



TOWN OF PORTOLA VALLEY
Open Space Acquisition
Advisory Committee Meeting
June 8, 2023
7:30PM

Ticien Sassoubre, Chair
 Betsy Morgenthaler, Vice Chair
 Nona Chiariello, Secretary
 Gary Nielson, Member
 Beverly Lipman, Member
 Terry Lee, Member

SPECIAL MEETING
HISTORIC SCHOOLHOUSE – 765 PORTOLA RD. – PORTOLA VALLEY, CA

REMOTE MEETING ADVISORY: On March 1, 2023, all committees in Portola Valley will return to conducting in-person meetings. A Zoom link will be provided for members of the public to participate remotely; however, the Town cannot guarantee there will be no technical issues with the software during the meeting. For best public participation results, attending the meeting in-person is advised.

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 or by email at towncenter@portolavalley.net. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

VIRTUAL PARTICIPATION VIA ZOOM

To access the meeting by computer:

<https://us06web.zoom.us/j/84869355052?pwd=ZSsrZ3E1aRyZS9BNmZqck9XeitKZz09>

Webinar ID: 848 6935 5052

Passcode: 154003

To access the meeting by phone:

1-669-900-6833 or 1-888-788-0099 (toll-free)

*Mute/Unmute – Press *6 / Raise Hand – Press *9*

- 1. CALL TO ORDER & ROLL CALL**
- 2. ORAL COMMUNICATIONS FOR ITEMS NOT ON THE AGENDA**
Speakers' time is limited to three minutes.
- 3. NEW BUSINESS:**
 - a. Discussion of draft recommendations for use of Affordable Housing Trust Fund to be submitted to Town Council AHTF subcommittee.
- 4. ADJOURNMENT –** This meeting body meets on an as-needed basis.

Land Acknowledgement:

The Town of Portola Valley acknowledges the colonial history of this land we dwell upon—the unceded territory of the Ramaytush (rah-my-toosh) Ohlone, Tamien Nation, and Muwekma (mah-WEK-mah) Ohlone, who endured a human and cultural genocide that included removal from their lands and their sacred relationship to the land. Portola Valley recognizes that we profit from the commodification of land seized from indigenous peoples and now bear the ecological consequences. We seek to understand the impact of these legacies on all beings and to find ways to make repair.

Open Space Committee recommendations for Affordable Housing Trust Fund
May 31, 2023 Proposed Draft

From the perspective of the Open Space committee, the near term use of the Affordable Housing Trust Fund cannot be separated from the identification of Dorothy Ford Park and Open Space as the site of 50 “very low income” housing units in the May 10 Agenda Draft Housing Element. The Town’s “Post Adoption Implementation Plan and Related Recommendations for 6th Cycle Housing Element” describes a process where a Town Council subcommittee (Hasko and Taylor) and an ad hoc committee work to identify alternative sites to Dorothy Ford Park and Open Space, identify potential sites that could accommodate some of the density currently assigned to the Dorothy Ford Park and Open Space site, and evaluate design alternatives that retain “as much as possible the aesthetic, recreational and natural attributes of these sites while complying with our HE commitments.”

<https://www.portolavalley.net/home/showpublisheddocument/17292/638150918263400000>

This means that over the next year, we will have a much clearer sense of what the best use of the AHTF will be. The Affordable Housing Trust Fund is an essential resource for successfully implementing the Housing Element and Post-Adoption plan. Until the work of these committees is done, spending down the AHTF only decreases the Town’s options.

The most pressing questions about the development of the Dorothy Ford Park and Open Space will have to be addressed, including the protection of the 400 year old oaks on the land, whether or not the creek and scenic corridor setbacks leave sufficient buildable space, and design options to create housing and retain open space and recreation. AHTF support may be essential to finding workable solutions to these challenges. The AHTF may also make it possible for the Town to purchase alternative sites for some or all of the planned “very low income” housing units.

After the Town has determined whether and how many low housing units can be built at the Dorothy Ford Park and Open Space site, it will make sense to set policies for the remainder of the AHTF. If new zoning needs to be in place in two years, the work of the implementation will need to be completed over the next 18 months. At that point, it will make sense to determine the values that should guide the use of the Affordable Housing Trust Fund and the specific goals should drive decisions about the use of those funds.

On May 10, the TOWN OF PORTOLA VALLEY voted to approve and submit the Draft Housing Element to the State’s Housing and Community Development (HCD). Amongst the numerous sites slated for rezoning and development, the largest proposed was 50 Very Low Income Housing Units at 3329 Alpine Road, Dorothy Ford Park and Open Space.

The Affordable Housing Trust Fund Description

The Affordable Housing Trust Fund’s purpose is to aid the Town in meeting its affordable housing goals and in doing so to create better living for all.

