

RESOLUTION NO. 2922-2023

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY
ADOPTING THE INITIAL STUDY-- MITIGATED NEGATIVE DECLARATION AND
THE MITIGATION, MONITORING AND REPORTING PLAN FOR THE HOUSING AND
SAFETY ELEMENTS UPDATE AND CONFORMING GENERAL PLAN AND ZONING
CODE AMENDMENTS**

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Initial Study-Mitigated Negative Declaration (IS-MND), which is included as Attachment 1 to the March 22, 2023 Town Council Staff Report and incorporated by this reference, was prepared for the Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments, collectively the "Project"; and

WHEREAS, pursuant to CEQA, a Notice of Intent ("NOI") to Adopt the IS-MND was prepared and provided to interested agencies, and to all members of the public who had previously requested notification; and posted at Portola Valley Town Hall notifying all interested parties of the availability and 30-day public review period commencing on October 31, 2022 and ending on November 29, 2022; and

WHEREAS, copies of the IS-MND were made available online, to members of the public who had previously requested notification, and by appointment at Portola Valley Town Hall in the Planning and Building Department; and

WHEREAS, opportunities for verbal comments on the IS-MND were provided during a November 16, 2022 Planning Commission hearing; and

WHEREAS, the IS-MND identified potentially significant impacts to the environment, including specific impacts to Air Quality, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, and Tribal Cultural Resources, which can and will be avoided or mitigated to less than significant levels through adoption and implementation of the included mitigation measures; and

WHEREAS, on February 15, 2023, the Planning Commission conducted a public hearing to review the Response to Comments memorandum addressing the verbal comments made by Members of the Portola Valley Planning Commission and public on November 16, 2022, the adequacy of the IS/MND and the recommended text changes to the IS-MND. The updated version of the Response to Comments memorandum is included as Attachment 1 in the March 22, 2023 Town Council Staff Report and incorporated by reference; and

WHEREAS, on February 15, 2023, the Planning Commission also heard a presentation from Fire Marshal Bullard and had extensive discussion on a Colleagues Memorandum from Commissioners Targ and Brothers regarding the Draft Initial Study/Mitigated Negative Declaration-- Proposed Project Design Features to Maintain and Enhance Environmental Quality, Safety and Community Quality of Life which was

included as Attachment 6 to the February 15, 2023 Staff Report (“Targ/Brothers Colleagues Memo”); and

WHEREAS, the Town is in the process of updating its Safety Element and during that process commits to address the actions requested by Fire Marshal Bullard at the Planning Commission’s February 15, 2023 meeting and email from the Woodside Fire Protection District’s attorney Ann Danforth to the Town Attorney dated March 29, 2023. For reference a copy of that email is attached as Exhibit A to this resolution. The Council intends to adopt the safety element on or before October 1, 2023. The Council anticipates the new Safety Element will contain fire prevention programs and policies at least as protective as the 2010 Safety Element, and will contain a timeline for implementing said programs and policies expeditiously. The Town will also adopt the Moritz Map and/or any successor map as a basis for evaluating the fire risk associated with specific sites in the Town; and

WHEREAS, the Planning Commission at a regular meeting on February 15, 2023 recommended approval of the IS-MND and updated Response to Comments and Text Changes and the Mitigation Monitoring and Reporting Plan (MMRP); and

WHEREAS, the Planning Commission’s February 15, 2023 resolution also recommended that the Town Council adopt the project design features listed as Exhibit A in the Targ/Brothers Colleagues Memo, excluding the financial terms, through the mechanism of Council’s choosing; and

WHEREAS, the Planning Commission’s February 15, 2023 resolution also recommended that the Town Council recommended that the Town Council further consider adopting the key approaches for Fire Safety presented by Fire Marshal Bullard in his February 15, 2023 presentation to the Planning Commission and included in the Planning Commission’s February 15, 2023 resolution as Exhibit B; and

WHEREAS, on March 15, 2023, the Town Council conducted a Study Session to review the IS-MND, the MMRP, the Response to Comments and Text Changes, the Housing Element, the Conforming General Plan Amendments and the recommendations in the Targ/Brothers Colleague’s Memo as attached to the March 15, 2022 Town Council Staff Report and incorporated here by reference; and

