



TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING
765 Portola Road, Portola Valley, CA 94028
Wednesday, June 1, 2011 – 7:30 p.m.
Council Chambers (Historic Schoolhouse)

AGENDA

Call to Order, Roll Call

Commissioners Gilbert, McIntosh, Von Feldt, Chairperson McKitterick, and Vice-Chairperson Zaffaroni

Oral Communications

Persons wishing to address the Commission on any subject, not on the agenda, may do so now. Please note, however, the Commission is not able to undertake extended discussion or action tonight on items not on the agenda.

Regular Agenda

1. *Public Hearing:* Site Development Permit X9H-626 for New Residence, Pool and Site Improvements, 15 Sausal Drive, Quezada
2. *Public Hearing:* 3 Lot Subdivision X6D-210 and Planned Unit Development (PUD) X7D-171 and Proposed Mitigated Negative Declaration, 1260 Westridge Drive, Shorestein
3. Administration of CEQA (California Environmental Quality Act) Requirements regarding Historical Resources

Commission, Staff, Committee Reports and Recommendations

Approval of Minutes: April 20, 2011

Adjournment

ASSISTANCE FOR PERSONS WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Technician at 650-851-1700 ext. 211. 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 branch of the San Mateo County Library located at Corte Madera School, Alpine Road and Indian Crossing.

PUBLIC HEARINGS

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

This Notice is posted in compliance with the Government Code of the State of California.

Date: May 27, 2011

CheyAnne Brown
Planning & Building Assistant



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Planning Commission
FROM: Tom Vlastic, Town Planner
DATE: May 12, 2011
RE: Site Development Permit Application X9H-626, Quezada

Location

1. Address: 15 Sausal Drive
2. Assessor's parcel number: 079-111-010
3. Zoning District: R-E/1A/SD-1a (Residential Estate, 1.0 acre minimum parcel area, slope density requirements)

Request, Background, Preliminary Review and ASCC Consideration

On May 18, 2011 the planning commission will be conducting a public hearing on the subject site development permit application. The request is for approval of 2,560 cubic yards of grading (counted pursuant to the provisions of the site development ordinance), which is to be completed for residential redevelopment of the subject 1.1-acre, Alpine Hills area property. Vicinity maps for the project are attached for reference.

The proposed grading includes 950 cubic yards of cut, 1,610 cubic yards of fill, and no materials to be off-hauled from the property. The scope of grading reflects efforts necessary to remove and compact fill placed on the site for original site development. In addition, the placement of fill, as explained through the preliminary review process for this application, is intended to help return site slopes to more "natural" appearing conditions.

The following enclosed plans, unless otherwise noted, are dated May 9, 2011 and prepared by Taylor Lombardo Architects, LLC:

- Sheet A1, Cover Sheet
- Sheet C-1, Title Sheet (civil plans), Lea & Braze Engineering, Inc., 12/21/10
- Sheet C-2, Preliminary Grading & Drainage Plan, Lea & Braze Engineering, Inc., 12/21/10
- Sheet L-1, Landscape Plan, Thomas Klope Associates
- Sheet L-2, Impervious Surface Plan, Thomas Klope Associates
- Sheet L-3, Irrigated Landscape Coverage Plan, Thomas Klope Associates
- Sheet L-4, Exterior Lighting Plan, Thomas Klope Associates
- Sheet A2, Build It Green Checklist

Sheet A3, Floor Plans
Sheet A4, Roof Plan
Sheet A5, Elevations
Sheet A6, Schematic Sections
Sheet A7, RCP (architectural house lighting plan)

The grading and landscape plan sheets are those most germane to the requested site development permit. The grading plans are the same as considered during the preliminary review process described in this report. The landscape plans were, however, revised to address preliminary review comments.

In addition to the above listed plans, still part of the architectural review plan package conditionally approved by the ASCC is the exterior materials board dated 4/25/11. This will be available for reference as needed at the 5/18 hearing.

On April 20, 2011, the planning commission initiated a preliminary review of the application and that review continued at the April 25, 2011 site meeting with the ASCC. Based on the preliminary review process, the plans were found generally acceptable, but some issues were identified and addressed through plan revisions and clarification reflected on the plans listed above. On May 9, 2011, the ASCC completed action on the architectural review request and recommended planning commission approval of the site development permit application.

