



TOWN OF PORTOLA VALLEY

7:00 PM – Meeting of the Planning Commission
Wednesday, May 1, 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 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/85067136428?pwd=G13p90Bd9qEuWpsvuwFDLwA_rNNYA.hdCXX-QyCBSxyJZw

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

Meeting ID: 850 6713 6428 **Passcode:** 208138

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 Chair Goulden, 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. Planning Commission Discussion on: 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, (Continued Public Hearing from March 20, April 3, and April 17, 2024)

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

2. Commission Reports
3. Staff Reports

APPROVAL OF MINUTES

4. April 3, 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

TO: Planning Commission

FROM: Adrienne Smith, Senior Planner

DATE: May 1, 2024

RE: Planning Commission Discussion on: 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, (Continued Public Hearing from March 20, April 3, and April 17, 2024)

RECOMMENDATION

Staff recommends that the Planning Commission receive a presentation from staff, ask questions, provide comments, hold a public hearing to review the revised draft Zoning Code amendments and Continue the Public Hearing to a Date Certain of May 6 or 7, 2024 to allow further time to repeat site feasibility testing of proposed development standards.

MEETING FORMAT

This public meeting format will be as follows:

- Staff presentation: Summary of revisions made to Draft Zoning Code and Zoning Map amendments as directed by the Planning Commission/ASCC Subcommittee
- Planning Commission questions of staff – suggest segmenting to accommodate conflicts of interest related to Mixed Use zoning designation (as applicable)
- Public Comments
- Planning Commission discussion – segmenting as required

MEETING PURPOSE

The purpose of this meeting is for the Planning Commission to consider the updated draft Zoning Code and Zoning Map amendments (Attachment 1). The revised draft incorporates recommendations made by the ASCC and Planning Commission as directed by the ASCC/Planning Commission Subcommittee struck at the April 17, 2024 Planning Commission Meeting.

BACKGROUND

The draft Zoning Code and Zoning Map amendments are the first required step to implementing the Portola Valley Housing Element and do so in two ways:

1. The amendments bring the Code into conformance with State Law and implement various programs of the adopted Portola Valley Housing Element; and
2. The amendments rezone several parcels to new zoning classifications as identified on the Housing Element's Adequate Sites Inventory. Without a rezoning, these sites cannot be made available to be developed at the proposed densities and affordability levels as committed to in the Town's Housing Element.

SB 330 – the Housing Crisis Act

SB 330 came into effect on January 20, 2020. The purpose of the act is to ensure qualifying housing development projects are only subject to the ordinances, policies, and standards adopted and in effect when an application is submitted. This means jurisdictions cannot impose or enforce non-objective design standards established on or after January 1, 2020. SB 330 also provides that no more than five public hearings may be held on a project before it is deemed complete, including both continued hearings and appeals. Alongside establishing the new Mixed-Use and Multi-Family zones, the Town must create a non-discretionary, ministerial path of review for all future development projects on sites where these zoning designations apply, via the Zoning Code amendments.

Applicability of Existing Town Code Outside of Amendments

At the April 8, 2024, ASCC meeting, staff was asked about the force of existing Zoning Code sections such as grading, fencing, tree removal and lighting. Because these Code sections predate the passage of SB 330, these standards still apply. In the case that a project in the new Multi-Family or Mixed-Use zones contains an element that triggers the discretionary review of one of these Code sections, the likely procedure would be to segment the project and subject that specific element of the project to the requisite discretionary review process, while the remainder of the project would proceed through ministerial review.

Planning Commission and ASCC Review of Draft Zoning Amendments

The Planning Commission met on March 20, 2024, to discuss the Draft Zoning Code and Zoning Map Amendments. View the full agenda packet, including a summary of draft amendments, a full draft of amendments and public comments [here](#). The Planning Commission held a fulsome discussion but determined it wanted further Town input via an expanded public review process. The Commission first requested that the ASCC meet at its earliest opportunity to review the draft and compile its recommendations to the Planning Commission. After the ASCC meeting, the Planning Commission and ASCC would convene for a joint meeting on April 3, 2024 – a continuation of the Planning Commission's March 20, 2024 meeting.

The ASCC met on March 25, 2024, and in a workshop-style session and undertook a comprehensive review of the draft amendments including discussion on the technical development and design standards proposed for the new zoning districts. View the agenda packet [here](#) and the recording of that meeting [here](#). The Commission appointed a subcommittee consisting of Chair Warr and Vice-Chair Flynn to compile all feedback to be shared with the Planning Commission.

The Planning Commission and ASCC held its joint meeting on April 3, 2024, to discuss the ASCC's feedback. View the agenda packet and public comments [here](#) and the recordings of that meeting: [Part I](#) and [Part II](#). The Planning Commission received a presentation from the ASCC, and the Commissions collaborated to further articulate the scope of changes to the draft Zoning Code and Zoning Map amendments. At the meeting, the Commissions agreed it would be beneficial for the ASCC to meet once more on April 8, 2024, to finalize its more technical feedback.

At its April 8, 2024 meeting, the ASCC engaged in a second and final workshop session to solidify the changes to the draft Zoning Code and Zoning Map it wished to recommend to the Planning Commission. View the agenda packet and public comments [here](#) and the meeting recording [here](#). The ASCC maintained its same subcommittee of Chair Warr and Vice-Chair Flynn to compile all feedback related to the Multi-Family zone and other areas of the draft code and struck a second subcommittee consisting of Vice-Chair Flynn and Commissioner Dixon to address all feedback related to the Mixed-Use zone.

On April 17, 2024, the Planning Commission met to review the ASCC's final list of recommended changes to the draft code. View the agenda packet, public comments and meeting recording [here](#). The ASCC made numerous recommendations including several technical changes to the development standards for the Mixed Use and Multi-Family zones such as the application of Floor Area Ratio (FAR), Landscape Area Ratio (LAR), Coverage Area Ratio (CAR) and daylight plane. These standards required site-specific feasibility analyses by staff and consultants to ensure the standards would facilitate unit production at the densities set forth in the Housing Element. The Planning Commission determined that site testing had to occur before it would be ready to make a recommendation to Town Council for approval of the Draft Zoning Code amendments. For greater expediency, the Planning Commission struck a Subcommittee consisting of Planning Commission Chair Goulden, Commissioner Brothers and ASCC Chair Warr and Vice Chair Flynn to engage in back and forth with staff and consultants on site testing results and other recommended changes to the Draft Zoning Code amendments.

Also at the April 17 meeting, the Planning Commission decided to create a "List for Future Consideration" that would track other items related to the Zoning Code and Zoning Map that are priorities for the ASCC and Planning Commission, yet beyond the immediate scope of the amendments required to implement the Housing Element.

Necessity of Timely Adoption of Zoning Code and Map Amendments

On February 5, 2024, the Town received a letter from the Department of Community Development and Housing's (HCD) 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. The Town sent a response to HCD on March 4 outlining the Town's plan for moving forward the Zoning Code amendments beginning with the Planning Commission's March 20, 2024, public hearing to review the draft.

Letter of Housing Element Decertification from HCD/Applicability of the Builder's Remedy

On March 26, 2024, the Town received [a letter](#) from HCD notifying the Town that HCD had decertified the Town's Housing Element pending the required rezones. Once the Town has adopted the required rezones and submits those rezones to HCD, HCD will consider recertifying the Housing Element. HCD will not be reviewing the entire Housing Element again, just the rezones, so staff expect a quick process.

In the meantime, the Town is vulnerable to "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 decertifying its Housing Element and is no longer in substantial 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.

DISCUSSION

Scope of Revisions to the Draft Zoning Code

Staff and consultants have revised the draft code according to recommendations made by the Planning Commission/ASCC Subcommittee (see Attachment 1). The revised draft amendments show tracked changes in two colors: The blue text represents the original amendments first reviewed by the Planning Commission at its March 20, 2024, meeting. The red text reflects the revisions requested by the Subcommittee. A summary of changes appears below:

- Additions and modifications to Chapter 18.04 Definitions
- Addition of development standards such as FAR, CAR, LAR and daylight plane to all new zoning districts
- Addition of development standards such as minimum/maximum unit sizes and changes to building height maximums
- Inclusion of housing site-specific development standards as established in the Housing Element
- Elimination of objective design standards considered to be potentially cost prohibitive
- Elimination of redundant language related to the Very High Fire Severity Zone
- Miscellaneous edits to alter phrasing and correct typos

Repeat Site-Specific Feasibility Testing Required

After the April 17, 2024, Planning Commission meeting, consultants conducted comprehensive site-specific feasibility analyses to test whether the proposed development standards would facilitate the unit production at the densities set forth in the Housing Element. Testing results revealed potential constraints on site development; however it was determined that a miscommunication occurred and the values used to test the proposed daylight plane standard were incorrect. The Planning Commission/ASCC Subcommittee has requested that the site testing be repeated to properly assess the impact of the proposed daylight plane development standard. This testing will require approximately one more week. Accordingly, the Planning Commission should consider continuing the meeting to a date certain of either May 6 or 7, 2024, to allow time for repeat site testing. Staff recommend the Subcommittee review the site test prior to the next public meeting to assess whether further revisions to the Draft Zoning Code amendments are required.

List for Future Consideration

The Subcommittee prepared a "List for Future Consideration" to track additional items that fall outside the scope of changes to the Zoning Code and Zoning Map required for Housing Element implementation (see Attachment 2). The Planning Commission and ASCC would like to continue to hone this list and share it with the Town Council for its consideration in the near term.

Public Comments

At the time of writing this report, no public comments were received. As applicable, any additional comments received up to 12:00pm on May 1, 2024 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 Subcommittee reviews the results of the repeated site feasibility testing prior to its next meeting, it will determine whether any further revisions to the Draft Zoning Code amendments are required, followed by the preparation of a final draft. At its next meeting, it is anticipated that the Planning Commission will complete its review of the draft and make a recommendation to the Town Council. The Council will then review the Draft Zoning Code and Zoning Map amendments at a forthcoming meeting, tentatively scheduled for May 22, 2024. Once the Zoning Code and Zoning Map amendments are adopted by Council, the Town will submit to HCD and request that its Housing Element be considered for recertification.

ATTACHMENTS

1. Revised Draft [Zoning Code](#) and [Zoning Map](#) Amendments
2. List for Future Consideration
3. 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

Town of Portola Valley
TITLE 18 - ZONING

Lise Wise Consulting, Inc.
~~March-April 26, 2024~~ **DRAFT**
Public Draft Zoning Code Amendments

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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. [This term excludes Accessory dwelling units \(see Section 18.04.151, Dwelling unit, accessory.](#)

(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.