WHEREAS, on March 22, 2023, the Town Council conducted a public hearing to review the IS-MND, the MMRP, the Response to Comments and Text Changes the Housing Element, the Conforming General Plan Amendments and the recommendations in the Targ/Brothers Colleague’s Memo;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby adopts the IS-MND, the Updated Response to Comments and Text Changes, and the MMRP (as updated at the March 22 and 29, 2023 public hearing), prepared for the Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments Project, attached as Attachments 2, 3 and 4, respectively, to the March 22,

2023 Staff Report. The updated MMRP is also included as Exhibit B to this resolution for clarity. This action is based on the following findings:

1. The IS-MND, Updated Response to Comments and Text Changes and the MMRP have been completed in accordance with the requirements of the CEQA statutes, and the CEQA Guidelines.
2. The IS-MND was prepared, published, circulated, and reviewed in accordance with the requirements of CEQA and the Town's CEQA Guidelines, and constitutes an adequate, accurate, objective, and complete analysis addressing all issues relevant to the approval of the proposed Project.
3. The Town Council has reviewed and considered the information contained within the IS-MND together with any comments received during the public review process and it reflects the independent judgment and analysis of the Town.
4. The IS-MND identifies all potentially significant adverse environmental impacts and feasible mitigation measures or standard conditions of approval that would reduce these impacts to a less-than-significant level. All of the mitigation measures identified in the IS-MND will be implemented, if applicable, once the Project is adopted. The Town Council finds that on the basis of the whole record before it, there is no substantial evidence that the Project, as mitigated in the IS-MND, will have a significant impact on the environment.
5. During the preparation of the Initial Study Checklist, it was determined that the Project would have no impact or have less-than-significant impact on the following environment factors: Aesthetics, Agriculture and Forestry Resources, Biological Resources, Energy, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Parks and Recreation, Population/Housing, Public Services, Transportation, Utilities/Service Systems, Wildfire, and Mandatory Findings of Significance. It was determined that the Project would have a potentially significant impact on one or more of the following environmental factors: Air Quality, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, and Tribal Cultural Resources. Consistent with CEQA Statutes and CEQA Guidelines, the IS-MND contains a full and complete explanation as to how the potentially significant impact on these environmental factors are reduced to less-than-significant impact level by the incorporation of the required mitigation measures.
6. The administrative record is located in the Office of the Town Clerk who is designated as the location and custodian of the documents and other material constituting the record of proceedings upon which this decision is based.
7. The above recitals are true and correct and material to this Resolution.

8. In making these findings, the Town Council relied upon and hereby incorporates by reference all correspondence, staff reports, and other written and oral testimony presented to it.

BE IT FURTHER RESOLVED that the Town Council hereby resolves that Topics 1, 2 and 5-8 of the March 22, 2023 Town Council Colleague's Memo will be incorporated into a Post Housing Element Plan.

Passed and Adopted this 29th day of March 2023.

By: Jeff D Aalfs
Jeff Aalfs, Mayor

ATTEST:

Corie Stocker
Corie Stocker, Acting Town Clerk

Exhibit A

From: Ann Danforth <adanforth@publiclawgroup.com>
Sent: Wednesday, March 29, 2023 5:18 PM
To: Cara E. Silver
Cc: Jon Holtzman
Subject: List of Fire Safety Measures for New Safety Element and Municipal Code
Attachments: 2023.03.29 ISMND Mitigations db.docx

Hello Cara: pursuant to our conversation today, I attach a list of Fire Safety Regulations that Fire Marshall Don Bullard believes are necessary to promote fire safety in Portola Valley. Please include them record of proceedings tonight.



Renne Public Law Group*

*Named Top 20
Boutique Law Firm 2019
by the Daily Journal.*

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Of Counsel
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WFPD's Requested Mitigations

