



# TOWN OF PORTOLA VALLEY

7:00 PM – Meeting of the Planning Commission  
Wednesday, March 20, 2024

## MEETING AGENDA

### HYBRID MEETING- IN PERSON AND VIA ZOOM

**HISTORIC SCHOOLHOUSE - 765 Portola Road, Portola Valley, CA 94028**

**Remote Public Comments:** Meeting participants are encouraged to submit public comments in writing in advance of the meeting. Please send an email to [asmith@portolavalley.net](mailto:asmith@portolavalley.net) by 12:00 PM on the day of the meeting. All comments received by that time will be distributed to Commissioners prior to the meeting. All comments received are included in the public record.

Remote participation is provided as a supplemental way to provide public comment, but this method does not always work. The public is encouraged to attend in person to ensure full participation. If you attend the meeting online, you will have access to any presentations that will be shown on your screen and can provide public comments using the “raise your hand” feature when the Chair calls for them.

#### VIRTUAL PARTICIPATION VIA ZOOM

**Please select this link to join the meeting:**

<https://us06web.zoom.us/j/85434937778?pwd=XZIF3JaY4plnhxpgPpxrLEscBMRxC.1>

**Or:** Go to Zoom.com – Click Join a Meeting – Enter the Meeting ID

**Meeting ID:** 854 3493 7778 **Passcode:** 072028

**Or Telephone:**

1.669.900.6833

1.669.444.9171 (toll-free) Enter same Meeting ID

\*6 - Toggle mute/unmute.

\*9 - Raise hand.

#### 7:00 PM - CALL TO ORDER AND ROLL CALL

Commissioners Vice-Chair Targ, Brothers, Krashinsky and Kopf-Sill

#### ORAL COMMUNICATIONS

Persons wishing to address the Planning Commission on any subject not on the agenda may do so now. Please note, however, that the Planning Commission is not able to undertake extended discussion or action tonight on items not on the agenda. Comments will be limited to three minutes.

**REGULAR AGENDA**

1. Consider Adopting a Resolution Recommending Approval of an Ordinance Amending Title 18 [Zoning] of the Portola Valley Municipal Code and Amending the Zoning Map for the Town of Portola Valley to Implement the 2023-2031 Housing Element

**COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS**

2. Commission Reports
3. Staff Reports

**APPROVAL OF MINUTES**

4. December 20, 2023 and February 7, 2024

**ADJOURNMENT**

**ASSISTANCE FOR PEOPLE WITH DISABILITIES**

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

**AVAILABILITY OF INFORMATION**

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

**PUBLIC HEARINGS**

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



## TOWN OF PORTOLA VALLEY STAFF REPORT

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**TO:** Planning Commission

**FROM:** Adrienne Smith, Senior Planner

**DATE:** March 20, 2024

**RE:** Adoption of a Resolution Recommending Approval of an Ordinance Amending Title 18 [Zoning] of the Portola Valley Municipal Code and Amending the Zoning Map for the Town of Portola Valley to Implement the 2023-2031 Housing Element

### **RECOMMENDATION**

Staff recommends that the Planning Commission receive a presentation from staff, ask questions, provide comments, receive public comments and adopt a resolution recommending approval of an Ordinance Amending Title 18 [Zoning] of the Portola Valley Municipal Code and Amending the Zoning Map for the Town of Portola Valley to Implement the 2023-2031 Housing Element.

### **MEETING FORMAT**

This public meeting format will be as follows:

- Staff presentation: Summary of Draft Zoning Code and Zoning Map amendments
- Planning Commission questions of staff
- Public Comments
- Planning Commission discussion and consideration of adoption of a resolution recommending to Town Council approval of the Zoning Code and Zoning Map Amendments

### **MEETING PURPOSE**

The purpose of this meeting is for the Planning Commission to review the complete draft Zoning Code and Zoning Map amendments shown in tracked changes (Attachment 1). The Commission will also consider taking formal action to adopt a resolution recommending to Town Council approval of the draft amendments (Attachment 2)

### **BACKGROUND**

On December 20, 2023, the Planning Commission adopted a resolution recommending Town Council adopt the 2023-2031 Housing Element and conforming General Plan amendments. On January 24, 2024, the Town Council accepted the Commission's recommendation and adopted the Housing Element. The adopted Housing Element was then submitted to the State Department of Housing and Community Development (HCD). On January 30, 2024, the Town received a letter from HCD deeming the Town's Housing Element in substantial compliance with State Housing

Element Law. Within the letter was HCD's urging that the Town "continue timely and effective implementation" of all Housing Element programs. Of the listed programs in the letter, the following programs require amendments to the Town's Zoning Code:

- Programs 1-1b and 1-6 (Rezoning for Lower-Income RHNA)
- Program 1-1c and 1-2b (Objective Design Standards)
- Program 1-2a (Rezoning for Mixed-Use)
- Program 1-4 (Affiliated Housing)
- Program 4-1 (Parking Requirements)
- Program 8-10 (Group Homes)

Particularly critical are the programs which commit to rezoning sites on the Town's Adequate Sites Inventory. If these sites are not rezoned, they are not considered "available" to be developed at the proposed densities and affordability levels as committed to in the Town's Housing Element.

### **Necessity of Timely Adoption of Zoning Code Amendments**

On February 5, 2024, the Town received a letter from HCD's Proactive Housing Accountability Chief stating that while the Town had committed to March 2024 to complete its necessary rezonings, since it did not adopt a compliant housing element within 120 days of the original statutory due date of January 31, 2023, any rezonings required to make the identified sites available to the Town's RHNA required completion no later than January 31, 2024. HCD requested a written response from the Town no later than March 6, 2024. This is not new information, and the Town has been carefully tracking State deadlines throughout its efforts to achieve Housing Element adoption and State certification.

A letter of response was sent to HCD on March 4 outlining the Town's plan for moving forward the Zoning Code amendments beginning with the Planning Commission's scheduled March 20, 2024 public hearing to review the draft. The Town has not received a response from HCD, which is not surprising. Staff remains optimistic that the State is recognizing the Town's good faith efforts to expeditiously meet its Housing Element program commitments amidst ongoing staffing transitions and associated resource constraints.

### **The Commission's Past Work on Zoning Code Amendments**

The Commission first considered draft Zoning Code amendments at three meetings in late 2022. At its [October 19, 2022](#), meeting, the Planning Commission had a preliminary discussion on the Mixed-Use and Multi-Family zoning districts concepts, as well as new off-street parking standards. At the [November 2, 2022](#) meeting, Commissioners discussed the general process of codifying the Affiliated Housing Program and also requested that staff refine the scope of the draft to include only those changes needed to ensure Housing Element adoption. The goal at that time, was to achieve adoption by January 2023. As directed, staff streamlined the code amendments for the proposed Multi-Family and Mixed-Use zones which the Commission reviewed at its [November 30, 2022 meeting](#). Despite the progress the Commission made on the draft amendments, by the end of 2022, it was determined that code amendment work would pause to focus efforts on Housing Element adoption.

### **A Note on the Town's Zoning Code**

The Town's Zoning Title of the Municipal Code (Title 18) has not been comprehensively updated since its creation soon after the Town's incorporation in 1964. As such, the organization and way the regulations are presented is outdated. For example, when zoning codes were developed in the 1960s, there was not a technical capacity to include graphics and complex tables to demonstrate

the development standards. Today, it is standard practice to include a combination of graphics and tables to clearly relay information. This makes it easier for applicants to understand and for staff to administer. The new draft sections include this contemporary approach to presenting the standards but maintain the existing numbering in the present Code. The new sections have a different look and feel but maintain continuity with the general format of the rest of the Zoning Code.

## DISCUSSION

### Summary of Draft Zoning Code and Map Amendments

The amendments (see Attachment 1) fall into two general categories:

1. Amendments necessary to bring the Code into conformance with State Law and to implement various programs of the newly-adopted and State-compliant Housing Element; and
2. Amendments necessary to rezone several parcels to new zoning classifications as identified on the Housing Element's Adequate Sites Inventory.

Below is a summary of the proposed Zoning Code amendments, beginning with the most substantive changes:

New Chapter 18.15 R-MF (Multi-Family Residential) District Regulations. The new Chapter 18.15 introduces two new multi-family residential zoning districts: R-MF-4, which allows two to four dwelling units per acre, and R-MF-23, which allows 20 to 23 dwelling units per acre. The R-MF-4 district applies to the Glen Oaks Housing site and the R-M-23 district applies to the Ladera Church Affiliated Housing Program site. The chapter establishes basic development standards such as density, lot width, lot coverage, building footprint, building height, setbacks, building separation, and open space.

The chapter also introduces new illustrated objective design standards to supplement the basic development standards of the new multi-family districts. The design standards address topics such as upper-story step-backs, building articulation, façade composition, building entry design, window and door design, Universal Design, building materials and colors, parking configuration and design, on-site circulation, exterior lighting, and screening of mechanical and electrical equipment.

New Chapter 18.23 M-U (Mixed-Use) District Regulations. The new Chapter 18.23 introduces a new mixed-use zoning district (M-U) which allows for three to six dwelling units per acre and non-residential development floor area ratio (FAR) up to 0.18. This zoning district is applied to the 4394 Alpine Road housing site, 4388 Alpine Road (Willow Commons) pipeline project site, and the 4370 Alpine Road housing site. The chapter establishes basic development standards such as density, FAR, lot width, building footprint, building height, setbacks, building separation, and open space.

The chapter also introduces new illustrated objective design standards to supplement the basic development standards of the new mixed-use zone. The design standards address design for non-residential portions of the building, such as dimensions of non-residential areas, ceiling height, and ground level transparency. In addition, the multi-family design standards articulated in Chapter 18.15 apply to all residential portions of development in this zone.

New Chapter 18.29 Affiliated Housing (AH) Combining District Regulations. The AH Program is currently located in and administered from the 2015 Housing Element. This new Chapter 18.29 moves the AH Program into the Zoning Code by creating an AH Combining District and codifying its purpose, applicability, standards, and procedures. Consistent with the 2024 Housing Element, the

Chapter also specifies the total number of the units allowed on two specific AH sites (Sequoias and Christ Church).

Updates to Chapter 18.60 Off-Street Parking. Chapter 18.60, Off-Street Parking, is modified to include separate standards for duplexes and multi-family dwellings, ADUs, SB 9 units, supportive and transitional housing, and emergency shelters. These changes were made to ensure compliance with State law as well as 2024 Housing Element policy. In addition, standards for bicycle parking were introduced to the Code.

Updates to other chapters within Title 18. Other proposed amendments include the following:

- *Chapter 18.04 Definitions.* The amendments include new terms, modifications to existing terms, and deletions for clarity and for consistency with State law. New and modified terms include “building height, maximum,” “building height, vertical,” “dwelling, multi-family,” “residential care facility,” “dwelling unit, accessory,” “household,” “low barrier navigation center,” “story,” and a range of building entrance types described in the new design standards (“porch,” “stoop,” etc.). Diagrams are also added to accompany the two new building height definitions.
- *Chapter 18.06 Districts.* The amendments include the three new zones in the list of the Town’s districts.
- *Chapter 18.10 Residential Districts.* The amendments expand the purposes of the Town's residential districts to account for the three new zones.
- *Chapter 18.11 Reasonable Accommodations.* The amendments remove two subjective findings.
- *Chapter 18.14 R-1 (Single-Family Residential) District Regulations.* The amendments make minor changes to uses permitted for consistency with State law.
- *Chapter 18.27 Standards for SB 9 Residential Development.* The amendments reinforce the certified Housing Element’s restriction that a parcel may not be developed under both SB 9 and the Opt-in Program. Note that the Opt-In program is located in the 2023-2031 Housing Element and will developed by September 2025.
- *Chapter 18.40 Signs.* The amendments clarify that all existing signage standards apply to the new M-U district.

Zoning Map Amendments. The proposed Zoning Map updates the current zoning map in the following ways:

- Adds color to improve readability;
- Adds a full legend that includes all Town zoning districts; and
- Shows the locations of the new R-MF districts, M-U district, and AH Combining District.

### **Applicability of the Builder’s Remedy**

Government Code section 65589.5(d)(5), known as the "Builder's Remedy," is a provision of California's Housing Accountability Act. This provision states that local entities may not disapprove certain housing projects or condition their approval in a manner that renders the projects infeasible unless certain specific conditions are met. One of these conditions is that the local jurisdiction has

adopted a housing element that is in substantial compliance with State Housing Element Law. Because Portola Valley has received a letter from HCD validating that the Town's Housing Element is in substantial compliance with State Housing Element law, the Town is not currently subject to a Builder's Remedy application.

Consequently, if the Town fell out of compliance with State Housing Element Law, an applicant may propose a housing project that is inconsistent with the Town's zoning ordinance or general plan, and the Town could not use that inconsistency as a basis to deny the project. If the Town did not move forward in an expeditious manner to implement its Housing Element Programs or site rezonings to accommodate the regional housing need allocation, HCD could opt to revoke its finding of substantial compliance. Once the Zoning Code and Zoning Map amendments outlined in Attachment 1 are approved, this risk is removed.

### **Public Comments**

At the time of writing this report, no public comments were sent to the Town's housing email account. As applicable, any additional comments received up to 12:00pm on December 20, 2023 will be posted to the meeting [calendar page](#).

### **ENVIRONMENTAL ANALYSIS**

On March 29, 2023 the Town Council adopted, pursuant to the California Environmental Quality Act (CEQA), an 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. Prior to Town Council's January 24, 2024 adoption of the Housing Element, the IS-MND was again reviewed to determine if revisions to the Housing Element occurring after the adoption of the IS-MND would require modifications to the document. It was concluded at that time that all mitigation measures in the IS-MND remained valid and reduced all project-related impacts to a less-than-significant level. Likewise, staff has reviewed the implementing Zoning Code text amendments and amendments to the Zoning Map and concluded that they do not require subsequent or supplemental environmental analysis under CEQA, and further concluded that the IS/MND adopted on March 29, 2023 remains valid.

### **NEXT STEPS**

Once the Planning Commission has completed their review and made a recommendation, the Town Council will review the draft amendments at a forthcoming meeting, tentatively scheduled for April 2024. The Zoning Code and Zoning Map amendments must be adopted as quickly as possible to remain in compliance with HCD's finding of substantial compliance of the Town's Housing Element.

### **ATTACHMENTS**

1. Draft Zoning Code and Map Amendments
2. Draft Resolution Recommending Town Council Approval of An Ordinance Amending Title 18 [Zoning] of the Portola Valley Municipal Code and Amending the Zoning Map for the Town Of Portola Valley to Implement the 2023-2031 Housing Element
  - a. Attachment A-1 to Resolution: Draft Ordinance Amending Title 18 [Zoning] of the Portola Valley Municipal Code and Amending the Zoning Map
3. HCD's 2/4/2024 Letter of Corrective Action and the Town's Response

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## CHAPTER 18.04 DEFINITIONS

### Sections:

#### **18.04.010 Definitions—Generally.**

For the purpose of this title, certain terms used in this title are defined as set forth in this chapter.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.020 Construction.**

All words used in the present tense shall include the future tenses; all words in the plural number include the singular, and all words in the singular include the plural number unless the natural construction of the wording indicates otherwise. The word "structure" includes the word "building." The word "shall" is mandatory and not directory. The word "town" as used in this title means the town of Portola Valley, state of California; the word "council" means the town council of the town of Portola Valley, state of California; the words "planning commission" means the planning commission of the town of Portola Valley, state of California; and the words "town boundary" mean the boundary of the town of Portola Valley, state of California.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.030 Accessory structure.**

"Accessory structure" means a detached building or structure which is subordinate to and the use of which is customarily incidental to that of the main building, structure, or use on the same lot.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.040 Accessory use.**

See Section 18.02.110.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.050 Accessory, individual.**

"Individual accessory" means a portion of a parcel of land which because of its size and shape and its relationship to the street and the balance of the property, is suitable only for providing vehicular or pedestrian access to the balance of the property.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.055 Affordable housing.**

Affordable housing is housing for which moderate, low and very low income households pay thirty percent or less of their monthly income. Moderate, low and very low income households have monthly incomes below limits determined annually by the California Department of Housing and Community Development (California Code of Regulations, Title 25).

(Ord. 1991-261 § 1, 1991)

**18.04.057 Reserved.**

Editor's note(s)—Ord. 2011-393, § 2, adopted Nov. 9, 2011, repealed § 18.04.057, which pertained to antenna, and derived from Ord. 1997-295, § 1(part), adopted in 1997.

**18.04.060 Automobile service station.**

"Automobile service station" means a place where motor fuel or lubricating oil or grease is offered for sale to the public and delivered directly into vehicles.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.065 Basement.**

"Basement" is a floor level directly under a building which meets the following criteria:

- A. The ceiling height is not more than twelve feet.
- B. Provisions for light, ventilation and access do not exceed the minimum requirements of the building code, notwithstanding that additional provisions for light, ventilation and access may be permitted by the architectural and site control commission when it finds such additional provisions will not be visible from adjoining or nearby properties as such properties currently exist or as the architectural and site control commission believes may be used or developed in the future. Garages are not permitted under this provision. By virtue of the foregoing definition, a basement is permitted to meet the minimum requirements of the building code, including, but not limited to, light, ventilation and access, without approval of the architectural and site control commission.
- C. The underside of the floor joists of the floor above are not more than eighteen inches above the adjoining natural or finished grade at any point, whichever is lower.
- D. Where a room(s) partially meets the provisions of subsection C. of this section, that is, a portion is not more than eighteen inches above adjoining natural or finished grade, whichever is lower, and a portion is more than eighteen inches above such grade, a portion of such room(s) shall be considered as basement and a portion shall be considered as floor area. The rule for such determination shall be as follows:
  1. The outside perimeter of the room(s) shall be measured and designated "A."
  2. The outside perimeter of the room(s) where the underside of the floor joists of the floor above are not more than eighteen inches above adjoining natural or finished grade, whichever is lower, shall be measured and designated "B."
  3. The amount of floor area of the subject room(s) that will be counted as basement is then equal to the entire floor area of the room(s) multiplied by the fraction of B/A. The balance of the floor area shall be counted as floor area.
- E. The basement floor area shall not exceed the floor area of the first floor of the building above.

(Ord. 2017-419 § 2, 2017; Ord. 1999-323 § 1, 1999; Ord. 1995-285 § 1 Exh. A (part), 1996; Ord. 1988-242 3 (Exh. B) (part), 1988)

**18.04.070 Building.**

"Building" means a roofed structure built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind. When a structure is divided into separate parts by unpierced walls extending from the ground to the roof or when the parts of a structure are joined only by a breezeway each such part is a separate building.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.075 Building envelope.**

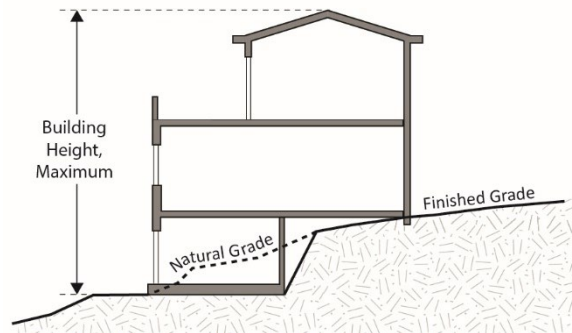
"Building envelope" is the three-dimensional space on a parcel within which buildings and most other structures are required to be confined and which is defined by zoning ordinance regulations governing building setbacks and building heights.

(Ord. 2005-360, § 1, 2005)

**18.04.077 Building height, maximum.**

"Building height, maximum" is the vertical distance between the lowest point of contact with the finished ground surface to the highest point of the building or any appurtenance to the building.

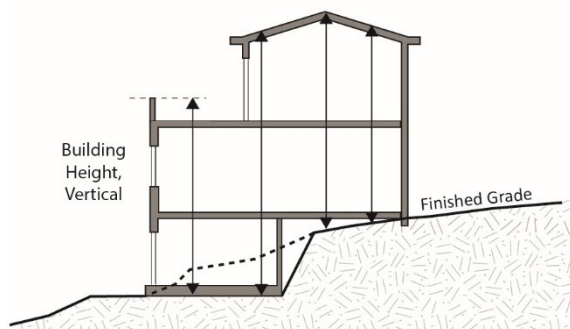
**Figure 18.04.077: Building Height, Maximum**



**18.04.078 Building height, vertical.**

"Building height, vertical" is the vertical distance from the lowest point of the structure at natural grade or at the elevation of the building pad if excavated below natural ground level, whichever is lower, to the highest point of the structure directly above.

**Figure 18.04.078: Building Height, Vertical**



#### **18.04.080 Building inspector.**

"Building inspector" means the person, agency or firm appointed by the town to function as such and may include such person(s) or position(s) delegated by resolution of the council to perform such functions. The building inspector's duties include inspecting building plans and building construction.

(Ord. 1979-166 § 1 (part), 1979; Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.090 Building, main.**

"Main building" means a building within which is conducted the principal use on the parcel. Where a use involves more than one building designed or used for the primary purpose, as in the case of group dwellings or a group of commercial buildings, each such building on the parcel shall be construed as constituting a main building.

(Ord. 1967-80 § 1 (6102 part)), 1967)

#### **18.04.100 Carport.**

"Carport" means a building or part thereof accessory to a main building, used primarily for the storage of private passenger automobiles, and which is not enclosed on all sides.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.110 Common area.**

"Common area" means an area shown or to be shown on a recorded final subdivision map and devoted to the common use and enjoyment of the owners of the lots in the subdivision.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.120 Development.**

See Section 18.32.020.

(Ord. 1978-164 § 1 (part), 1978; Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.125 Distribution lines.**

"Distribution lines" are those lines which have electric or communication capacity only sufficient to serve a local area and there is no excess capacity. These lines are usually owned by a utility and located in street rights-of-way, public utility easements or other public property.

(Ord. 1990-256 § 2 (Exh. B) (part), 1990)

**18.04.129 Domestic fence.**

"Domestic fence" is a fence that is not a horse fence as defined in Section 18.04.215.

(Ord. 2005-360, § 1, 2005)

**18.04.130 Dooryard.**

"Dooryard" is a type of building entry that provides a limited amount of private open space at the primary entrance. The dooryard area is defined by a low wall, planter or fence that provides a buffer between the right-of-way and the building while preserving a sense of openness to the building entrance.

**18.04.~~130~~-131 Domestic needs.**

"Domestic needs" means needs which residents have in living in and caring for a household and its appurtenances.

(Ord. 1979-166 § 1 (part), 1979; Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.133 Duplex.**

"Duplex" means a residential building containing two primary dwelling units, both of which are located on a single parcel. The dwelling units are attached and may be located on separate floors or side-by-side.

**18.04.135 Dwelling, multi-family.**

"Multi-family dwelling" means three or more primary dwelling units on a single lot. Multi-family residential types include triplexes, fourplexes, townhouses, single-unit groups, and apartment buildings.

**18.04.140 Dwelling, single-family.**

"Single-family dwelling" means a building designed or used exclusively as a single dwelling unit together with related accessory uses.

(Ord. 1979-166 § 1 (part), 1979; Ord. 1971-113 § 1, 1971; Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.150 Dwelling unit.**

"Dwelling unit" means one or more rooms arranged for the use of one household with cooking, living, and sleeping facilities.