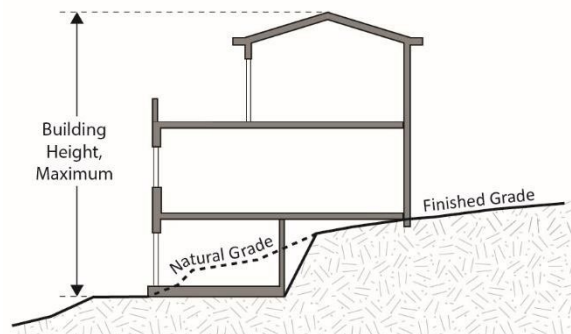
"Building envelope" is the three-dimensional space on a parcel within which buildings and most other structures are required to be confined and which is defined by zoning ordinance regulations governing building setbacks and building heights.

(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.

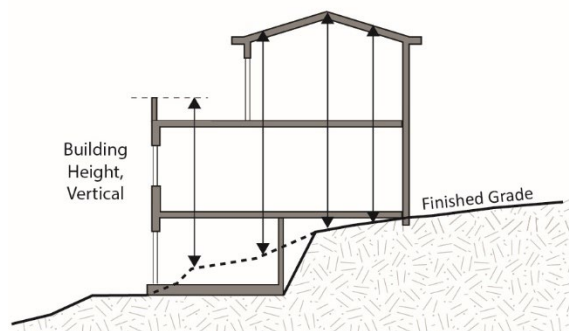
Figure 18.04.077: Building Height, Maximum



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 inspectors'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)

18.04.112 Common open space.

"Common open space" means pervious open space area that is accessible to all tenants of a development to enhance social interaction.

18.04.114 Coverage area ratio (CAR).

"Coverage area ratio" means the ratio of the total footprints of all buildings on-site to the size of a site. Coverage area does not include hardscaped areas.

18.04.115 Density.

"Density" means the ratio between dwelling units and land, expressed as the number of dwelling units per gross acre (du/ac). Whenever the result of a calculation contains a fraction of a whole number, the result shall be rounded up to the nearest whole number.

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 **must include kitchen facilities and a separate entry.** 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)

18.04.157.5 Floor Area Ratio (FAR).

"Floor area ratio," or "FAR," means the ratio of floor area as established in Section 18.54.050 – Floor area, to the size of a site.

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.~~ [one person living alone or two or more persons sharing residency in a dwelling unit, 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)

18.04.232 Impervious Area Ratio.

"Impervious area ratio," or "IAR," means the ratio of impervious area to the size of the site, excluding the areas covered by buildings. Impervious areas include any kind of hardscaped or paved areas on the ground plane.

18.04.235. Landscape area ratio.

"Landscape area ratio," or "LAR," means the ratio of landscaped area to the size of a site. Landscaped area includes all areas on the ground plane that are left in their natural state or that have been landscaped. Any areas that are paved with any kind of paving materials and any landscaped areas above the ground plane are not considered in the calculation of landscape area ratio.

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 a potentially 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)

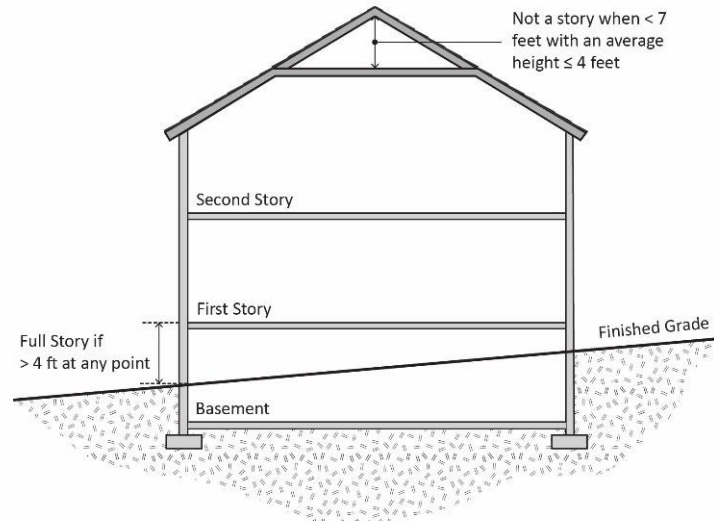
18.04.482 Stoop.

"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 may be 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;

- CD. 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;
- DE. Publicly-owned park, recreation or open space areas when located in conformance with the general plan;
- EF. 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;~~
- B. Accessory uses permitted by Section 18.12.040 (subsections B through J). Subsection C is limited to long term (minimum 30-day) one-room rental;
- 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

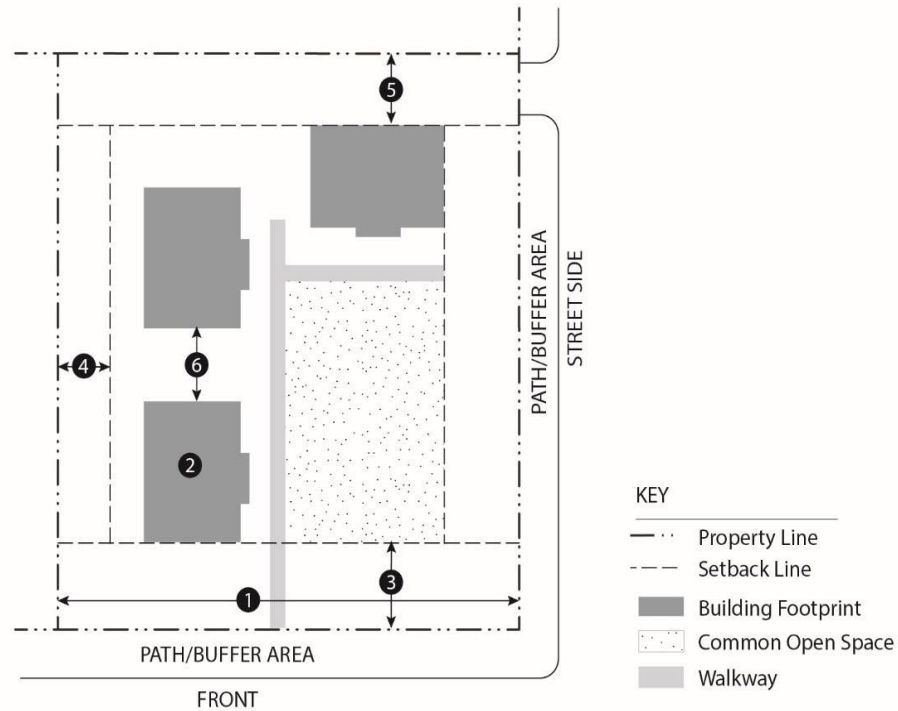


Table 18.15.050: Development Standards – Multi-Family Residential Zoning Districts			
Standard	R-MF-4	R-MF-23 ¹	Key
Density ¹	Min. 2 du/ac; max. 4 du/ac	Min. 20 du/ac; max. 23 du/ac	
Lot Width	Min. 120 ft	Min. 90 ft	1
Floor Area Ratio (FAR) ¹	2 du/ac: max. 0.10 3 du/ac: max. 0.16 4 du/ac: max. 0.21	Max. 0.55	
Building Coverage Area Ratio (CAR) ¹	2 du/ac: max. 0.10 3 du/ac: max. 0.16 4 du/ac: max. 0.21 Max. 35%; see Chapter 18.54.040 for exceptions	Max. 35%; see Chapter 18.54.040 for exceptions	
Unit size, including garage space	Min. 500 sq ft, max. 2,500 sq ft	Min. 400 sq ft, max. 1,800 sq ft	
Max. Gross Ground Level Floor Area for Single Building	Max. 4,574,000 sq ft	Max. 6,2600 sq ft	2
Building Height			
Principal Structure	Building height, max.: 34 ft; Building height vertical: 28 ft	Building height max. 42-38 ft/3 stories; Building height vertical: 34 ft	

<u>Accessory Structure (not including ADUs)</u>	<u>Building height, max.: 16 ft</u>	<u>Building height, max.: 16 ft</u>	
<u>Setbacks</u>			
<u>Front</u>	<u>30 ft unless special setbacks apply, See Chapter 18.58 – Special Setback Lines, 75 ft along Alpine Road.</u>	<u>50 ft unless special setbacks apply, See Chapter 18.58 – Special Setback Lines, 75 ft along Alpine Road</u>	<u>3</u>
<u>Interior Side</u>	<u>Min. 30 ft</u>	<u>Min. 15 ft²</u>	<u>4</u>
<u>Rear</u>	<u>Min. 30 ft</u>	<u>Min. 15 ft</u>	<u>5</u>
<u>Building Separation</u>	<u>Min. 20 ft</u>	<u>Min. 12 ft</u>	<u>6</u>
<u>Landscape Area Ratio (LAR)¹</u>	<u>2 du/ac: min. 0.81 3 du/ac: min. 0.73 4 du/ac: min. 0.65</u>	<u>Min 0.25</u>	
<u>Common Open Space</u>	<u>Min. 400 sq ft/unit; may be part of required LAR</u>	<u>Min. 200 sq ft/unit; may be part of required LAR</u>	
<u>Impervious/Paved/ Hardscaped Area Ratio (IAR)¹</u>	<u>Max. 50% of rRequired front setback area: max 50%; Entire Site: 2 du/ac: max. 0.90 3 du/ac: max. 0.11 4 du/ac: max. 0.14 ; Max. 35% of lot</u>	<u>Max. 75% of rRequired front setback area; max. 0.75; Entire site: Maxmax. 650.40% of lot</u>	
<u>Parking Buffer</u>	<u>Min. 15 ft-landscaped buffer required between on-site parking and property line: Along Alpine Road within the scenic corridor: 15 ft; Along all other street-facing frontages: 10 ft-</u>	<u>Min. 15 ft-landscaped buffer required between on-site parking and property line: Along Alpine Road within the scenic corridor: 15 ft; Along all other street-facing frontages: 10 ft-</u>	

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. In accordance with the 2023-2031 Housing Element and based on preliminary site analysis described therein, the estimated developable area of the Glen Oaks Housing Site is 4.0 acres. The density, FAR, CAR, LAR, and IAR are anticipated to be calculated based on the estimated developable area.

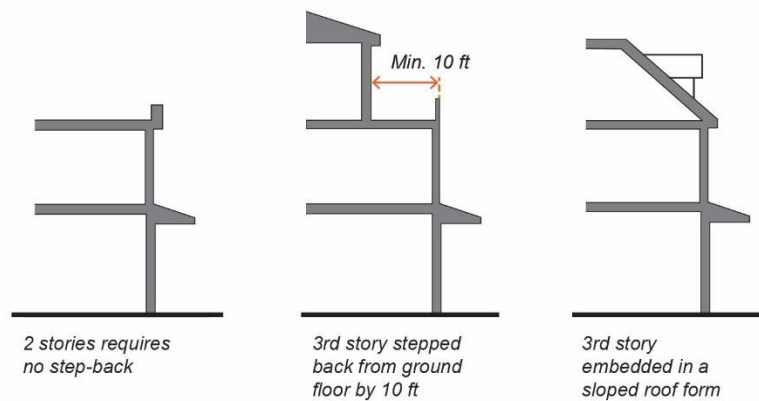
2. The north side setback of the Ladera Community Church Affiliated Housing Site may be reduced to 0 ft with permission of adjacent property owner(s).