1. Adoption and codification by ordinance of the High and Highest Hazard areas identified in the Moritz map as High and Very High Fire Hazard Severity Zones in accordance with Government Code §51179 and WFPD's newly proposed WUI Ordinance 22-02. Such hazard zone designations should be updated as and when the district's updated assessment of wildfire hazard and risk is completed and released.
2. Codification by ordinance of the fire prevention policies in section 4151 of the 2010 Safety element regarding development in High and Highest Hazard areas identified in the Moritz map or any successor map approved by the district and Town.
3. Adoption and codification by ordinance of Cal Fire's minimum fire safe development regulations (14 C.C.R. §§ 1270.01 thru 1276.05) throughout all High and Highest Hazard areas identified in the Moritz map or any successor map approved by the district and Town, and designation of the Woodside Fire Protection District as the authority having jurisdiction under the Cal Fire regulations to administer and enforce their requirements within the Town's local jurisdiction.
4. Adoption and codification of a new Town ordinance amending Cal Fire's minimum fire safe development regulations, as adopted above, to require.
 - minimum property line setbacks of 30 feet for all new parcels and all new residential development within all High and Highest Hazard areas identified in the Moritz map or any successor map approved by the district and Town.
 - minimum building separation distance of 30 feet between all newly developed structures within a parcel in all High and Highest Hazard areas identified in the Moritz map or any successor map approved by the district and the Town, and
 - provisions for reduction of required setbacks and/or separation distances upon prior written district approval if (a) compliance is shown to be physically infeasible and (b) alternate means satisfactory to the district are demonstrated and implemented to achieve the same reduction of fire spread risk that the required set-back or separation distance would achieve. Such alternate means include but are not limited to the reduction of structure enthalpy through use of noncombustible wall and roof assemblies; elimination of exposed windows, doors, or apertures from closely spaced surfaces; installation of non-combustible fire walls between parcels and exposed structures.
5. Adoption and codification of a new Town ordinance to establish the procedures and standards by which the Town shall review and determine the impact of proposed development projects on public health and safety in accordance with the provisions of the following State housing law mandates:
 - Government Code §§ 65589.5(d)(2) ("a local agency shall not disapprove a housing development project ... unless it makes written findings, based upon a preponderance of the evidence in the record [that] ... [t]he housing development project ... as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households"),

- Government Code § 65852.2(a)(1)(A) (relating to accessory dwelling units),
 - Government Code § 66411.7(d) (relating to SB-9 urban lot splits), and
 - Government Code §§ 65913.4(a)(6)(D) and 65915(e)(1) (relating to bonus density concessions)
6. Complete and adopt Town-wide Emergency Evacuation and Recovery Plan for wildfire, earthquake and similar town-wide emergencies, and staff and fund Town program to educate residents and implement the plan.
7. Update and amend the General Plan Safety element to
- Update and amend assessment of the environmental impact of planned development on wildfire risk and public safety once the Fire District's hazard and risk assessment is completed.
 - Expand and improve existing evacuation routes.
 - Enhance Zoning, Subdivision and Building Codes to mitigate risk of fire spread between and among combustible structures and vehicles that lack adequate separation.
 - Enhance safety and reliability of power and communications utilities.
 - Adopt and codify by ordinance the individuated wildfire risk assessment and abatement procedures and standards of NFPA Standard 1140 §§ 10.1 thru 26.2.6, designating the Woodside Fire Protection District as the authority having jurisdiction to administer and enforce NFPA 1140 within Town

Exhibit B

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based on the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the **Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments** in the Town of Portola Valley. This MMRP complies with Section 15097 of the *CEQA Guidelines*, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The MMRP lists mitigation measures recommended in the IS/MND and identifies mitigation monitoring requirements.

The MMRP table below presents the mitigation measures identified in the IS/MND necessary to mitigate potentially significant impacts. Each mitigation measure is numbered according to the topical section to which it pertains in the IS/MND. As an example, Mitigation Measure AIR-1 is the first mitigation measure identified in the IS/MND in *Section III.C, Air Quality*.

The first column of the MMRP table identifies the mitigation measure. The second column identifies implementation action and responsibility, while the third column identifies the monitoring schedule or timing, and the fourth column names the party responsible for monitoring and the required monitoring action. The fifth column provides a place to record compliance with monitor dates and initials. These last columns will be used by the Town of Portola Valley to ensure that individual mitigation measures are monitored.