**18.04.151 Dwelling unit, accessory.**

"Accessory dwelling unit" is distinguished from "dwelling unit" in that a dwelling unit can be an accessory unit or a primary unit. An accessory dwelling unit (ADU) is an attached or a detached residential dwelling unit that provides

[complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes an efficiency unit, as defined in California Health and Safety Code Section 17958.1, or a manufactured home, as defined in Section 18007 of the Health and Safety Code.](#)

#### **18.04.152 Dwelling unit, junior accessory.**

[“Junior accessory dwelling unit” is distinguished from “dwelling unit” in that a dwelling unit can be an accessory unit or a primary unit. A junior accessory dwelling unit \(JADU\) is a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.](#)

(Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.153 Emergency shelter.**

An "emergency shelter" provides temporary housing, usually for six months or less, with minimal supportive services for homeless persons. [Temporary housing includes, but is not limited to, low barrier navigation centers, bridge housing, and respite or recuperative care.](#)

(Ord. 2011-390 § 2, 2011)

#### **18.04.155 Fence.**

"Fence" is a structure made of wire, wood, metal, masonry or other man-made material, or combination thereof, including gates and posts, typically used as a screen, enclosure, retaining wall, or entryway feature, for a parcel of land or portion thereof.

(Ord. 2005-360, § 1, 2005)

#### **18.04.156 Fence opacity.**

"Fence opacity" is the surface area of a fence that is impenetrable to light when viewed perpendicularly to the plane of the fence.

(Ord. 2005-360, § 1, 2005)

#### **18.04.157 Fire station.**

"Fire station" means a building or facility that provides firefighting services, and may also provide technical rescue, fire protection, fire investigation, emergency medical services, and hazardous material mitigation.

(Ord. 2021-441 § 2, 2021)

#### **18.04.160 Garage, private.**

"Private garage" means a building or part thereof accessory to a main building and used primarily for the storage of private passenger automobiles and which is enclosed on all sides.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.170 Ground level, average, finished.**

See subsection A of Section 18.54.020.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.180 Guest.**

"Guest" means any person other than a member of the resident household who rents or occupies a room for sleeping purposes.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.200 Guest room.**

"Guest room" means a room occupied, or intended, arranged, or designed for occupation by one or more guests.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.210 Habitable room.**

"Habitable room" means a room or enclosed floor space arranged for living, eating or sleeping purposes, not including bath or toilet rooms, laundries, pantries, foyers or communicating corridors.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.215 Horse fence.**

"Horse fence" is a fence that complies with the horse fence standards set forth in Section 18.43.060.

(Ord. 2005-360, § 1, 2005)

**18.04.220 Horses, maintenance for private use.**

"Horses, maintenance for private use" means the keeping of horses for private use as a use accessory to a residence on the same parcel and not for remuneration, hire or sale.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.230 Household.**

"Household" means one or more people living together as the functional equivalent of a family where the residents share a single kitchen and form a single housekeeping unit by sharing living expenses, chores and/or meals, and are a close group with social and economic commitments to each other.

(Ord. 2011-390 § 1, 2011; Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.240 Lot.**

"Lot" means a portion of land shown as a unit on a recorded parcel or subdivision map.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.250 Lot size.**

For the purposes of lot size requirements pursuant to the zoning and building ordinances of the town, the area lying within private roads shall be subtracted from the area otherwise lying within the lot or parcel of land.

(Ord. 1965-43 § 1, 1965)

**[18.04.255 Low barrier navigation center.](#)**

[A housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter and housing as defined in California Government Code Section 65660.](#)

**18.04.258 Nonconforming structure.**

"Nonconforming structure" means a building or other structure that was lawfully constructed in accordance with the regulations for parcel area, height, floor area, coverage, yard and any special building setbacks that were in effect at the time of construction, but which does not conform to the current regulations for parcel area, height, floor area, coverage, yard or special building setbacks.

(Ord. 2008-374 § 1, 2008)

**18.04.260 Nonconforming use.**

"Nonconforming use" means a use of a structure or land which was lawfully established and maintained before the adoption of the ordinance codified in this title but which under this title does not conform with the use regulations or the district in which it is located.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.270 One ownership.**

"One ownership" means ownership of a parcel of land or possession thereof under a contract to purchase or under a lease, the term of which is not less than five years, by a person or persons, firm or corporation, or partnership, individually, jointly, in common or in any other manner whereby such land is under single or unified control.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.280 Open space.**

"Open space" means the portion or portions of a parcel unoccupied or unobstructed by structures from the ground upward except as permitted by this title.

(Ord. 1967-80 § 1 (6102 (part)), 1967)



**18.04.290 Open space, required.**

"Required open space" means any front, side or rear yard or other open space, provided on the same parcel as a building, to meet the requirements of this title.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.300 Parcel.**

"Parcel" means a lot or unit of land of record which complies with one of the provisions of Section 18.50.030 of this title.

(Ord. 1988-229 § 1 (Exh. A) (part), 1988: Ord. 1979-166 § 1 (part), 1979: Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.310 Parcel, corner.**

"Corner parcel" means a parcel bounded on two or more adjacent sides by street lines, provided that the angle of intersection does not exceed one hundred thirty-five degrees.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.320 Parcel definitions.**

If the definitions in Sections 18.04.330 through 18.04.390 pertaining to parcel lines or measurement are not applicable because of parcel shape, the town planner shall make such determination as is appropriate.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.330 Parcel depth.**

"Parcel depth" means the horizontal distance between the front and rear parcel lines from the midpoint of the front parcel line and measured in the mean direction of the side parcel lines.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.340 Parcel, interior.**

"Interior parcel" means a parcel other than a corner parcel.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.350 Parcel line, front.**

"Front parcel line" means the line separating the parcel from the street. In case a parcel abuts on more than one street, the parcel owner may elect any street parcel line as the front parcel line provided that such choice, in the opinion of the town planner, will not be injurious to adjacent properties. Where a parcel does not abut on a street or where access is by means of an individual accessway, the parcel line nearest to and most nearly parallel to the street line shall be the front parcel line.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.360 Parcel line, rear.**

"Rear parcel line" means ordinarily that line of a parcel which is opposite and most distant from the front line of the parcel. In the case of a triangular or gore shaped parcel, a line ten feet in length within the parcel parallel to and at a maximum distance from the front parcel line shall be deemed to be the rear parcel line for the purpose of determining the depth of the rear yard.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.370 Parcel line, side.**

"Side parcel line" means any parcel boundary not a front or rear parcel line. A side parcel line separating a parcel from another parcel or parcels in an interior side parcel line; a side parcel line separating a parcel from the street is a street side parcel line.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.380 Parcel, reversed corner.**

"Reversed corner parcel" means a corner parcel, a street side line of which is substantially a continuation of the front parcel line of the parcel to its rear.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.390 Parcel width.**

"Parcel width" means the average horizontal distance between the side parcel lines, measured at right angles to the lines followed in measuring parcel depth.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.395 Porch.**

"Porch" is a type of building entry with a set of stairs and raised landing attached to the façade. Porches may be open on two or three sides and may be either engaged within or attached to the front façade.

**18.04.400 Refuse.**

"Refuse" includes all types of waste material including garbage, rubbish and waste matter.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.405 Religious institution.**

A facility such as a church, mosque, temple or synagogue run by a nonprofit establishment, organization or association intended to advance or promote religious purposes or beliefs. Activities at such institutions shall be limited to those related to the purpose of the institution and may include religious activities, office space, living space for clergy and other members of religious orders who carry out their primary duties on site, religious education classes and other similar activities customarily associated with religious institutions.

(Ord. 2011-390 § 2, 2011)

**18.04.410 Repairs, minor automotive.**

"Minor automotive repairs" includes replacement of minor parts for and adjustments to fuel systems, cooling systems, heating systems, electrical systems, hydraulic systems, brakes, and work of similar character.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.415 Residential care facility.**

"Residential care facility" means an establishment which is maintained and operated to provide twenty-four-hour non-medical residential care and supervision to children or adults. [This use category includes group homes.](#)

(Ord. 2011-390 § 2, 2011)

**18.04.420 Retail store.**

"Retail store" means a business selling goods, wares or merchandise directly to the ultimate consumer.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

~~**18.04.422 Second units.**~~

~~A "second unit" which is referred to as an "accessory dwelling unit" in state law means an attached or detached residential dwelling unit located on the same parcel as a main dwelling unit and which provides complete independent living facilities, including those for living, sleeping, eating, cooking and sanitation, for one household.~~

~~(Ord. 2017-420 § 1, 2017; Ord. 2015-408 § 1, 2015; Ord. 199-263 § 2, 1991)~~

**18.04.425 Service lines.**

Service lines are those lines which provide electric and communication service from a distribution line to an individual property.

(Ord. 1990-256 2 (Exh. B)(part), 1990)

**18.04.430 Sign.**

"Sign" means any writing, pictorial representation, symbol, registered trademark, flag or any similar figure used to identify, announce, direct attention, or advertise or communicate, together with any material or color forming an integral part of the display or used to differentiate the sign from the background, which is visible from outside a building and is located on or outside a building, or is within a building and primarily intended to be visible from the outside.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.440 Sign, area of.**

A. "Area of sign" for wall, marquee and awning signs means the area of the smallest geometric figure enclosing the outer limits of writing, representation, emblem or similar form of communication.

- B. "Area of sign" for freestanding, roof, projecting and banner or pennant signs means the entire sign exclusive of uprights or other structural members. Where such signs have multiple sides or faces, including signs in the form of cylinders.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.450 Sphere of influence.**

"Sphere of influence" means an unincorporated area designated by a local agency formation commission as appropriate for annexation to a designated adjoining city and in which annexations will be allowed only to such city.

(Ord. 1979-166 § 1 (part), 1979; Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.460 Stable, boarding.**

"Boarding stable" means any establishment regularly providing services or facilities for the keeping of horses limited to boarding stables and appropriate training facilities, subject to all the provisions of the stable ordinance of the town.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.470 Stable, community.**

"Community stable" means a horse stable and related areas and facilities for the maintenance of horses for private use as a use accessory to a residence in the planned unit development in which the stable is located.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

#### **18.04.480 Stable, horse.**

"Horse stable" means a building or portion thereof designed or used for the housing or feeding of horses.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

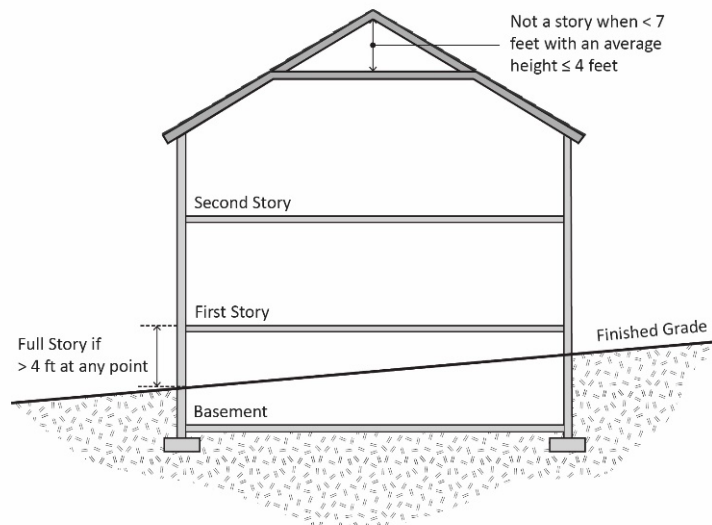
#### **18.04.482 Stoop.**

"Stoop" is a type of building entry where the façade is set back from the property line by a distance that is generally equal to the depth of the entry stairs and landing; the first story elevated from the sidewalk sufficiently to secure privacy for first-story windows; and the entrance is accessed via an exterior stair and landing and/or ramp.

#### **18.04.485 Story.**

A "story" is a portion of a building included between the upper surface of any floor and the upper surface of the floor next above; except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the roof above. A basement is considered a story when the distance between the finished grade and the floor of the story above is greater than four feet at any point. An attic is not considered a story provided it is unconditioned, unfinished, and less than seven feet in height at its highest point with an average height not exceeding four feet.

Figure 18.04.485: Story

**18.04.490 Structure.**

"Structure" means anything constructed or erected which requires location on the ground or which is attached to something having location on the ground, excluding vehicles designed and used only for the transportation of people or goods.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.500 Structural alteration.**

"Structural alteration" means any change in the supporting members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joist, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components or changes in roof or exterior lines.

(Ord. 1969-99 § 2 (part), 1969; Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.510 Substantial improvement.**

See Section 18.32.020.

(Ord. 1978-164 § 1 (part), 1978; Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.515 Supportive housing.**

"Supportive housing" shall have the same meaning as defined in Section 50675.14 of the Health and Safety Code, as amended from time to time.

(Ord. 2011-390 § 2, 2011; Ord. 2022-448 § 1, 2022)

**18.04.517 SB 9 definitions.**

The terms defined in Section 17.13.020 of Title 17 (Subdivisions) shall have the same meanings for purposes of Chapter 18.27 (SB 9 Residential Lot Split Definitions).

(Ord. 2021-443 §4, 2021)

**18.04.520 Town planner.**

"Town planner" means the person or firm appointed by the town to function as such and may include such person(s) or position(s) delegated by resolution of the council to perform such functions. The town planner's duties include advising the town on planning matters and administering plans and regulations.

(Ord. 1979-166 § 1 (part), 1979; Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.523 Transitional housing.**

"Transitional housing" shall have the same meaning as defined in Section 50675.2 of the Health and Safety Code, as amended from time to time.

(Ord. 2011-390 § 2, 2011; Ord. 2022-448 § 2, 2022)

**18.04.525 Transmission lines.**

"Transmission lines" are those lines which have electric or communication capacity in excess of that needed to serve an immediate area. These lines are usually owned by a utility and located in street rights-of-way, public utility easements or other public property.

(Ord. 1990-256 § 2 (Exh. B) (part), 1990)

**18.04.530 Use.**

"Use" means the purpose for which land or a structure is arranged, designed or intended, or for which either land or a structure is or may be occupied or maintained. See also Section 18.02.080.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.540 Vegetation, removal of.**

"Removal of vegetation" means cutting vegetation to the ground or stumps, complete extraction, or killing by spraying.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.545 Reserved.**

Editor's note(s)—Ord. 2011-393, § 3, adopted Nov. 9, 2011, repealed § 18.04.545, which pertained to wireless communication facility, and derived from Ord. 1997-295, § 1(part), adopted in 1997.

**18.04.550 Yard, interior side.**

See Section 18.52.010.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.555 Yard, required.**

"Required yard" means an open space required by subsections 18.52.010 A., B. or C. located between a parcel line and a building envelope.

(Ord. 2005-360, § 1, 2005)

**18.04.560 Yard, required front.**

See Section 18.52.010.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.570 Yard, required rear.**

See Section 18.52.010.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

**18.04.580 Yard, required side.**

See Section 18.52.010.

(Ord. 1967-80 § 1 (6102 (part)), 1967)

## CHAPTER 18.06 DISTRICTS

### Sections:

#### 18.06.010 Districts established.

The following classes of use districts are established:

~~O-A districts—Open area districts~~

~~P-C districts—Planned community districts~~

Chapter 18.12: R-E districts—Residential estate districts

Chapter 18.14: R-1 districts—Single-family residential districts

Chapter 18.15: R-MF districts—Multi-family residential districts

Chapter 18.16: M-R districts—Mountainous residential districts

Chapter 18.20: C-C districts—Community commercial districts

Chapter 18.22: A-P districts—Administrative-professional districts

Chapter 18.23: MU district—Mixed-use district

~~A-P districts—Administrative-professional districts~~

~~M-R districts—Mountainous residential districts~~

Chapter 18.26: O-A districts—Open area districts

Chapter 18.28: P-C districts—Planned community districts

Chapter 18.29: AH Affiliated housing combining district

Chapter 18.31: H-R (historic resource) combining district

(Ord. 1994-276 § 4 Exh. A (part), 1994; Ord. 1979-166 § 2, 1979; Ord. 1967-80 § 1 (6104.1), 1967)

#### 18.06.020 Combining districts established.

To provide for a range of parcel sizes and required open spaces necessary to reflect the diversity of locational and physical conditions existing in the town, to provide special regulations for areas of special importance or unusual scenic amenity, and to control density and character of development in relation to the character of terrain, the following classes of combining districts are established:

Residential density combining districts, including:

7.5M—7,500 sq. ft.

15M—15,000 sq. ft.

20M—20,000 sq. ft.

1A—1 acre

2A—2 acres

2.5A—2.5 acres

3.5A—3.5 acres

5A—5 acres



7.5A—7.5 acres

D-R districts—Design review combining districts

F-P districts—Floodplain combining districts

S-D districts—Slope density combining districts

(Ord. 1981-181 § 1, 1981; Ord. 1979-166 § 3, 1979; Ord. 1978-164 § 2, 1978; Ord. 1968-86 § 1, 1968; Ord. 1967-80 § 1 (6104.2), 1967)

### **18.06.030 Designation of districts on zoning map.**

The districts and combining districts enumerated in Sections 18.06.010 and 18.06.020 are applied to lands in the town insofar as the designations, locations, and boundaries of such districts are set forth on the zoning map adopted by reference by Section 18.08.010.

(Ord. 1967-80 § 1 (6104.3), 1967)

### **18.06.040 Prezoning adjoining unincorporated lands.**

Adjoining lands in unincorporated territory are prezoned in the categories indicated on the zoning map by the adoption of the ordinance codified in this title and subsequent amendments hereto. In the event any prezoned lands are subsequently annexed to the town the zoning indicated on the map shall become effective at the time of annexation. All other lands annexed to the town after August 17, 1967 shall be in R-E/5A districts unless otherwise classified.

(Ord. 1967-80 § 1 (6104.4), 1967)

### **18.06.050 Areas not included within a district.**

In every case where any land has not been specifically included within a district, or if any district is determined to be invalid or inapplicable, such land is declared to be in R-E/5A districts until otherwise classified.

(Ord. 1967-80 § 1 (6104.5), 1967)

## CHAPTER 18.10 RESIDENTIAL DISTRICTS

### Sections:

#### 18.10.010 Purposes of regulations for residential districts.

The purposes of regulations for residential districts are as follows:

- A. To control the density and distribution of population in conformance with the general plan;
- B. To provide for residential areas that will permit development of rural, [single-family, and multi-family](#) living accommodations;
- C. To regulate the development and use of residential areas in a manner that will minimize disturbance of the natural terrain and will preserve the inherent visual amenities and minimize problems of drainage, erosion, and earth movement;
- D. To provide for grouping or clustering of residential structures where appropriate in order to preserve the natural amenities and open space qualities of Portola Valley;
- ~~E.~~ [To provide areas for multi-family and mixed-use development that supports a mix of multi-family residential, local retail, consumer service businesses, and professional services;](#)
- ~~F.~~ [To provide standards for multi-family and mixed use development consistent with Sstate law that preserves the rural character of Portola Valley and minimizes wildfire danger;](#)
- ~~E~~G. To permit public and private facilities needed to serve residential areas;
- ~~F~~H. To permit and regulate [uses and](#) institutions requiring a location in a residential area.

(Ord. 1967-80 § 1 (6500), 1967)

## CHAPTER 18.11 REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES

### 18.11.010 Purpose.

The purpose of this section is to establish a procedure that individuals with disabilities can use to request reasonable accommodation in the town's laws, standards, policies, practices and procedures, so that the individuals will have equal access to housing in accordance with the Federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act. In addition, this section describes the process that shall be used to consider and decide on such requests.

(Ord. 2011-390 § 3, 2011)

### 18.11.020 Applicability and eligibility.

A. An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.

B. A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.

(Ord. 2011-390 § 3, 2011)

### 18.11.030 Notice of availability.

To ensure that individuals with disabilities are aware of the reasonable accommodation procedure, notice of the availability of reasonable accommodation shall be prominently displayed at public information counters in town hall, advising the public of the availability of the procedure for eligible individuals. Forms for requesting reasonable accommodation shall be available to the public at town hall.

(Ord. 2011-390 § 3, 2011)

### 18.11.040 Request for reasonable accommodation.

A. Requests for reasonable accommodation shall be in writing and provide the following information:

1. Name, address and telephone number of the individual(s) requesting reasonable accommodation;
2. Name and address of the property owner(s);
3. Address of the property for which accommodation is requested;
4. Description of the requested accommodation and the regulation, policy or procedure for which accommodation is sought; and
5. Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.

B. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

- C. A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.
- D. If an individual needs assistance in making the request for reasonable accommodation, the jurisdiction will provide assistance to ensure that the process is accessible.

(Ord. 2011-390 § 3, 2011)

### **18.11.050 Review and decision.**

- A. The reviewing authority for requests for reasonable accommodations shall be the town planner or his/her designee.
- B. The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following criteria:
  1. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;
  2. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;
  3. Whether the requested accommodation would impose an undue financial or administrative burden on the town; and
  4. Whether the requested accommodation would require a fundamental alteration in the nature of the jurisdiction's land use and zoning or building program;
  - ~~5. The potential impact of the requested reasonable accommodation on surrounding properties; and~~
  - ~~6. The potential for other reasonable accommodation with less impact on neighbors and/or the town.~~
- C. In granting the request or granting the request with modifications, the reviewing authority may impose any conditions of approval that are reasonable and necessary to ensure that the reasonable accommodation is consistent with the criteria in subsection B. above.
- D. The reviewing authority shall issue a written decision on a request for reasonable accommodation within forty-five days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in subsection B. above.
- E. If necessary to reach a determination on the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. In the event that a request for additional information is made, the forty-five-day period to issue a decision is stayed until the applicant responds to the request.
- F. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings on the criteria set forth in subsection B. above. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The written decision shall be sent to the applicant by certified mail.
- G. The written decision of the reviewing authority shall be final unless an applicant appeals it to the jurisdiction's planning commission.
- H. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

(Ord. 2011-390 § 3, 2011)

**18.11.060 Appeal.**

- A. An applicant or any abutting neighbor may appeal an adverse decision within thirty days of the date of the reviewing authority's written decision.
- B. The appeal shall be in writing and shall state the grounds for the appeal. If an individual needs assistance in filing an appeal on an adverse decision, the jurisdiction will provide assistance to ensure that the appeals process is accessible.
- C. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- D. The appeal shall be heard by the town council in a public hearing, with notice given to all property owners of land directly abutting the proposed site.
- E. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

(Ord. 2011-390 § 3, 2011)

## CHAPTER 18.14 R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT REGULATIONS

### Sections:

#### 18.14.010 Intention—Applicable regulations.

The class of district is intended to promote and encourage the establishment and maintenance of a suitable environment for rural-urban family living on parcels of sizes adequate to accommodate single-

family dwellings of differing characteristics, enhance privacy, preserve the visual amenities of existing open space to the maximum extent feasible, and preclude unwarranted reductions in parcel sizes. Any parcel in an R-1 district may be occupied by a principal use listed in Section 18.14.020 or, when authorized by the planning commission, by a conditional use listed in Section 18.14.030, together with uses accessory to such principal use or conditional use as specified in Section 18.14.040. Use of any parcel is subject to:

- A. The provisions governing accessory uses set forth in Chapter 18.42;
- B. Parcel area, open area, and bulk requirement set forth in Chapters 18.42 and 18.48 through 18.60;
- C. The off-street parking requirements set forth in Chapter 18.60;
- D. The provisions regulating nonconforming uses set forth in Chapter 18.46;
- E. The required conditions set forth in Section 18.14.050;
- F. Special building setback lines set forth in Chapter 18.58.