The following attached documents describe the project in detail and the preliminary review process, including the plan adjustments considered by the ASCC when it acted to approve the architectural review application:

April 14, 2011 Preliminary Review Staff report to the planning commission and ASCC with attachments

April 21, 2011 staff report to the ASCC for the April 25th joint site meeting with the planning commission. The report contains information on the April 20th planning commission discussion and responses to concerns in the attached April 20, 2011 email from the project site neighbors at 45 Sausal Drive (Dianne Brinson and Mark Radcliffe).

Minutes of April 25, 2011 joint ASCC and Planning Commission site meeting and evening ASCC meeting on the project.

May 5, 2011 staff report to the ASCC for the May 9, 2011 regular ASCC meeting on the project. This report discusses how the project plans were adjusted to address the preliminary review comments.

Also, based on the preliminary review process, the neighbor at 45 Sausal Drive advised at the April 25 meetings that their concerns had been resolved, except for worries over construction staging and parking and the proposed swimming pool location. Relative to the swimming pool location, based on the neighbors' request, the pool site was staked and a meeting held between neighbors on the afternoon of May 9th to consider the staking. Based on this meeting, the attached May 9, 2011 memo was presented to the ASCC advising that the neighbors have "no objections" to the pool location, but remain concerned with construction parking. This matter was addressed in one of the conditions of ASCC architectural review approval as discussed later in this report.

Site Description

1. **Area:** 1.1-acres.
2. **Present use of site:** low density residential.
3. **Topography:** A uniformly steep slope is located north and above the existing building site and is between building site and Sausal Drive. There is also a steep, artificial transition slope below the established building pad and the more gentle slopes on the south side of the property. This transition slope is below a retaining wall that supports questionable fill placed for construction of the building pad.
4. **Ground cover:** Pines, redwoods, eucalyptus, and oaks around the perimeter of the parcel, with a mixture of native and exotic materials, including invasive plants, on the steeper slope between the building pad and Sausal Drive.
5. **Land movement potential of undisturbed ground:** Most of the property is designated *Sun*, relatively stable ground, on the town's map of land movement potential. There is more discussion on this in the attached April 11, 2011 report from the town geologist.
6. **Relationship to earthquake faults:** While the property is over 5,000 feet northeast of the San Andreas Fault Zone, there are some more local fault conditions that are discussed and evaluated in the April 11, 2011 report from the town geologist. He has determined that the work by the project geotechnical consultant has adequately considered and addressed potential impacts from anticipated fault activity including the consultant's recommendations for fault setback. During preliminary planning commission discussion, some interest was expressed over scope of the geotechnical investigation, particularly subsurface work, conducted for the applicant by Murray Engineers. That attached excerpts from the August 31, 2010 report describe the scope of work and site borings.
7. **Characteristics of site drainage:** The site drains primarily to the south and southeast.

Ordinance Requirements

Section 7303.C. of the Site Development Ordinance requires that plans for grading in excess of 1,000 cubic yards come before the planning commission for approval. Further, Section 7300.A.6) requires a site development permit when certain tree removals are proposed. The ordinance requires that the plans be reviewed by the *Site Development Committee*, consisting of the town engineer, town planner, town geologist, health officer, fire marshal, architectural and site control commission (ASCC), the conservation committee, and trails committee. The reviews and recommendations of committee members are to be transmitted to the planning commission and applicant in a report prepared by the town planner. The specifications for grading and other aspects of site development are contained in the site development ordinance.

Review and Evaluation

Pursuant to the requirements of the site development ordinance, project plans have been circulated for staff and committee review. The following reports and comments have been received.

1. **ASCC.** The ASCC concluded its architectural review approval on May 9, 2011 and also found the site development permit acceptable. Conditions of the architectural approval were as follows and are to be addressed, unless otherwise noted, to the satisfaction of staff prior to issuance of a building permit:

- a. Final exterior lighting plans shall be provided to the satisfaction of a designated ASCC member. The plans shall be consistent with those considered at the May 9, 2011 ASCC meeting, but all switching zones and characteristics shall be detailed. Based on these details, the designated ASCC member may require reduction in the scope of exterior house lighting.
- b. A detailed construction staging and vegetation protection plan shall be provided to the satisfaction of a designated ASCC member and, once approved, implemented to the satisfaction of planning staff.
- c. All site plan sheets containing data on tree protection and/or removal shall be corrected as necessary for consistency with the pine and Arizona Cedar tree removal shown on revised plan Sheet L-1, dated May 9, 2011.