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
A. AESTHETICS				
<i>Implementation of the project would not result in any significant aesthetics impacts.</i>				
B. AGRICULTURE AND FORESTRY RESOURCES				
<i>Implementation of the project would not result in any significant agriculture and forestry resources impacts.</i>				
C. AIR QUALITY				
<p>AIR-1: Dust Control Program. During project construction, the contractor shall implement a dust control program that includes the following measures recommended by the Bay Area Air Quality Management District (BAAQMD) and these measures shall be included in contract specifications for construction of the project:</p> <ul style="list-style-type: none"> ▪ All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. ▪ All haul trucks transporting soil, sand, or other loose material off-site shall be covered. ▪ All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. ▪ All vehicle speeds on unpaved roads shall be limited to 15 miles per hour. ▪ All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the AIR-1 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Fully implement all exhaust control measures required by AIR-1. 	<p>Ongoing throughout demolition, grading, trenching, and construction period.</p>	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Make regular, periodic visits to the project site to ensure that all dust control mitigation measures required by AIR-1 are being implemented. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
<ul style="list-style-type: none"> ▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. ▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. ▪ A publicly visible sign shall be posted with the telephone number and person to contact at the construction site regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD’s phone number shall also be visible to ensure compliance with applicable regulations. 				
<p>AIR-2: Quantified Emissions. Proposed projects that would exceed the current BAAQMD’s screening criteria for operational criteria air pollutant emissions shall retain a qualified air quality consultant to quantify criteria air pollutant emissions and identify measures, as needed, to reduce the project’s average daily emissions below 54 pounds per day for ROG, NOx, and PM2.5 and 82 pounds per day for PM10, and reduce the maximum annual emissions below 10 tons per year for ROG, NOx, and PM2.5 and 15 tons per year for PM10. Quantified emissions and identified reduction measures shall be submitted to the Town for review and approval prior to the issuance of building permits.</p>	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the AIR-2 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Retain a qualified air quality consultant to quantify criteria air pollutant emissions and identify measures, as needed, to reduce the project’s average daily emissions below the thresholds (as defined). 	<p>Prior to issuance of the first building permit.</p>	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Ensure an air quality consultant is retained by the contractor. ▪ Review and approve the quantified emissions and reduction measures as submitted by the qualified air quality consultant. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
	<ul style="list-style-type: none"> Have the qualified air quality consultant submit the quantified emissions and reduction measures to the Town for review and approval. 			
D. BIOLOGICAL RESOURCES				
<i>Implementation of the project would not result in any significant biological resources impacts. **Note the project is subject to the Town's standard biological restrictions contained in Tables 2-6 of Appendix D-1 (Special Status Species) attached as Exhibit A.</i>				
E. CULTURAL RESOURCES				
CULT-1: Accidental Discovery of Cultural Resources. If cultural material is discovered during ground-disturbing activities on the Ford Field housing site, all work must halt within 50 feet of the find until the qualified archaeologist can determine the significance. No soil shall be exported from within the 50-foot buffer around the find until a determination of significance is made. The qualified archaeologist will then also determine if continued archaeological monitoring, testing, or data recovery is warranted.	Project Sponsor: <ul style="list-style-type: none"> Include the CULT-1 requirements in the contract and performance standards for the project contractor. Project Contractor: <ul style="list-style-type: none"> Halt all construction activity within 50 feet of the project site if cultural material is discovered until appropriate action has been taken in accordance with CULT-1. 	Ongoing throughout demolition, grading, trenching, and construction period.	Town of Portola Valley Planning & Building Department: <ul style="list-style-type: none"> Ensure that a qualified archaeologist is retained by the contractor. 	
CULT-2: Accidental Discovery of Archaeological Resources. If archaeological material is discovered during ground-disturbing activities on The Sequoias or the Glen Oaks housing sites, all work must halt within 50 feet of the find until the qualified archaeologist can determine the significance. No soil shall be exported from within the 50-foot buffer around the find until a determination of significance is made. The qualified archaeologist will then also determine if continued archaeological monitoring, testing, or data recovery is warranted.	Project Sponsor: <ul style="list-style-type: none"> Include the CULT-2 requirements in the contract and performance standards for the project contractor. Project Contractor: <ul style="list-style-type: none"> Halt all construction activity within 50 feet of the project site if archaeological material is discovered until appropriate action has been taken in accordance with CULT-2. 	Ongoing throughout demolition, grading, trenching, and construction period.	Town of Portola Valley Planning & Building Department: <ul style="list-style-type: none"> Ensure that a qualified archaeologist is retained by the contractor. 	