(Ord. 1967-80 § 1 (6502), 1967)

#### 18.14.020 Principal uses permitted.

Principal uses permitted in the R-1 district shall be as follows:

- A. Uses permitted by Section 18.36.010;
- B. Single-family dwellings, including [group homes that do not provide licensable services](#); residential care facilities [and group homes that provide licensable services to six or fewer persons](#); supportive housing; and transitional housing;
- C. Temporary uses permitted by Section 18.36.030;
- D. Public school when located in conformance with the general plan.

(Ord. 2022-448 § 3, 2022; Ord. 2011-390 § 5, 2011; Ord. 1987-224 § 1 (part), 1987; Ord. 1967-80 § 1 (6502.1), 1967)

#### 18.14.030 Conditional use permitted.

The following uses shall be permitted only when a conditional use permit is granted therefor as provided in Chapter 18.72:

- A. Uses permitted by Section 18.36.020;
- B. [Residential care facilities and group homes that provide licensable services to seven or more persons](#);
- C. Residential planned unit developments as regulated by Chapters 18.44 and 18.72;

- Ⓓ. Landscaping, open space, growing of plants and similar low intensity uses each of which is attendant to adjoining uses in the C-C district, provided such uses are not required to meet the requirements of Chapters 18.42 and 18.48 through 18.60;
- Ⓔ. Publicly-owned park, recreation or open space areas when located in conformance with the general plan;
- Ⓕ. Fire stations when located in conformance with the general plan. Development standards, including but not limited to, floor area, setbacks and parking, shall be established by the decision-making body.

(Ord. 2021-441 § 1, 2021; Ord. 2011-390 § 5, 2011; Ord. 1987-224 § 2 (part), 1987; Ord. 1979-166 § 21 (part), 1979; Ord. 1971-113 § 4, 1971; Ord. 1967-80 § 1 (6502.2), 1967)

#### **18.14.040 Accessory uses permitted.**

Accessory uses permitted in the R-1 district shall be as follows:

- A. Accessory uses as permitted in Sections 18.36.040 and Chapter ~~18.40~~18.42;
- B. Accessory uses permitted by subsections B, D, E, F, G, H, I, J and K of Section 18.12.040;
- C. Household pets permitted by town ordinances.

(Ord. 1991-263 § 6, 1991; Ord. 1967-80 § 1 (6502.3), 1967)

#### **18.14.050 Required conditions.**

Required conditions in the R-1 district shall be as follows:

- A. Required conditions as stipulated by subsections A, B and C of Section 18.12.050;
- B. Conformance with the requirements set forth in Section 18.37.010.

(Ord. 1994-279 § 2 (part), 1994; Ord. 1994-276 § 4 Ex. A (part), 1994; Ord. 1979-166 § 21 (part), 1979; Ord. 1971-112 § 2, 1971; Ord. 1967-80 § 1 (6502.4), 1967)

## **CHAPTER 18.15 R-MF (MULTI-FAMILY RESIDENTIAL) DISTRICT REGULATIONS**

### **Sections:**

#### **18.15.010 Intention—Applicable regulations.**

This class of district is intended to promote and encourage the establishment and maintenance of a suitable environment for gentle density on parcels of sizes adequate to accommodate multi-family dwellings of differing characteristics and broader ranges of affordability, incorporate fire resilient design, ensure privacy, preserve the visual amenities of existing open space to the maximum extent feasible, and preclude unwarranted reductions in parcel sizes. Any parcel in an R-MF district may be occupied by a principal use listed in Section 18.15.020 or, when authorized by the planning commission, by a conditional use listed in Section 18.15.030, together with uses accessory to such principal use or conditional use as specified in Section 18.15.040. Use of any parcel is subject to:

- A. Development standards set forth in Section 18.15.050;
- B. Design standards set forth in Section 18.15.060;
- C. The required conditions set forth in Section 18.15.070;
- D. The provisions governing accessory uses, fences, and planned unit developments set forth in Chapters 18.42 through 18.44;
- E. The provisions regulating nonconforming uses set forth in Chapter 18.46;
- F. Yards, building bulk, and site design requirements set forth in Chapters 18.52 through 18.56;
- G. Special building setback lines set forth in Chapter 18.58; and
- H. The off-street parking requirements set forth in Chapter 18.60.

#### **18.15.020 Principal uses permitted.**

Principal uses permitted in the R-MF districts shall be as follows:

- A. Uses permitted by Section 18.36.010;
- B. Single-family dwellings;
- C. Duplexes;
- D. Emergency shelters;
- E. Multi-family dwellings;
- F. Residential care facilities;
- G. Supportive housing;
- H. Transitional housing;
- I. Low barrier navigation centers;
- J. Temporary uses permitted by Section 18.36.030; and
- K. Public schools when located in conformance with the general plan.

#### **18.15.030 Conditional uses permitted.**

The following uses shall be permitted only when a conditional use permit is granted as provided in Chapter 18.72:

- A. Uses permitted by Section 18.36.020;



- B. Residential planned unit developments as regulated by Chapters 18.44 and 18.72;
- C. Landscaping, open space, growing of plants and similar low intensity uses each of which is attendant to adjoining uses in the C-C district, provided such uses are not required to meet the requirements of Chapters 18.42 and 18.48 through 18.60;
- D. Publicly-owned park, recreation or open space areas when located in conformance with the general plan;
- E. Fire stations when located in conformance with the general plan. Development standards, including but not limited to, floor area, setbacks and parking, shall be established by the decision-making body; and
- F. Stable, boarding.

**18.15.040 Accessory uses permitted.**

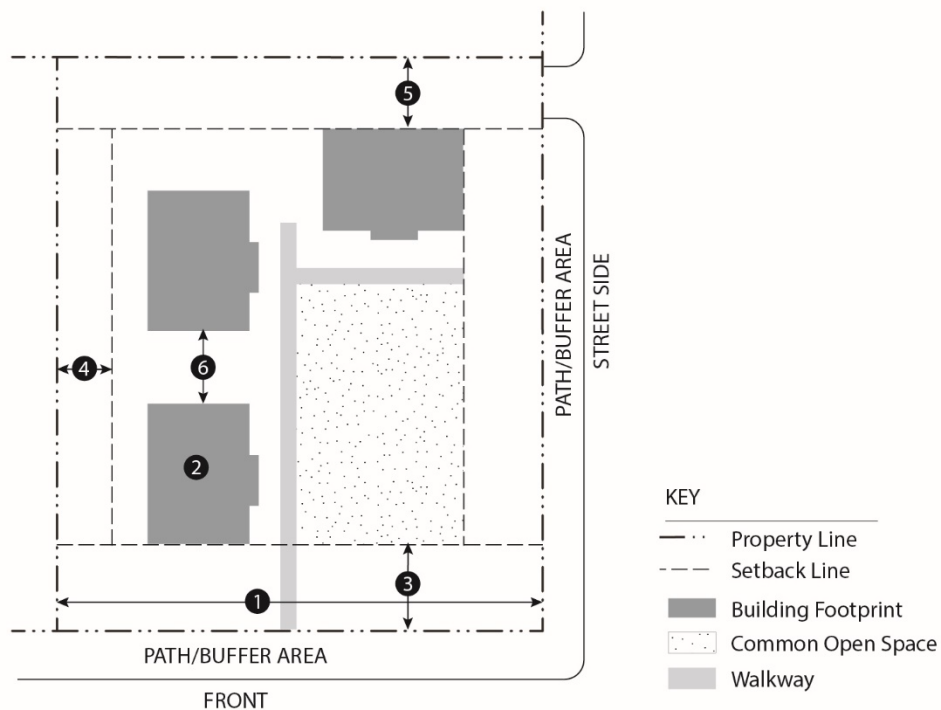
Accessory uses permitted in the R-MF districts shall be as follows:

- A. Accessory uses as permitted in Section 18.36.040 and Chapter 18.42;
- B. Accessory uses permitted by subsections B, D, E, F, G, H, I, and J of Section 18.12.040;
- C. Household pets permitted by town ordinances.

**18.15.050 Development standards.**

Table 18.15.050, Development Standards – Multi-Family Residential Zoning Districts establishes the development standards for the R-MF Zoning Districts. The numbers in the figure below correspond with the regulations in the table that follows.

**Figure 18.15.050: Development Standards – Multi-Family Residential Zoning Districts**



<b>Table 18.15.050: Development Standards – Multi-Family Residential Zoning Districts</b>			
<b>Standard</b>	<b><i>R-MF-4</i></b>	<b><i>R-MF-23<sup>1</sup></i></b>	<b>Key</b>
<a href="#">Density</a>	<a href="#">Min. 2 du/ac; max. 4 du/ac</a>	<a href="#">Min. 20 du/ac; max. 23 du/ac</a>	
<a href="#">Lot Width</a>	<a href="#">Min. 120 ft</a>	<a href="#">Min. 90 ft</a>	<a href="#">①</a>
<a href="#">Building Coverage</a>	<a href="#">Max. 35%; see Chapter 18.54.040 for exceptions</a>	<a href="#">Max. 55%; see Chapter 18.54.040 for exceptions</a>	
<a href="#">Gross Ground Level Floor Area for Single Building</a>	<a href="#">Max. 3,000 sq ft</a>	<a href="#">Max. 6,600 sq ft</a>	<a href="#">②</a>
<a href="#">Building Height</a>			
<a href="#">Principal Structure</a>	<a href="#">Building height, max.: 34 ft; Building height vertical: 28 ft</a>	<a href="#">Building height max. 42 ft/3 stories</a>	
<a href="#">Accessory Structure</a>	<a href="#">Building height, max.: 16 ft</a>	<a href="#">Building height, max.: 16 ft</a>	
<a href="#">Setbacks</a>			
<a href="#">Front</a>	<a href="#">See Chapter 18.58 – Special Setback Lines</a>	<a href="#">See Chapter 18.58 – Special Setback Lines</a>	<a href="#">③</a>
<a href="#">Interior Side</a>	<a href="#">Min. 30 ft</a>	<a href="#">Min. 15 ft<sup>2</sup></a>	<a href="#">④</a>
<a href="#">Rear</a>	<a href="#">Min. 30 ft</a>	<a href="#">Min. 15 ft</a>	<a href="#">⑤</a>
<a href="#">Building Separation</a>	<a href="#">Min. 20 ft</a>	<a href="#">Min. 12 ft</a>	<a href="#">⑥</a>
<a href="#">Impervious/Paved/ Hardscaped Area</a>	<a href="#">Max. 50% of required front setback area; Max. 35% of lot</a>	<a href="#">Max. 75% of required front setback area; Max. 65% of lot</a>	
<a href="#">Parking Buffer</a>	<a href="#">Min. 15 ft landscaped buffer required between on-site parking and property line within the scenic corridor.</a>	<a href="#">Min. 15 ft landscaped buffer required between on-site parking and property line within the scenic corridor.</a>	

**Notes:**

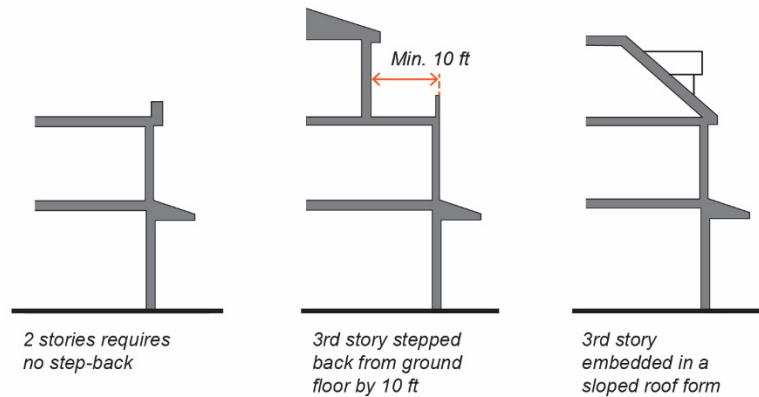
1. Development standards for 4394 Alpine Road may vary as established by the Supportive Housing Overlay in the town of Portola Valley 2023-2031 Housing Element. See Housing Element Section 6, Adequate Sites for specific standards.

2. The north side setback of the Ladera Community Church Affiliated Housing Site may be reduced to 0 ft with permission of adjacent property owner(s).

**18.15.060 Design standards.****A. Building Massing.**

1. Upper-story Step-backs. Along the front and street side façade, the third story must be stepped back a minimum of ten feet from the ground floor façade or be embedded in a sloped roof form.

**Figure 18.15.060.A.1: Upper Story Step-Backs**



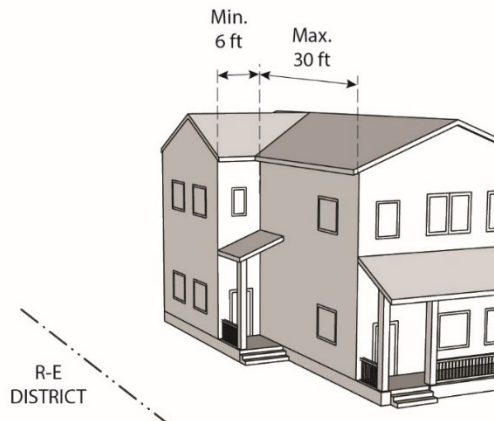
2. Building Massing Abutting the R-E Zone. Building façades abutting and facing the R-E zone may not exceed 30 feet in width without a break of minimum 6 feet in depth.

**B. Façade Articulation and Composition.**

**1. Vertical Articulation.**

- a. Building façades up to 65 feet in length along a right-of-way must incorporate two or more of the following:

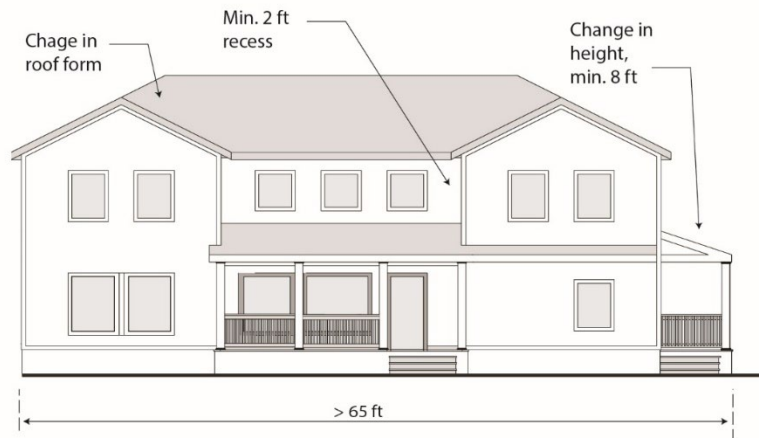
**Figure 18.15.060.A.2: Building Massing Abutting the R-E Zone**



- i. Window bays a minimum 2 feet in depth from the building façade every 12 horizontal feet.
  - ii. Recesses offset a minimum 2 feet in depth from the building façade every 12 horizontal feet.
  - iii. Porches or decks over a minimum 25 percent of the façade length.
- b. When a building façade exceeds 65 feet in length along a right-of-way, it must be separated into façade bays no greater than 50 feet in width defined by a recess or offset a minimum of 2 feet in depth and at least one of the following strategies:

- i. Change in roof parapet height or shape.
- ii. Change in roof form.
- iii. Change in building height, minimum 8-foot difference.

**Figure 18.15.060.B: Building Articulation, Façades over 65 Feet**



- 2. Bay Articulation. The eave or roof form of a recessed façade bay shall be no higher than the corresponding elements of the primary façade bay(s).
- 3. Townhouses/Rowhouses. In townhouse and rowhouse development types, all primary facade planes of adjacent attached units must be staggered a minimum of 12 inches every three units.

### C. Building Entries.

- 1. Ground Floor Entrances.
  - a. Shared entrances may serve no more than three units.
  - b. Individual entrances must face either the right-of-way, an internal access drive, an internal pedestrian pathway, or a shared open space.
- 3. Entrance Types. Building entrances must take one of the following forms:
  - a. Individual covered dooryard frontages with dimensions as indicated below:
    - i. Width of usable yard area: Minimum 6 feet.
    - ii. Depth of dooryard from door: Minimum 4 feet, maximum 10 feet.
    - iii. Projection depth: Maximum 6 feet.
    - iv. Height of enclosure: Maximum 3 feet.
    - v. Clear height to projection: Minimum 8 feet, maximum 12 feet.

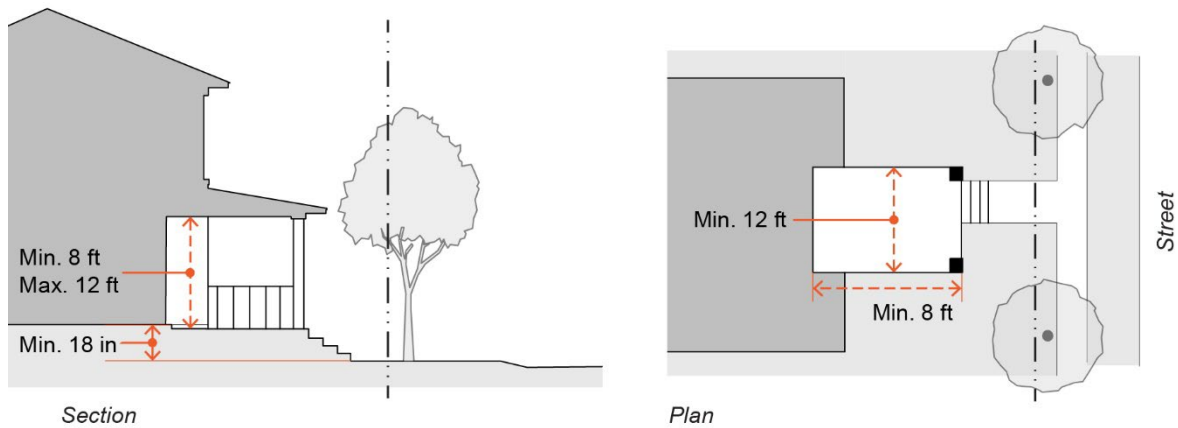
**Figure 18.15.060.C.3.a: Dooryard**



b. Individual covered porch frontages with dimensions as indicated below:

- i. Width of porch: Minimum 12 feet.
- ii. Depth of porch: Minimum 8 feet.
- iii. Finish floor level above sidewalk: Minimum 18 inches.
- iv. Clear height, if porch is covered: Minimum 8 feet, maximum 12 feet.

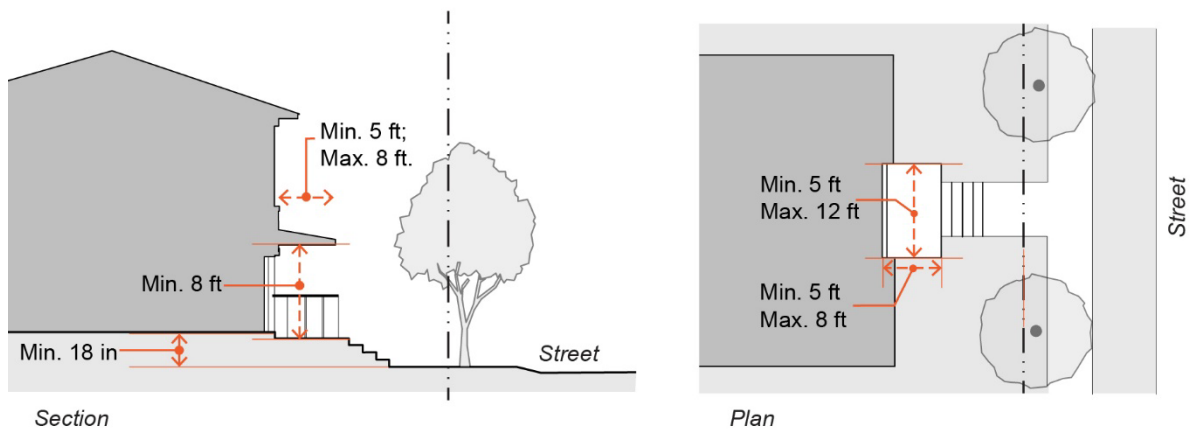
**Figure 18.15.060.C.3.b: Porch**



c. Individual covered stoop frontages with dimensions as indicated below:

- i. Width of stoop: Minimum 5 feet, maximum 12 feet.
- ii. Depth of stoop: Minimum 5 feet, maximum 8 feet.
- iii. Finish floor level above sidewalk: Minimum 18 inches.
- iv. Projection depth: Minimum 5 feet, maximum 8 feet.
- v. Clear height to projection: Minimum 8 feet.

Figure 18.15.060.C.3.c: Stoop



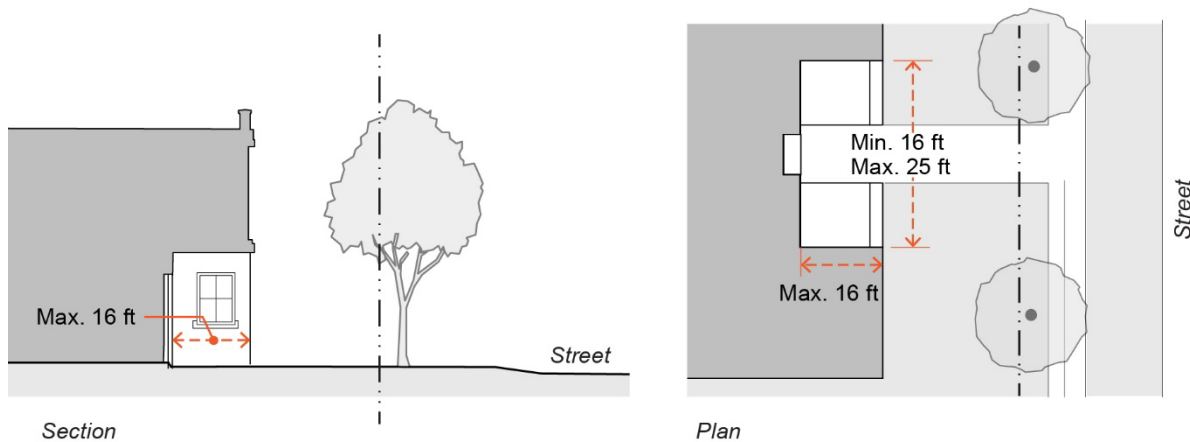
d. Individual recessed frontages with dimensions as indicated below:

i. Width of recessed entry: Minimum 16 feet, maximum 25 feet.

ii. Depth of recess entry: Maximum 16 feet.

iii. Recessed surfaces 8 horizontal feet or more require at least one window or door.

Figure 18.15.060.C.3.d: Recess



#### D. Roof Design.

1. Allowed Roof Forms. Roof forms shall be limited to:

a. Hip;

b. Gable;

c. Shed or butterfly;

d. Flat; or

e. Parapet, where segments do not exceed 20 feet in length without interruption in height or form.

2. Pitch. Roof pitch must be a ratio of 3:12 to 5:12. Solar roofs and other Building Integrated Photovoltaic (BIPV) roof designs are exempt from roof pitch standards if needed to achieve a net-zero energy consumption result on site.

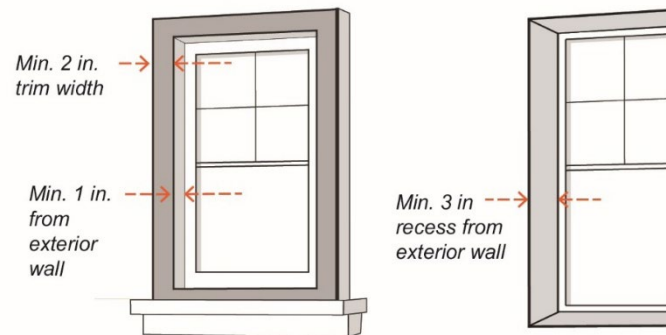
3. If eaves are incorporated into the roof design, the eaves must be at least 18 inches in depth.