During the May 9th ASCC review it was clarified that the project would not be seeking the 5%, single story floor area bonus and, with this clarification, the height issue discussed in the earlier staff reports was resolved. This is discussed in more detail in the attached May 5, 2011 staff report along with comments on floor area clarifications. Also, based on the May 5, 2011 staff report and the analysis and findings from the site meeting, ASCC members acted to approve the concentration of 91% of the permitted floor area in the single largest structure. (It should be noted that the floor area clarifications identified a total proposed site floor area of 4,814 sf and this is still well under the maximum for the site of 5,270 sf that is available without the 5% single story bonus.)

2. **Public Works Director.** By attached memo dated April 22, 2011, the public works director found the project conditionally acceptable. The conditions referenced in this memorandum are relatively standard project requirements set forth on the standard conditions list of the Public Works Department.
3. **Town Geologist.** By attached memorandums dated April 11, 2011, the town geologist has found the project grading plans conditionally acceptable. He has also concluded support for the site design (i.e., process for grading and correction of existing fill problems) and building construction criteria set forth in the detailed Murray Engineers August 31, 2011 report for the property.
4. **Fire Marshal.** In follow-up to comments in our initial staff report, the applicant had further interaction with the fire marshal and obtained the attached revised project review and approval report dated April 25, 2011. This report is consistent with the comments set forth in the attached March 10, 2011 email from the project landscape architect based on a site meeting with the fire marshal. In particular, there will be no requirement for a hammerhead turnaround for this project.
5. **Health Officer.** Since the project will be connected to the sanitary sewer, a report on the sewage disposal system would not be provided by the health department. Removal/abandonment of the existing septic system would need to be done according to health department standards.
6. **Town Planner.** As has been the case with most site development permits, our plan concerns were developed and addressed primarily through the ASCC review process. Further, all plan aspects, including proposed floor area, impervious surface area,

building setbacks and heights now conform to requirements of the zoning ordinance as evaluated in the reports prepared for the ASCC meeting and clarified at the May 9, 2011 ASCC meeting.

7. **Trails Committee.** There are no town trails on the property, and the trails committee by email dated April 7, 2011 has confirmed the committee has no comments on this project.
8. **Conservation Committee.** The matter was referred to the conservation committee during the early stages of project review, i.e., at the time of preliminary consideration in April. The committee, however, only had a chance to agenda the matter recently and we have not yet received any formal input from the committee. We hope to have a status report on this for the 5/18 hearing. In any case, we have included a recommended approval condition to cover any conservation committee input.

Environmental Impact

The project is categorically exempt from filing an environmental impact report pursuant to Section 15303.(a) of the CEQA guidelines. This section exempts construction of new single-family residences when not in conjunction with the construction of two or more such units.

Recommendations for Action

Unless information presented at the public hearing leads to other determinations, the following actions as set forth below are recommended.

1. **Environmental Impact.** Move to find the site development permit project categorically exempt pursuant to Section 15303.(a) of the CEQA guidelines.
2. **Site Development Permit.** Move to approve the site development permit application as shown on the plans listed under the request portion of this memorandum subject to the following conditions:
 - a. All ASCC May 9, 2011 architectural and site development review requirements shall be adhered to.
 - b. The requirements of the public works director as set forth in his April 22, 2011 memorandum shall be adhered to.
 - c. The requirements of the town geologist set forth in his April 11, 2011 memorandum shall be adhered to.
 - d. The requirements of the fire marshal set forth in her April 25, 2011 review memorandum shall be adhered to.
 - e. All health department requirements relative to removal or abandonment of the existing septic system shall be adhered to.
 - f. Any recommendations of the conservation committee shall be addressed to the satisfaction of planning staff.

- g. All finish contours shall be blended with the existing site contours to result in as natural appearing finish slope condition as reasonably possible to the satisfaction of the public works director and town planner.