NOVEMBER 2022

PORTOLA VALLEY HOUSING AND SAFETY ELEMENTS UPDATE INITIAL STUDY
MITIGATION AND MONITORING REPORTING PROGRAM

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
<p>CULT-3a: Halt Construction Activity, Evaluate Find, and Implement Mitigation. In the event that any previously unidentified cultural resource (historic/archaeological/paleontological/Native American) are uncovered during site preparation, excavation, or other construction activity, all such activity shall cease until these resources have been evaluated by a qualified consultant and specific measures can be implemented to protect these resources in accordance with sections 21083.2 and 21084.1 of the California Public Resources Code.</p>	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the CULT-3a requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Halt all construction activity if cultural resources (as defined) are uncovered until appropriate action has been taken in accordance with CULT-3a. 	<p>Ongoing throughout demolition, grading, trenching, and construction period.</p>	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Ensure that a qualified consultant is retained by the contractor. 	
<p>CULT-3b: Halt Construction Activity, Evaluate Remains, and Take Appropriate Action in Coordination with Native American Heritage Commission. In the event that any human remains are uncovered during site preparation, excavation, or other construction activity, all such activity shall cease until these resources have been evaluated by the County Coroner, and appropriate action taken in coordination with the Native American Heritage Commission, in accordance with section 7050.5 of the California Health and Safety Code or, if the remains are Native American, section 5097.98 of the California Public Resources Code.</p>	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the CULT-3b requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Halt all construction activity if human remains are uncovered until appropriate action has been taken in accordance with CULT-3b. 	<p>Ongoing throughout demolition, grading, trenching, and construction period.</p>	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Initiate coordination with the County Coroner and Native American Heritage Commission, if required. 	

F. ENERGY

Implementation of the project would not result in any significant energy impacts.

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
G. GEOLOGY AND SOILS				
<p>GEO-1: Paleontological Resources During Construction. Should any paleontological resources be encountered during construction activities, all ground disturbing activities within 50 feet of the find shall be stopped, the Town shall be notified by the applicant, and a qualified paleontologist shall be contacted and retained to assess the situation per Society of Vertebrate Paleontology standards. The qualified paleontologist shall consult with agencies, as appropriate, and make recommendations for the treatment of the discovery if found to be significant. If construction activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, preparation of a technical report, and providing the fossil material and technical report to a paleontological repository, such as the University of California Museum of Paleontology. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the Town for review.</p>	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the GEO-1 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Fully implement all exhaust control measures required by GEO-1. ▪ Contact a qualified paleontologist, if required. 	<p>Ongoing throughout demolition, grading, trenching, and construction period.</p>	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Ensure that a qualified paleontologist is retained by the contractor. ▪ Review the technical report methods, findings, and recommendations, if required. 	
H. GREENHOUSE GAS EMISSIONS				
<p>GHG-1: Off-Street Electric Vehicle Requirements. All developments shall demonstrate compliance with the off-street electric vehicle (EV) requirements in the most recently adopted version of CALGreen Tier 2 prior to the Town of Portola Valley issuing building occupancy permits. Alternatively, developments shall demonstrate consistency with a climate action plan adopted by the Town of Portola Valley that meets the criteria under State CEQA Guidelines Section 15183.5(b) and identifies</p>	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the GHG-1 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Comply with off-street EV requirements as outlined in the Town Building Code, which 	<p>Prior to issuance of the first building occupancy permit.</p>	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Ensure developments are consistent with the Town Building Code, which meets the CALGreen Tier 2 EV requirements. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
community-wide measures that can be implemented to achieve the statewide GHG emissions targets of 40 percent below 1990 levels by 2030 and support the State’s goal of achieving carbon neutrality by 2045.	meets the CalGreen Tier 2 EV requirements.			
<u>GHG-2: Implement GHG-1.</u>	See GHG-1.			