4. Dormers. Individual dormers may not exceed 8 feet in length.
5. Roof decks. Roof decks are limited to 30 percent of the building footprint and a maximum of 12 feet in length when abutting a single family residential zone.

E. Windows and Doors.

1. Window Shape. Windows must be square, rectangular, or arched.
2. Window Recess and Trim. All windows must be either:
  - a. Recessed a minimum of 1 inch from the outer wall surface with trim at least 2 inches in width; or
  - b. Recessed a minimum of 3 inches from the outer wall surface.

**Figure 18.15.060.E: Window Recess and Trim**



3. Divided Lites. Simulated divided-lite grilles are acceptable only if they are located on both the outside and inside faces of the window, have spacer bars between the double panes of glass, and a thickness of at least 1/4 inch on each side of the window.
4. “360-Degree” Design. All windows on each floor of each façade must be consistent in design, including proportions, trim, material, and color.
5. Glazing. Reflective or opaque tinting of glazing on windows of primary living spaces (living rooms, dining room, family rooms, and bedrooms) is prohibited.

F. Residential Unit Design.

1. Universal Design. Minimum 15 percent of units must employ principles of Universal Design, including at a minimum the following:
  - i. At least one entrance without steps and a flat threshold.
  - ii. Living space on one floor or stair landings big enough to accept lifts.
  - iii. Wide interior doors (32-inch clear, typically provided with 36-inch door), hallways, and alcoves with 60 by 60-inch turning space at doors, in kitchens, and dead ends.
  - iv. At least one bathroom must be located on the ground level.
  - v. A 30 by 48-inch clear space at appliances and fixtures in bathrooms and kitchens.
2. Affordable unit design. Affordable units and market rate units in the same group of buildings constructed under the same approval shall be constructed with the same exterior materials and details so that the affordable units are not distinguishable from market-rate units.

G. Building Materials and Colors.

1. Primary Building Materials. Primary shall mean 50 percent or more of a façade surface area excluding transparent surfaces. The following primary cladding materials are allowed:

- a. Stucco (minimum 2-coat, 20/30 finish or finer);
- b. Stone (must extend vertically to the foundation);
- c. Stone-colored brick (must extend vertically to the foundation);
- d. EIFS; and
- e. Fiber cement.

2. Secondary Accent Materials.

- a. Metal (wrought iron, copper, bronze) with a non-reflective finish;
- b. Fiber cement;
- c. Split-face CMU;
- d. Terra cotta tile;
- e. Brick or brick veneer; and
- f. Glazed tile.

3. Building Colors.

- a. A maximum of four colors shall be applied to be the building façade:
  - i. Primary color comprising 60 percent or more of the façade.
  - ii. Secondary color comprising no more than 30 percent of the façade.
  - iii. Tertiary color comprising no more than 10 percent of the façade.
  - iv. Accent color for use on trim and architectural details.
- b. The reflectivity value for colors shall not exceed 40 percent, except that the colors for trim must not have a reflectivity value over 50 percent.
- c. Materials with intrinsic, naturally occurring colors, materials with prefinished color such as stucco, and colored metal shall count towards the maximum.

H. On-Site Circulation.

- 1. Walkways shall connect all primary buildings entrances on a site to each other, to on-site automobile and bicycle parking areas, to any on-site open space areas, and to adjoining public rights-of-way.
- 2. Paving within Setback Area. Paving within required setback areas shall be visually distinct from the adjacent public sidewalk.
- 3. Hardscape Materials. On-site hardscape material shall be permeable or pervious and light in color.

I. Parking Configuration and Design.

- 1. Location. Parking may be located in:
  - a. Tuck-under individually secured garages;
  - b. Shared ground-floor garages;
  - c. Carports; or
  - c. Surface parking lots.
- 2. Tandem Parking. Tandem parking may satisfy the off-street parking requirement in accordance with the following:
  - a. No more than two vehicles may be placed one behind the other.



- b. Both spaces shall be assigned to a single dwelling unit or to employees of the same non-residential establishment.
      - c. Each tandem parking bay must be a minimum 40 feet in length by 12 feet in width.
    - 3. Driveway access.
      - a. Driveways may not exceed 20 feet in width.
      - b. Parking Lot Access. Parking lot access shall be provided from a street to which the scenic corridor does not apply, wherever possible.
    - 4. Separation from buildings. Surface parking areas and drive aisles must be separated from on-site buildings by a minimum distance of six feet, which may include landscaping or walkways.
  - J. Exterior lighting. Exterior building lighting shall comply with Section 18.36.040.A.8 in addition to the following standards:
    - 1. All exterior lighting fixtures shall be oriented downward, fully shielded, and certified by the International Dark Sky Association to prevent light intrusion into adjacent building use and sensitive habitat such as riparian habitat, streams, and wetlands.
    - 2. Electrical elements such as wires, conduits, and panel boxes shall be concealed from public view or painted to match the background surface color.
  - K. Mechanical, electrical, and plumbing equipment.
    - 1. Location of Equipment. Equipment, particularly if noise producing, shall be located away from private and common open space areas and shall not be located within the front setback of any residential or mixed-use zone. Public utilities are excluded from this requirement.
    - 2. Screening and Visibility Requirements. All exterior equipment and utilities shall be screened or incorporated into the design of buildings so as not to be visible from public rights-of-way or adjacent residential zones.
    - 3. Rooftop-Mounted Equipment Screening. Roof mounted mechanical equipment shall be screened in compliance with the following standards:
      - 1. To the greatest extent possible equipment shall be placed in wells or behind parapet walls.
      - 2. Screening materials may be solid concrete, wood, or other opaque material and shall effectively screen the mechanical equipment so that it is not visible from a public street;
      - 3. Screening shall be consistent with other on-site improvements in terms of color, material, and architectural style; and
      - 4. Equipment must be screened from view from adjacent public rights-of-way.

**18.15.070 Required conditions.**

Required conditions in the R-MF districts shall be as follows:

- A. Required conditions as stipulated by subsections A, B and C of Section 18.12.050;
- B. Conformance with the requirements set forth in Section 18.37.010.
- C. Development in the Very High Fire Severity Zone as designated by the town shall comply with the defensible space requirements set forth in California Government Code Section 51182 and the defensible space regulations adopted by the Woodside Fire Protection District from time to time.
- D. Before approving a tentative map, or a parcel map for which a tentative map was not required, in the Very High Fire Severity Zone as designated by the town, the decision making body shall make the findings set forth in California Government Code Section 66474.02 relative to consistency with regulations adopted by the

State Board of Forestry and Fire Protection and availability of structural fire protection and suppression services.

E. Development in the Very High Fire Severity Zone as designated by the town shall comply with the Board of Forestry and Fire Protection's State Minimum Fire Safe Regulations.

## CHAPTER 18.23 M-U (MIXED-USE) DISTRICT REGULATIONS

### Sections:

#### 18.23.010 Intention-Applicable regulations.

This class of district is intended to provide a mix of multi-family residential uses and space for local retail, consumer service businesses, and professional services necessary to serve primarily the town and its spheres of influence. Any parcel in an M-U district may be occupied by a principal use listed in Section 18.23.020 or, when authorized by the planning commission, by a conditional use listed in Section 18.23.030 together with uses accessory to such principal use or conditional use as specified in Section 18.23.040. Use of any parcel is subject to:

- A. Development standards set forth in Section 18.23.050;
- B. Design standards set forth in Section 18.23.060;
- C. The required conditions set forth in Section 18.23.070;
- D. The provisions governing accessory uses set forth in Chapter 18.42;
- E. The provisions regulating, fences set forth in Chapter 18.43;
- F. The provisions regulating nonconforming uses set forth in Chapter 18.46;
- G. Yards, building bulk, and site design requirements set forth in Chapters 18.52 through 18.56;
- H. Special building setback lines set forth in Chapter 18.58; and
- I. The off-street parking requirements set forth in Chapter 18.60.

#### 18.23.020 Principal uses permitted.

Principal uses permitted in the M-U district shall be as follows:

- A. Uses permitted by Section 18.36.010;
- B. Single-family dwellings,;
- C. Duplexes;
- D. Emergency shelters;
- E. Multi-family dwelling;
- F. Residential care facilities;
- G. Supportive housing;
- H. Transitional housing;
- I. Low barrier navigation centers;
- J. Publicly-owned parks, public schools, or other public buildings when located in conformance with the general plan;
- K. Temporary uses permitted by Section 18.36.030; and
- L. Any other use which is determined by the commission, as provided in Chapter 18.38, to be of the same character as the other uses permitted by this section.

**18.23.030 Conditional uses permitted.**

The uses listed in this section shall be permitted only when a conditional use permit is granted as provided in Chapter 18.72:

- A. Uses permitted by Section 18.36.020;
- B. Administrative-professional planned unit developments as regulated by Chapters 18.44 and 18.72, provided any such development conforms to the floor area limitations of Section 18.54.052;
- C. Administrative and professional offices that meet the domestic needs of the residents of the town and its spheres of influence or which provide services to other businesses or institutions in the town or its spheres of influence meeting domestic needs, provided any such establishment conforms to the floor area limitations of Section 18.54.052;
- D. Medical and dental clinics, provided any such clinic conforms to the floor area limitations of Section 18.54.052;
- E. Physical therapy and fitness training, provided any such use conforms to the floor area limitations of Section 18.54.052;
- F. Veterinary clinics, provided any such clinic conforms to the floor area limitations of Section 18.54.052;
- G. Real estate and insurance offices, provided any such office conforms to the floor area limitations of Section 18.54.052;
- H. Uses permitted by Section 18.20.030.G; and
- I. Any other use which is determined by the commission, as provided in Chapter 18.38, to be of the same character as other uses permitted by this section, provided that a use found to be of the same character as another use must meet the floor area limitations of that use as set forth in Section 18.54.052.

**18.23.040 Accessory uses permitted.**

Accessory uses permitted in the M-U zone shall be as follows:

- A. Accessory uses as permitted in Sections 18.36.040 and Chapter 18.42;
- B. Parking lot for passenger vehicles;
- C. Off-street loading spaces;
- D. Accessory uses permitted by subsections B, D, E, F, G, H, I, and J of Section 18.12.040; and
- E. Household pets permitted by town ordinances.

**18.23.050 Development standards.**

Table 18.23.060, Development Standards – Mixed-Use Zoning District, establishes the development standards for the Mixed-Use Zoning Districts. The numbers in each illustration refer to corresponding regulations in the table that follows.

Figure 18.23.050: Development Standards – Mixed-Use Zoning District

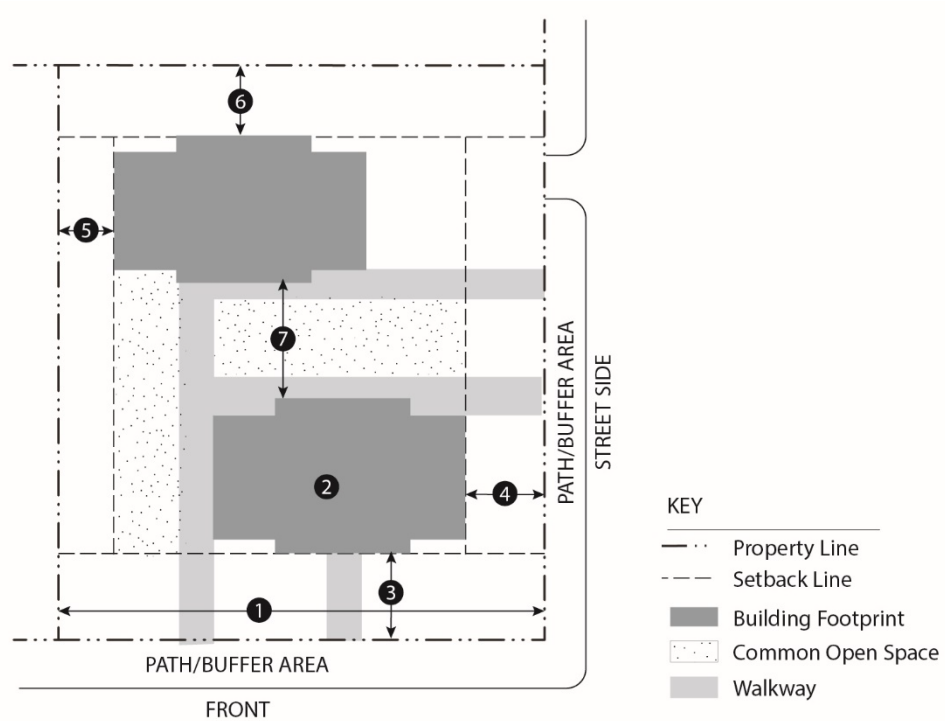


Table 18.23.050: Development Standards – Mixed-Use District		
Standard	M-U <sup>1</sup>	Key
<u>Density/Intensity</u>		
<u>Density</u>	Min. 3 du/ac; max. 6 du/ac	
<u>FAR</u>	Max. 0.18, exclusive of residential uses	
<u>Lot Size</u>		
<u>Area</u>	Min. 1.0 acre	
<u>Lot Width</u>	Min. 120 ft	①
<u>Gross Ground Level Floor Area for Single Building</u>	Max. 7,500 sq ft	②
<u>Building Height</u>		
<u>Principal Structure</u>	Building height, max.: 34 ft; Building height vertical: 28 ft	
<u>Accessory Structure</u>	Building height, max.: 16 ft	
<u>Setbacks</u>		
<u>Front</u>	Where front setback is along Alpine Road: See Chapter 18.58 – Special Setback Lines. Where front setback is along Nathhorst Ave: 30 ft	③
<u>Street Side</u>	Min. 30 ft along Nathhorst Ave., Min. 25 ft elsewhere	④
<u>Interior Side</u>	Min. 25 ft	⑤

Table 18.23.050: Development Standards – Mixed-Use District

Standard	M-U <sup>1</sup>	Key
<u>Rear Setback</u>	Min. 25 ft	6
<u>Creek Setback</u>	As specified in an individualized Engineering Study approved by the Town Engineer, but in no case less than 10 ft.	
<u>Building Separation</u>	Min. 15 ft	7
<u>Impervious Surface/Paved/Hardscaped Area</u>	Max. 65% of lot	
<u>Parking Buffer</u>	Min. 15 ft landscaped buffer required between on-site parking and property line within the scenic corridor.	

**Notes:**

1. Development standards for 4370 Alpine Road are supplemented as set forth in the Town of Portola Valley 2023-2031 Housing Element. See Housing Element Section 6, Adequate Sites for any additional specific standards.

**18.23.060 Design standards.**

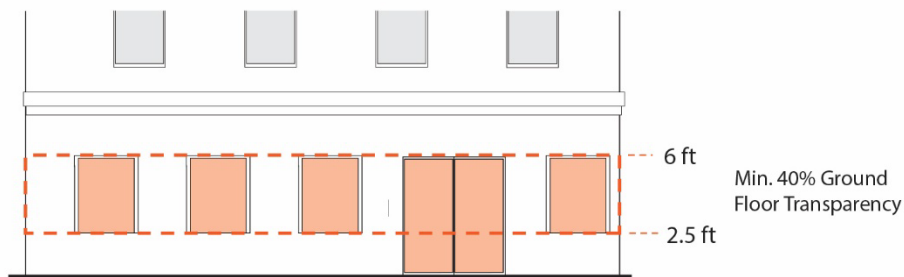
A. Residential building design. The design standards of sections 18.15.060.A through G apply to the following:

1. All residential buildings in the M-U district; and
2. All upper-story portions of residential mixed-use buildings in the M-U district.

B. Site design. The design standards of sections 18.15.060.H through K apply to all development in the M-U district.

C. Non-residential design. The following standards apply to ground floor non-residential design.

1. Ceiling Height. The ground floor ceiling height shall be a minimum of 12 feet.
2. Non-residential space. Ground floor leasable commercial space shall have a minimum depth of 50 feet for at least 50 percent of the length of the building or a minimum length of 30 feet, whichever is larger.
3. Transparency. A minimum 40 percent of ground floor street-facing non-residential facades between 2.5 and six feet in height shall be transparent window surface. Opaque, reflective, or dark tinted glass is not allowed.

**Figure 18.23.060.C: Ground Floor Transparency**

4. Entry separation. Any shared or individual entrance to residential units must be a minimum of 12 horizontal feet from any entrances to non-residential uses.

**18.23.070 Required conditions.**

- A. All non-residential uses and structures, other than accessory buildings, shall be subject to site plan and architectural approval by the architectural and site control commission as provided in Chapter 18.64.
- B. Required conditions as stipulated by subsections A, B and C of Section 18.12.050;
- C. Conformance with the requirements set forth in Section 18.37.010.
- D. All uses shall be conducted within completely enclosed buildings except for:
  - 1. Delivery of fuel, lubricants, and minor incidental servicing of vehicles at service stations;
  - 2. Parking and loading spaces;
  - 3. Outdoor dining areas;
  - 4. Recreation facilities;
  - 5. Public utility electric substations; and
  - 6. Nurseries for propagation and sale of trees, plants and shrubs.
- E. Processing, packaging, treating, and the incidental storage related thereto shall be in the same line of merchandise or service as the retail or service business conducted on the premises. The gross floor area occupied by the business to be devoted to such activities shall not exceed 50 percent and there shall be no more than three employees engaged in such activities.
- F. Amusement devices shall be permitted as accessory uses only when specifically set forth in an approved conditional use permit. Conditional use permits containing such accessory uses may be approved only for a specific applicant and such use permits are nontransferable.
- G. During hours when an establishment is not open for business, only security lighting shall be allowed. Such lighting, both inside and outside, shall be of the minimum amount and the intensity to achieve its intended purpose.
- H. The total net floor area devoted to office uses on any parcel shall not exceed fifteen percent of the net floor area of all uses on such parcel. When an application is for a conditional use permit, the planning commission may allow the net floor area devoted to office uses to be increased up to but not exceed fifty percent of the total net floor area. An increase above fifteen percent may be authorized when the planning commission finds that the larger percentage will allow the development to be more compatible with the site conditions and surrounding the development that could otherwise be achieved and will not unduly jeopardize the space anticipated to be required for commercial uses in the town. "Net floor area" is defined in Section 18.54.050.
- I. Properties identified on the Flood Insurance Rate Maps shall comply with the provisions of Chapter 18.32.
- J. Properties with historic resources as identified in the historic element of the general plan shall comply with the provisions of Chapter 18.31.
- K. Development in the Very High Fire Severity Zone as designated by the town shall comply with the defensible space requirements set forth in California Government Code Section 51182 and the defensible space regulations adopted by the Woodside Fire Protection District from time to time.
- L. Before approving a tentative map, or a parcel map for which a tentative map was not required, in the Very High Fire Severity Zone as designated by the town the decision making body shall make the findings set forth in California Government Code Section 66474.02 relative to consistency with regulations adopted by the State Board of Forestry and Fire Protection and availability of structural fire protection and suppression services.
- M. Development in the Very High Fire Severity Zone as designated by the town shall comply with the Board of Forestry and Fire Protection's State Minimum Fire Safe Regulations.

N. This zoning district permits one hundred percent residential projects with no commercial component. Any non-residential development shall include a residential component at the minimum density specified in Table 18.23.060.



## CHAPTER 18.27 STANDARDS FOR SB 9 RESIDENTIAL DEVELOPMENT

### Sections:

#### 18.27.010 Purpose and intent.

The purpose of this chapter is to implement Senate Bill No. 9 (2021) ("SB 9") and to establish objective standards and regulations to govern the development of qualified Senate Bill 9 subdivisions and development projects on single family residential zoned properties within the Town of Portola Valley. The establishment of these regulations will result in the orderly subdivision and development of qualified SB 9 projects while ensuring that the new units are consistent with the rural character of the town and do not create any significant impacts with regards to fire and geologic safety, public infrastructure and public safety. This chapter shall be implemented and interpreted in conjunction with California Government Code Sections 65852.21 and 66411.7 and Chapter 17.13 (SB 9 Lot Splits).

(Ord. 2021-443 §5, 2021)

#### 18.27.020 Applicability.

This chapter applies to all new residential development, including primary dwellings, SB 9 dwelling units, an ADU, or a JADU attached to the primary dwelling, that are developed under the provisions of SB 9 in the R-E, R-1, or M-R residential zones.

(Ord. 2021-443 §5, 2021)

#### 18.27.030 Parcel eligibility for SB 9 development.

~~To be eligible for streamlined development under this chapter, the parcel and proposed SB 9 development;~~

- (a) ~~To be eligible for streamlined development under this chapter, the parcel and proposed SB 9 development~~ must comply with the eligibility requirements set forth in (a) through (r) of Section 17.13.020 (Parcel Eligibility for SB 9 Lot Split); ~~and.~~
- (b) ~~If a parcel has been developed in accordance with the Opt-In program, that parcel is not eligible for SB 9 development;ay not utilize the Opt In Housing Diversification Program detailed in the Portola Valley Housing Element.~~
- (c) ~~If a parcel that has been developed in accordance with SB 9, it is no longer eligible for the Opt-in program.~~

(Ord. 2021-443 §5, 2021)

#### 18.27.040 Application requirements.

- (a) An applicant shall file an application for an SB 9 residential development on a town-approved application. As part of the application, the director of building and planning shall establish application requirements which shall be published on the town's website.
- (b) Upon receipt of an application using the provisions of this chapter, the town shall notify all owners within a three-hundred-foot radius from the subject parcel that an application has been filed with the town.
- (c) An applicant may file concurrent applications under this chapter and Chapter 17.14 (SB 9 lot splits).

(Ord. 2021-443 §5, 2021)

**18.27.050 Number and size of units.**

(a) Number of Units. A lot developed under this chapter may contain no more than four total residential dwelling units. These units shall be limited to the following:

- (1) On a lot that is not split pursuant to California Government Code Section 66411.7 and Chapter 17.13 (SB 9 Lot Splits) and for which an existing primary residential dwelling unit is retained: one existing primary residential dwelling unit, one new primary residential dwelling unit, one accessory dwelling unit, and one junior accessory dwelling unit, for four units in total.
- (2) On a lot that is not split pursuant to California Government Code Section 66411.7 and Chapter 17.13 (SB 9 Lot Splits) and for which an existing primary dwelling unit does not exist or is demolished or reconstructed: two new primary residential dwelling units, one accessory dwelling unit, and one junior accessory dwelling unit, for four units in total.
- (3) On a resultant lot that was split pursuant to California Government Code Section 66411.7 and Chapter 17.13 (SB 9 Lot Splits): not more than two SB 9 units per lot for a total of four residential dwelling units on the two new lots. Such SB 9 units may consist of existing units, but in no event may the number of units exceed two units per lot for a maximum of four total. In lieu of two new primary residential dwelling units, an applicant may propose one new primary residential dwelling unit together with either a new accessory dwelling unit or a new junior accessory dwelling unit, provided that the applicant submits a written statement with the application for the housing development project indicating the applicant's understanding that providing the accessory dwelling unit or junior accessory dwelling unit will prevent the applicant from constructing a second primary residential dwelling unit in the future.

It is the intent of this provision that not more than four units may be constructed per original lot.