The source of funds for what was until recently known as the Inclusionary Housing Fund were monies collected from the 2012 sale of Blue Oaks, and per the 2009 General Plan, the use of funds were intended for purchase of land for affordable housing. The recent parcel subdivision fee (Firethorne) provided an extra infusion this year.

The name change from Inclusionary Housing Fund to the Affordable Housing Trust Fund will bring the Fund into alignment with and subject to HCD’s Local Housing Trust Fund requirements, making us eligible for matching fund grants. Matching HCD grants are discretionary, competitive, and dollar for dollar. The key characteristic of the Housing Trust Fund is that it receive “ongoing revenues from dedicated sources of funding”. Links for more information about the restrictions, eligibility requirements, and potential for grants are here:

<https://www.hcd.ca.gov/grants-and-funding/programs-active/local-housing-trust-fund>

and here:

<https://www.hcd.ca.gov/grants-funding/active-funding/lhtf/docs/2020-Final-Guidelines.pdf>

Open Space Committee, the 2023 Housing Element, and Dorothy Ford Park and Open Space

Dorothy Ford Park and Open Space background

The 1st and founding open space land, gifted in 1970 to the 6 year old Town of Portola Valley, was Dorothy Ford Park & Open Space. The lead donor Tom Ford, with a few others, dedicated the 7+ acres with their majestic oaks to the Town, it was to “provide permanent open space” (per the General Plan, Scenic Corridor Plan P. 6201). However clear was the donor intent, the restricted purpose was not legally recorded.

Because the Ad Hoc Housing Element Committee acting on behalf of the Town was unable to identify a satisfactory alternative location for the housing units, the 50 lowest income units were allocated to Ford Open Space.

Timing

Time is short. Director Russell has clarified that prior to final rezoning, the period for “program implementation timelines related to Dorothy Ford Park and Open Space [was] extended to two full years from adoption of Housing Element to accommodate the “sunrise”.” See pg 18 “New Amendments to Housing Element” in Town Council Agenda package May 10, 2023:

<https://www.portolavalley.net/home/showpublisheddocument/17406/638189030025930000>

Two full years in this case, may mean 18 months before initiating the process of making permanent zoning changes, to be concluded in 2 years. Therefore, it is prudent to begin now to outline the potential accommodations that would alleviate the issues at Ford Park and Open Space and Ford Field in the event that an alternate parcel for all 50 units does not present.

The Open Space Committee and Town Goals

The Open Space Committee is aligned with the goals of the Targ & Taylor Memo, the Targ & Brothers Memo, and the Hasko & Taylor Post-Adoption Implementation Plan (see footnotes for links) extending for a delimited period of time “the sunrise” the opportunity to work collectively to protect as much as possible what is irreplaceable within Dorothy Ford Open Space in part if not in whole. The Affordable Housing Trust Fund is the without-which our efforts to protect Dorothy Ford Park’s habitat and heritage oaks is not possible.

Dorothy Ford Park and Open Space Description

Dorothy Ford Park and Open Space at 3329 Alpine Road, though relatively flat, has more constraints than meets the eye; it is an irregularly shaped parcel, with boundary issues on 4 sides and several more internally.

The parcel is bounded:

- to the west by the Alpine Scenic corridor, with its 75 foot setback requirement;
- to the east by Los Trancos creek, with its inadequate 50 ft setback;
- to the south by Ford Field, the baseball diamond; and
- to the north toward Ladera Oaks, the land parcel narrows to a tail; leaving much of the land north of the driveway easement unbuildable.

The land is best known for its interior

a pair of heritage oaks estimated to be 400 old (per Targ-Brothers Memo).

Of less note, but considerable building constraint is

the 30-foot wide easement and driveway dividing the parcel, leading to a bridge and separate 4.2 acre property with housing site on the Santa Clara Co side of Los Trancos creek, and for which an Initial Study and plans for construction are on file.

Dorothy Ford Park and Open Space poses trade-offs to consider with care, including location in a geologic hazard zone for liquefaction, setbacks along Alpine Rd side serving safe evacuation routes as well as the Scenic Corridor; and equally critical setbacks from the top of Los Trancos Creek bank to protect the creek’s ecosystem and its alluvial soils.

Without an alternative site, we will face an impossible trade-off between witness oaks and human habitation that asks us to value one over the other. It’s an ungraspable choice.

During the Housing Element process, the approach was singular in focus: locate housing. Postponed until the Post-Adoption Plan period was the question at Dorothy Ford Park, how are we to build housing and

- respect our fundamental values and the Town’s best long-standing ordinances.
- preserve the lives of the pair of 400+ year witness oaks, shade-givers, carbon sequesters, diverse ecosystem and keystone protectors, and the magnificent beauties they are. “They can’t save us, if we can’t save them” (Jill Lepore, *What We Owe Our Trees*)

- protect biodiversity and the Los Trancos watershed as a whole with the Town requirement of 50 ft setback or preserve the health of the Creek with an appropriate setback that may be determined to be greater.