18.15.060 Design standards.

A. Building Massing.

1. Street-Facing 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.

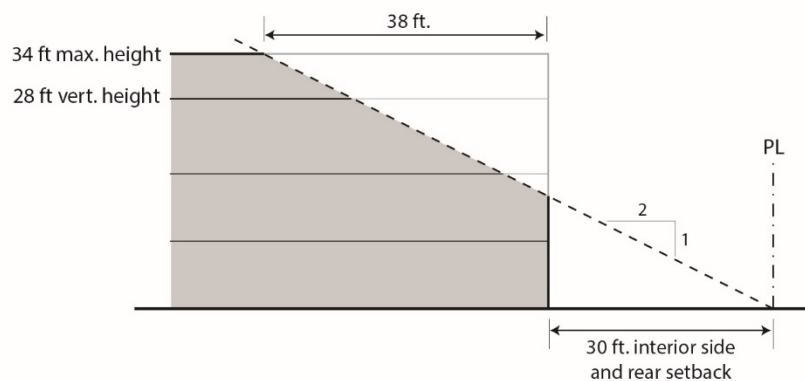
Figure 18.15.060.A.1: Upper Story Step-Backs



2. Interior side and rear daylight plane.

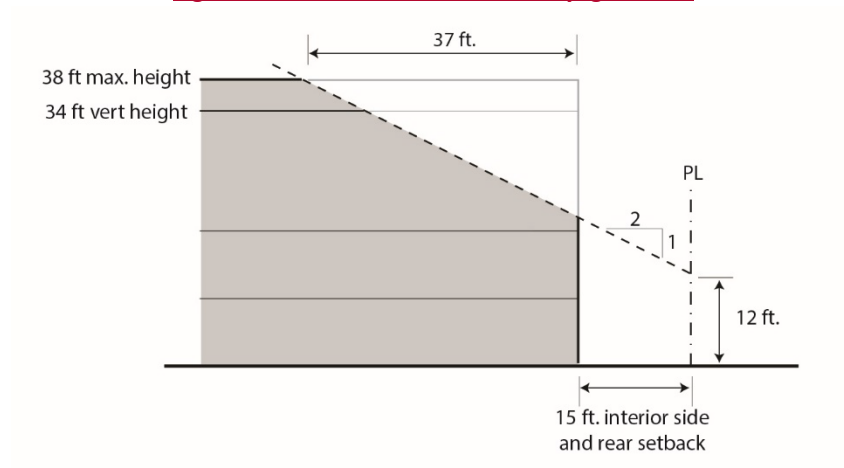
- a. R-MF-4. The building envelope must fit within a plane which starts at the natural ground surface at the property line and increases in height at a ratio of one vertical unit to two horizontal units away from the property line.

Figure 18.15.060.A.2.a: R-MF-4 Daylight Plane



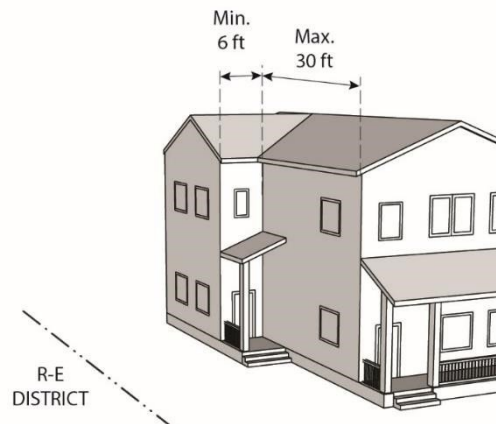
- b. R-MF-23. The building envelope must fit within a plane which starts at 12 feet above the natural ground surface at the property line and increases in height at a ratio of one vertical unit to two horizontal units away from the property line.

Figure 18.15.060.A.2.b: R-MF-23 Daylight Plane



3. 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.

Figure 18.15.060.A.23: Building Massing Abutting the R-E Zone



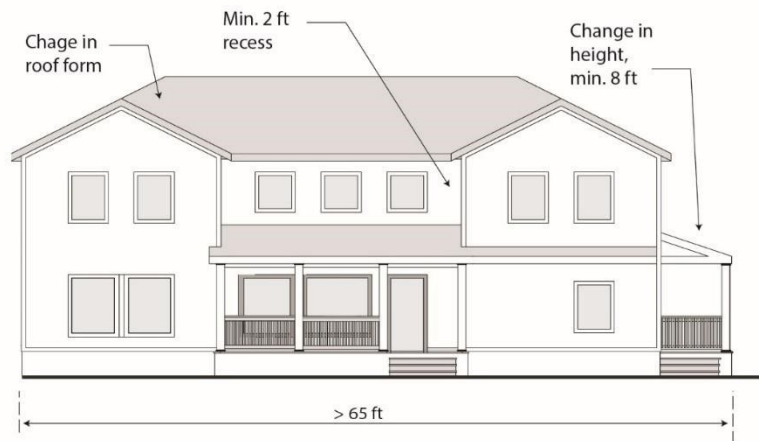
B. Façade Articulation and Composition.

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:
 - 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.1: Building Articulation, Façades over 65 Feet

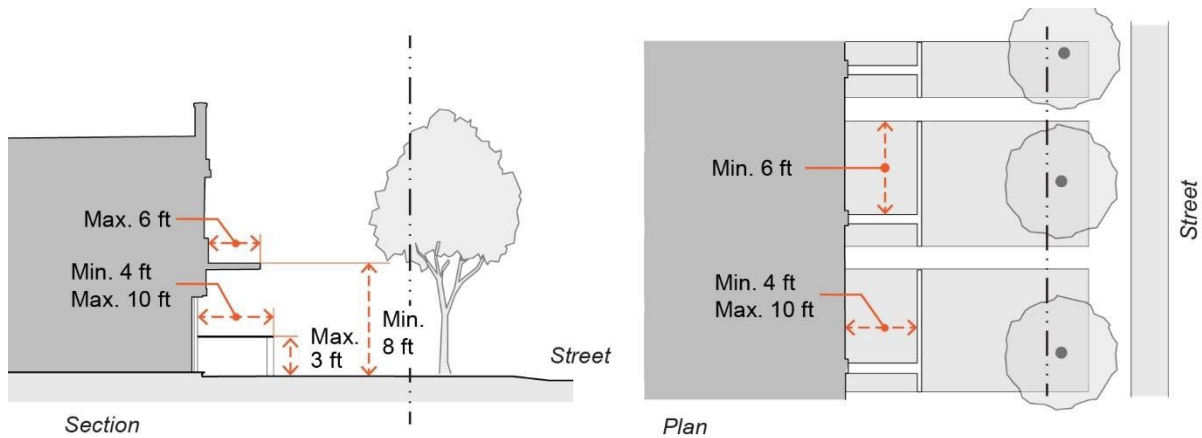


2. Bay Articulation. The eave or roof form of a recessed façade bay shall be no higher than the corresponding elements of the primary façade bay(s).
3. Townhouses/Rowhouses. In townhouse and rowhouse development types, all primary facade planes of adjacent attached units must be staggered a minimum of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

C. Building Entrancesies.

- ~~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:
 1. Individual covered dooryard frontages with dimensions as indicated below:
 - a. Width of usable yard area: Minimum 6 feet.
 - b. Depth of dooryard from door: Minimum 4 feet, maximum 10 feet.
 - c. Projection depth: Maximum 6 feet.
 - d. Height of enclosure: Maximum 3 feet.
 - e. Clear height to projection: Minimum 8 feet, maximum 12 feet.

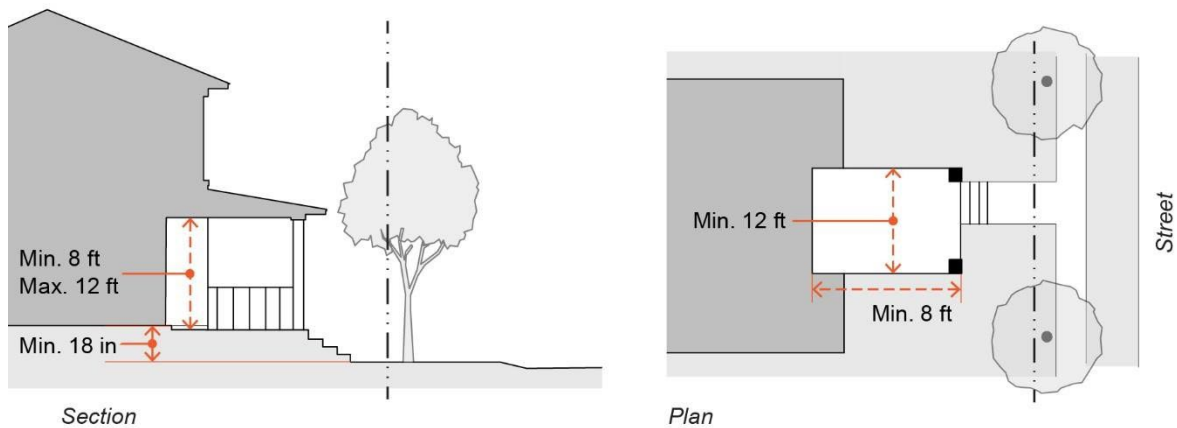
Figure 18.15.060.C.13.a: Dooryard



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

- a. Width of porch: Minimum 12 feet.
- b. Depth of porch: Minimum 8 feet.
- c. ~~Finish floor level above sidewalk: Minimum 18 inches.~~
- d.c. Clear height, if porch is covered: Minimum 8 feet, maximum 12 feet.