TCV

attachments
encl.

cc. Planning Manager
Town Attorney
Public Works Director
Health Officer

Town Manager
ASCC
Town Council Liaison
Planning Technician

Fire Marshal
Town Geologist
Conservation Committee
Applicant



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Planning Commission
FROM: Tom Vlastic, Town Planner
DATE: May 25, 2011
RE: Proposed Subdivision X6D-210 & PUD X7D-171, and
Proposed Mitigated Negative Declaration, Shorenstein Realty,
1260 Westridge Drive

Proposed Subdivision and Planned Unit Development (PUD), Public Hearing and Planning Commission Review Process

As explained in the attached May 13, 2011 memorandum to the planning commission, the June 1st meeting will be the start of the public hearing on the subject applications for a three lot subdivision of the 11.6-acre Shorenstein property located on the west side of Westridge Drive (see attached vicinity map). The primary purpose of the June 1st hearing is to receive public comment on the proposal and the proposed CEQA documents, including the May 2011 Initial Study and Proposed Mitigated Negative Declaration. Opportunities for public input would continue at the June 13th regular ASCC meeting. As explained in the May 13th report, project review should then be continued to the July 6th meeting so that input from the June 1st and June 13th meetings can be considered along with any comments received on the proposed CEQA documents. The required circulation and comment period on the CEQA document ends on June 18, 2011. With the input received at the June 1st and June 13th meetings, and any CEQA document comments, we will assemble final recommendations on the subdivision and PUD proposals for planning commission consideration at the July 6, 2011 continued public hearing.

The key application documents that the planning commission is responsible for acting on are listed in the attached May 13, 2011 report to the planning commission. These include the proposed Tentative Parcel Map dated May 3, 2011, the Proposed PUD statement dated May 2011, and the Initial Study and Proposed Mitigated Negative Declaration (IS/MND), prepared by TRA Environmental Sciences, Inc., dated May 2011. The IS/MND has been posted on the town's website and is also available for review at:

<ftp://www.traenviro.com>
username: eswptr
password: Eswpuser41

The Proposed Tentative Parcel Map is included as Figure 5, Appendix A of the IS/MND. The proposed PUD Statement is attached. Also, a PDF of the proposed subdivision map and PUD statement were transmitted by email to planning commissioners with our May 13, 2011 memorandum and these documents have also been available on the town's web site.

For background, also attached are the February 10, 2011 staff status report to the planning commission and the reports and minutes associated with the December 1 and December 13, 2010 planning commission and ASCC preliminary reviews. The town has also received the attached May 8, 2011 letter from neighbors Holly and John Dissmeyer, 20 Possum Lane, seeking enhanced screen planting as part of the development process. It should be noted that Mitigation Measure AES-1, page 18 of the IS/MND, provides for such planting to be installed as part of the subdivision improvements. Thus, if the parcel map were recorded, a requirement would be to install screen planting in anticipation of future development of proposed Lots A and C.

Project Description

The project is fully described in the IS/MDN, Section 2.0. Further, it is described in the PUD Statement, and project and PUD provisions are evaluated in detail in the IS/MDN. The proposed IS/MDN mitigation measures (pages 17 to 24) have also been largely incorporated into the PUD Statement provisions. Section 3.10 of the IS/MDN discusses, in particular, project conformity to the town's land use planning provisions. It should be noted that the IS/MDN has concluded that all potential impacts can be mitigated to less than significant levels.

Ordinance Requirements

The subdivision must comply with the standards in the subject ordinance except where modified pursuant to the PUD. The provisions for PUDs are contained in Chapter 18.44 of the zoning ordinance, a copy of which is attached. The PUD provisions, particularly the purpose statement (Section 18.44.010, allow for design flexibility in order to achieve a higher quality of development, while insuring substantial compliance with the basic standards of the zoning ordinance. The town's subdivision committee, including the Public Works Director, Town Planner, Town Geologist, Fire Marshal, Trails Committee, ASCC and Conservation Committee are required to review the subdivision proposal and offer comments to the planning commission relative to conformity to the provisions of the subdivision ordinance. Further, pursuant to ordinance standards, at the time of recording of any subdivision maps, fees would need to be paid for park and recreation, in-lieu housing, and storm drainage.

Relative to the PUD, the planning commission must make findings as called for in the town's conditional use permit provisions. A copy of these findings is attached and a preliminary review of the findings is provided below.

