) of the CEQA Guidelines, "[e]ffects analyzed under CEQA must be related to a physical change."

Further, Appendix G of the Guidelines makes explicit the focus on environmental policies and plans, asking if the Project would "conflict with any applicable land use plan, policy, or regulation . . . adopted for the purpose of avoiding or mitigating an environmental effect" (emphasis added). A response in the affirmative, however, does not necessarily indicate the Project would have a significant effect unless a physical change would occur.

### PHYSICAL DIVISION OF AN ESTABLISHED COMMUNITY

1. *Would the project result in the physical division of an established community?*

Division of an established community typically occurs when a new physical feature, in the form of an interstate or railroad, physically transects an area, thereby removing mobility and access within an established community. The division of an established community can also occur through the removal of an existing road or pathway, which would reduce or remove access between a community and outlying areas.

Access to the proposed single-family residences and multifamily buildings would be provided via a new, private loop road that would connect at two access points to Alpine Road. A new 6-foot-wide public recreational trail would be constructed along the western edge of the development area and would connect to the existing horse trail along the Project site's Alpine Road frontage.

There are no aspects of the Project that would substantially reduce mobility or access. Development as proposed would enhance physical connectivity and access between different parts of the community. Therefore, the Project would not divide an established community (*no impact*).

### CONFLICT WITH PLANS AND POLICIES

2. *Would the project cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*



**Impact Plan-1: Generally Consistent with Plans and Policies.** The proposed Project is generally consistent with the Town's plans and policies related to development of the Project site, with allowable approvals as proposed and the proposed land use would not result in physical changes to the environment that results in significant impacts. The impact related to conflict with plans and policies would therefore be *less than significant*.

The Project is required to comply with all Town policies and regulations, including those set forth in the General Plan and the zoning code. The Project would require a Conditional Use Permit from the Town to allow establishment of a Planned Unit Development. In Portola Valley, Planned Unit Development provisions allow design flexibilities including yards, heights, and building coverage (Municipal Code Chapters 18.52 and 18.54).

The Project proposes development of 39 residential units on a site designated as Conservation-Residential, where the intensity of development averages from 2 to 4 acres and is slope-dependent (i.e., the greater the slope, the greater the net residential land area per housing unit). The site is zoned Residential Estate (R-E) and is subject to the 3.5A residential density combining district, which allows for a density of 0.4 dwelling unit per acre. The Project site contains steep slopes and unstable areas, which limits the residential developable area to the 10.8-acre northeastern portion of the site.

The Project would use the State Density Bonus Law to receive a density bonus, incentives and concessions, waivers and reductions of development standards, and reduced parking requirements. The Project Applicant would construct and set aside 6 units (20 %) for low-income households, which allows the Project up to 11 additional market rate units under the 35% density bonus [Government Code 65915(f)(1)]. The Project Applicant is requesting 9 additional market rate units. With the provision of 20% low-income affordable units, the Project is eligible for two incentives or concessions. The Project Applicant is requesting to reduce the minimum parcel sizes from 20,000 square feet to approximately 3,300 to 8,300 square feet for the residential lots. The Project Applicant is also requesting to eliminate any potential application of a General Plan clustering provision (Principal 2105.4.1) to the Project which states, "*When residences are grouped or clustered in areas where intensity standards require one acre or more per dwelling unit: (a) Each residence should have a substantial direct frontage on a common open space of sufficient size to convey a feeling of being on the edge of a large and significant open space (b) Clusters should generally consist of a small number of detached residences, and each cluster should be well-separated from adjacent clusters rather than interconnected in a linear form.*" The Project applicant is requesting waivers of:

- Municipal Code section 18.44.050(C), requiring specified spacing between main buildings in a residential planned unit development.
- Municipal Code section 18.48.010, establishing maximum floor area requirements.
- Municipal Code section 18.17.070, requiring similarity between market-rate and affordable units in density bonus projects.

The Project would provide parking consistent with the requirements of the State Density Bonus Law.

The Project is located on a site designated for residential development and surrounded by similar previous residential development and supports General Plan Objective 2102.1 and Principals 2103.2 and 2105.1.

The Project would preserve the majority of the site as a natural wooded slope while improving wildfire management and adding publically-accessible trails, supporting General Plan Objectives 2102.2, 2104.1, 2104.3, 2134.1, 2134.2, and 2134.3 and Principals 2103.8, 2103.9.1, 2103.13,

2103.14, 2105.4, 2105.5, 2105.7, 2105.8, and 2105.9. While clustered on the flatter portion of the site near the roadway access, development density is consistent with General Plan densities incorporating statewide affordable housing density bonuses, supporting General Plan Objective 2104.5 and Principals 2103.1, 2103.6, and 2105.3.

The potential environmental impacts of the proposed Project were analyzed in this EIR document and found to be below significance levels including in the topic of aesthetics and with respect to consistency with the Alpine Road Scenic Corridor (see Chapter 4:Aesthetics for additional detail). Development is not precluded along the corridor, but rather indicated for consideration of natural and rural appearance and scenic character when development otherwise allowed under the General Plan is proposed. The Project plans include the specified 75-foot scenic setback from Alpine Road in which no structures are proposed and the Project is consistent with the General Plan guidelines related to development along the Alpine Road Scenic Corridor including Objectives 1-8 and Future Actions 1-12.

The potential environmental impacts of the proposed Project were analyzed in this EIR document and found to be below significance levels following identified mitigation in all topic areas including biological resources (Chapter 7), flooding (Chapter 12), geology and soils (Chapter 9), utilities and energy (Chapter 17), service systems (Chapter 15), recreation (Chapter 15), and wildfire (Chapter 18), supporting General Plan Objectives 2102.4, 2102.5, 2104.5, 2102.6, 2163.1, 2163.2, and 2163.3 and Principals 2103.5, 2103.9, 2103.9.1, 2103.10, 2103.11, 2103.12, 2103.15, 2103.16, 2103.17, 2105.8, 2105.9, 2105.10, 2164.1, 2164.3, 2164.4, 2164.5, 2164.6, 2164.7, 2164.8, 2164.9, and 2164.10 and Safety Element Goal 4104, Objective 4105, Principal 4106, and Policies including 4143, 4144, 4145, 4146, 4147, 4149, 4150, 4151, 4158, and 4159.

In summary, the Project is generally consistent with General Plan policies intended to avoid or mitigate adverse impacts on the environment (*less than significant*). While it is ultimately in the domain of the Town's decision-makers to decide project consistency with applicable Town plans and policies related to Project approval, from a CEQA perspective, even if it were later determined by the Town that the Project is not consistent with applicable plans, this EIR has demonstrated that the Project would not conflict with plans or policies in any way that could have a significant adverse environmental impact.