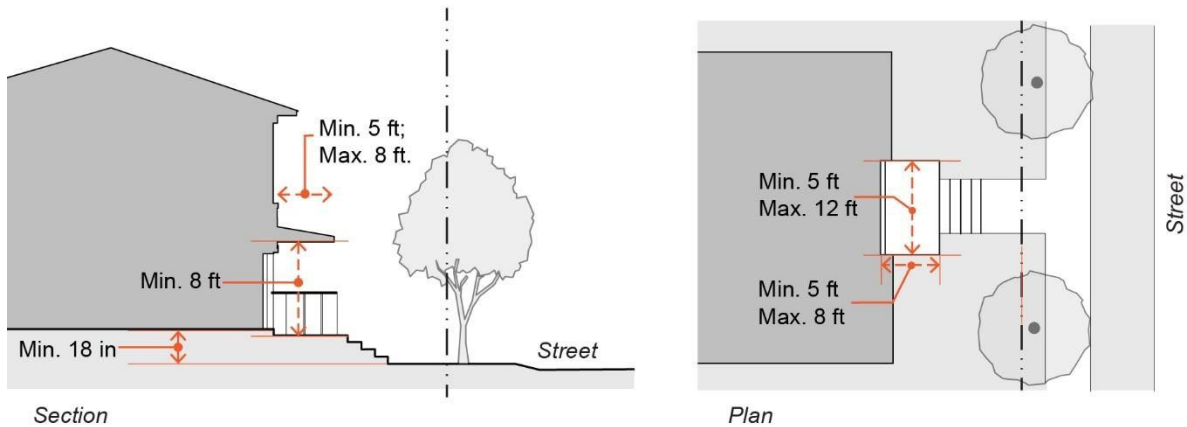
Figure 18.15.060.C.32.b: Porch



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

- a. Width of stoop: Minimum 5 feet, maximum 12 feet.
- b. Depth of stoop: Minimum 5 feet, maximum 8 feet.
- c. ~~Finish floor level above sidewalk: Minimum 18 inches.~~
- d.c. Projection depth: Minimum 5 feet, maximum 8 feet.
- e.d. Clear height to projection: Minimum 8 feet.

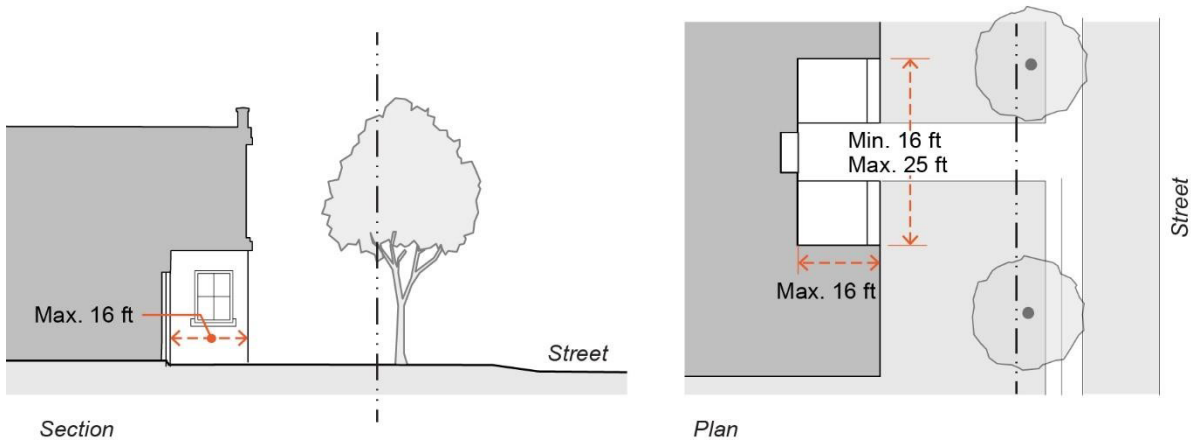
Figure 18.15.060.C.3.6: Stoop



4. Individual recessed frontages with dimensions as indicated below:

- a. Width of recessed entry: Minimum 16 feet, maximum 25 feet.
- b. Depth of recess entry: Maximum 16 feet.
- c. Recessed surfaces 8 horizontal feet or more require at least one window or door.

Figure 18.15.060.C.3.4: 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.

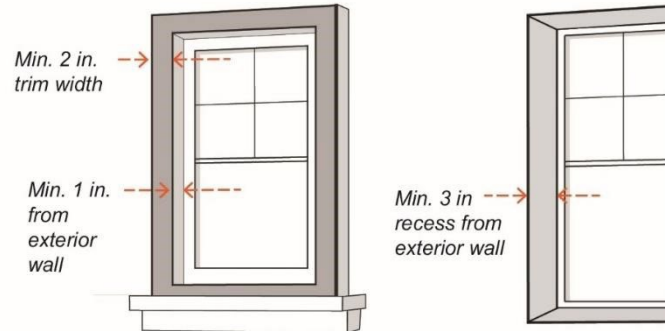
2. Pitch. Roof pitch must be a ratio of 3:12 to 5:12. Solar roofs and other Building Integrated Photovoltaic (BIPV) roof designs are exempt from roof pitch standards if needed to achieve a net-zero energy consumption result on site.

- 3.1. If eaves are incorporated into the roof design, the eaves must be at least 18 inches in depth.
- 4.2. Dormers. ~~Individual dormers may not exceed 8 feet in length.~~ The total width of a single dormer or multiple dormers shall not exceed 50 percent of the total roof length at the street-facing façade. The dormer width shall be measured at dormer roof fascia, or widest part of the dormer.
3. Roof decks. Roof decks are ~~not allowed~~ 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.2: 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 colorized metal shall count towards the maximum.
- ~~e.d.~~ A maximum of four colors are permitted.

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;
 - ~~b-c.~~ Underground garages;
 - ~~e-d.~~ Carports; or
 - ~~d-e.~~ 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 nonresidential 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 maximum of one driveway for developments of up to 10 units and a maximum of two driveways for development of more than 10 unitsstreet 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 ~~recycling and trash enclosure~~ requirements set forth in Section 18.37.010.
- C. For properties ~~Development~~ in the Very High Fire Severity Zone, conformance with the requirements of 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, the State Board of Forestry and Fire Protection, and other State regulations regarding, but not limited to, fire safe regulations, maintaining defensible space, and findings for subdivisions for property, 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

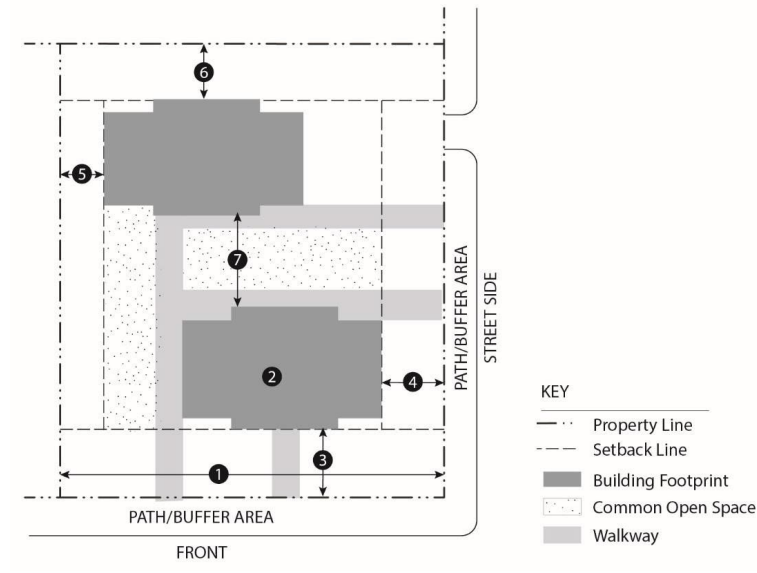


Table 18.23.050: Development Standards – Mixed-Use District

Standard	M-U ^{1,2}	Key
<u>Density/Intensity</u>		
<u>Density</u>	Min. 3 du/ac; max. 6 du/ac	
<u>FAR, Residential Uses</u>	Max. 0.28; does not apply within the Supportive Housing Overlay	
<u>FAR, Non-residential Uses</u>	Max. 0.180.22, exclusive of residential uses	
<u>Lot Size</u>		
<u>Area</u>	Min. 1.0 acre ¹	
<u>Lot Width</u>	Min. 120 ft	1
<u>Coverage Area Ratio (CAR)</u>	Max. 0.2; does not apply within the Supportive Housing Overlay	
<u>Gross Ground Level Floor Area for Single Building</u>	Max. 7,5003,000 sq ft; does not apply within the Supportive Housing Overlay	2
<u>Unit size, including garage space</u>	Min. 300 sq ft, max. 3,000 sq ft; does not apply within the Supportive Housing Overlay	
<u>Building Height</u>		
<u>Principal Structure</u>	Building height, max.: 34 ft; Building height vertical: 28 ft	
<u>Accessory Structure (not including ADUs)</u>	Building height, max.: 16 ft	
<u>Setbacks</u>		

<u>Front</u>	<u>75 ft along Alpine Road, Where front setback is along Alpine Road: See Chapter 18.58 – Special Setback Lines.</u> <u>Where front setback is along Nathhorst Ave: 30 ft along all other rights-of-way³</u>	<u>3</u>
<u>Street Side</u>	<u>Min. 30 ft along Nathhorst Ave., Min. 25 ft elsewhere</u>	<u>4</u>
<u>Interior Side</u>	<u>Min. 25 15 ft^{1, 2, 3}</u>	<u>5</u>
<u>Rear Setback</u>	<u>Min. 25 ft^{1,2}</u>	<u>6</u>
<u>Ephemeral Creek/Drainage Ditch Setback</u>	<u>As specified in an individualized Engineering Study approved by the Town Engineer, but in no case less than 10 ft.</u>	
<u>Building Separation</u>	<u>Min. 15 ft</u>	<u>7</u>
<u>Landscape Area Ratio (LAR)</u>	<u>Min 0.32; does not apply within the Supportive Housing Overlay</u>	
<u>Impervious Surface/Paved/Hardscaped Area Ratio</u>	<u>Max. 65 48% of lot</u>	
<u>Parking Buffer</u>	<u>Min. 15 ft landscaped buffer required between on-site parking and property line:</u> <u>Along Alpine Road within the scenic corridor: 15 ft</u> <u>Along all other street-facing frontages: 10 ft-</u>	

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. 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.

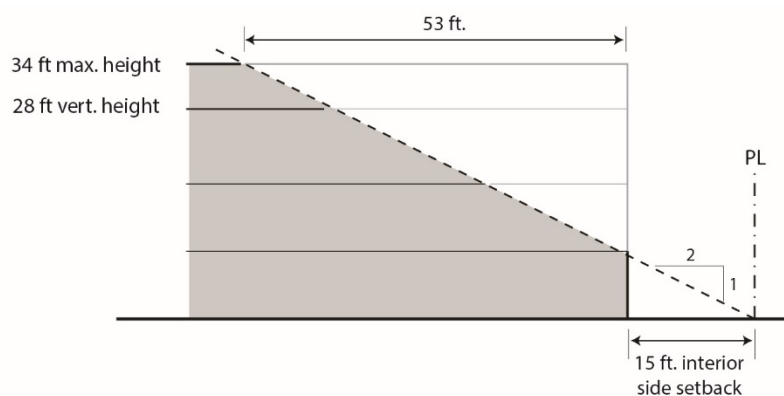
3. Housing units on 4370 Alpine Road facing Nathhorst Avenue shall be limited to one story.

18.23.060 Design standards.

A. Residential building design. The design standards of sections 18.15.060.A through G, with the exception of the daylight plane standards of Section 18.15.060.A, which are modified per 18.23.060.B, 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. Interior side and rear daylight plane. The building envelope must fit within a plane which starts at the natural ground surface at the property line and increases in height at a ratio of one vertical unit to two horizontal unit away from the property line.