Subdivision Committee Review

The following subdivision committee review comments and recommendations have been prepared for planning commission consideration:

Public Works Director. The public works director has advised that he has reviewed the revised proposed subdivision map and found the proposed design and improvements

acceptable. Also, based on further analysis of the proposed flood plain boundary, he and the town's consulting engineer have concluded support for the changes and have filed the attached April 18, 2011 formal request for FEMA change to the flood boundary line, i.e., the line shown on the proposed subdivision map. It is also noted that the traffic and proposed driveway improvements, including those at Westridge Drive, as evaluated in the IS/MDN, have been reviewed, including the evaluation, and found acceptable by the public works director.

Town Geologist. A detailed geotechnical investigation of the site was prepared by Murray Engineers and reviewed by the town geologist. Based on town geologist review, a supplemental report was prepared by Murray Engineers. These documents, now approved by the town geologist, provide a basis for finding that the site geologic conditions, including those associated with the steeper creek banks, do not create any potential significant environmental issues. The project geology reports and initial review memorandum from the town geologist are contained in Appendix C of the IS/MDN. Attached is the April 29, 2011 report from the town geologist recommending subdivision approval.

Fire Marshal. By attached memo dated January 25, 2011, the fire marshal has recommended conditional approval of the subdivision. The conditions include provisions for new fire hydrants that would be located based on final siting of any new houses on Lots A and C.

Health Department. By attached memo dated February 16, 2011, the health officer has recommended conditional subdivision approval, specifically calling for abandonment of the existing septic tank system when the project is connected to the West Bay Sanitary District. The detailed plans for sewer connection are contained in Figure 6 of Appendix A of the IS/MDN. At the time of recording of any subdivision map and prior to any new residential development for Lots A and C, the new sewer connection would need to be implemented. It should also be noted that the existing water well system, including water tanks, were authorized by a well permit issued by the San Mateo County health department in 1976. The tanks draw well water from the site for irrigation and would continue to do so under the provisions of the proposed PUD. A copy of the well permit is attached.

Trails committee. There are no new trails requirements for this subdivision. The existing trail along Westridge Drive is to be preserved and protected. The town's trails and paths element shows no other existing or proposed trails associated with this subdivision.

Conservation committee. The conservation committee has provided the attached February 11, 2011 email report on the project. The comments have largely been addressed by the evaluations in the IS/MDN. Also, as noted above, the existing well system was approved by the county health department. The IS/MDN has been referred to the committee for information and any additional comment.

ASCC. The ASCC conducted a preliminary review of the proposal as described in the attached material associated with the December 13, 2011 meeting. The IS/MDN and revised subdivision map, as well as the revised PUD statement, will be further considered at the June 13, 2011 ASCC meeting and any additional comments presented to the planning commission for consideration at the July 6th continued public hearing.

Conformance with required PUD findings

The following comments are offered relative to conformity to the required findings as listed in attached Section 18.72.130 of the zoning ordinance. Much of the background evaluation in support of the findings is contained in the IS/MDN. We have worked closely with the project environmental consultants in development and review of the IS/MDN.

1. **Proper location.** The proposal is for subdividing an 11.6-acre parcel into three lots to accommodate two new building sites. The site is designated in the general plan for residential use and the minimum required parcel area is set at 2.5 acres. The proposed lots would all exceed the required minimum parcel area, each with an area in excess of 3.25 acres, and would be only for residential use as provided for in both the general plan and zoning ordinance. Adjustments have been made to the design to accommodate the existing Shorestein residence, but the total scope of development, as regulated by PUD provisions would conform to basic town zoning standards as evaluated in the IS/MDN. Parcel density to the southwest and east of the site averages one acre per dwelling unit. To the north, the average parcel size in the Westridge subdivision is 2.5 acres. Thus, the site is a proper location for residential uses as proposed with these applications.
2. **Adequate Site.** The sites have minimum constraints for residential development as evaluated in the IS/MDN. The parcels have very gentle slopes and the proposed building envelopes, as shown on the proposed subdivision/PUD map, maintain setbacks from parcel boundaries that meet or exceed normal zoning ordinance setback standards. Further, technical studies have been completed in support of the application for modification of the FEMA flood plain maps to accommodate the proposed building sites.

The proposed parcels can be developed with minor grading and tree removal, as evaluated in the IS/MDN. A few trees and shrubs would need to be removed for driveway access improvements, but the PUD plan minimizes such impacts and provides for replacement tree planting.

Thus, it is concluded that the site is adequate to support the proposed subdivision subject to the provisions in the proposed PUD and implementation of the proposed mitigation measures in the IS/MDN.