(b) Floor Area. The maximum floor area of an SB 9 unit shall be:

- (1) Eight hundred and fifty square feet for SB 9 units with up to one bedroom or one thousand square feet for SB 9 units with more than one bedroom where the SB 9 unit does not comply with the setbacks of the base zoning district and special setbacks applicable to the parcel.
- (2) Twelve hundred square feet for SB 9 units that comply with the setbacks of the base zoning district and special setbacks applicable to the parcel, on parcels smaller than 3.5 acres in size. The parcel owner utilizing this incentive shall record a deed restriction in a form approved by the town attorney stipulating that no further subdivision of the parcel is permitted.
- (3) Fifteen hundred square feet for SB 9 units that comply with the setbacks of the base zoning district and special setbacks applicable to the parcel on resulting SB 9 parcels 3.5 acres or larger in size. The parcel owner utilizing this incentive shall record a deed restriction in a form approved by the town attorney stipulating that no further subdivision of the parcel is permitted.
- (4) Any development or design standards that physically precludes an SB 9 dwelling unit from being eight hundred square feet in floor area shall be waived or modified by the planning and building director upon applicant's submittal of a feasibility study demonstrating that application of such standard does not allow for an eight hundred square foot SB 9 unit. This shall not include standards which would result in adverse impacts to public health or safety or the physical environment.
- (5) Any applicant desiring to build more than the maximum size specified in this section shall be subject to the town's regular zoning and design review process.

(Ord. 2021-443 §5, 2021)

**18.27.060 SB 9 Development Standards.**

- (a) **Adjusted Maximum Floor Area or AMFA.** The maximum allowed floor area for a SB 9 parcel created under Chapter 17.13 shall be calculated as provided by this Zoning Code using the resulting parcel's size, slope, mapped ground movement potential, and mapped flooding potential. If there is an existing residential unit on a resulting parcel that exceeds the AMFA or if the calculated AMFA cannot accommodate two SB 9 units of eight hundred square feet each, the Director of Planning and Building may increase the AMFA for that parcel accordingly.
- (b) **Front Yard Setback.** Any new SB 9 dwelling unit shall comply with underlying front yard zoning code setback applicable to the parcel. However, no setback is required for a new SB 9 dwelling unit constructed in the same location as an existing structure on the parcel.
- (c) **Side and Rear Setbacks.** The minimum side and rear setback for any new SB 9 dwelling unit shall be four feet from the side and rear parcel lines. However, no setback is required for a new SB 9 dwelling unit constructed in the same location as an existing structure on the parcel.
- (d) **Additional Restrictions for SB 9 Units not Complying with Local Setbacks.**
  - (1) **Fire Safety Checklist.** Any new SB 9 dwelling unit which does not comply with the setbacks of the base zoning district governing the parcel shall comply with the Town of Portola Valley Fire Safety Checklist adopted by resolution of the town council on August 11, 2021, and as updated from time to time. The checklist shall contain requirements for SB 9 construction methods and materials, defensible space and vegetation management. Such checklist requirements shall be additive to other applicable building and safety requirements.
  - (2) **Development Restrictions.** Any new SB 9 dwelling unit that does not comply with the underlying local zoning setbacks governing the parcel is subject to the following additional restrictions: i) on sides of the structure within the required setback(s) there may be no exterior lighting, no egress windows or doors, and no portion of the windows and/or skylights shall be above nine feet in height ii) windows in required setbacks must consist of obscured glass to promote privacy between neighbors; iii) the SB 9 unit may not have a second driveway; iv) the SB 9 unit may not have any associated improvements/amenities such as a patio, deck, pool, fire pit, trellis, or sauna; v) no basement shall be permitted; vi) fire safe landscape screening must be planted and maintained to minimize the visual impact to the neighbors. These restrictions shall not apply to any new SB 9 dwelling unit which complies with the local zoning setbacks governing the parcel.
- (e) **Height.** The maximum height for any type of SB 9 unit shall be:
  - (1) Sixteen feet vertical height and sixteen feet maximum height for a SB 9 unit where the setbacks are less than those of the base zoning district.
  - (2) Eighteen feet vertical height and twenty-four feet maximum height where the setbacks comply with those of the base zoning district. This includes daylight planes, where applicable.
- (f) **Parking.** One off-street parking space is required for each SB 9 unit, except that no parking requirement is required in either of the following instances:
  - (1) The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.
  - (2) There is a car share vehicle located within one block of the parcel.
- (g) **Driveway Access.** Driveway access to all new units shall be compliant with the Woodside Fire Protection District standard details and specifications for driveways and turnarounds.
- (h) **Basements.** Space which meets the definition of a basement (Section 18.04.065) shall not be included in AMFA calculations. However, basements shall be included in floor area maximums set forth in Section

18.27.050(b). Basements located under an SB 9 unit that do not have internal access to the SB 9 unit are discouraged and shall be counted towards AMFA calculations.

- (i) Other Development Standards. All objective standards of the underlying zoning district shall apply. If such zoning district standards conflict with the standards in this chapter, the standards in this chapter shall control.
- (j) Utilities.
  - (1) All newly created dwelling units shall be connected to public sewer or provide a private wastewater system that is fully contained within the parcel boundaries.
  - (2) Utilities shall be required to be placed underground, as described in Section 18.36.010.B of the Code.
- (k) Rental Restrictions.
  - (1) Any rental of a SB 9 dwelling unit shall be for a term longer than thirty days.
  - (2) An SB 9 dwelling unit may be rented separately from the primary dwelling unit.
- (l) Land Use. Land uses of any units created under this chapter are limited to residential uses.
- (m) Impact Fees. Development projects pursuant to this section shall be subject to all impact or development fees related to the development of a new dwelling unit.

(Ord. 2021-443 §5, 2021)

### **18.27.070 Objective building and design requirements for all SB 9 dwelling units.**

All SB 9 dwelling units shall be reviewed and approved without discretionary review or a hearing. Any new SB 9 unit shall comply with the following objective requirements:

- (a) SB 9 units must comply with applicable building code requirements, including fire sprinkler requirements, unless a modification or waiver of the fire sprinkler requirement is approved by the fire marshal.
- (b) SB 9 units must comply with the town's home hardening ordinance codified in Chapter 15.04 of the Code.
- (c) SB 9 units must comply with the town's SB 9 objective standards checklist as adopted by resolution by the town council and amended from time to time.

(Ord. 2021-443 §5, 2021)

### **18.27.080 Permit review process.**

- (a) Upon receipt of a SB 9 residential development application using the provisions of this chapter, the town shall notify all owners within a three-hundred-foot radius from the subject parcel that an application has been filed with the town.
- (b) All applications for SB 9 residential development shall be ministerially acted on by the planning and building director or designee without public hearings or discretionary review.
- (c) If the application complies with all applicable objective requirements, the planning and building director shall approve the application.
- (d) An application for an SB 9 lot split may be denied if:
  - (1) The planning and building director determines the application does not comply with all applicable objective requirements.

- (2) The building official makes written findings, based upon a preponderance of the evidence, that the proposed project would have a specific, adverse impact, as defined in California Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(Ord. 2021-443 §5, 2021)

**18.27.090 Director authority.**

The director of building and planning shall have the authority to develop applications and forms and adopt regulations to implement this chapter.

(Ord. 2021-443 §5, 2021)

**18.27.100 Fees.**

The town council may establish and set by resolution all fees and charges, consistent with California Government Code Sections 65852.2 and 65852.22, and related provisions, as may be necessary to effectuate the purpose of this article.

(Ord. 2021-443 §5, 2021)

## **CHAPTER 18.29 AFFILIATED HOUSING (AH) COMBINING DISTRICT REGULATIONS**

### **Sections:**

#### **18.29.010 Purpose and intent.**

The purpose of the Affiliated Housing (AH) combining district is to:

- A. Establish incentives for locally based institutions and employers (affiliate partners) to build workforce housing;
- B. Provide flexibility to affiliate partners to address site constraints and meet housing needs.
- C. Encourage private sector development of multi-family housing at mixed affordability levels; and
- D. Encourage people with strong connections to the community to live and work in town.

#### **18.29.020 Applicability.**

- A. The provisions of this chapter shall apply to parcels identified as part of the AH combining district on the Zoning Map on file with the town.
- B. Any owner of a parcel used primarily for employment or a locally based institution is eligible to apply for the AH combining district designation in accordance with Section 18.29.030.

#### **18.29.030 Action by Council.**

Action by the Council for inclusion of a parcel in the Affiliated Housing (AH) combining district shall be in accordance with Chapter 18.74.

#### **18.29.040 Conditional use permit review and approval.**

- A. A Conditional use permit is required for all Affiliated Housing (AH) projects in accordance with Chapter 18.72.
- B. Application. Application requirements shall be established by the planning and Building director and made available on the town website.
- C. Findings. Required findings for approval of a conditional use permit are as follows:
  - 1. The proposed location of the affiliated housing project is in accord with the objectives of the Zoning Regulations, including objective design standards, and the purposes of the district in which the site is located;
  - 2. The proposed location of the affiliated housing project and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; and
  - 3. The proposed affiliated housing project will comply with each of the applicable provisions of this chapter.
- D. Review. Affiliated Housing projects shall be reviewed by the planning commission consistent with the processes provided in Chapter 18.72 and by the architectural site control commission consistent with the processes provided in Chapter 18.64. The applicant shall have the option of applying to the planning commission for a master plan conditional use permit that allows projects and improvements to be phased over time. The architectural site control commission may review the Affiliated Housing project either before the planning commission's review of the conditional use permit, or after the planning commission has approved the conditional use permit, as determined by the planning and building director.

**18.29.050 Required conditions—housing units.**

Housing units shall be offered first to employees of an affiliated institution or employer. If the affiliated institution or employer is unable to fill the housing units with current employees, the units may be offered to other households with a preference for people that live or work in the Town of Portola Valley.

**18.29.060 Required conditions—development standards.**

A. Residential Density. The ~~allowed density~~ development potential of the following Affiliated Housing (AH) sites is as follows, subject to approval by the planning commission:

1. Sequoias: ~~The allowed density may exceed the existing density by~~Up to 23 units, as described in the Housing Element.
2. Christ Church: ~~The allowed density may exceed the density of the base zone~~Up to 6 units, as described in the Housing Element.

B. When new Affiliated Housing parcels are established in accordance with Chapter 18.74, the density shall be established by the town council upon recommendation by the planning commission. The number of affordable units will be considered when establishing the density with a preference for more units affordable to lower income households.

C. Development Standards. The development standards for parcels within the AH combining district are as follows:

1. For sites with a density of up to 6 du/ac, the development standards of the R-MF-4 as established in Section 18.15.050 apply.
2. For sites with a density greater than 6 du/ac, the development standards of the R-MF-23 as established in Section 18.15.050 apply.

The planning commission may establish alternate development and design standards as appropriate to each site to ensure affordability.

D. Design Standards. The design standards of Section 18.15.060 shall apply to all Affiliated Housing sites.

E. Parking. The planning commission may approve a reduction in otherwise required parking proposed for an Affiliated Housing site with the conditional use permit.

## CHAPTER 18.40 SIGNS

### Sections:

#### **18.40.010 Purpose.**

The purposes of this chapter shall be as follows:

- A. To authorize and regulate identification and directional signs accessory to uses permitted by the zoning ordinance;
- B. To maintain and improve the visual qualities of the town;
- C. To minimize hazards to motorists and pedestrians on public roads.

(Ord. 1967-80 § 1 (6304.1), 1967)

#### **18.40.020 Compliance with regulations.**

All signs shall comply with the regulations of this chapter in addition to such other requirements as may be imposed in connection with the granting of a variance or conditional use permit or as may be required by other ordinances of the town.

(Ord. 1967-80 § 1 (6304), 1967)

#### **18.40.030 Permitted signs—All districts.**

Signs permitted in all districts shall be as follows:

- A. Trespass and warning signs and signals;
- B. Highway and traffic markers and street name signs;
- C. Signs used by public utilities for the safety, welfare, or convenience of the public;
- D. The following public notices:
  - 1. Official notices issued by any court or public body or officer,
  - 2. Notices posted by any public officer in performance of a public duty or by any person in giving any legal notice;
- E. One sign of ten square feet maximum size may be placed on each commercial or institutional construction project and shall be removed upon completion of the project;
- F. Construction signs may be placed on residential construction projects provided the total area of signs on any one residential construction project does not exceed ten square feet and provided the signs are removed upon completion or sale of the house.
- G. One real estate sign not exceeding four square feet in area may be placed on each piece of property that is for sale;
- H. Personal name plates not exceeding one square foot in area;
- I. Commemorative symbols, memorial plaques, and historical tablets, placed by historical societies;
- J. Flags, emblems, insignias, and posters of any nation, state, international organization, political subdivision or other governmental agency; and unilluminated, nonverbal religious symbols attached to a building which is a place of religious worship;



- K. Signs designating entrances, exits or conditions of use of parking areas provided no single sign shall exceed eight square feet in area;
- L. Roadside signs for special local events by community or nonprofit organizations limited to periods not exceeding two weeks;
- M. Directional signs for public or semi-public uses.

(Ord. 1967-80 § 1 (6304.2 (A)), 1967)

#### **18.40.040 Permitted signs—C-C, A-P, M-U, and O-A districts.**

Signs permitted in C-C, A-P and O-A districts shall be as follows:

- A. Each business, profession, or service is allowed on the same parcel with the establishment two permanent identification signs which direct attention exclusively to that business, profession or service and the goods or services offered.
- B. The maximum total size of permanent identification signs shall be one-half square foot of sign area per one lineal foot of the building frontage, or twenty-four square feet maximum for the two signs combined.
- C. Each business may have one additional sign of one square foot maximum size to describe hours of operation.
- D. A sign relating to a group of establishments, as in a shopping center, may be up to fifty percent greater than the allowed area for a single business, profession or service.
- E. A sign shall not face the side line of any adjoining lot in any R district when such sign is within twenty-five feet of the side line.

(Ord. 1976-149 § 3, 1976: Ord. 1967-80 § 1 (6304.2 (B)), 1967)

#### **18.40.041 Motor vehicle fuel price signs.**

The following shall pertain to control of motor vehicle fuel price signs:

- A. The scenic corridor areas comprised of all properties abutting Portola Road, along its entire length, and Alpine Road, along its entire length, are hereby made exempt from the provisions of Section 13531 of the California Business and Professions Code. If, however, fuel price information is included on a sign, then the area for fuel price information may be excluded from the sign area limitations of this chapter; provided, however, that the fuel price information area shall not exceed the minimum standards for such signage provided for in the California Business and Professions Code.
- B. The planning commission shall have the power to establish, as a condition of the use permit for any facility that sells motor fuel to be located in areas identified in subsection A., above, appropriate requirements concerning motor vehicle fuel price signs to be viewed from the adjacent roadway.
- C. All signs containing fuel price information shall be subject to review and approval by the architectural and site control commission either pursuant to a condition of a use permit established by the planning commission or the sign permit requirements of this chapter. In considering any fuel pricing sign proposal, the architectural and site control commission is hereby authorized to reduce the permitted area for other non-fuel price signage below the area limits of this chapter if it finds such a reduction is appropriate to achieve the purposes and objectives of this chapter. The architectural and site control commission is also hereby authorized to require stricter limitations for fuel price sign area if it determines smaller characters than the minimum provided for in the California Business and Professions Code can reasonably be viewed from the adjacent roadway.

(Ord. 2009-379 § 2, 2009)

**18.40.050 General requirements.**

- A. All signs must be appropriate for a rural environment, must harmonize with their surroundings in design and color, and be continually maintained to ensure an attractive appearance.
- B. No signs shall flash, move or change light intensity.
- C. No freestanding signs shall exceed sixteen feet in height.
- D. No sign attached to a structure shall exceed the height of the peak of the roof.
- E. Every sign shall be constructed and maintained to meet legally required clearances from communication and electrical facilities, including but not limited to clearances specified in General Order 95 of the Public Utilities Commission of the state of California.
- F. All temporary signs, excluding displays inside buildings which are visible from outside, must be placed in specific approved sign display locations. These locations shall have a maximum area of one-half the allowable permanent sign area and must be approved by the architectural and site control commission. All temporary signs must be dated and those remaining longer than two months shall constitute a violation of the provisions of this title.
- G. No sign other than a temporary directional or warning sign shall be placed in the public right-of-way without first securing an encroachment permit.
- H. All signs shall comply with applicable provisions of the building code.
- I. No internally illuminated sign shall exceed one square foot in area.
- J. No free standing sign shall be internally illuminated.
- K. No internally illuminated sign shall be placed perpendicular to a public road from which it is visible.
- L. Illuminated signs shall be illuminated with no more than the minimum intensity necessary to permit the public to discern their information.
- M. No sign shall be illuminated outside the hours of operation of the facility to which it is accessory.
- N. In the meaning of this section, "illuminated" includes reflectorized.
- O. No illuminated overhanging signs visible from outside the premises shall be permitted.

(Ord. 1976-149 § 4, 1976: Ord. 1967-80 § 1 (6304 3), 1967)

**18.40.060 Nonconforming signs—Removal.**

- A. All temporary nonconforming signs must be removed within two months.
- B. All permanent nonconforming signs must be removed or brought into conformance with this title within two years.

(Ord. 1967-80 § 1 (6304.4), 1967)

**18.40.070 Application for sign permit—Determination—Appeal.**

The design and placement of all signs, except those enumerated in subsections A through J of Section 18.40.030, must be submitted to the architectural and site control commission for approval prior to the installation, construction or erection of any such signs. The applicant, or any interested property owner, aggrieved by a

determination of the architectural and site control commission, may appeal to the board of adjustment within ten days from the date of such determination in accordance with the provisions of Chapter 18.66.

(Ord. 1967-80 § 1 (6304.5), 1967)

**18.40.080 Violation—Notification—Penalty.**

Violators of the provisions of this chapter shall be notified of such violation by the architectural and site control commission, in writing, which notification shall state the time within which any unauthorized or illegal sign shall be removed, which may be within seven days. In the event such signs are not removed within the time fixed in the written notice, the violator shall be subject to the penalties provided in this title.

(Ord. 1967-80 § 1 (6304.6), 1967)

## CHAPTER 18.60 OFF-STREET PARKING

### Sections:

#### 18.60.010 Off-street parking spaces required.

Except as permitted in this chapter, at the time of the erection of any main building or structure, at the time any main building or structure is enlarged or increased in capacity, or at the time a main building or structure is put to a different use, there shall be provided and maintained in all districts, off-street parking spaces for automobiles in accordance with the schedule set forth in Section 18.60.110.

(Ord. 1967-80 § 1 (6210), 1967)

#### 18.60.020 Dimensions and access.

A. Required parking for dwellings. Each parking space in a garage or carport shall be at least ten feet by twenty feet. Guest parking spaces shall meet the requirements set forth in subsection B. of this section. There shall be adequate provision for ingress and egress to all parking spaces. Unobstructed vehicular access shall be provided to each parking space.

B. Required parking for uses other than dwellings. The minimum dimensions permitted shall be as shown on Table 4.

TABLE 4—PARKING LOT DIMENSIONS

Width of stall.....9'

Length of stall.....18'\*

Width of aisle.....25'

\*Up to two feet of overhang may be deducted from required stall length if the overhang does not interfere with planting, walks or other site features and is approved by the architectural and site control commission.

The foregoing standards are for ninety-degree parking and an aisle for two-way traffic. Parking at other angles shall provide for similar geometric standards as approved by the town engineer.

(Ord. 1987-223 § 1, 1987; Ord. 1979-166 § 16 (part), 1979; Ord. 1967-80 § 1 (6210.1 (A)), 1967)

#### 18.60.030 Location and type.

Off-street parking facilities shall be located as specified in this section. Where a distance is specified, the distance shall be the walking distance measured from the nearest point of the parking facility to the nearest entrance of the building that the facility is required to serve.

- A. In residential districts, required parking facilities, except required guest parking spaces, shall be in a carport or garage and all spaces shall be located on the same parcel or building site as the buildings they are required to serve unless otherwise authorized by conditional use permit, [otherwise regulated by the Opt-in Housing Diversification Program established by the Portola Valley Housing Element, or otherwise allowed by State law.](#)
- B. For uses in other districts, parking spaces may be located on separate sites provided they are not over two hundred fifty feet from the buildings they are required to serve.

- C. When the required off-street parking facilities are not situated on the same parcel as the use they are required to serve, there shall be recorded a covenant as required for joint use under paragraph D (3) of Section 18.60.070.
- D. In R-1/7.5M, 15M and 20M zoning districts, where the ASCC finds there is no reasonable location for a second required covered parking space that would have direct unobstructed vehicular access, such required parking space may be uncovered and/or in tandem, provided that in the case of an uncovered space, two hundred square feet shall be considered as floor area for purposes of determining compliance with the floor area limitations on a parcel. On parcels of twenty thousand square feet or less, an uncovered parking space may occupy required yard areas upon approval by the ASCC and after notification to affected neighbors.

(Ord. 1967-80 § 1 (6210.1 (B)), 1967; Ord. 2001-338 § 7 (part), 2001)

#### **18.60.040 Determination of parking facility requirements—Units of measurement.**

- A. For the purpose of this section, "floor area" shall mean the gross floor area in the building other than floor space designated and used exclusively for parking and loading spaces, building service and maintenance, or storage of equipment and furnishings belonging to the occupants of the building but not in current use.
- ~~B. In indoor or outdoor places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each twenty inches of such seating facility shall be counted as one seat for the purpose of determining requirements for off-street parking facilities.~~
- BC. When units of measurements determining number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one parking space.

(Ord. 1967-80 § 1 (6210.1 (C)), 1967)

#### **18.60.050 Determination of parking facility requirements—Changes in use—Additions and enlargement.**

Whenever on any parcel there is a change in use, or increase in floor area, or in the number of employees or other unit of measurement specified in this chapter to indicate the number of required off-street parking spaces and such change or increase creates a need for an increase of more than ten percent in the number of off-street parking spaces, as determined by the tables in this chapter, additional off-street parking spaces shall be provided on the basis of the increased requirements of the new use, or on the basis of the total increase in floor area, or in the number of employees, or in other unit of measurement. The effects of additions, enlargements, and changes in use subsequent to July 18, 1967, shall be cumulative in regard to off-street parking requirements.

(Ord. 1967-80 § 1 (6210.1 (D)), 1967)

#### **18.60.060 Determination of parking facility requirements—Mixed occupancies and uses not specified.**

In the case of a use not specifically mentioned in Section 18.60.110, the requirements for off-street parking facilities for a use which is so mentioned and to which the use is similar, shall apply as determined by the planning commission. In the case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use except as specified in Section 18.60.070 for joint use.

(Ord. 1967-80 § 1 (6210.1 (E)), 1967)

**18.60.070 Joint use.**

The planning commission may, upon application by the owner or lessee of any property, authorize the joint use of parking facilities by the following uses or activities under the conditions specified in this section:

- A. Up to fifty percent of the parking facilities required by this section for a use considered to be primarily a daytime use may be provided by the parking facilities of a church or any auditorium incidental to a public or parochial school or of a use considered to be primarily a nighttime use; up to fifty percent of the parking facilities required by this section for a use considered to be primarily a nighttime use may be provided by the parking facilities of a use considered to be primarily a daytime use, provided such reciprocal parking area shall be subject to conditions set forth in subsection D of this section.
- B. Up to one hundred percent of the parking facilities required by this section for a church or for an auditorium incidental to a public or parochial school may be supplied by parking facilities of a use considered to be primarily a daytime use, provided such reciprocal parking area shall be subject to conditions set forth in subsection D of this section.
- C. The following uses are typical daytime uses: banks, business offices, retail stores, personal service shops, clothing or shoe repair or service shops, and similar uses. The following uses are typical of nighttime uses: bars, and auditoriums other than those incidental to a public or parochial school or churches.
- D. Conditions required for joint use shall be as follows:
  - 1. The structure or use for which application is being made for authority to utilize the existing off-street parking facilities provided by another structure or use shall be located within two hundred fifty feet of such parking facility.
  - 2. The applicant shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use of off-street parking facilities is proposed.
  - 3. If the building, structure, or improvement requiring parking space is in one ownership and the required parking space provided in another ownership, partially or wholly, there shall be a recording in the office of the county recorder, of a covenant by such owner or owners for the benefit of the town in the form first approved by said town that such owner or owners will continue to maintain such parking space so long as the building, structure, or improvement is maintained within the town. The covenant required in this paragraph shall stipulate that the title to and right to use the parcel or parcels upon which the parking space is to be provided will be subservient to the title to the premises upon which the building is to be erected, and that it is warranted that the parcel or parcels are not and will not be made subject to any other covenant or contract for use without prior written consent of the town.