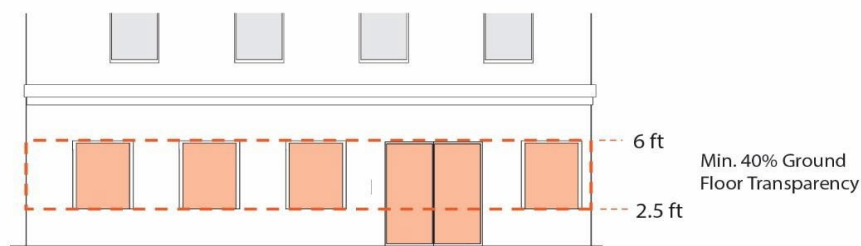
Figure 18.23.060.B: MU Daylight Plane

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

C.D. Non-residential ground floor transparency 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.

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 surfaces with no more than a five percent tint. Mirrored windows are Opaque, reflective, or dark tinted glass is not allowed.

Figure 18.23.060.CD: 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. Properties in the Very High Fire Severity Zone shall comply with the requirements of the Woodside Fire Protection District, the State Board of Forestry and Fire Protection, and other State regulations regarding, but not limited to, fire safe regulations, maintaining defensible space, and findings for subdivisions for property. ~~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.~~060050~~.

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; and 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-existing Town of Portola Valley~~-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. ~~C~~-Encourage private sector development of multi-family housing at mixed affordability levels; and
- ~~B-D. 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 an ~~locally-existing Town of Portola Valley~~-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 ~~P~~lanning and Building ~~D~~irector 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 ~~A~~rchitectural and ~~S~~ite ~~C~~ontrol ~~C~~ommission 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 ~~A~~rchitectural and ~~S~~ite ~~C~~ontrol ~~C~~ommission may review the Affiliated Housing project either before the planning commission's review of the conditional use permit, or after the ~~P~~lanning ~~C~~ommission has approved the conditional use permit, as determined by the ~~P~~lanning and ~~B~~uilding ~~D~~irector.

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-If~~ 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 twentyfive 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. No signs shall flash, move or change light intensity.
- B. No freestanding signs shall exceed sixteen feet in height.
- C. No sign attached to a structure shall exceed the height of the peak of the roof.
- D. 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.
- E. 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.
- F. 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.
- G. All signs shall comply with applicable provisions of the building code.
- H. No internally illuminated sign shall exceed one square foot in area.
- I. No free standing sign shall be internally illuminated.
- J. No internally illuminated sign shall be placed perpendicular to a public road from which it is visible.
- K. Illuminated signs shall be illuminated with no more than the minimum intensity necessary to permit the public to discern their information.
- L. No sign shall be illuminated outside the hours of operation of the facility to which it is accessory.
- M. In the meaning of this section, "illuminated" includes reflectorized.
- N. 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 offstreet 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
Single-family Dwellings	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

Multi-family dwellings and Duplexes	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.
Accessory dwelling units	See Section 18.36.040.B, Accessory Dwelling Units and Junior Accessory Dwelling Units
SB 9 units	See Section 18.27.060, SB 9 Development Standards
Residential development applying under State Density Bonus Law	See California Government Code Sections 65915 – 65918
Supportive housing and Transitional housing	None
Convalescent homes	1 for each 5 beds
Churches	1 for each 5 seats in the main worship unit
Elementary schools	1 for each classroom, plus 1 for each 100 square feet in the auditorium or any space used for assembly
Emergency shelters	1 for each staff member working in the emergency shelter
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 (includes places of worship)	1 for each 53 seats. 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.

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 and shading 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.

List for future consideration

First pass draft based on my meeting notes. Some items we spent time discussing while others were briefly mentioned by individuals (hence varying amount of detail).

In the course of the combined PC and ASCC work to produce Zoning Code that supports our Housing Element, we identified several possible topics for future attention.

1. Create a process option whereby applicants could apply to the ASCC for discretionary review/approval (vs ministerial process) in order to receive benefits (tbd). This would need to integrate with code such that it would not require a variance. We would need to consider how this might integrate (or not) with the 5 meeting rule.
2. We have various ordinances (ex. Lighting, fencing, reflectivity) that are a mix of objective and subjective standards. Should we be separating out the objective standards?
3. Reflectivity, Grading, Heritage Tree/Tree Removal code were specifically mentioned as perhaps needing updating. Reflectivity to allow greater energy efficiency. Grading and Tree with respect to ministerial approval.
4. Building separation – We will need to see how the separation for massing new code in multi family zoning integrates with expected new fire code and state ADU code.
5. Daylight Plane for new zoning – Did the specific entries in proposed new code cover this completely?
6. Modular Home standards
7. Do we need a review of standards in general in order to address affordability? Could or should there be different objective standards for affordable housing? Does Density Bonus law cover this already by allowing waivers and concessions?
8. Street Parking – Definite concerns by residents vs state requirements.
9. Should objective standards work be applied to other zones?
10. Simplification came up multiple times in various contexts
11. Affordable – Capital 'A' vs lower case 'a' distinction Do we need to watch our definitions and usage of this term. Does it sometimes mean very specific things in housing law?
12. Zoning map – Is Corte Madera School shown correctly? Frog Pond/Road Remnant?
13. Possible list of waivers/concession that are preferable to the town (Nicholas comment – not sure if I captured it correctly)

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, on March 26, 2024, HCD sent a letter notifying the Town that it was revoking the Department’s finding of substantial compliance for the Town of Portola Valley’s sixth cycle housing element based on a failure to timely implement required rezone programs; 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 and continued the public hearing to April 3, 2024; and

WHEREAS, on April 3, 2024, the Planning Commission held a continued public hearing and conducted a joint meeting with the Architectural Site Control Commission to review the proposed zoning amendments and continued the public hearing to April 17, 2024; and

WHEREAS, on March 25 and April 8, 2024, the Architectural Site Control Commission held study sessions to review the proposed zoning amendments and provide recommendations to the Planning Commission; and.

WHEREAS, on April 17, 2024, the Planning Commission held a continued public hearing to review the proposed zoning amendments and continued the public hearing to May 1, 2024; and

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 ~~April 17~~May 1, 2024.

By: _____
Jon Goulden, Chair

ATTEST:

~~Jon Biggs~~Romeo Herrera, ~~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

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, on March 26, 2024, HCD sent a letter notifying the Town that it was revoking the Department's finding of substantial compliance for the Town of Portola Valley's sixth cycle housing element based on a failure to timely implement required rezone programs; 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, 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 continued the public hearing to April 3, 2024; and

WHEREAS, on April 3, 2024, the Planning Commission held a continued public hearing and conducted a joint meeting with the Architectural Site Control Commission to review the proposed zoning amendments and continued the public hearing to April 17, 2024; and

WHEREAS, on March 25 and April 8, 2024, the Architectural Site Control Commission held study sessions to review the proposed zoning amendments and provide recommendations to the Planning Commission; and

WHEREAS, on April 17, 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, the Town Council subsequently 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

**PLANNING COMMISSION and ARCHITECTURAL SITE CONTROL COMMISSION APRIL 3, 2024
Special Hybrid Meeting – In Person at Schoolhouse and via Zoom**

Time 00:01

CALL TO ORDER AND ROLL CALL

Chair Goulden called the Planning Commission and Architectural Site Control Commission (ASCC) joint special meeting to order at 7:00 p.m. Senior Planner Adrienne Smith called the roll.

Town Attorney Rene Ortega announced that the joint Planning Commission and ASCC meeting is conducted pursuant to the California Government Code Section 54953(b) in that Planning Commissioner Brothers is participating from 62 Colonial Drive, Rancho Mirage, CA 92270. Commissioner Brothers is participating by Zoom Webinar. In accordance with the Brown Act, each teleconference location has been identified in the notice and agenda for this meeting. Town Attorney Ortega confirmed that the meeting had a quorum of Planning Commissioners present in person and confirmed that all Commissioners were present and could hear Commissioner Brothers clearly. He advised the Commission that any votes taken during the teleconference portion of the meeting must be taken by roll call.

Chair Goulden inquired regarding how to proceed with Chair Warr's remote attendance without prior notification.

Town Attorney Ortega stated that Chair Warr could participate as a member of the public.

Present: Planning Commissioners:	Chair Goulden, Vice Chair Targ, Brothers, Krashinsky, Kopf-Sill
ASCC Commissioners:	Chair Warr (participated as a member of the public), Vice Chair Flynn, Breen, Dixon
Absent:	None.
Town Staff:	Adrienne Smith, Senior Planner; Rene Ortega, Town Attorney; Monica Szydlik, Lisa Wise Consulting, Inc; Roger Eastman, Lisa Wise Consulting, Inc; David Bergman, Lisa Wise Consulting, Inc;

Time 04:50

ORAL COMMUNICATIONS

Chair Goulden invited the public to speak for oral communications. He expressed that during this item, any member of the public can speak to the Commissions on any item not on the agenda.

Rita Comes stated that she did not hear the roll call being asked of the two different groups. She appreciated how clear the last ASCC and Planning Commission meetings were and how the public got to ask questions and participate. She thanked both Commissions for their volunteering and commitment to the community and hoped that this meeting would be productive.

Chair Carter Warr expressed that he was having trouble hearing everyone. He inquired whether he could be advanced to panelist and explained that he did not receive the notification in time to get the address of his location. He also stated that Lynda's responses applied to him and that there were no members of the public present at his location.

Chair Goulden responded to Chair Warr that he did not believe promoting him to panelist was possible because advanced notification is required. Therefore, Chair Warr would have to participate as a member of the public.

Seeing no other oral communication speakers, Chair Taylor moved to the regular agenda item.

Time 06:30

REGULAR AGENDA

- (1) **Previously considered by Planning Commission on March 20, 2024, Continued to a Date Certain of April 3, 2024. Joint discussion between the Planning Commission and the ASCC to discuss the ASCC's recommended feedback on: 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.**

Senior Planner Adrienne Smith stated the meeting format as follows:

- Staff presentation, followed by questions from the Commissioners for staff.
- ASCC Subcommittee presentation
- Planning Commission/ASCC clarifying questions of staff – due to conflicts only questions for proposed Multi-Family standards/all other parts of the draft code, *excluding Mixed-Use standards*
- Public Comments
- Planning Commission/ASCC discussion – conflicted Commissioners depart Schoolhouse; remaining Commissioners pose questions/discuss Mixed-Use Standards
- Conflicted Commissioners return for discussion of the Multi-Family standards/all other parts of the code

Town Attorney Ortega suggested moving all public comments to the end.