3. **Adequate street service.** As evaluated in the IS/MDN, the local streets are adequate to accommodate two new residential parcels. Some minor grading and vegetation clearing will, however, be needed to enhance sight distance at the intersection of Westridge Drive and the existing driveway. This is shown on the proposed subdivision/PUD plan and evaluated in Section 3.16 of the IS/MDN.
4. **No adverse effects on abutting properties.** The IS/MDN includes a detailed visual analysis, section 3.1 and concludes that with implementation of some mitigation measures, the potential for impacts on abutting properties would be insignificant.
5. **Safe from natural hazards.** The evaluations in the IS/MDN, particularly as related to hydrology (flood plain), Section 3.9, geology, Section 3.6, and hazards, Section 3.8, support a finding that the project would be safe from natural hazards. These findings would, however, be subject to the mitigation measures and the recommended conditions of the town geologist.

6. **Conformity with the general plan and zoning ordinance.** Such conformity is evaluated in Section 3.10 of the IS/MDN. The proposed density and scope of uses conform to the provisions of the general plan and zoning ordinance. It is noted, however, that the PUD allows for the existing residential improvements to remain with floor area and impervious surface area balanced relative to developed of new parcels A and C. Further, some of the existing fencing is recommended for retention, see figures 7, Appendix A of the IS/MDN, due to the importance for visual screening and the S.F. Dusky-Footed Woodrat Habitat, see also Section 3.4 of the IS/MDN.

Next Steps

At the June 1st hearing the commission should consider the above comments, attached materials and the IS/MDN, as well as public input. Comments and reactions should be provided as appropriate and then the project hearing should be continued to the July 6th planning commission meeting. Between the June 1st meeting and the continued July 6th hearing we will consider comments received including those provided at the June 13th ASCC meeting and on the proposed IS/MDN and develop an addendum report with recommendations for specific actions on the subject applications, including approval conditions, and final action relative to the IS/MDN.

TCV

encl./attach.

cc.	Carol Borck, Planning Technician	Ann Wengert, Town Council Liaison
	Sandy Sloan, Town Attorney	Ted Driscoll, Mayor
	Howard Young, Public Works Director	Applicant
	Angela Howard, Town Manager	ASCC



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO : Planning Commission

FROM : George Mader, Town Planning Consultant

DATE : 5/25/11

RE : Administration of CEQA (California Environmental Quality Act) Requirements re Historical Resources

Introduction

The planning commission and town council considered this topic in 2006/07, but work was not completed. The subject is now included in the planning budget for FY 2010/11.

Simply stated, CEQA requires jurisdictions to evaluate potential historic resources when a permit to change a resource is applied for in order to determine if it may in fact be historically significant. The Natural Resources Code of California states that to be historically significant, a resource should normally be at least 50 years old in order to judge its significance [Section 4852, (d) (2)]. The 50-year criterion is generally used by environmental consultants when deciding what resources to evaluate for historical significance pursuant to CEQA. If it appears a resource may be historically significant, then it must be evaluated pursuant to the requirements of CEQA.

While CEQA defines historical resources as buildings, other structures, sites, objects and historic districts, this memo focuses on the administrative procedures for reviewing modification or removal of potential historic buildings since the bulk of applications in the town affecting resources are for buildings. Other types of resources will have to be considered on an individual basis when they come before the town.

General Comments on Potential Historic Resources in Portola Valley

CEQA lists four review requirements with respect to historic resources. Each of the requirements is listed below in a question format followed by comments on how the town might respond to each.

(A) Is the resource associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage?

Buildings listed on the State Register of Historical Resources must be reviewed pursuant to CEQA. Other buildings must be reviewed against the above criterion to determine if should be reviewed pursuant to CEQA. A thorough list of historic structures was prepared by past town historian Dorothy Regnery. The list, which includes buildings on the State Register of Historical Resources as well as other buildings identified by the town historian, is included in the Historic Element of the General Plan in Section 2500 and in Appendix 6 of the plan.

(B) Is the resource associated with the lives of persons important in our past?

Based on our limited knowledge, likely persons might include: Linus Pauling, Carl Djerassi, Bill Lane and John Frances Neylan. Further research would be needed to develop a complete list. It might be that the town historian could help develop such a list. Also, Internet searches might be made when an application for a permit is received.