(Ord. 1967-80 § 1 (6210.1 (F)), 1967)

**18.60.080 Common facilities.**

Common parking facilities may be provided in lieu of the individual requirements contained in this chapter, but such facilities shall be approved by the planning commission as to size, shape, and relationship to sites to be served, provided the total of such off-street parking spaces, when used together, shall not be less than the sum of the various uses computed separately, taking into consideration allowable reductions for joint use as set forth in Section 18.60.070. When any such common facility is to occupy a site of five thousand square feet or more, then the parking requirements as specified in this chapter for each of two or more participating buildings or uses may be reduced not more than fifteen percent upon approval of development plans by the planning commission in the manner prescribed for a conditional use permit as set forth in Chapter 18.72, provided such area saved be preserved as open space in addition to other open spaces required by this title. In any case, where common

parking facilities are to be provided, there shall be a covenant recorded in a form first approved by the town covering the matters set forth under paragraph D (3) of Section 18.60.070.

(Ord. 1979-166 § 16 (part), 1979: Ord. 1967-80 § 1 (6210.1 (G)), 1967)

**18.60.090 Parking area plans—Submission to building inspector—Review.**

The plan of the proposed parking area shall be submitted to the building inspector at the time of the application for the building permit for the structure to which the parking area is accessory. The plans shall clearly indicate the proposed development, including location, size, shape, design, curb, cuts, lighting, landscaping, and other features and appurtenances of the proposed parking lot. All plans shall be reviewed by the town planner prior to approval.

(Ord. 1967-80 § 1 (6210.1 (H)), 1967)

**18.60.100 Exemption from parking space requirements.**

A. Nothing in this title shall be construed as requiring the provision of additional parking spaces for any structure legally existing August 17, 1967, except as provided in Section 18.60.050 or as may be required in the authorization of any conditional use permit or variance.

B. The provisions of this title which require the provision of off-street parking spaces in connection with the use of property for commercial purposes may be reduced or eliminated by resolution of the council for any parcel of property which is located within any parking district hereafter formed and existing under the provisions of any parking district act approved by the council.

(Ord. 1967-80 § 1 (6210.2), 1967)

**18.60.110 Schedule of required off-street parking spaces.**

Except as otherwise provided in this chapter, the minimum number of off-street parking spaces required shall be as set forth in Table 5. More parking spaces may be required as a condition of any conditional use permit when the planning commission finds that the characteristics of the particular use require more parking. For uses not listed, the number of spaces required shall be stipulated by the planning commission.

TABLE 5

Use	Parking Spaces Required
<a href="#">Single-family Dwellings</a>	1 for each dwelling having 0 or 1 bedroom, or 2 for each dwelling having 2 or more bedrooms, plus 2 guest parking spaces in residential density districts requiring 1 acre or more of land per dwelling unit
<a href="#">Multi-family dwellings and Duplexes</a>	<a href="#">1 for each dwelling having 0 or 1 bedroom, or 2 for each dwelling having 2 or more bedrooms. Guest parking shall be provided in the amount of 1 space for every 3 units or fraction thereof.</a>
<a href="#">Accessory dwelling units</a>	<a href="#">See Section 18.36.040.B, Accessory Dwelling Units and Junior Accessory Dwelling Units</a>
<a href="#">SB 9 units</a>	<a href="#">See Section 18.27.060, SB 9 Development Standards</a>

<a href="#">Residential development applying under State Density Bonus Law</a>	<a href="#">See California Government Code Sections 65915 – 65918</a>
<a href="#">Supportive housing and Transitional housing</a>	<a href="#">None</a>
Convalescent homes	1 for each 5 beds
<a href="#">Churches</a>	<a href="#">1 for each 5 seats in the main worship unit</a>
Elementary schools	1 for each classroom, plus 1 for each 100 square feet in the auditorium or any space used for assembly
<a href="#">Emergency shelters</a>	<a href="#">1 for each staff member working in the emergency shelter</a>
Retail stores	1 for each 150 square feet of floor area
Medical or dental clinics	5 spaces for each doctor or dentist
Banks, business, or professional offices	1 for each 200 square feet of floor area
Establishments for the sale and consumption on the premises of alcoholic beverages, food, or refreshments	1 for each 2.5 seats or stools
Places of assembly with fixed seats other than those enumerated above <a href="#">(includes places of worship)</a>	1 for each <del>53</del> seats. <a href="#">In indoor or outdoor places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each twenty inches of such seating facility shall be counted as one seat for the purpose of determining requirements for off-street parking facilities.</a>
Places of assembly without fixed seats other than enumerated above	1 for each 50 square feet of floor area used for assembly
Retirement homes	1 for each apartment, double room, or family unit

(Ord. 1979-166 § 16 (part), 1979; Ord. 1967-80 § 1 (6210.4), 1967)

### **18.60.120 Improvement and maintenance of parking area.**

On all parcels, except those used for single-family dwellings, public or private parking facilities having a capacity for three or more vehicles shall be developed and maintained in the following manner:

- A. **Surface and Slope of Parking Area.** Off-street parking areas shall be paved or otherwise surfaced and maintained so as to eliminate dust or mud and shall be so graded and drained as to dispose of all surface water. In no case shall such drainage be allowed across walks. Maximum slope of parking areas shall be five percent.



- B. Border Barricades, Screening and Landscaping.
  1. Every parking area that is not separated by a fence from any street upon which it abuts shall be provided with a suitable concrete curb or barrier not less than six inches in height. Except for entrance and exit driveways, such curb or barrier shall be continuous and shall be located not less than two feet from such street parcel lines, and such curb or barriers shall be securely installed and properly maintained.
  2. Every parking area abutting property located in one of the R districts shall be separated from such property by a solid wall, view-obscuring fence, or planting screen at least six feet in height measured from the grade of the finished surface of such parking lot closest to the contiguous R district property.
  3. Parking lots shall have a configuration and sufficient planting islands to accomplish a well-landscaped appearance while avoiding unpleasant expanses of paving.
- C. Entrances and Exits. The location and design of all entrances and exits shall be subject to the approval of the town engineer and town traffic committee.
- D. Temporary Landscaping of Extra Spaces. When demonstrated to the satisfaction of the planning commission that not all required parking spaces will be needed for a conditionally permitted use during initial phases of a development, the commission may permit temporary landscaping of such extra spaces provided:
  1. The applicant will be bound to develop such spaces for parking when deemed necessary by the planning commission; and,
  2. That such spaces shall not be counted as satisfying required open space or landscaping provisions of this title.

(Ord. 1979-166 § 16 (part), 1979; Ord. 1976-149 § 1, 1976; Ord. 1967-80 § 1 (6210.5), 1967)

### **18.60.130 Parking areas in R, R-MF, and M-U districts.**

Every parking area in an R, R-MF, or M-U district shall be governed by the following provisions in addition to those required by Section 18.60.120:

- A. Such parking area shall be incidental to and accessory to a use permitted in the district in which the property is located;
- B. Such parking area shall be so located that its boundary abuts the site of the establishment to which it is accessory unless otherwise permitted by a conditional use permit as provided by Chapter 18.72;
- C. Such parking area shall be used solely for the parking of private passenger vehicles;
- D. Signs as provided for in Chapter 18.40;
- E. When authorized by conditional use permit, as provided by Chapter 18.72, tandem parking, the parking of two vehicles so that one is behind the other, may be permitted.

F. Where parking areas provide parking for both residential and non-residential uses, residential spaces shall be dedicated to the residential units.

(Ord. 1967-80 § 1 (6210.6), 1967)

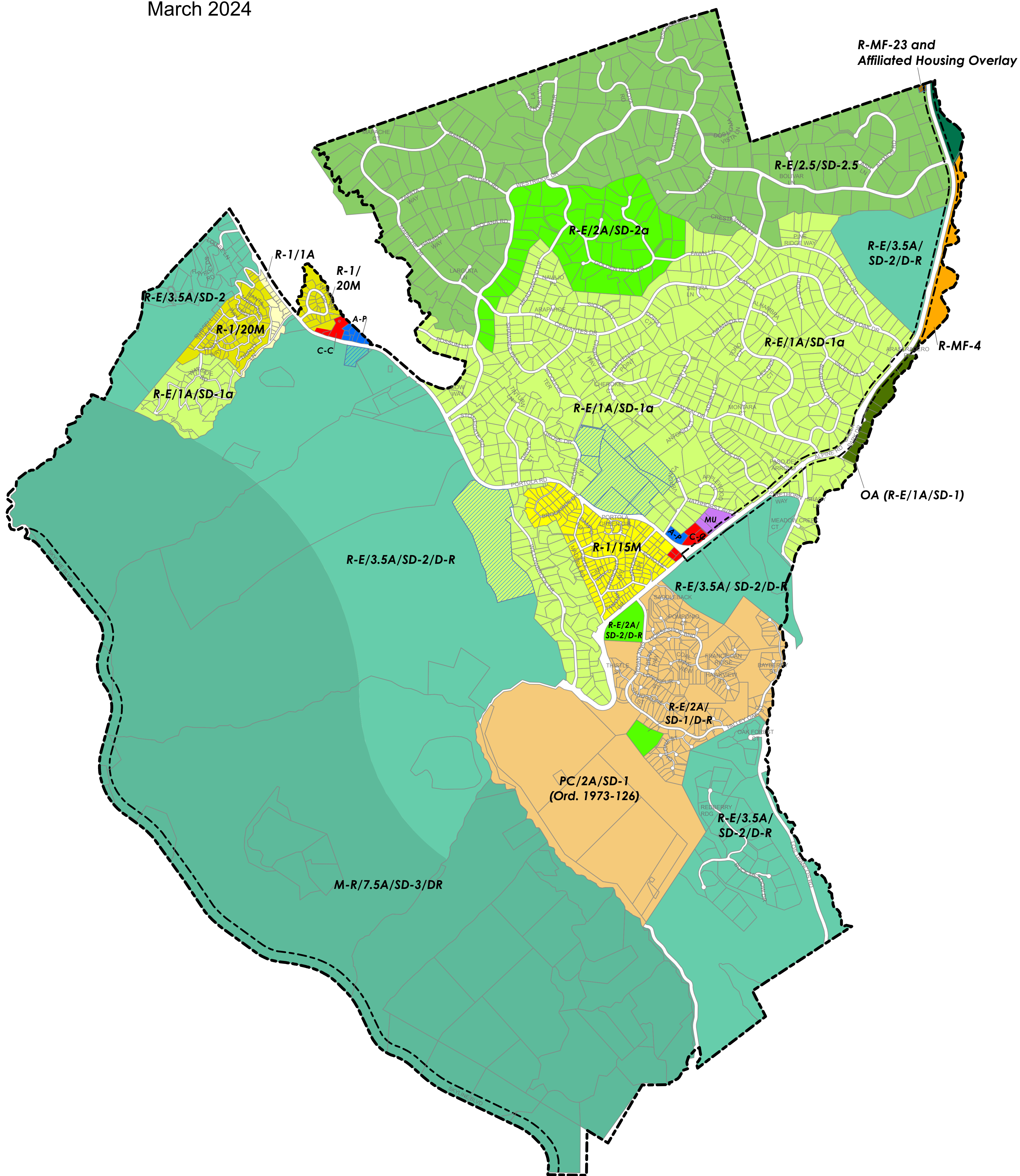
### **18.60.140 Required bicycle parking.**

- A. Short-Term Bicycle Parking. Short-term secure bicycle parking shall be provided to serve shoppers, customers, messengers, guests, and other visitors to a site who generally stay for a period of four hours or less.

1. Bicycle Parking Spaces Required. For the following uses, the number of short-term secure bicycle parking spaces shall be ten percent of the parking spaces required in Table 5 of Section 18.60.110, Schedule of Required Off-Street Parking Spaces, with a minimum of four secure bicycle parking spaces provided per use.
  - a. Multi-family dwellings;
  - b. All public uses; and
  - c. All commercial uses, except automobile/vehicle sales and services.
2. Location.
  - a. Short-term secure bicycle parking shall be located outside of pedestrian walkways, and within one hundred feet of the main entrance to the building it serves.
  - b. Short-term secure bicycle parking shall be located outside of the public right-of-way except as allowed through an encroachment permit.
  - c. Where the secure bicycle parking area is not visible from the main entrance of the buildings, signs located at the main entrance of the building shall identify the location of bicycle parking.
3. Anchoring and Security. For each short-term bicycle parking space required, a stationary, securely-anchored bicycle rack shall be provided to which a bicycle frame and one wheel (two points of contact) can be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle. One such bicycle rack may serve multiple bicycle parking spaces.
4. Size and Accessibility. Each short-term bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving other bicycles. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian walkways. Five feet of clearance shall be provided from vehicle parking spaces.

# TOWN OF PORTOLA VALLEY DRAFT ZONING MAP

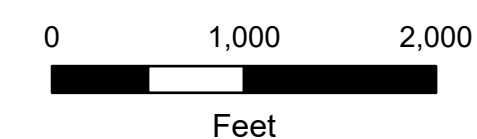
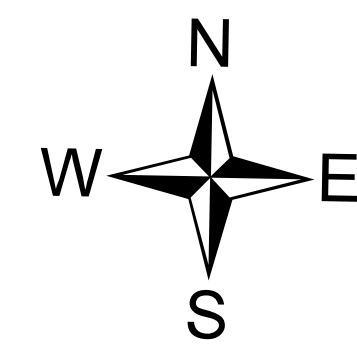
March 2024



Ordinance No.	Date	Ordinance No.	Date
1967-80	7/12/1967	1983-247	7/20/1983
1969-97	9/24/1969	1989-246	9/22/1989
1973-119	2/14/1973	1990-251	4/11/1990
1973-126	1/9/1974	1990-253	7/11/1990
1976-147	10/13/1976	1995-283	4/21/1995
1979-171	4/11/1979	1996-287	4/10/1996
1981-181	3/11/1981	1998-305	1/14/1998
1981-182	4/8/1981	2003-347	2/26/2003

### Legend

- A-P, Administrative-professional
- C-C, Community Commercial
- O-A (R-E/2A/SD-2), Open Area 2 acres
- O-A (R-E/1A/SD-1), Open Area 1 acre
- PC/2A/SD-1, Planned Community 2 acres
- R-1/15M, Single-family Residential 15,000 sq. ft.
- R-1/1A, Single-family Residential 1 acre
- R-1/20M, Single-family Residential 20,000 sq. ft.
- R-E/1A/SD-1a, Residential Estate 1 acre
- R-E/2A/SD-1/D-R, Residential Estate 2 acres
- R-E/2A/SD-2/D-R, Residential Estate 2 acres
- R-E/2A/SD-2a, Residential Estate 2 acres
- R-E/2.5/SD-2.5, Residential Estate 2.5 acres
- R-E/3.5A/SD-2, Residential Estate 3.5 acres
- R-E/3.5A/SD-2/D-R, Residential Estate 3.5 acres
- M-R/7.5A/SD-3/DR Residential Estate 3.5 acres
- R-MF-4, Multi-family Residential 4 du/ac
- R-MF-23, Multi-family Residential 23 du/ac
- MU, Mixed-Use 6 du/ac
- Affiliated Housing Overlay
- Parcels
- Town Limit
- Special Building Setback Lines



PROJECTION: CALIFORNIA STATE PLANE COORDINATES  
ZONE III, NAD83 DATUM, UNITS IN FEET  
PUBLISHED: OCTOBER 2023

**RESOLUTION NO. 2024 – 2****RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PORTOLA VALLEY RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING TITLE 18 [ZONING] OF THE PORTOLA VALLEY MUNICIPAL CODE AND AMENDING THE ZONING MAP FOR THE TOWN OF PORTOLA VALLEY TO IMPLEMENT THE 2023-2031 HOUSING ELEMENT**

**WHEREAS**, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the Town of Portola Valley (Town) adopt a housing element for the eight-year period 2023-2031 to accommodate the regional housing need allocation (RHNA) of 253 housing units assigned to the Town by the Association of Bay Area Governments; and

**WHEREAS**, State Housing Element Law also requires the Town to rezone properties as required to make sites available with appropriate zoning and development standards to accommodate the portion of the Town regional housing need for each income level that cannot be accommodated on sites under existing Town zoning; and

**WHEREAS**, on January 24, 2024 the Town Council of the Town of Portola Valley adopted the 2023-2031 Housing Element, which identifies those properties proposed for rezoning to accommodate the Town's regional housing need; and

**WHEREAS**, the 2023-2031 Housing Element was submitted to the State Department of Housing and Community Development (HCD) for review on January 26, 2024, and HCD notified the Town on January 30, 2024 that they found the Housing Element to be in substantial compliance with State Housing Element Law; and

**WHEREAS**, to implement the 2023-2031 Housing Element, (1) text amendments are required to Title 18 [Zoning] of the Portola Valley Municipal Code to enable the programs identified in the Housing Element; and (2) amendments are required to the Zoning Map for the Town of Portola Valley to rezone sites in order to accommodate the Town's regional housing need for all income levels; and

**WHEREAS**, the Town, as lead agency under the California Environmental Quality Act ("CEQA"), prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Housing Element, Safety Element, conforming General Plan amendments and zoning code amendments and circulated it for public review; and

**WHEREAS**, on March 29, 2023, the Town Council conducted a public hearing on the IS/MND and adopted Resolution No. 2922-2023 adopting the IS/MND, the Updated Response to Comments and Text Changes, and the Mitigation Monitoring and Reporting Program (MMRP) (as updated at the March 22 and 29, 2023 public hearings); and

**WHEREAS**, none of the implementing zoning code text amendments or amendments to the Zoning Map for the Town of Portola Valley require subsequent or supplemental environmental analysis under CEQA described in Public Resources Code Section 21166 and CEQA Guidelines Section 15162. None of the following triggers have occurred: a substantial

change to the project; a substantial change to the circumstances under which the project is being undertaken, or new information, which was not known and could not have been known at the time the environmental analysis was completed, becomes available. Therefore, the IS/MND adopted on March 29, 2023 remains valid; and

**WHEREAS**, on March 20, 2024, the Planning Commission held a public hearing to review the proposed amendments to Title 18 [Zoning] of the Portola Valley Municipal Code to implement the 2023-2031 Housing Element programs and the amendments to the Zoning Map for the Town of Portola Valley, at which all interested persons had the opportunity to appear.

**NOW, THEREFORE**, be it resolved that the Planning Commission of the Town of Portola Valley does hereby recommend that the Town Council approve the proposed ordinance as set forth in Attachment A-1, which includes both the proposed zoning code text amendments (Exhibit A) and the proposed Zoning Map amendments (Exhibit B).

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the Town of Portola Valley on March 20, 2024.

By: \_\_\_\_\_  
Jon Goulden, Chair

ATTEST:

\_\_\_\_\_  
Jon Biggs, Interim Planning and Building Director

**ORDINANCE NO. 2024 –****ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AMENDING TITLE 18 [ZONING] OF THE PORTOLA VALLEY MUNICIPAL CODE AND AMENDING THE ZONING MAP FOR THE TOWN OF PORTOLA VALLEY TO IMPLEMENT THE 2023-2031 HOUSING ELEMENT**

**WHEREAS**, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the Town of Portola Valley (Town) adopt a housing element for the eight-year period 2023-2031 to accommodate the regional housing need allocation (RHNA) of 253 housing units assigned to the Town by the Association of Bay Area Governments; and

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**WHEREAS**, on March 20, 2024, the Planning Commission held a public hearing to review the proposed amendments to Title 18 [Zoning] of the Portola Valley Municipal Code to implement the 2023-2031 Housing Element programs and the amendments to the Zoning Map for the Town of Portola Valley, at which all interested persons had the opportunity to appear; and

**WHEREAS**, on March 20, 2024, the Planning Commission adopted Resolution 2024-\_\_\_\_ recommending the Town Council approve an ordinance amending Title 18 [Zoning] of the Portola Valley Municipal Code and Amending the Zoning Map for the Town of Portola Valley to implement the 2023-2031 Housing Element; and

**WHEREAS**, on \_\_\_\_\_, the Town Council held a public hearing, and after considering the entire record of proceedings, including but not limited to, the staff report and all written and oral comments received and the Planning Commission

recommendation, the Town Council voted to approve the ordinance.

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

1. AMENDMENTS TO CODE. The following Chapters of Title 18 [Zoning] are amended as specified in Attachment A. Attachment A shows additions with underlined text and deletions with ~~strike-out text~~. All text that is unmarked remains as is and all Title 18 chapters and sections not referenced in Attachment A remain unchanged.

Chapter 18.04	Definitions
Chapter 18.06	Districts
Chapter 18.10	Residential Districts
Chapter 18.11	Reasonable Accommodation for Individuals With Disabilities
Chapter 18.14	R-1 (Single-Family Residential) District Regulations
Chapter 18.15	R-MF (Multi-Family Residential) District Regulations
Chapter 18.23	M-U (Mixed-Use) District Regulations
Chapter 18.27	Standards for SB 9 Residential Development
Chapter 18.29	Affiliated Housing (AH) Combining District Regulations
Chapter 18.40	Signs
Chapter 18.60	Off-Street Parking

2. AMENDMENTS TO THE ZONING MAP FOR THE TOWN OF PORTOLA VALLEY. The following parcels will be rezoned to the zoning district indicated below and will be so designated on the Zoning Map for the Town of Portola Valley, included as Attachment B to this ordinance:

APN 79072120 (4388 Alpine):	M-U (3-6 du/a)
APN 77282030: (Glen Oaks site)	MF (2-4 du/a)
APN 79072060 (4370 Alpine):	M-U (3-6 du/a)
APN 79072130 (4394 Alpine):	M-U (3-6 du/a)
APN 77271180 (Ladera Church site):	MF (20-23 du/a)

3. CONSISTENCY WITH GENERAL PLAN. This ordinance is found to be consistent with the General Plan of Portola Valley.

4. ENVIRONMENTAL REVIEW. The Town, as lead agency under the California Environmental Quality Act ("CEQA"), prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Housing Element, Safety Element, conforming General Plan amendments and zoning code amendments and circulated it for public review. On March 29, 2023, the Town Council conducted a public hearing on the IS/MND and adopted Resolution No. 2922-2023 adopting the IS/MND, the Updated Response to Comments and Text Changes, and the Mitigation Monitoring and Reporting Program (MMRP) (as updated at the March 22 and 29, 2023 public hearings). None of the implementing zoning code text amendments or amendments to the Zoning Map for the Town of Portola Valley require subsequent or supplemental environmental analysis under CEQA, as described in Public Resources Code Section 21166 and CEQA Guidelines Section 15162. None of the following triggers have occurred: a substantial change to the project; a substantial change to the circumstances under which the project is being undertaken, or new information, which was not known and

could not have been known at the time the environmental analysis was completed, becomes available. Therefore, the IS/MND adopted on March 29, 2023 remains valid.