Vice Chair Targ stated that he would be happy to step out as is appropriate. He clarified that he has an appearance of a conflict but does not have an actual conflict. His firm represents one of the individuals looking to develop on Alpine Road and from his perspective, he would like not to participate in that matter even though it does not present a legal conflict.

Chair Goulden stated that Vice Chair Targ could potentially step out twice because he would like to keep the public comment to just one session.

Time 06:55

Senior Planner Adrienne Smith announced that the purpose of the meeting was to facilitate a joint discussion between the Planning Commission and ASCC, focusing on the feedback and recommendations from the ASCC's meeting held on March 25, 2024. The Planning Commission was tasked with advising staff and consultants on its recommended modifications to the draft Zoning Code and Zoning Map amendments. She provided a brief background of the item, noting that the Town Council adopted the Housing Element on January 24, 2024, which was subsequently submitted to the State Department of Housing and Community Development (HCD). By January 30, 2024, HCD had deemed the Housing Element to be in substantial compliance with State Housing Element Law, prompting the Town to continue the timely and effective implementation of all Housing Element programs. On March

20, 2024, the Planning Commission engaged in a thorough discussion, providing feedback to staff and consultants. However, they decided to seek further input from the Town through an expanded public review process. On March 25, 2024, the ASCC conducted an extensive review of the draft amendments, providing feedback to staff. A subcommittee, comprising Chair Warr and Vice Chair Flynn, was appointed by the ASCC Commission to consolidate all feedback for the Planning Commission, as outlined in the staff report. She reiterated the importance of adopting Code Amendments in a timely manner and shared that the staff had initiated an errata list to track minor errors previously identified by the Planning Commission and ASCC. The staff is currently seeking official recommendations from the PC and ASCC based on the current meeting's outcomes. She outlined the next steps, which include a Planning Commission meeting scheduled for April 17, 2024, to finalize the review of draft amendments and formulate a recommendation to the Town Council. Ideally, the Town Council will convene on May 8, 2024, to review the Planning Commission's recommendation and consider the adoption of an ordinance, followed by a second reading on May 22, 2024.

Time 018:30

Vice Chair Flynn presented a comprehensive review of the ASCC's proposed Zoning Amendments. A subcommittee, comprising Chair Warr and Vice Chair Flynn, distilled the discussion from the ASCC meeting, with the zoning amendments provided serving as the discussion's foundation. They compiled a list of issues and potential solutions, which they submitted to the Planning Department for inclusion in the current joint meeting's agenda. Vice Chair Flynn acknowledged the limited time available for this task and the lack of opportunity to delve into all the details. She highlighted that their initial finding was a noticeable absence of many rural aspects of Portola Valley design guidelines from the Objective Standards in the zoning. The regulations' primary purpose is to minimize disruption to the natural terrain, preserve the Town's inherent visual amenities, and where appropriate, encourage the grouping or clustering of residential structures to maintain the natural amenities and open space qualities of Portola Valley. She outlined the issues identified, which included the absence of rural aspects in Objective Requirements, insufficient ASCC input and early involvement, missing regulations such as floor area ratio, undefined plate heights, a problematic 42-foot maximum height, lack of landscape/greenscape requirements, privacy not included in Objective Standards, absence of objective requirements for simple buildings, inflexible objective requirements, unrealistic off-street parking requirements, and vague zoning amendments in certain areas. She briefly summarized the recommended objective requirements for MF-4, MF-23, and MU-6, highlighting the proposed changes. She proposed that Cottage Housing Development might be a good fit for Portola Valley, citing the municipal code for Langley Washington as a reference. She recommended scheduling an ASCC meeting for the following Monday to further refine the details for objective requirements.

Chair Goulden expressed his thoughts on the need for clarity on what is required and what is in and out of scope for the current objectives. He suggested working on establishing a common agreement, understanding legal constraints, and considering next steps.

Time 046:00

Chair Goulden invited questions from the Commissioners.

Commissioner Krashinsky questioned the necessity of the 'very high fire hazard severity zones' part in the packet, suggesting that the Woodside Fire Protection District ordinances would apply regardless.

Senior Planner Adrienne Smith responded by explaining the historical context of the code's drafting in 2022. She mentioned that fire safety standards were a significant community focus at that time, leading to certain connections to fire safety being included in the zoning code. The former Director and former Town Attorney was in very close contact with the fire marshal at the time. She believed that the 'very high fire hazard severity zones' part could be modified to be more generic or removed entirely.

Commissioner Krashinsky followed up by pointing out a discrepancy in the references to Fire Marshal Don Bullard that the agenda packets referred to as Fire Marshal Rob Lindner. He asked for clarification on the correct title and person.

Senior Planner Adrienne Smith apologized for the confusion and clarified that she had been working closely with Don Bullard; however, she had discussed the lack of ladder trucks in the Woodside Fire Department with Rob Lindner, which is why she mentioned him in the staff report.

Commissioner Krashinsky stated that there was discussion about having three story buildings and he figured there would be related requirements for fire safety in terms of egress and fire escapes. He asked if that was something that should appear in the zoning code or if that is already in the building codes.

Senior Planner Adrienne Smith explained that is already in the building code, so it would be beyond the scope of the zoning code amendments. The building codes address all egress requirements, and the most recent code was adopted by Town Council in October 2022.

Chair Goulden asked if modifications would be needed to the code if the Town went with three stories.

Senior Planner Adrienne Smith said according to her understanding and the Acting Building Official's input, no modifications would be needed.

Commissioner Krashinsky pointed out the section defining the role character in the Objective Requirement section. He asked if staff agreed that it seemed subjective and if there could be small changes made to make them objective, or if this would be a significant undertaking.

Senior Planner Adrienne Smith agreed with how Commissioner Krashinsky characterized it. She felt rural character was an abstract idea and stated that the challenge for the group was to determine if this could be quantified to make it objective.

Commissioner Krashinsky brought up the ASCC's proposed solution to create early design review opportunities for projects and possibly include an SB 330 meeting limit waiver. He asked about the legality of such a proposal, how far they could go in restricting the objective standards, and whether they could require only single-story buildings in the objective standards and require design review for multiple-story buildings. He also inquired if they could include a generic statement allowing applicants to request exceptions to the objective standards through a discretionary review process, or if such a concept already existed and needed to be stated.

Town Attorney Ortega emphasized the importance of understanding the group's objectives with these amendments. He stated that the current effort is to implement what was committed to in the Housing Element, which includes rezoning sites and adopting certain standards to provide a ministerial path for the approval of housing development projects. He noted that identifying separate processes within these goes beyond what is intended to be accomplished in implementing the Housing Element.

Commissioner Krashinsky asked if he was saying the group was unable to state that these are the objective requirements, but if an exception is wanted, then an alternative discretionary review process could be followed.

Town Attorney Ortega responded that part of it is understanding what that process will be. He pointed out that there may already be processes in the code when it is not a ministerial type of project. He emphasized the need for a comprehensive look at this before starting to put processes in place that could conflict with other parts of the code.

Commissioner Krashinsky asked about the feasibility of reintroducing the maximum floor area (AMFA) limits to try to limit the square footage of buildings in some way. He suggested that some of the lots might already have established AMFA.

Senior Planner Adrienne Smith responded that staff and consultants are hesitant to apply AMFA due to concerns about reducing site capacity. She explained that they do not want to do anything that limits the development potential indicated in the Housing Element. She mentioned that if too many controls start getting introduced, that might start to reduce the developer's ability to develop the units as expected. She suggested that if this were a recommendation that the body would like to put forward, some of these things may need to be tested out and put through a high-level feasibility analysis. She noted that if this is something the body wants to explore, it will require a bit of work prior to the April 17th meeting. In this case, if they are doing AMFA, they would need to do some site testing.

Monica Szydluk, Lisa Wise Consulting, Inc., acknowledged that the AMFA and reduction of FAR are valued aspects of how building form is regulated in Portola Valley. She noted that the draft standards developed regulate residential building form by density. She mentioned that staff did not introduce a maximum floor area, which would then be reduced by the AMFA, for reasons described by Senior Planner Adrienne Smith. She recognized concerns about oversized structures and suggested that as changes to the standards are considered, they should be tested on the site to ensure they meet the site and can allow the density. She suggested considering an average unit size or establishing a range to ensure that the standards do not lead to oversized units, while still relying on the setbacks developed to respect neighboring properties and the open space. She expressed the staff's preference not to use the AMFA to limit lower areas because it introduces a constraint on the potential for residential development.

Commissioner Krashinsky sought to understand issues related to subdivisions and condos. He asked if a property developed with sixteen units could have those units individually sold with the HOA, and/or if it would be possible to then have that parcel subdivided into sixteen lots that each had one unit.

Senior Planner Adrienne Smith clarified that the condo arrangement HOA is permitted by State Law, even if it is not explicitly stated in the zoning code. She noted that historically, the Town is single-family, so condominiums are not discussed in the code. She suggested that if there is a desire to clarify it down the road, that would be a good recommendation for a broader comprehensive code update. She explained that in terms of further subdivision, Glen Oaks could further subdivide, but they have the dwelling units per acre minimum and maximum, so subdivision into very small lots would not be possible. She also mentioned that they have the lot with a minimum of 120 feet, which would have to be supported in a subdivision.

Commissioner Krashinsky raised a question about the determination of density for affiliated housing sites, which are likely built on a small portion of a larger property. He noted that the current guidelines state that depending on the density, it either follows the R-MF-4 or the R-MF-23.

Ms. Szydlik responded that she would need to give some thought to this question and recall how the standards under Chapter 18.29.060 were established.

Chair Goulden inquired if these were new standards or simply relocated from another section.

Senior Planner Adrienne Smith clarified that these are new standards for affiliated housing, as they are attempting to codify the program and layout standards, which have not been previously established.

Commissioner Lynda Brothers expressed concerns about the general nature of the drafting for these affiliated housing sections. She suggested that it might be beneficial to review these sections in more detail, as she found the current drafting to be so open-ended that it could potentially allow for a wide range of interpretations.

The Commissioners collectively agreed to revisit this question at a later time.

Commissioner Brothers also raised concerns about the potential traffic and evacuation impacts of allowing more parking and more vehicles. She questioned when and where these issues would be addressed, and if they would be dealt with in the zoning code. She also expressed concern about the segmentation of these issues if each project had to address them in a California Environmental Quality Act (CEQA) document. She specifically focused her question on the sites currently being considered for zoning changes.

Vice Chair Flynn responded by stating that if a property has 23 units and no available street parking, there should be an expectation that the parking will be on that property. She mentioned that limiting the amount of available parking would not solve the issue of excess cars. She also noted that the ASCC did not consider evacuation and traffic, but she believes that the Emergency Preparedness Commission would be presenting something about traffic that may consider the potential extra cars on the street.

Commissioner Brothers asked about the extent to which the ASCC would focus on known sites along Alpine and Portola, as opposed to potential future sites elsewhere. She sought clarification on their thinking regarding this aspect.