There are some practical problems in administering this criterion:

- 1) Development of a list of persons would take significant research and there is no guarantee that it would be all-inclusive. Decisions would need to be made regarding which of the potential persons to put on an official list. Also, the major historic figures are already identified in the historic element where they are associated with particular resources.
- 2) In many instances it is not likely that a person seeking a permit would know who occupied the structure 50 or more years ago.
- 3) If only general criteria rather than names were used, significant research by staff would be required when a permit were processed. In any event, the applicant would be required to make a deposit to fund the staff work as well as any CEQA analysis.

Also, the town would need to consider whether such occupancies should warrant preservation of a house. It is likely that many such persons lived in rather usual houses that would probably not warrant protection. If the house were of outstanding design, then item C. below would provide coverage.

Unless a strong case can be made at this time for listing specific names, we don't recommend preparation of such a list. We believe that persons of major historic local interest are already identified in the historic element. A reasonable way by which to respond to this criterion might be to refer buildings over 50 years of age, when prior owners are known, to the town historian for comment.

(C) Does the resource embody distinctive characteristics of type, period, region or methods of construction, or represent the work of an important creative individual, or possesses high artistic values?

This is probably the major issue for the town. To inventory all houses in the town to make such a list would be expensive, time consuming and likely fraught with controversy. This has been the case with some past efforts in town and certainly in other jurisdictions. An alternate procedure is described in the following paragraph.

Probably, most of the residences in the town built 50 or more years ago, prior to 1961, were ranch style houses. By and large, ranch style houses are plentiful in the town, are quite similar and are not generally regarded by architectural historians as historically significant. Also, there is a mixture of other styles of houses built prior to 1961, some of which may be of outstanding design. The problem is how to determine which houses may warrant protection. One approach would be for the town to develop a list of notable architects and building designers who practiced or may have practiced in the town prior to 1961. This list would be used as a screening device when determining whether any house should be reviewed pursuant to CEQA.

Research should be made to develop a list of notable architects and designers who designed or may have designed houses in the town. Based on our research, such a list might at least include: Bernard Maybeck, William Wurster, Julia Morgan, Birge Clark, Aaron Greene, Cliff May, Frank Lloyd Wright, Hendrick Bull, William Turnbull, Gardner Dailey, Vernon DeMars, Gerald McCue, Joseph Esherick, Charles Warren Callister, Willis Polk, Gardner Daily, Mario Ciampi, Ernest J. Kump, Kump & Falk, Flewelling & Moody, Arthur D. Janssen, William H. Daseking, and Walter L. Keller. This list should be further reviewed and augmented as necessary prior to the town adopting any policy statement. The ASCC might be asked for its advice.

(D) Has the resource yielded or may be likely to yield important prehistory or history?

This is unlikely to be a major issue. Probably the major concerns would be with respect to what may have been Indian sites. If the town identifies potential areas, then as projects arise a query could be sent to the repository of this information at the Northwest Information Center at Sonoma State University. Hopefully, a map could be prepared that shows general areas with potential archeological artifacts.

Period of Review

Given the 50 year review standard, currently a building would have to have been constructed prior to 1961 to be considered potentially historic. This date must be moved forward by one year annually.

Care Needed in Developing a Review Program

If the town finds a house to be potentially historic or actually historic, these findings put major limitations on what a property owner or potential property owner can do with the house. Accordingly, the town has to be careful in deciding to classify a house as historic. The exterior of an historic house cannot be changed and under the provisions of the historic element and historic district in the zoning ordinance, additions are not allowed unless they can be removed in order to render the house as it appeared prior to the addition or change. In some cases, however, the original house may have been so altered over the years that it does not warrant protection as an historic building.

While the town has to comply with CEQA when considering changes to buildings over 50 years of age, the criteria used by the town should keep in mind the interests of owners wishing to expand or sell a house. Also, a purchaser needs to understand what limitations will be imposed should a purchase of a house be made.

Summary of Prior Comments at Public Meetings.

Comments from 10/18/06 Planning Commission Meeting.