5. CONSISTENCY WITH STATE LAW. This ordinance is intended to be consistent with State Housing Element Law and to the extent there is any inconsistency with such State law requirements, State law shall control.

6. SEVERABILITY. If any section, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

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

INTRODUCED:

PASSED:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

RECUSED:

ATTEST:

By: \_\_\_\_\_

\_\_\_\_\_  
Town Clerk

Mayor

APPROVED AS TO FORM

\_\_\_\_\_  
Town Attorney



**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



February 5, 2024

Jon Biggs, Director  
Planning and Building Department  
Town of Portola Valley  
765 Portola Valley  
Portola Valley, CA 94028

**RE: Portola Valley Housing Element Implementation – Corrective Action Letter**

Dear Jon Biggs:

The California Department of Housing and Community Development (HCD) has reviewed the Town of Portola Valley's (Town) obligations under the housing element and hereby issues its written findings that the Town has failed to implement Programs 1-1a, 1-1b, and 1-6 included in its housing element.

HCD requests that the Town review this correspondence and provide a written response to these findings within 30 days and no later than March 6, 2024. HCD will review and consider the Town's written response before taking any action authorized by Government Code section 65585, subdivisions (i) and (j). As noted below, such action could include revoking HCD's finding that the Town's housing element is in substantial compliance with California's Housing Element Law and/or referral to the California Office of the Attorney General.

**State Housing Element Law**

Pursuant to Government Code section 65588, subdivision (e)(4)(C), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), then any rezoning pursuant to Government Code sections 65583, subdivision (c), and 65583.2, subdivision (c), shall be completed no later than one year from the statutory deadline (January 31, 2024).

In addition, HCD must review any action or failure to act by a Town that it determines to be inconsistent with an adopted housing element or section 65583 generally, and it must issue written findings to the Town accordingly. (Gov. Code, § 65585, subd. (i)(1).) HCD must give the Town a reasonable time, no longer than 30 days, to respond to these findings. (Gov. Code, § 65585, subd. (i)(1)(A).) If HCD does not receive a written response from the Town within 30 days, or the response does not demonstrate that the program action has been implemented, then HCD will revoke its findings that the

Town's housing element substantially complies with State Housing Element Law. (Gov. Code, § 65585, subd. (i)(1)(B).)

Additionally, HCD may notify the California Office of the Attorney General when a Town takes actions that are inconsistent with an adopted housing element or Government Code sections 65583 and 65915, among other laws. (Gov. Code, § 65585, subd. (j).)

## Findings

On January 30, 2024, HCD found the Town's housing element in substantial compliance with State Housing Element Law. HCD based its compliance finding on, among other things, a commitment to implement housing element programs 1-1a, 1-1b, 1-2, and 1-6, in accordance with Government Code section 65583, subdivision (c). Program 1-1a commits to creating a new "Gateway" land use classification in the General Plan that allows affordable housing, recreation, and open space to facilitate construction of 50 very low-income and 10 lower-income units. Program 1-1b commits to create two new zoning districts that allow for multifamily housing at 2 to 4 du/acre and 203 to 230 du/acre to provide for development of housing at lower-income levels, among other things. Program 1-2 commits to create a new zoning district that allows for mixed-use residential development with 34 to 6 du/ac and would allow for up to 100 percent of building floor area to be dedicated to residential uses, among other things. Program 1-6 commits to rezone sites identified to accommodate 272 residential units, representing the Town's Regional Housing Needs Allocation (RHNA) of 253 units and an 8 percent buffer to allow for compliance with No Net Loss Provisions of SB 166.

While the due date committed to in the certified adopted housing element for completing rezone actions in Programs 1-1b, 1-2, and 1-7 is March of 2024, in its January 30, 2024 review letter HCD clarified that because the Town did not adopt a compliant housing element within 120 days of its statutory due date (January 31, 2023), any rezoning to make prior identified sites available or accommodate the Town's RHNA needed be completed no later than January 31, 2024.

Based upon communications received from the Town that it does not intend to adopt required rezones until late March of 2024, HCD finds that the Town has failed to implement these program actions within the statutorily required timeframe.

## Next Steps

HCD provides the City until March 6, 2024 to send a written response to these findings. If you have questions, need additional information, or wish to schedule a meeting, please contact me at [Melinda.Coy@hcd.ca.gov](mailto:Melinda.Coy@hcd.ca.gov) or Fidel Herrera at [fidel.herrera@hcd.ca.gov](mailto:fidel.herrera@hcd.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Melinda Coy", with a long horizontal stroke extending to the right.

Melinda Coy  
Proactive Housing Accountability Chief



TOWN OF PORTOLA VALLEY  
PLANNING AND BUILDING DEPARTMENT  
765 Portola Road, Portola Valley,  
CA 94023

March 4, 2024

Melinda Coy, Protective Housing Accountability Chief  
State of California, Department of Housing and Community Development  
Division of Housing Policy Development  
2020 W. El Camino Avenue, Suite 500, Sacramento, CA 95833

Dear Ms. Coy:

This is the Town of Portola Valley's written response to HCD's Division of Housing Policy Development February 5, 2024 letter in which the Town has been asked to respond to the Finding that the Town has failed to implement certain programs of the adopted Housing Element within the statutorily required timeframe. The programs referenced in the February 5, 2024 letter include the following:

- Program 1-1a – Creation of a new “Gateway” land use classification.
- Program 1-1b – Creation of two new zone districts that allow for multi-family housing.
- Program 1-2a – Creation of new zoning district for mixed use residential development.
- Program 1- 6 – Rezone sites identified within section 6, Adequate sites to accommodate 262 Residential units.

Program 1-1a was completed on January 24, 2024 at the time the Town Council adopted the Housing Element. In addition to a consideration of the Housing Element, the Town also adopted amendments to the Land Use Element, which included the addition of the “Gateway” land use classification to the list of land use designations in this element of the Town's General Plan.

The Town is also aggressively working at completing programs 1-1b, 1-2a, and 1-6. An administrative draft of the multi-family zone districts, the mixed-use district with the site development standards, objective design standards, and rezoning have been completed and are in the process of being readied for presentation to the Town's Planning Commission at a Public Hearing on March 20, 2024, with consideration of the Planning Commission's recommendation on these regulations being taken up by the Town Council at a public hearing in April or May of 2024. This is a bit later than anticipated, but the recent and on-going transitions of Town staff and associated resource constraints have somewhat hindered, but not derailed this effort, and the Town is taking all possible actions to move these programs through to completion. We appreciate HCD's continued assistance and on-going understanding with the efforts the Town is taking to implement the Housing Element Programs. It is this cooperative effort that has allowed the Town to achieve the finding of substantial compliance of its Housing Element.

Thank you for your attention to this and if we can be of further assistance or provide additional information, please feel free to let us know.

Respectfully,

/signed/

Jon Biggs, Town of Portola Valley  
Interim Planning and Building Director

**PLANNING COMMISSION****December 20, 2023****Hybrid Meeting – In Person and via Zoom****CALL TO ORDER AND ROLL CALL**

Interim Planning Director John Biggs read an announced that Chair Goulden was not able to attend the meeting in person and would be attending remotely and, with consent of Town Attorney Catherine Engberg through the new Brown Act provisions AB2449, would be acting as Chair for the meeting via remote services. Chair Goulden confirmed no one was in the room with him.

Time: 00:03:40

Chair Jon Goulden called the Planning Commission hybrid, in person and via Zoom, meeting to order at 7:03 p.m. and requested roll call. Interim Planning & Building Director Biggs called the roll.

Present: Commissioners Brothers, Krashinsky, Kopf-Sill [arrived at Time: 00:05:23],  
Chair Goulden (remote), and Vice Chair Targ  
Absent: None  
Town Staff: John Biggs, Interim Planning & Building Director; Adrienne Smith, Planner; Thomas Geisler, Development Review Technician.

**ORAL COMMUNICATIONS**

Time: 00:04:32

Bob Turcott commented regarding the recent changes in Town Policy from Town Council. Recent criticism has been spreading inaccurate information about Town Council and he was optimistic by the act of Council supporters speaking out against the misinformation. The community can be respectful of those with different viewpoints without necessarily endorsing those views.

Rita Comes inquired about a message to the Interim Town Attorney regarding issues with public forum comments about residents. Her hope is that committee/commission members recuse themselves when it is appropriate to do so.

**NEW BUSINESS**

Time: 00:11:30

**(1) Adoption of a Resolution providing a Recommendation that the Town Council Adopt the proposed Portola Valley Housing Element and Conforming General Plan Amendments**

Interim Planning Director Biggs announced that Commissioner Kopf-Sill had arrived in the meeting, and introduced Planner Adrienne Smith who provided the staff report on the item and requested that questions following the presentation relating to 4388 and 4394 Alpine Road be held to allow Vice Chair Targ to recuse himself.

Time: 00:13:02

Planner Adrienne Smith provided a brief history of her involvement with the Housing Element and gave a presentation regarding the changes made to the Housing Element based on comments from the Housing and Community Development (HCD) agency, and the recommended changes to the General Plan to accommodate those changes. Staff's recommendation is to review the changes and consider formal action to adopt a resolution recommending Town Council adopt the Housing Element and the conforming General Plan amendments. To date there have been 45 public meetings and 148 hours behind those public meetings. In December HCD offered to do a preliminary review to see if the

changes being made were on track with initial comments from their previous review, a letter of her findings has not yet been received. Staff's hope is it will be received prior to the Town Council meetings scheduled in January.

Changes made to the Element are all targeted updates intended to be specifically respondent to the HCD comment letter from the first submission. Some of those changes include increasing certainty into the timing and availability of pipeline projects, the Opt-in Diversification program is now a pilot program which allows the program to end after the goal of twelve units has been reached. This also categorizes the program as Affirmatively Further Fair Housing (AFFH) program which helps disperse fair housing throughout town and will not be counted in the Regional Housing Needs Allocation (RHNA) but will be counted in unit production reported to HCD. Third, the zoning density for multi-family requires a minimum of twenty dwelling units per acre and the town has to provide a range. Staff negotiated with the reviewer on this item and HCD agreed to twenty to twenty-three. The minimum of twenty is a result of zoning not being in place at the start of that planning period, January 31, 2023. HCD required tweaking to the Town's existing ADU program, minor changes to the Dorothy Ford Field and Open Space site program to clarify timing of certain program steps, and updated RHNA based on the changes made to programs.

Confirming amendments to the General Plan were limited to carrying through zoning changes in the Housing Element and include a comprehensive Plan Map change to 4386 Willow Commons from shopping and services to mixed use and 4394 Alpine Rd from Multi-family to mixed use (Page 34 of the Staff report) and a Nathhorst Triangle Area Map (Page 67 of the Staff report) designation zoning for 4388 and 4394 Alpine Road. The Land Use Element changes include the dwelling unit per acre (du/ac) range change to 20-23 for multi-family, and du/ac range of three to six units for mixed use, with changes to the text for provide clarity.

Ms. Smith outlined the consequences of not adopting the Housing Element prior to January 31, 2024. One significant consequence is if it has not been submitted for certification by that date, HCD cannot certify the Housing Element until land use rezonings are complete. During the allotted sixty day HCD review period the town will remain vulnerable to Builders Remedy. The interim Planning Director is scheduled to leave in February, staff will need to bring the new Director up to speed. There are potential lawsuits brought on by potential house advocates. They are already one year into the eight year plan, there's still a lot of work that needs to be completed.

Upcoming meetings include Town Council consideration of the Housing Element and Conforming General Plan Amendments on January 10, 2023. February and March the Planning Commission and Town Council will consider zone code amendments. Please email any typos or clerical errors to [housing@portolavalley.net](mailto:housing@portolavalley.net).

Time: 0:26:47

Chair Goulden opened the Commission for clarifying questions of Staff's report.

Planning Director Biggs announced consultants Curtis Banks and Carla Violet from Urban Planning Partners were available on zoom to answer questions by the Commission.

Commissioner Anne Kopf-sill noted the number count seems to be lower than in the previous revisions. Ms. Smith confirmed that was correct. Staff presented the information to the preliminary review member of HCD who indicated she didn't see a problem with the proposed numbers.

Commissioner Kopf-sill inquired about extending the contract for Planning Director Biggs. Mr. Biggs stated he loved his current position; however, retirement constraints demand a limit on the number of hours he is allowed to work.

Commissioner Brothers posed questions regarding California Environmental Quality Act (CEQA) information in the report and if staff is required to post a notice of determination for an updated CEQA review for Housing Element number four. Planning Director Biggs explained that notice of determination would have been filed when the initial study of mitigated negative declaration was adopted and given there's been no other finding this environmental analysis, another notice of determination wasn't triggered and there was documentation from a consultant that oversaw CEQA.

Commissioner Brothers referenced Page 60 of printed Draft Housing Element number IV (Page 80 of the PDF file) and suggested that certain projects that change the phase of the overall project and every Element includes that there would be a determination if no CEQA review was required and requested clarification. Planning Director Biggs introduced Curtis Banks. Consultant Curtis Banks explained that there is a corresponding program in the Housing Element that follows State Law that the Town make sure they are issuing those exemptions within the thirty-day period. So, the page she cited explains what happened in the past and the program looks at modifying the Town's CEQA guidelines so it's clear that that notice needs to be specified within that certain time period.

Chair Goulden requested confirmation that the Town didn't use to do that and is now committing to doing one each time. Mr. Banks confirmed yes. There have also been changes to State law that make it a requirement.

Commission Brothers suggested changing the language to say, "that while Portola Valley complies with this requirement, it has not always issued a formal determination, it will now do so," or something to that effect. It's important to show that they are practicing transparency. Mr. Banks assured making that change presented no problems. Commission Brothers expressed great appreciation for the ASCC group and urged concern that their role is decreasing. Planning Director Biggs explained that as a result of the recent changes within State Law, Housing Elements are no longer allowed to have elements that are impediments to the production of affordable housing. They are now relying more on objective standards and a group like ASCC that exercise discretion when they are reviewing the project, most of the references seen in the document go towards a movement to making the standards more objective and less discretionary when it comes to reviewing housing projects.

Vice Chair Targ added reference to Chart A.4.1.

Commission Brothers stated that if they were going to rely on objective standards it raised a lot of questions of when and who would be making those decisions.

Mr. Banks provided information about the design standards being up to the towns process, the approving authority will need to use the objective design standards in reviewing the project, that's the intent of the policy, and went on to explain that the ASCC was involved in creating the object design standards and text is included that states ASCC would be part of the review process for multifamily developments to determine they're consistent with the objective design standards and that also applies to the affiliated housing programs, so it's not changing the process for review, it's just making it clear that it's part of the process of review of affiliated housing projects and that the objective design standards would be utilized.

Vice Chair Targ [inaudible]

Planner Smith explained that for example the Opt-in program has certain objective standards attached to it, that haven't been developed yet. That and others could fall into that category.

Vice Chair Targ requested clarification [inaudible]

Town Attorney Engberg answered that type of situation would trigger no-net loss. The project only generates thirty so it's a situation where they Town would need to look for a potential area to upzone or account for those additional five units that were short of range. State law has changed the law such that they are now required to carry a range and twenty is the minimum density/acre on sites intending to generate low income units. It is only legal obligation if they need those low income units to satisfy the RHNA.

Mr. Banks added that the cities that can no longer have that safe harbor range of below market units are those that did not have a certified Housing Element prior to January of 2024. The Town did not meet that requirement so State Law mandates there is no longer a range, the Portola Valley must now meet 20 units per acre.

Commissioner Krashinsky inquired about the process now that the Town did not meet that 2024 January date. Planner Smith explained that in the past self-certification was considered a best practice to help protect jurisdictions from builder's remedy for that time period that they had not yet been certified. It's not accepted thinking to be self-certified two Cycles in a row so the Town has not opted to do a self-certification this time. In terms of timing, the idea is that if Town Council decides to adopt on January 10<sup>th</sup>, staff would send it to HCD the following day. The reviewer had said that they could turn it around in two to three weeks. If the Statutory deadline is not met HCD can refuse to certify until all rezoning is in place.

Commissioner Krashinsky referenced Program 4-1 regarding multi-family parking requirements and how new parking requirements will not act as a potential constraint to new development and asked what type of parking requirements they will be allowed to enforce. Planner Smith stated they will be provided requirements for multifamily, it's part of zoning code amendments coming in the future, and they are based on bedroom numbers and will include a minimum number of guest spaces. The distinction is that they will have to conform with State Density Law which could mean a developer can request exceptions based on the amount of affordable housing produced in the project.

Commissioner Krashinsky inquired about the opt-in program and its importance if it's no longer contributing to the sites inventory. Planner Smith stated that currently they feel it wouldn't be prudent to remove a program such as opt-in because the Town's HCD reviewer feels that program is a good contribution and she suggested it be turned into a pilot program. Municipalities are not allowed to drop programs once it meets its unit capacity. It's an involved program that has good potential, and it helps with AFFH. Any additional units it creates goes towards the RHNA numbers.

Vice Chair Targ requested clarification [inaudible]

Planner Smith answered that if an expected affordable housing project couldn't be built, it would trigger No Net Loss and the Town would have to find a new site and somehow find those units.

Vice Chair Targ [inaudible]

Chair Goulden noted that he was unable to hear Vice Chair Targ.

Town Attorney Engberg responded to Vice Chair Targ stating that the Housing Element number that was approved last spring regarding the site that Vice Chair Targ referenced, had not changed in the



current iteration; and much of the information is projection into the future and they can't necessarily predict it.

Vice Chair Targ requested clarification [inaudible]

Planning Director Biggs added the zoning minimum changed but the target units had not, and it might be possible to rely on density bonus regulations to achieve the density on the site, not necessarily increasing density but rather taking advantages of exceptions.

Commissioner Brothers referenced Wildfire hazards section on page 79 in printed Draft IV of the Housing Element and suggested mentioning the major wildfire measures that Council had adopted between iteration III and IV. Her research showed the maps were unchanged but there were changes to the policy.

Chair Goulden interjected that he'd like to wrap up questions before they move into the discussion of the item and noted there was an issue with Vice Chair Targ's microphone, the problem was resolved.

Vice Chair Targ recused himself to allow commissioners to ask questions regarding 4388 and 4394 Alpine Road.

Commissioner Krashinsky referenced the comment letter sent by the owner of the two properties and inquired if staff had considered making the requested changes mentioned in the letter. Planning Director Biggs answered that he didn't see any issues with retaining the paragraphs mentioned by the owners, however they were comfortable with moving forward with the paragraphs being removed. The HCD reviewer may have questions. They were removed because it refers to multifamily designations and it didn't flow well with the information and suggested making a recommendation to City Council to add the paragraphs back in if they believed it was important.

Commissioner Krashinsky inquired if mixed use should replace multifamily and if the number of units should be changed from four units to two units. Planning Director Biggs explained if he wanted to keep the two paragraphs that would be his suggestion. Town Attorney Engberg stated it was stricken from record because it refers to some market rate units may be permitted but under the change to the mixed use zoning all of the units there are to be produced at market rate, which is above moderate income levels, the Town would welcome lower income units be developed, but they can't make that assumption without going to that twenty units per acre zoning. That's why the units were shifted over to the above moderate category.

Commissioner Krashinsky referenced the zoning of 4394, which is the vacant site; having changed from multifamily three minimum to maximum twenty to mixed use range three to six, and the site is described in the housing element on page 117 as having a supportive housing overlay that may optionally count as one unit or multiple units depending upon the applicants request. He questioned if it be beneficial to the Town's RHNA expectations to keep the density at the multifamily range. Town Attorney Engberg stated that was an interesting scenario and stated she would check with their consultant to see if they had any thoughts around that question.

Mr. Banks explained in order to be counted as individual units it has to have its own self-sustaining cooking facility, they cannot have a shared kitchen.

Time: 01:22:35

Chair Goulden opened public comment.

Town Attorney Engberg noted there was a public comment that was concerned other recusals might be necessary due to proximity and inquired if any of the commissioners had disclosures.

Commissioner Krashinsky commented he needs to be recused on the discussion of the Sequoia's.

Commissioner Kopf-Sill noted she and Vice Chair Targ are recused from the property of Stanford Wedge.

Vice Chair Targ would continue to recuse from 4388 and 4394 Alpine Road

Town Attorney Engberg confirmed those three properties would need to be withheld from the general discussion.

Dave Cardinal provided public comment regarding his support of passing the proposed Housing Element and expressed concern regarding not using CalFire fire risk maps when those are required.

Rita Comes expressed concern regarding the Housing Element Draft IV language regarding the Stanford Wedge property compliance with CEQA findings when a Draft Environmental Impact Report (DEIR) has not yet been shared and the project has not been approved.

Dale Pfau provided commented appreciation for all those who have worked on the fire safety plan for mitigation, it's a wonderful step forward, however, he expressed concern that on Page 7 it states until the new plan is adopted the safety plan of 2010 remains in force. There's quite a disconnect between the Housing Element and the safety element of 2010, which calls out a specific map to be used which is not the CalFire maps.

Kristi Corley commented about the microphone issues of Vice Chair Targ and requested someone include his comments in the minutes and questioned the maximum units and height that could be taken from twenty-three units and if it was true that bonus density law increases the number of units by 50% if it's BMR housing; adding concern regarding below grade or no parking required being used as an exception without adding more public transit in the area. The public should be told about what concessions are provided in multifamily projects. Dorothy Field Park is also used in conjunction with the little league field.

Chair Goulden inquired about time and requested Kristi wrap up her comments.

Bob Turcott commented thanking each Commissioner for the time they've put into the Housing Element, the work is very important to the community and very much appreciated. The fire hazard maps are important to resolve, they won't prevent or preclude development but will allow development to proceed safely. That's more significant where development is dense. The community will only benefit from mitigation efforts. He believes HCD can only support something that provides safety for affordable housing. He expressed concern of fraud from people trying to sell their properties and not disclosing they were in an extreme fire risk area because they will no longer fall under that classification with the new maps.

Danna Breen commented regarding the CEQA implications and how the public wasn't given the opportunity to weigh in until the item came before the Planning Commission. The entire process is confusing and many in the Town do not understand what the implications of the Housing Element will be for the General Plan. She is looking to the Planning Commission for leadership and guidance in understanding the process and making the right decisions for the community.

Time: 01:40:12

Chair Goulden closed public comment and inquired if staff wanted to respond to comments.

Planning Director Biggs addressed public comment questions regarding density bonus for affordable housing units, waivers, and concessions. Only supportive housing projects can be built without parking lots. Zoning code requirements will be submitted as a recommendation for Town Council on multifamily projects. The public will be informed of concessions during the public notification process which include publications, mailed notifications, and posted on the Town's website.

Commissioner Krashinsky requested the comment regarding Stanford Wedge also be addressed.

Town Attorney Engberg stated if there will be a discussion about Stanford Wedge there were two Commissioners that need to recuse themselves from that discussion.

Time: 01:42:49

Commissioner Kopf-Sill and Vice Chair Targ recused themselves.

Planner Smith stated there is new redlined language added on Page 93 because that project includes affordable units that fall under the affiliated housing program. It talks about the proposed objective findings for the affiliated housing program.