I. HAZARDS AND HAZARDOUS MATERIALS

<p>HAZ-1: Phase I Environmental Site Assessment (ESA). The following requirements related to potential hazardous materials contamination would not apply to residential renovations/additions (due to the limited soil disturbance involved with such projects) or properties where past land uses have included only residential or undeveloped open space (i.e., no previous agricultural, industrial, commercial, or transportation related use) and where placement of undocumented fill material has not occurred. Evidence of such past land use must be demonstrated to the Town through historic aerial photos, maps, and/or building department records.</p> <p>Prior to the Town issuing demolition, grading, or building permits for a proposed redevelopment or development project that would disturb soil (except for residential renovations/additions), the project applicant shall prepare a Phase I Environmental Site Assessment (ESA) for the project site and shall submit the Phase I ESA to the Town for review. If any Recognized Environmental Conditions (RECs) or other environmental concerns are identified in the Phase I ESA, the project applicant shall prepare a Phase II ESA to evaluate the RECs or other environmental concerns and shall submit the Phase II ESA to the Town for review and approval. Phase I and II ESA reports shall be prepared by a qualified environmental</p>	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Provide aerial photos, maps, and/or building department records for past land use to the Town. ▪ Have the qualified environmental professional prepare a Phase I ESA. ▪ Have the qualified environmental professional prepare a Phase II ESA, if required. ▪ Prepare a Soil and Groundwater Management Plan, if required. ▪ Take remedial actions at the project site, if required. ▪ Implement any recommendations for additional investigation and/or remedial action planning identified in the Phase I and II ESAs and submit to the Town evidence of approvals from the appropriate federal, State, or regional oversight agency(ies) for any proposed remedial action plans. ▪ Implement the recommendations of the third-party qualified environmental professional following their review of the Phase I and II ESAs, if required. 	<p>Prior to issuance of demolition, grading, or building permits.</p>	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Review the Phase I ESA. ▪ Review the Phase II ESA, if required. ▪ Select a third-party qualified environmental professional to review Phase I and II ESAs and proposed remedial action plans, if required. 	
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Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
<p>professional and include recommendations for further investigation or remedial action, as appropriate, for hazardous materials contamination. Remedial actions may include, but not necessarily be limited to, the preparation and implementation of a Soil and Groundwater Management Plan, removal of hazardous materials containers/features (e.g., underground or aboveground storage tanks, drums, piping, sumps/vaults), proper destruction of water supply wells, removal and off-site disposal of contaminated soil or groundwater, in-situ treatment of contaminated soil or groundwater, or engineering/institutional controls (e.g., capping of contaminated soil, installation of vapor intrusion mitigation systems, and establishing deed restrictions).</p> <p>Prior to the Town issuing demolition, grading, or building permits, the project applicant shall implement any recommendations for additional investigation and/or remedial action planning identified in the Phase I and II ESAs and submit to the Town evidence of approvals from the appropriate federal, State, or regional oversight agency(ies) for any proposed remedial action plans.</p>				
<p>Prior to the Town issuing a certificate of occupancy, the project applicant shall submit to the Town evidence of approvals from the appropriate federal, State, or regional oversight agency(ies) for the completion of remedial action. If the project applicant indicates that in their view regulatory agency oversight/approval is not required for the proposed project based on the findings of the Phase II ESA and/or the proposed remedial actions, then the Phase I and II ESAs and proposed remedial action plans shall be reviewed by a third-party</p>	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Submit to the Town evidence of approvals from the appropriate federal, State, or regional oversight agency(ies) for the completion of remedial action, if required. 	<p>Prior to issuance of certificate of occupancy.</p>		

NOVEMBER 2022

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
<p>qualified environmental professional selected by the Town and funded by the project applicant. The third-party qualified environmental professional shall either approve of the proposed investigation and/or remedial actions or provide recommendations for further investigation, additional/alternative remediation actions, and/or regulatory agency oversight for the project site. The project applicant shall implement the recommendations of the third-party qualified environmental professional prior to the Town issuing demolition, grading, or building permits.</p>				
J. HYDROLOGY/WATER QUALITY				
<i>Implementation of the project would not result in any significant hydrology/water quality impacts.</i>				
K. LAND USE/PLANNING				
<i>Implementation of the project would not result in any significant land use/planning impacts.</i>				
L. MINERAL RESOURCES				
<i>Implementation of the project would not result in any significant mineral resources impacts.</i>				
M. NOISE				
<p>NOISE-1: Screening-Level Vibration Analysis. Where new development is proposed in the vicinity of vibration-sensitive receptors, require a screening level vibration analysis. If a screening-level analysis shows that the project has the potential to substantially disturb vibration-sensitive activities or result in damage to structures, then a qualified professional shall prepare a detailed vibration impact assessment to determine appropriate design standards and methods of construction to avoid potential vibration impacts, if feasible.</p>	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the NOISE-1 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Conduct a screening-level vibration analysis. ▪ Have a qualified professional prepare a detailed vibration impact assessment and submit to the Town. 	<p>Prior to issuance of demolition, grading, or building permits</p>	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Review the detailed vibration impact assessment, if required. 	