Vice Chair Flynn provided insights on the new zoning codes, stating that they were designed with the consideration of actual lots included in the Housing Element. She highlighted that the codes were written in a somewhat generic manner, anticipating their application to other unidentified sites. She pointed out that in Portola Valley, few sites could accommodate an MF-23, as these would be located on major thoroughfares, not in hilly areas. She also mentioned the upcoming opt-in for the MF-4, which would be more widespread throughout the town, but could be restricted to sites with good access and without tight cul-de-sacs and small roads.

Commissioner Brothers raised a question about whether the specificities needed to be incorporated into the language of the codes currently being written.

Senior Planner Adrienne Smith expressed her inclination towards making the standards more generic to apply to subsequent sites. She noted that wholesale rezoning of sites is unlikely until the next Housing Element cycle. At that time, zoning code amendments would be inevitable, so having the standards mostly geared towards the sites might not be a disadvantage. She expressed uncertainty about whether this could be stated in a code.

Town Attorney Ortega clarified that the current consideration involves specific areas being rezoned and the development standards being adopted for these areas. He explained that in the future, if other areas are designated for rezoning within the Town and there are changes to the general plan, potential zoning code amendments would be considered at that time, considering those properties also being rezoned.

Commissioner Brothers inquired about how the ASCC would put the incentive system together.

Vice Chair Flynn suggested that the group could develop more generic language to allow for greater flexibility. She advocated for increased dialogue with property owners to determine the most sensible approach and what could be incorporated into incentives versus standards.

Commissioner Brothers expressed her approval of using incentives but admitted uncertainty about how to craft it.

Vice Chair Flynn proposed that if the ASCC were to convene on Monday, they could brainstorm some ideas within a limited scope. She suggested that they could then consult with the Town and Town Consultant, who has experience in devising incentives. Given the time constraints, it would be best to consider only a few incentives and draft the language in a way that allows applicants to request additional incentives through the ASCC. She emphasized that the decision-making process would need to be clearly defined in the code.

Commissioner Brothers said she liked that approach. She noted that the ASCC had not included anything about land use and asked if this was an oversight or a deliberate decision.

Vice Chair Flynn clarified that the ASCC had not considered this aspect. The focus was solely on evaluating the existing zoning amendments. She stated that the Commission had not contemplated changing the subdivision code wholesale.

Commissioner Brothers clarified that she was not suggesting changes to the subdivision code, but rather the inclusion of a similar provision in the zoning of the multi-family section.

Vice Chair Flynn explained that the Commission had considered each property as an individual development, with the aim of ensuring adequate green space within each property while keeping the costs at a minimum to ensure development that will fulfill the RHNA numbers allocated to the town.

Town Attorney Ortega provided commentary on the incentive process, advising that if the group decided to pursue this route, they should ensure that the incentives are objective and do not impose constraints on development.

Time 1:22:10

Chair Goulden called for a five-minute break.

Time 1:22:30

Chair Goulden opened questions from the Planning Commission

Ms. Szydlak addressed Commissioner Krashinsky's question about affiliated housing. She explained that the site inventory identifies a certain number of units on two affiliated housing sites, which exceed what the base zone would support. Therefore, a zone that would describe, support, and shape the kind of

density anticipated in the Housing Element on those two affiliated housing sites is needed. Both identified sites would have less than six units per acre.

Vice Chair Targ expressed appreciation for the ASCC's work, noting the significant effort by the Chair and Vice Chair in a short period. Targ raised concerns about the Woodside Fire District's ladder length, stating that it appears inadequate to reach 26 feet. He questioned the number of ladders available and whether calling Menlo Park and Redwood City for assistance would delay response times.

Senior Planner Adrienne Smith clarified that the Mutual Aid Agreement extends to the entire county, meaning that while the closest ladder trucks are in Menlo Park and Redwood City, the agreement encompasses all San Mateo County fire districts.

Chair Goulden requested an invitation be extended to the fire marshal.

Vice Chair Targ identified the four most substantial items in the ASCC Subcommittee's recommendations: FAR, objective standards, height limitation, and potentially the landscape area.

Chair Goulden asked if the design standards code could be referenced.

Town Attorney Ortega answered yes, but noted the need to examine the merits of specific documents. He explained that while some jurisdictions have adopted objective standards, the work would involve ensuring consistency within that document. The objective is to implement the Housing Element and ensure the standards are indeed objective.

Vice Chair Targ clarified that he did not want to flush the objective guidelines.

Commissioner Breen commented on the ASCC's language, particularly regarding the landscape part. She noted that most of the current sites are in the scenic corridor and the ASCC approaches these differently. She stated that in terms of creating objective standards, they aim to apply their feelings about the scenic corridor almost everywhere.

Commissioner Anne Kopf-sill asked about what guidance they have and how to determine if they have created units of suitable size.

Senior Planner Adrienne Smith explained that they do not commit to a specific unit size. Instead, they are committed to pursuing different opportunities for a variety of housing types and sizes to increase housing diversity in compliance with fair housing law. She suggested that creating a code that allows for a variety of unit sizes is a good strategy, as the goal is to cater to a diverse range of residents with different housing needs beyond just large, single-family homes.

Commissioner Kopf-sill inquired about two options of the Planning Commission.

Ms. Szydluk explained that a maximum, average, or range of unit sizes could be introduced. She also mentioned the possibility of introducing a floor area in terms of square feet or a floor area ratio. She detailed how the Planning Staff used the proposed standards to account for upper story setbacks, on-site open space requirements, parking, and access. They developed building forms and estimated the amount of building needed to support the maximum density.

Vice Chair Targ sought clarification on whether a nuisance determination by a fire marshal would be considered ministerial or an objective standard.

Town Attorney Ortega clarified that the statute for objective standards defines it as a design standard that involves no personal or subjective judgement by a public official. It is uniformly verifiable by reference to an external and uniform benchmark or criterion, available and knowable by both the development applicant or proponent and the public official before the application is submitted.

Commissioner Kopf-sill asked Vice Chair Flynn about her confidence level that one more ASCC meeting could tidy up the objective standards to a level that could be made into a resolution at the next Planning Commission meeting.

Vice Chair Flynn explained that she was currently examining the non-objective standards of the rural concepts in the design guidelines. She believed that many objective standards could be created, including quantity of screening, average unit size, minimum and maximum size, privacy plane at the setback, building heights, and landscape area ratio.

Commissioner Krashinsky asked if the standards could be segmented based on affordability.

Town Attorney Ortega stated that if a project was 100% affordable, it would fall under the State density bonus law. He advised that up to four different incentives and concessions could be requested, depending on the level of affordability and the number of affordable units.

Senior Planner Adrienne Smith noted that the challenge for the Town would be determining whether there was an alternative structure more compelling than the density bonus law, which is quite permissive if the affordability requirements are met.

Ms. Szydlik added that the concessions are about project feasibility and apply project-wide. She suggested retaining the affordable unit design standard, which mandates that affordable units and market-rate units in the same group of buildings constructed under the same approval should be constructed with the same materials and details to ensure that affordable units are not distinguishable from market-rate units.

Time 2:15:50

Chair Goulden invited questions from ASCC Commissioners.

Commissioner Dixon inquired if it was feasible to define a limit, such as an earth movement limit, that would trigger an ASCC review for a project. She also wondered how they could incorporate objective standards or elements from the design guidelines into the ASCC review process.

Town Attorney Ortega clarified that if a standard is objective, then triggering an ASCC review might depend on whether the standard is being met. He also mentioned a separate permit streamlining act that includes a five-meeting rule, which counts meetings potentially including appeals.

Commissioner Dixon noted that a lot of feasibility study seemed to have been done on the zoning criteria in terms of coverage percentages. She questioned if the objective design standards underwent the same feasibility analysis.

Senior Planner Adrienne Smith explained that the same sort of feasibility analysis that is done with site planning could not be applied here. Instead, it was more of a prolonged exercise of making informed decisions and considering what the decision-makers would prefer to see.

Commissioner Dixon asked whether architects were involved in the testing.

Ms. Szydlik confirmed that they work with many communities, design review committees, and planning commissioners, most of whom have some experience and provide knowledgeable input. They learn about best practices, regional variations, and have worked on zoning codes and developed regulations for building form and design. They draw from their experiences and try to learn from what they observe in each individual community

Vice Chair Flynn suggested that the ASCC could commit to brainstorming in the session on how they might envision some objective standards for simpler buildings. If it seemed like an impossible task at the end of the brainstorming, the ASCC could hand back the preferred requirements to the Planning Department to come up with something. She asked about the base level that could be established for the objective standards.

Town Attorney Ortega responded that the base level would be dictated by whatever is in the Housing Element in terms of what can be developed in the zones. Other factors, including the range of unit sizes, would also need to be considered.

Chair Goulden asked if there was any truth in the public comments suggesting that items they thought were in the Housing Element had been omitted and lost from the draft zoning requirements. He also asked if there were specific items that were part of the Housing Element that have to be included in the new zoning code.

Senior Planner Adrienne Smith clarified that the new zoning code cannot contradict what the Housing Element says. The Housing Element precedes the zoning code. The goal is to carry through any commitments made in the Housing Element and elaborate on them in the zoning code. She expressed confidence that what is in the Housing Element reflects the negotiations and discussions that have taken place.

Chair Goulden mentioned that one of the discussions when reviewing the Housing Element was about how the new zoning codes compared to the surrounding properties. He asked if they ever made that comparison.

Senior Planner Adrienne Smith explained that negotiations with landowners and adjacent neighbors were considered. They aimed to establish reasonable setbacks that would allow for privacy and appropriate use of space.

Chair Goulden noted his observation that parking regulations generally applied to all due zoning, with the only exceptions being those mandated by the state. He sought confirmation on this point.

Senior Planner Adrienne Smith clarified that off-street parking regulations had to be expanded to accommodate the new uses, as there were no existing standards that applied to multi-family housing.

Time 2:42:30

Chair Goulden opened the floor for public comment.

Chair Carter Warr provided feedback on the recommendations to add the floor area ratio and landscape area ratio. He believed these two elements would best protect the Town and provide developers with the opportunity to develop buildings that would be rural in character. He suggested an 800 square foot average unit size or floor area per unit size as a totally objective standard before design review. This would provide a specific threshold and allow for significant flexibility on properties zoned MF-23. He

explained that if the coverage area is larger than the floor area, it encourages one-story buildings. He also recognized the need for parking and suggested that some average floor area limit for multi-family housing would provide more opportunities for developers to create units within an affordable class. He expressed concern that the proposed zoning ordinance, with only the coverage area, setbacks, and height limits, could result in large, luxurious units similar to those in Palo Alto and other upscale areas. He believed that the ASCC could quickly address three critical areas: floor area, landscape area, and reduced building heights.