Commissioner Krashinsky stated that the part he questioned was Bullet Point 4: The project complies with mitigation measures of any applicable environmental document, and what that means since there is no DEIR. Planner Smith stated that those reference Proposed Objective Findings. They are not making actual findings.

Commissioner Brothers questioned how they can propose something regarding the CEQA process when they have no idea what is going to happen with the property. Director Biggs explained the CEQA process requires they adopt the environmental review that was conducted and one of the components in that environmental review is that if there is a mitigated negative declaration to the EIR, there are mitigation measures that the applicant needs to agree to prior to the City moving forward towards a potential adoption; and then the City acts on that document first prior to acting on the discretionary application. Stanford Wedge is not called out specifically, however the intention is for that property to be used for affiliate affordable housing, in which case it would go through this process and demonstrate compliance prior to any concessions being approved. Objective standards provide a path that demonstrates why the Town would take particular action on an application before them.

Chair Goulden recalled a timeline that calls out and notes the EIR is still in process. He had hoped that would be good enough to help people understand that it is not yet complete, and no one is doing anything against State Law.

Mr. Banks agreed and reiterated that HCD is the body that required objective standards for the affiliated housing program to ensure the projects wouldn't be subjective. The Stanford Wedge project does in fact also note that the EIR is still in progress.

Commissioner Brothers provided alternate suggestions for language changes by removing the first two sentences in the section under Bullet 4 of Page 93 more clear.

Planning Director Biggs summarized rather than removing sentences they could add “Before any affiliated housing project is approved, the decision making body will make the following objective findings.”

Commissioner Brothers agreed that’s a more accurate reflection of what the section on Page 102 meant and is much clearer, currently the redline is inaccurate where it overstrikes the word draft. Carla Violet, Urban Planning Partners, stated it’s on Page 102, Willow Commons and Stanford Wedge are both mentioned there. It was intended to acknowledge that the final EIR, which is the draft EIR plus the responses to comments, and the whole package is close to issuance.

Commissioner Brothers suggested correcting the dates in the draft that have already passed. And mentioned they might want to bring Commissioner Kopf-Sill back in to participate in conversations regarding the Alpine Road properties. Chair Goulden agreed.

Time: 01:54:32

Commissioner Kopf-Sill rejoined the meeting.

Chair Goulden initiated conversation on the White properties on Alpine Road.

Commissioner Krashinsky commented that he feels it is important to include Mr. White’s recommendations that he had worked out with the previous Town Attorney in the Commission’s recommendation to Town Council. All the Commissioners agreed. Chair Goulden indicated that putting the paragraphs in should not be an issue from what the Director stated earlier, and it appeared as if staff was attempting to correct the grievances of the property owner and possibly a couple more spots may need to be corrected.

Town Attorney Engberg explained that one of the concerns with changing multifamily to mixed use is it will be language that the Town’s HCD reviewer has not seen and there isn’t much of a buffer left for that income category. If they go below three units for mixed use, six units would not be generated at that site, and they would fall below their RHNA requirements for that income category.

Mr. Banks agreed with Attorney Engberg, if they end up getting less units on the site no net loss comes into play. If they reduce units now, they will have to share that with the HCD reviewer and they are already in a tight space with the current number of units.

Commissioner Krashinsky commented that even with the three to six range it would trigger a no net loss. Attorney Engberg agreed and staff could make that point to the reviewer if there becomes an issue.

Chair Goulden stated that he understands if they need to consult with the reviewer, but the Housing Element should reflect whatever was agreed with Mr. White. Attorney Engberg commented she didn’t see a problem with changing the number of units because under the changes in the fourth version of the Housing Element, all of the units are assumed to be above moderate. It would make more sense to change that to mixed use because that is the designation that is proposed for that site and change some of the numbers to match mixed use. The language in there now is reflective of the prior version of the housing element.

Commissioner Krashinsky suggested it might be advantageous to meet with the Whites and let them know about the changes.

Time: 02:06:32

Chair Goulden commented he will leave it in her hands and invited Vice Chair Targ back into the meeting and called for a 10 minute break.

The Planning Commission meeting resumed with all members present.

Chair Goulden requested Vice Chair Targ to summarize his question and comments from earlier when his microphone was not working.

Vice Chair Targ commented that his issue is establishing a range of density. He looked at what the density range was previously and what it has been changed to and while the high end is actually quite low for multifamily, the low end of the range being 20 raises potential issues for Ladera Church site. He's not sure if 20 dwelling units per acre can be achieved on that parcel. It might be done with underground parking, but that can be quite expensive. The idea that they missed the filing deadline and now defaults to the 20 minimum as a matter of law. He understands why 20 is a good number when it works, but when it doesn't work and precludes actual development, it seems like it's a mistake.

Commissioner Krashinsky stated that it was part of the July letter from HCD.

Vice Chair Targ replied he was aware of that, but it doesn't change his feelings about it. He doesn't want to be disruptive to the HCD process but believes there is still time to approach HCD and see if they can fix it. His issue isn't with density, he just believed 20 is going to be difficult at the Ladera site and didn't feel it was something that could be resolved at this meeting.

Under point 4.1 multifamily and the new language pertaining to affiliated housing, the phrase "among others" was used which opens up the potential for entitlement pathways in the objective standards, Vice Chair Targ suggested editing that such that they don't have to clip the wings of the ASCC any more than is being requested.

Ms. Violet noted she didn't see any concerns with making that modification. Consensus of the Commission showed they were fine with the modification.

Vice Chair Targ commented about the debates and challenges with fire and maps is a real issue and he believed that Council is taking appropriate steps, and he continues to believe the relationship that is being built with the Woodside protected fire district is outstanding, and they are likely to see good things from that relationship as they move forward.

Planner Smith asked if he wanted that included in the recommendation to Council and he said yes.

Commissioner Brothers brought up a point made by the previous Planning Director in that the Town doesn't exist alone in the world and part of the value of the Town of Portola Valley is they are a free recreation area for huge parts of Santa Clara and San Mateo County and reading the document there are numerous places where it talks about the residents like to take advantage of recreation, but there are much larger impacts to people who visit the town versus residents. In a situation like this, the State wants substantial compliance, which is a very subjective standard. It's important for the Town to remember the impacts on visitors as well as residence because those impacts are going to huge. Little things like putting the emphasis on impacts to residents versus the true impact to the visitors of the area paint a picture on the state level that may not help their situation with HCD. You always want to put your best foot forward when someone else is making subjective decisions on your behalf. She was

put more at each by Director Biggs comments regards A.4.1, but she remains concerned by the potential decrease in the role of the ASCC.

Commissioners Kopf-Sill and Commissioner Krashinsky didn't have any further changes.

Commissioner Krashinsky commented he really appreciates the work that staff has put into this as it was a huge undertaking, and it hadn't been quite as painful as he expected it to be.

Commissioner Kopf-Sill commented that she agreed and was pleasantly surprised at how well it was put together after the loss of the prior Planning Director and Town Attorney. Staff has done a great job.

Chair Goulden commented he believes with the minor changes that they should be able to move forward with a clean resolution of recommendation.

Time: 02:31:55

Modification Summary of comments from Commissioners as ready by Planning Director Biggs:

- Page 62: Change in the language reflecting the Town has not always complied with the rules and processes but will now do so.
- Page 79: Add language that reflects the Town Council's last action with respect to wildfire hazard efforts.
- Page 93: Insert a new paragraph for the affiliate housing site objective findings with information regarding approval of affiliate housing project requires that the following findings be made and remove the appearance of the connections to the Stanford Wedge project.
- Page 102: Delete "mid 2023" working.
- Restoring the paragraphs relating to Mr. White's properties with modifications of multifamily to mixed use and retention from four to two low income units.
- Page 130/Program 1-1C: Deletion of 'among others' and insert language "among other entitlement pathways under which objective design standards are required by law".

Town Attorney Engberg stated using Vice Chairs replacement is better than striking the words and not defining it more clearly.

Vice Chair Targ commented that he agreed with Commissioner Brothers comments regarding the area being used by visitors and Portola Valley has in fact been listed as a Priority Conservation area. It may be advantageous to use language that has already been adopted to describe the area within the Housing Element if it doesn't disrupt work that has already been done.

Planning Director Biggs and Town Attorney Engberg both agreed that inserting information at this late date may be interpreted by HCD as a possible work around to not meet the State's requirement and cautioned against using it. Commissioner Brothers agreed and will mention it earlier for future documents.

Commissioner Brothers made a friend amendment to include the following with the request for changes to version IV of the Housing Element to be recommended to Town Council.

- Page 5: In the middle of the page, the last “Whereas” before conforming General Plan amendments the would because should be added at the end of the first sentence and join it with “none of the triggers have occurred”.

Time: 02:44:24

Commissioner Kopf-Sill motioned to adopt the resolution for staff’s recommendation to Council with the change listed to the resolution and the minor changes bulleted above. Seconded by Commissioner Krashinsky, the motion carried 5-0-0.

## **COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS**

### **(2) Commission Reports**

Time: 02:45:10

None

### **(3) Staff Reports**

Time: 02:45:26

Interim Planning Director Biggs thanked the Commission for their hard work. Town Hall will be closed next week in observance of the holidays, and he wished everyone a safe holiday season.

## **APPROVAL OF MINUTES**

### **(4) Planning Commission Meeting of November 6, 2023**

Time: 02:45:50

Commissioner Brothers commented she had some changes, Director Biggs suggested she put them in a document for him due to the length related to using the word practicable rather than using practical. It makes a big difference under legal regulations.

Commissioner Krashinsky commented on page 136, second paragraph... it should have been moot issue not mute issue. On page 136 fourth paragraph Policy of Guidance should be Policy or guidance; also, on page 136 under paragraph four, Acting Chair Targ requested Director Biggs provide a little background, not a little of his background.

Time: 02:49:20

Chair Goulden invited members of the public to share their comments on the minutes.

Chair Goulden closed public comment.

Time: 02:49:55

Vice Chair Targ moved to approve the minutes of the November 6, 2023 meeting as revised and noted above. Seconded by Commissioner Brothers, the motion carried 5-0-1 (with Commissioner Kopf-Sill abstained).

**ADJOURNMENT** [9:51 p.m.]

Commissioner Kopf-Sill moved to adjourn the meeting. Seconded by Commissioner Brothers, the motion was carried unanimously.



**PLANNING COMMISSION**  
**Hybrid Meeting – In Person and via Zoom**

**February 7, 2024**

**CALL TO ORDER AND ROLL CALL**

Time: 00:01:14

Chair Jon Goulden called the Planning Commission hybrid, in person and via Zoom, meeting to order at 7:01 p.m.

Interim Planning Director John Biggs announced that Chair Goulden and Commissioner Kopf-Sill were attending the meeting remotely from the location of 995 E. Sagehill Drive, Millcreek, Utah. Mr. Biggs confirmed that both were alone, and both had notices posted on their doors for compliance with the Brown Act guidelines for remote attendance. In addition, any and all votes must be taken by roll call vote.

Time: 00:02:50

Chair Goulden requested roll call. Interim Planning & Building Director Biggs called the roll.

Present: Commissioners Brothers, Krashinsky, Kopf-Sill (remote),  
 Chair Goulden (remote), and Vice Chair Targ

Absent: None

Town Staff: John Biggs, Interim Planning & Building Director; Jake Garcia, Consultant Planner;  
 Thomas Geisler, Development Review Technician.

**ORAL COMMUNICATIONS**

Time: 00:04:00

Caroline Vertongen provided public comment and expressed appreciation to Vice Chair Targ and Commissioner Brothers for remaining another four years, their presence in important and knowledge of California Environmental Quality Act (CEQA) guidelines and the General Plan is appreciated. Her hope is they will help resolve the issues with the Housing Element and everyone can collaborate and utilize the different committees available to contribute.

Kristi Corley commented she was unable to see Vice Chair Targ. When he spoke, she was then able to see him.

Rita Comes congratulated Commissioners Targ and Brothers for staying on the Planning Commission and hopes there will be more meetings in the coming year particularly with the work that needs to be done on the Housing Element. Ms. Comes requested information on where to find the list of 138 parcels that was mentioned in last week's Town Council meeting. Other's in town are also trying to find it so it would be great if it could be mentioned during the meeting.

Mr. Biggs stated they just received the list and maps from the consultancy team and as soon as they finalize the GIS they will make it available.

Time: 00:11:25

**NEW BUSINESS**

**Proposed Lot Line Adjustment for Parcel A, identified as APN: 079-074-190, and Parcel B, identified as APN: 079-074-200. Both Parcels owned by Martin A. Raimes. Project located at 4170 Alpine Road and 4190 Alpine Road, File # PLN\_LLA 01-2022 (J. Garcia)**

**Recommendation:** The Planning Commission find the project is categorically exempt as provided by Section 15305 of the California Environmental Quality Act (CEQA) guidelines and approve the requested Lot line adjustment subject to the attached Resolution (Attachment A).

Interim Planning Director Biggs introduced Jake Garcia, consultant from Good City Company who presented the item.

Mr. Garcia, consultant planner for the Town of Portola Valley, presented the proposed Lot Line adjustment for Parcel A APN# 079-074-190 and Parcel B APN# 079-074-200, both owned by Martin A. Raimes. The project is located at 4170 Alpine Road and 4190 Alpine Road, File # PLN\_LLA 01-2022 (J. Garcia). The lot line adjustment proposes to transfer an equal amount of land between Parcel A and Parcel B. There is a steep slope located primarily on Parcel A in the northeasterly corner, which benefits a graded area on Parcel B and is therefore proposed to be transferred entirely to Parcel B. The final lot sizes would be approximately the same before and after the proposed lot line adjustment takes place. However, the resulting lot shapes will be different.

Both Parcel A and the adjacent parcel B are under the same ownership. Both Parcels are zoned Residential Estate (R-E/1a/SD-1a). Parcel A is developed with a 688 SF single-family residence and Parcel B is developed with an automotive repair business, Ramies Garage. The existing business is a legal non-confirming use as it was established prior to the incorporation of the Town. Parcel B consists of five existing buildings including a 3,450 SF garage, a 1034 SF shed, a 444 SF shed, a 150 SF shed, and a 145 SF shed. No new buildings or development is proposed as a part of this application. The proposed adjustment to the property line between these lots would transfer the area of the steep drop off and the rest of the flat area from Lot A to Lot B. The existing lots are approximately one acre in size respectively and to meet code requirements for a Lot Line Adjustment, both properties would need to maintain a minimum size of one acre. Therefore, the amount of land being transferred from Parcel A to Parcel B would need to be offset by a comparable amount of land transfer from Parcel B to A. The second area of land transfer would also occur along the shared property line between Parcel A and B, shifting the southern end of the property line to the East. Table 1 provides a summary of the existing and proposed lot areas for each lot respectively. While the proposed lot line adjustment complies with the Town's requirements, the proposed lot line adjustment would result in a nonstandard parcel shape and building envelope. Attachments 3 and 4 show the proposed lot shapes and building envelopes for each parcel respectively. The building envelopes consist of the standard required setbacks (50 ft front and 20 ft side and rear setbacks), as well as the Alpine Road Scenic Corridor setback of 75 feet applicable to only Parcel B. The lot line adjustment would not provide any significant changes to the required development standards including the allowed Adjusted Maximum Floor Area (AMFA), the allowed 85% AMFA, and the allowed Adjusted Maximum Impervious Surface (AMIS). Due to the location of existing buildings on Parcel B, the transfer of land between Parcel B to Parcel A would result in an existing 444 SF storage shed being transferred from Parcel B to Parcel A. The building is currently setback from the interior property line by 4'10" and after the lot line adjustment the new setback would be 16 feet where the required setback is 20 feet. While the non-conformity will be maintained the degree of non-conformity will be lessened, and compliant with the Town's requirements for legal non-conforming uses. Pursuant to Section 17.12.020 of Town Code, a lot line adjustment can be processed as an exception to the normal subdivision procedures. The main elements of processing are that the Planning Commission hold a noticed public hearing and that review, and actions be confined to the Commission's determination that the adjustment is in compliance with the zoning regulations, no easements or utilities are adversely impacted, and that the change will not result in a greater number of parcels than originally existed. Further, when approved by the Commission, the adjustment must be reflected in a recorded deed or record of survey. Staff finds that both parcels affected by the lot line adjustment are still compliant with the R-E/1A Zoning district development

standards such as setbacks, floor area (AMFA) and impervious surface area (AMIS) maximums, and minimum 1-acre lot sizes. The equal square footage swap does not provide any significant changes to development maximums for either lot. A lot line adjustment project is categorically exempt from the California Environmental Quality Act (CEQA). Section 15305(a) of the CEQA guidelines specifically states a lot line adjustment is exempt when it does not result in creating any new parcel. Notices were sent out to neighbors within a 300-foot radius of the site on January 12 and 26, 2024, a notice was published in the Almanac in advance of the meeting, and no comments have been received prior to packet distribution and this meeting. The project complies with the Subdivision Map Act requirements and meets municipal code requirements.

Time: 0:17:25

Chair Goulden opened the Commission for clarifying questions of staff's report.

Vice Chair Nicholas Targ requested a discussion regarding non-conforming uses in the context of lot line adjustments and referenced other municipalities as examples as allowing such under certain circumstances and noted that Portola Valley's ordinance does not address speak to that but rather implies consistency with current zoning requirements.

Mr. Biggs answered that with regard to lot line adjustments, staff are restricted to determining whether each lot after the adjustment conforms to zoning requirements. It's silent to the non-conforming use of the property particularly if the adjustment does not impact the use of the lot. In this case, there is a small structure that with the lot line adjustment would lessen the previous non-conformance of the building.

Vice Chair Targ inquired if the legal non-conforming use would still be able to operate. Mr. Biggs confirmed that it would and would remain consistent with the zoning code. There is a provision in the code that allows for the continuation of the non-conforming use.

Vice Chair Targ asked if there had been any additional development plan that may be underway or under consideration for this property. Both Mr. Biggs and Mr. Garcia stated they were not aware of any.

Commissioner Anne Kopf-Sill inquired about the minor change to AMIS and AMFA to the parcels.

Mr. Garcia stated the lot sizes do not change, only the average lot slope, which results in adjustments to the allowed floor area and impervious surface, there is a thirteen square feet addition added to Lot B and a floor area increase of 25 square feet on Lot A. There is a complex calculation that factors in the slope and he did not have the math in front of him as to why they both increased.

Commissioner Ronny Krashinsky asked which table they were referencing, and he noted a decrease in one of the parcels. Mr. Garcia answered Table 2 – The adjusted maximum floor area and confirmed that Parcel B decreases by ten square feet, Parcel A increases by twenty some square feet.

Commissioner Kopf-Sill commented that made a lot more sense.

Time: 00:28:29

Chair Goulden opened the floor to the applicant.

Time: 00:28:40

Applicant Ron Raimes provided a background of his history and his family's history in the area, stating his father had attended school in the Schoolhouse when it was functioning as a school; and provided information regarding the lot adjustment based on the slope on Parcel A that is being utilized by Parcel B. In the sixties Portola Valley asked his father, who at the time operated the garage on Parcel B, to work on the school buses. He needed more room to back the buses into the lot, so the county carved out the land for the room on Parcel B that was needed to store the buses. He was unaware of the complications involved in the lot adjustment, for what started as his fathering wanting equal lot splits for his two sons that occupy the two parcels.

Time: 00:31:19

Chair Goulden asked for Commission questions of the applicant, there were none.

Time: 00:31:38

Chair Goulden opened public comment.

Kristi Corley the Raimes have been her neighbors for many years and the garage is well known in the area. She shares a fence line with the parcel and regarding the map on page 14, she commented the non-conforming use on the Parcel is a generator and inquired if that generator could potentially impact the use of her property as it pertains to the upcoming changes in the fire code and if the generator is considered a building, and that the CEQA exemption is only for the lot line adjustment and would not apply to any future change in uses of the properties. She commented that she had made previous comments regarding the maps prior to the item being Agendized and the maps being made available online, and expressed concern regarding the measurement of one corner of a building to another as it pertains to fire code.

Time: 00:37:00

Mr. Garcia responded to the questions regarding the property setbacks for the structure that would change ownership.

Commissioner Lynda Brothers noted that wasn't the building Kristi had referenced.

Mr. Garcia stated there was no change in setbacks to her property as a result of the lot line adjustment.

Commissioner Brothers inquired about the distance from the main garage to the lot line.

Mr. Garcia stated that the red dashed line signified 20 feet, the garage was within the 20 foot setback. It may be within the required 16 foot setback but was approved prior to the forming of the Township.

Commissioner Brothers noted that Ms. Corley was referencing the fire code which requires a distance of thirty feet between buildings and based on her comments, her structure has a twenty foot setback and the main building on Parcel B has a sixteen foot setback. That puts enough distance between the two buildings if the Fire Code distance is thirty feet.

Mr. Garcia confirmed there would be no change in the existing conditions, he did not know the exact distance from the generator to the lot line and he was not yet privy to the changes to the Fire Code.

Time: 00:40:15

Chair Goulden closed public comment and moved the item back to the Planning Commission for discussion.

Vice Chair Targ commented that the decision needs to be evaluated using specific facts which were provided, and the project meets the conditions set forth.

Commissioner Brothers disclosed she has spoken to Kristi and expressed admiration for Mr. Raimes Sr. for going through all the trouble to get his affairs in order, and believes the decision is clear.

Commissioner Krashinsky commented he's fine with the project as is.

Commissioner Kopf-Sill commented that overall, she's fine with the project and it meets criteria.

Time: 00:43:45

Commissioner Kopf-Sill moved the project was categorically exempt as provided by Section 15305 of the CEQA guidelines and approved the resolution adopting the Lot line adjustment. Seconded by Commissioner Brothers, the motion carried 5-0-0.

## **COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS**

### **(2) Commission Reports**

Time: 00:44:58

None

### **(3) Staff Reports**

Time: 00:45:08

Interim Planning Director Biggs reported that Town Council approved the Planning Commission's recommendation for the Housing Element on January 24, 2024. That same Friday the Housing Element was turned into the Housing and Community Development (HCD). The following Tuesday they got a letter prior to January 31<sup>st</sup> from HCD stating that the Housing Element is in substantial compliance. It has been approved; they are not looking to make any additional modifications. Now the work begins developing and implementing all of the programs that were part of the Housing Element. The first will be the zoning changes. There is a draft of those changes that staff are now reviewing, with the hope of getting that in front of the Planning Commission later in February or in March. The recruitment process for a permanent Planning Director has begun. They extended the deadline for applications and have thus far received some viable candidates. They will be conducting interviews soon.

Commissioner Krashinsky inquired about the HCD letter also stating that if zoning changes were not made prior to February 2, the Town would again be out of compliance.

Mr. Biggs explained that because the Housing Element was returned and approved in time, there is now a new set of requirements, the zoning code changes have to be completed before March 4.

Providing the town is conducting zoning code hearings and passing ordinances, and keep the lines of communication to HCD open, they should remain in good status. They are hoping for February 21 in front of the Planning Commission, but it may be March 6.

Vice Chair Targ inquired about the appointments made in the ASCC.

Mr. Biggs responded there were three vacancies, two that expired in December 2023 and one that will expire in December of 2024. Gina Dixon, a local architect was appointed to fulfill the remainder of 2024, Rebecca Flynn was reappointed to a four year term, Carter Warr, another local architect, was appointed to a four year term.

Time: 00:51:30

**ADJOURNMENT** [7:51 p.m.]

Commissioner Brothers moved to adjourn the meeting. Seconded by Commissioner Kopf-Sill, the motion was carried unanimously.