Uses for the Affordable Housing Fund at Dorothy Ford Park and Open Space

These collective impediments lead to a best case outcome, the purchase of an alternative site, accessible, less environmentally sensitive parcel to relocate the 50 units. Apart from a very friendly donation or building at Town Center, this would require the most significant financial resources.

The Affordable Housing Trust Fund is the most appropriate and essential source of funds to subsidize the costs of site accommodations and building design to address the constraints. Land commitments could take a variety of forms from purchase to mitigations. These include

- a) Identify and purchase fund for an alternate site to accommodate, if not all 50, then a smaller proportion of the units planned for Ford.
- b) Let the 400 year oaks live, if necessary by repositioning or conceivably relocating Ford Field, used predominantly by Alpine Little League regional residents from March to early June. If considered, relocation would incur certain reimbursements for prior funding grants received. <https://home.sccgov.org/sites/g/files/exjcpb1196/files/Town%20of%20Portola%20Valley%20Ford%20Field%20RenovationExpansion%20Project.pdf>
- c) Explore alternatives with neighbors, including options for the 30-foot wide right-of-way easement between Alpine Road and the free span bridge to 3343 Alpine Rd.
- d) Evaluate cost-benefits to undergrounding parking, in particular under Ford Field for cost savings.
- e) Consider a step-down, semi-basement level of housing to reduce mass.
- f) Fund pervious paving materials wherever possible, enabling stormwater percolation protective of the creek and watershed.

The heart of Portola Valley's Post Adoption Plan lies in realizing a density of affordable housing while preserving the spirit and as far as possible the intentions for Dorothy Ford Park and Open Space. To achieve this without sacrificing core Town values rests on open minds and generous funding from Portola Valley's Affordable Housing Fund. Achieving that will be its own reward. The Open Space Committee is committed to protecting life, life represented in our witness oaks and habitat for affordable homes in Portola Valley.

Footnotes, the Open Space statement is aligned with recently adopted Town Council policy and recommendations including the following:

From 6th Cycle Draft Housing Element:

Create a new "Gateway" land use classification in the General Plan that allows affordable housing, recreation and open space. Include the Dorothy Ford Field and Open Space site as well as the Ladera Church site in the new "Gateway" land use classification. Attachment 8, page 1 of Draft Housing Element

<https://www.portolavalley.net/home/showpublisheddocument/17406/638189030025930000>

Post Adoption Implementation Plan

On March 29, 2023 the Town Council affirmed the work of Subcommittee Hasko and Taylor's "Post Adoption Implementation Plan and Related Recommendations for 6th Cycle Housing Element" incorporating a portion of the Targ Brothers Memo.

<https://www.portolavalley.net/home/showpublisheddocument/17292/638150918263400000>

Excerpt

Topic 1: Housing Sites Inventory Follow-Up

Action 1. Evaluate and Propose Sunrise opportunity sites.

Placement: HE for Sunrise duration and intent to identify substitute sites for Dorothy Ford Park and Open Space (before an RFP process commences), and Post HE Plan for details on further timing for specific Sunrise efforts, committee composition and processes, and ADU/JADU efforts described below.

Process: On item 1 under this topic, within 3 months after the HE adoption, a TC subcommittee would be formed to oversee preliminary work, with planning staff support, to identify potential alternative sites and/or other programs that may address our RHNA requirements currently addressed with Dorothy Ford Park and Open Space. Such subcommittee would conduct initial outreach to the community (through public meetings) and to owners of properties that may serve as alternative sites.

No later than 9 months after adoption of HE, establish an ad hoc committee consisting of Town committee, commission and council members along with Town residents, which would work with staff and consultants, to discuss, evaluate and prioritize all opportunities, and gather financial, property rights and other relevant information to guide discussions of alternative sites in light of the Town ethos and the General Plan. This ad hoc committee would also evaluate opportunities to reconfigure Dorothy Ford Park and Open Space, if alternative sites are not identified, and understand the potential costs of doing so. The Post HE Plan would outline these activities in more detail.

Comment: The intent of this effort is to maximize success of Sunrise provision to identify alternatives to development of Dorothy Ford Park and Open Space, to retain as much as possible the aesthetic, recreational and natural attributes of these sites while complying with our HE commitments, to the maximum extent possible. This effort would also entail understanding the costs of such efforts. Furthermore, the Post HE Plan would include an approach for a more continual evaluation of housing needs in Town to avoid time-constrained, rushed analyses in future HE cycles.

Close-up Google Earth Map of Dorothy Ford showing basebla boundary to south, heritage oaks in middle and 30 foot road easement.



Close-up Google Earth Map of Dorothy Ford Park and Open Space and surrounds