Tim Clark, member of Ladera Community Church (LCC), shared his advocacy for the congregation to develop affordable housing on a half-acre parcel adjacent to the church. He noted that the parcel, which is separate from the church and located in Portola Valley, has been largely unused for fifty years and contains three heritage oaks that the congregation wishes to preserve. He expressed concern that the parcel doesn't fit neatly into the zoning code, being too large for MF-4 and too small for MF-23. He mentioned that initial discussions considered ten units, but this number was reduced and written into the Housing Element. He revealed that the congregation is partnered with Habitat for Humanity and is working towards a congregational resolution to negotiate details before the summer. He appreciated Commissioner Flynn's comments about simplification, as they aim to use modular units, which are typically built with wood, a material not mentioned as allowed in the zoning code. He also noted that the congregation applied to be an affiliated housing site about four years ago and was accepted by the Town Council.

Dave Cardinal agreed with the comments made by Chair Warr and Tim Clark. He posed the question of whether affordable housing is desired, stating his personal support but acknowledging that if others do not share this view, all other discussions may simply be legal delaying tactics. He expressed his belief that after three years, the Housing Element represents the community's best effort and should be implemented. He questioned the feasibility of the 20 units zoning, doubting the likelihood of 40-foot buildings being built on LCC's lot due to cost and preference. He urged support for LCC if the Town wants them to build and called for more discussion about the potential for building affordable housing in Portola Valley. He emphasized the need for the Town to facilitate building opportunities if they wish to see development.

William Russell commented on the development agreement for 4370 Alpine Road, which was approved by both the Planning Commission and Town Council, included in the Housing Element, and approved by the State of California. He assumed that the zoning ordinances must align with the Housing Element. He noted that the draft housing ordinances reference the Housing Element and include the same provisions. He questioned whether the ASCC's stance contradicts the Housing Element and the draft zoning ordinance 18.23.050. He also asked if a contract exists between the homeowners in the Nathorst/Applewood Development and the owner of 4370 Alpine Road, preventing changes to the provisions of that contract related to what will be built unless the parties agree. Lastly, he inquired about the suggestion that a contract exists between a jurisdiction and the State once the State approves the jurisdiction's proposed Housing Element, obligating the jurisdiction to comply with its commitments in the Housing Element.

Judith Mendelsohn expressed gratitude for the group's discussion and encouraged careful consideration of expanding parking and landscaping. She noted that increased parking and landscaping requirements could necessitate more vertical building, impacting affordability. She shared that affordable housing developers have mentioned the prohibitive expense of building a parking garage compared to open spaces or carports. She mentioned that there are online examples of how to list design requirements objectively without making them burdensome.

Ellen Vernazza, resident of 120 Nathhorst Avenue, pointed out that the day's agenda did not indicate MU standards. She noted discrepancies in the setbacks, the absence of single-story houses on the Nathhorst side of the property, and the lack of attention to interior parking in the property plans.

Karen Askey, resident of Groveland Street, thanked everyone for the amazing work done in a short amount of time. She raised concerns about building height and suggested it should be lowered. She highlighted potential fire risks, noting that if a fire were to occur, it would likely come from the east down Alpine road, blocking the major evacuation route and delaying the arrival of fire trucks with ladders. She questioned the building separation and noted that the Woodside Fire Protection District and others have recommended a 20-foot building separation. She asked why the Frog Pond was not included as an open space. She expressed interest in modular or manufactured homes and asked if Portola Valley had restrictions that prevent people from building these due to soil, foundation, or similar issues. She also inquired about the average square footage for very low-, low-, or moderate-income homes.

Ron Eastman, resident of Applewood Lane, commented on the issue of ladder trucks coming from Redwood City or Menlo Park. He cited multiple studies showing that with modern building materials, a chamber fire can proceed to flash over in approximately five minutes, compared to thirty minutes fifty to sixty years ago. He stated that if the fire department can arrive within eleven minutes, that is good, and insurance will be lower. He noted that Nathhorst and Applewood Lane are between twenty and twenty-two feet wide and asked about vehicle placement. He mentioned that Don Bullard was prepared to make the streets fire lanes on street parking, which would significantly change the community.

Caroline Vertongen urged all residents on the committee to strive to preserve the Town's interests. She expressed frustration with the consultants, blaming them for the lack of answers and changes to objective regulations. She noted that safety was supposed to be addressed first before housing and it was not. She stated that the Town now has more issues than have been solved, with staff and consultants adding new language and codes for supportive housing, transitional housing, and low barrier navigation centers. She mentioned that the Town was supposed to have an emergency center, but it does not.

Kristi C. appreciated the smooth level of discussion and the presentation given. She supported Commissioner Dixon's idea that a local architect be involved in the feasibility study. She suggested that the Town hear about what similar cities or towns were looked at regarding similar zoning description for what Portola Valley is putting in the Housing Element. She recommended making descriptions of the zoning codes readily available at meetings for the residents. She suggested the Town consider having inclusionary percentages for multi-use and mixed-use. She was curious about group housing when there is one kitchen in many rooms, but it only counts as one unit. She stated that she liked green islands in parking places and trees to go with the Housing Element.

Greg Franklin, resident of Applewood Lane, advised that there was a public hearing on home insurance hosted at the Cal EPA Headquarters recently, and he believed that anyone who attended that meeting would have significant reservations about a Housing Element similar to the one Portola Valley has provided in terms of insurability and public safety. He asked if it would be possible to include proof of insurability as an objective standard. He felt it would be an interesting criterion for public safety and preservation of personal assets.

Time 3:21:00

With no additional public comment, Chair Goulden invited the Commissioners and Planning Staff to comment/answer the public comments.

Senior Planner Adrienne Smith clarified that while wood frame construction is allowed, wood cladding is not.

Vice Chair Flynn added that homes could be manufactured with wood sheathing and then fitted with fire-resistant cladding on-site or built with fiber cement cladding directly at the factory.

Senior Planner Adrienne Smith shared her previous understanding that ten units on the half-acre site at Ladera Church were feasible. However, she acknowledged that circumstances may have changed, potentially affecting compliance with the no net loss law.

Town Attorney Ortega confirmed the Town's commitment to implementing identified programs, including zoning changes.

Senior Planner Adrienne Smith explained that setbacks stipulated in the Housing Element for Mixed-Use need to be consistent with the zoning code. In case of conflict, the Housing Element controls.

The consultants addressed some of the comment questions regarding 'average' square footage for inclusionary housing stating there is not a specified average in the Housing Element and other objective standards being used in other areas.

Time 3:35:16

After a break, the meeting resumed at 11:00 p.m. for Commission and ASCC discussion.

Time 3:35:40

Vice Chair Targ recused himself during a question regarding the Jim White Project.

Commissioner Krashinsky raised questions about the requirements for ground floor leasable commercial space, asking for a definition and whether it would affect establishments like the café at Willow Commons.

Senior Planner Adrienne Smith explained that the fifty by thirty-foot depth was chosen to accommodate a variety of uses in the zone but suggested that it might be too large and could be revised to allow for smaller spaces. She proposed removing the term 'leasable' as it implies that the space must be leasable, which may not always be the case. She also noted that the current requirement would exclude a café. She mentioned that the Willow Commons site and the adjacent property, both owned by Jim White, have a supportive housing overlay as per the Housing Element.

Time 3:44:10

After Vice Chair Targ rejoined the meeting, Chair Goulden invited discussion from the ASCC Commissioners.

Commissioner Breen stated that the ASCC had met, provided a report, and planned to meet again on Monday for further work.

Vice Chair Flynn outlined the ASCC's objective to propose a limited number of changes to the zoning amendments, including unit size, floor area ratio, height limit, landscape area ratio, and the creation of objective standards for design guidelines.

Time 3:47:40

Chair Goulden invited discussion from the Planning Commissioners.

Vice Chair Targ suggested that the ASCC could benefit from consulting with experts in form base code, such as Lisa Wise Consulting or another firm in Berkeley. He proposed that one or two Planning Commissioners join the ASCC meeting, either as participants or as public commentators.

Town Attorney Ortega noted that having more than one Planning Commissioner at the meeting would constitute a Brown Act meeting.

Senior Planner Adrienne Smith stated that she would prepare a packet for Monday's meeting and ensure a quorum. She mentioned that the packet could be released as late as Friday.

Commissioner Krashinsky expressed agreement with Vice Chair Flynn's direction, suggesting a focus on the impact on specific sites to be zoned. He proposed relying more on the natural environment for landscaping to reduce costs for affordable housing. He also suggested removing the requirement that shared entrances may serve no more than three units

Vice Chair Flynn clarified that they were not referring to specifying particular plants as much as just having green area, which includes the natural environment.

Commissioner Krashinsky suggested removing the requirement that shared entrances may serve no more than three units.

Commissioner Brothers thought that staff needed to look at what is happening in the Alpine-Nathorst situation to ensure we are clear on what our commitments are on a number of occasions and that this zoning does not cancel any of those commitments. She strongly supported the approach that the ASCC took. She agreed with a public comment about fixing the open space at Frog Pond and the incorrect designation of the Corte Madera school, which is now listed as residential. She felt the comment about insurability was a really good one to think about because she was concerned about the building height and fire potential. She believed the only comparable site in the State might be Malibu where there are only two ways out along the Pacific Coast Highway, and the fires come down the hill. She stated that she would like to have data regarding what really could happen if there was no fire anywhere else and how quickly a firetruck could get to the Town. She hoped that what the ASCC has done will help simplify the job and not complicate it. She suggested including a clear presumption that what is being written only applies to the properties that are included here.

Commissioner Kopf-sill thanked the ASCC and acknowledged the time pressures everyone is under. She supported focusing on the specific sites and creating strict objective standards that could be relaxed upon discussion with the ASCC at a later time. She was open to three-story buildings and favored a path for simple houses. She was indifferent between FAR and CAR but noted that CAR would define unit sizes. She supported defining minimum and maximum units.

Chair Goulden appreciated the ASCC's discussion on incentives and suggested deferring the consideration of exact numerical incentives. He proposed finding ways to accommodate three-story buildings on specific sites or making them a topic for ASCC discussion. He stated that changes to the HCD in the Housing Element at this point would be inappropriate.

Senior Planner Adrienne Smith stated that staff and consultants were under the impression that they would get most of their project direction from this meeting and then they would have enough time to test out specific standards prior to the April 17, 2024, meeting.

Vice Chair Targ expressed confidence in the Town Council's ability to make informed decisions based on the information provided and staff input.

Commissioner Brothers suggested keeping an open mind about the schedule and reassessing the situation in two weeks.

Time 4:18:00

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

2. Commission Reports

There were no Commission reports.

3. Staff Report

There were no staff reports.

ADJOURNMENT [11:22 p.m.]

Vice Chair Targ moved to adjourn. Seconded by Commissioner Breen, the motion carried 9-0.