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/ Signature
N. PARKS AND RECREATION				
<i>Implementation of the project would not result in any significant parks and recreation impacts.</i>				
O. POPULATION/HOUSING				
<i>Implementation of the project would not result in any significant population/housing impacts.</i>				
P. PUBLIC SERVICES				
<i>Implementation of the project would not result in any significant public services impacts.</i>				
Q. TRANSPORTATION				
<i>Implementation of the project would not result in any significant transportation impacts.</i>				
R. TRIBAL CULTURAL RESOURCES				
TRIBE-4: Implement CULT-3a and CULT-3b. See CULT-3a and CULT-3b.				
S. UTILITIES/SERVICE SYSTEMS				
<i>Implementation of the project would not result in any significant utilities/service systems impacts.</i>				
T. WILDFIRE				
<i>Implementation of the project would not result in any significant wildfire impacts.</i>				
U. MANDATORY FINDINGS OF SIGNIFICANCE				
<i>Implementation of the project would not result in any mandatory findings of significance.</i>				

Addendum to MMRP

Additional Policies

(Not CEQA Mitigation Measures)

Definitions

GP = General Plan

HE = Housing Element

MMRP = Mitigation monitoring and reporting program, part of the IS/MND

PC = Planning Commission

PCCM = Planning Commission Colleagues Memo dated February 8, 2023

Post HE Plan = Post-Adoption Housing Element Plan

TC = Town Council

TC HE Subcommittee = Town Council Post HE Plan Subcommittee

Addendum to MMRP

CEQA Guidelines/Local Guidelines and Thresholds

Action	<ol style="list-style-type: none"> 1. Within 6 months after HE adoption, establish CEQA guidelines per 14 CCR Section 15022. 2. Within 8-12 months after HE adoption, establish local thresholds where reasonably feasible, per 14 CCR Section 15064.7(b), concerning topics such as aesthetics, parks and recreation, public services, traffic and wildfire safety to guide future development, with reference, where available, to approaches taken by jurisdictions that have adopted similar measures (such as Gilroy, Los Angeles, San Diego, Oakland and Laguna Niguel).
Process	<p>Planning Staff and CEQA expert to address item 1 under this topic, and submit for TC approval. Planning Staff with CEQA and other consultants to develop framework for item 2 under this topic based on references to other jurisdictions adopting similar local parameters, then submit for discussion and review by the Planning Commission to tailor to community values and the Town's General Plan. It would then be submitted for adoption by the Town Council. One or more public awareness, education and comment meetings would be conducted after the initial PC study session.</p>
Comments	<p>The intent of item 1 under this topic is to comply with state requirements in adopting local CEQA guidelines, and the intent of item 2 under this topic is to clarify and standardize analysis and decision making in the environmental review process for future development projects in Town, with the intent to enhance the measures included in the IS/MND as appropriate to reflect our Town's ethos, and increase efficiency and consistency.</p> <p>Guidelines and thresholds could be derived from existing examples taken from other jurisdictions and would serve to frame the analyses of future project-level environmental impacts and mitigation measures for projects that are not exempt from CEQA, and be informed by public input. Any required General Plan amendments that may be identified in the initial process as being required to effect these actions could be implemented in the next update of the General Plan unless legally required to be adopted earlier.</p>

Addendum to MMRP

Supplemental Safety Measures

Action	Coordinate and ensure that the Town's ongoing safety-related activities also consider the cumulative projected increase, in Town population and housing units arising out of HE adoption, and adopt mechanisms to coordinate with neighboring jurisdictions with respect to safety measures such as the evacuation plan.
Placement	Also referenced in Safety Element and HE (see policy 6)
Process	<p>Staff and consultants would reach out to committees involved in the Safety Element process to confirm that such committees assessed and made recommendations to the Planning Commission and Town Council with respect to adjustments to evacuation routes and planning, building codes, and other safety measures (to address fire, geologic, flooding and other risks), specifically arising from the cumulative increase in population and housing units in the HE, adopted fire maps, other elements of the GP, and best practices.</p> <p>These efforts would be made in conjunction with the ongoing Safety Element update, which will be completed to the extent feasible within 6-9 months after the HE adoption.</p> <p>The Post HE Plan will outline details of conducting assessments of safety measures periodically in light of actual and projected housing growth to enable methodical and proactive approach.</p>
Comments	The goal of this effort is to optimize consistency, beyond what is required by CEQA, across the Safety Element, HE, and GP with respect to safety in light of the increase in the Town's population under the new HE, complementing ongoing efforts already in process.