1. McKitterick – make a preliminary list of buildings so as not to surprise people when they come in with a building plan.
2. McIntosh – people would not like the town going around categorizing houses.
3. Mader – HUD representative suggested a classification system developed by the town that would rule out some types of buildings automatically.
4. Zaffaroni – put some standard notice in parcel files about historic review.
5. Lambert – general info as Zaffaroni suggested could be added to the residential data report.
6. McKitterick – criteria needed to be very specific, such as names of architects.
7. Zaffaroni- reason for criteria was to make the process less subjective.
8. Historic nature of Ranch was discussed. Vlasic thought there was a desire to protect the basic nature of the development.

Comments at 2/14/07 Town Council Meeting

1. Merk - questioned if the state requirement was 50 years. Also, since single family and guesthouses are exempt from CEQA, how many other buildings are left?
2. Sloan - said single-family houses are exempt unless they were historical. She also said the 50-year standard was not as clear as it should be, but it was used by the court.
3. Davis - make the threshold for considering a building to be historic a “high threshold.”
4. Lambert - the process should be simple, but the town should try to establish when a structure was built, who designed it, etc.
5. Council agreed on the following:

- a. Town should adopt ordinance provisions requiring a demolition permit. (Note: a demolition ordinance was adopted as Ord. 2000 – 332.)
- b. Each application should be considered on its own with a requirement that the applicant submit certain required information that would help determine the historical significance of building.
- c. A form should be developed and used when analyzing buildings 50 years or more in age.
- d. Criteria should be developed for reviewing these structures.

Suggested Application Requirements for Building or Demolition Permits

The following information, if known, should be provided by an applicant for all building permit applications for exterior alteration or full or partial demolition and should become part of the permanent parcel file for the property.

Date of original construction, if known; if not, approximate date.

Name of original builder, if known.

Name of original architect or designer, if known.

Exterior photos of front, back and sides of the house.

Date and description of any past major building modifications.

Not recommended: Name of notable person, if any, who at some time occupied the house. (See discussion of this item cited previously in this memo.)

Review Process

The process that follows for screening of buildings is according to CEQA requirements as found in Sections 15064.5 – 15065 of the California Government Code. In all cases, if further evaluation according to CEQA is recommended, then an initial study would be needed which would in almost all instances require review by an architectural historian.

1. Was the building built 50 or more years ago?

If yes, go to next question.

If no, proceed no further.

2. Is the building listed in the historic element as a building to be preserved?

If yes, review pursuant to CEQA and historic element. (Note: see “Excerpt from Historic Element of the General Plan” later in this memo.)

If no, go to next question.

3. Was the house occupied by person important to the history of the town?

If yes, review pursuant to CEQA.

If no, go to next question.

4. Was the building designed by a notable architect or building designer on the town’s list?

If a person on the town's list designed the building, staff should refer the matter to the ASCC to determine whether the building as designed and in its current condition should be preserved. If determined to potentially have outstanding architectural importance, an architectural historian should make review pursuant to CEQA.

Looking Ahead

As time passes, the town will need to keep track of important buildings that do not meet the 50 year threshold at this time, but will do so in future years. The following comments relate to this issue.

There are a number of buildings in the town that are not over 50 years of age that might be considered as historic buildings, but we do not have the perspective of 50 years to make a judgment at this time. Such a list might include Christ Church, the main sanctuary of the Presbyterian Church, the Sequoias, Corte Madera School, the Town Center, and residences designed by local architects that have design qualities warranting particular recognition by the town and the larger architectural profession. Such a list of buildings and architects might first be considered by the ASCC. The town should then update such a list periodically.

In addition to the buildings listed above, some planned unit developments deserve some consideration. These projects include house designs, careful siting of houses and some characteristic building design themes. The integrity of the developments warrants careful review of changes to buildings. Candidate developments include Portola Valley Ranch, Blue Oaks development and the Portola Green development. The PUD requirements provide for review of all changes to these buildings.

Excerpt from the Historic Element of the General Plan

2511 *Historic Resource to be Preserved*

1. A historic resource noted for preservation shall have its exterior appearance retained to the maximum extent possible. This does not preclude:
 - a. Exterior alterations necessary to ensure safety which conform to the historic character of the resource.
 - b. Additions which conform to the historic character of the resource.
 - c. Additions or changes required to conform with the Americans with Disabilities Act.
2. Any additions or alterations pursuant to Section 2511.1. shall be accomplished in such a manner that they can be removed at a

future time to reveal the historic resource as it appeared prior to such additions or alterations.

3. A historic resource which at some time has been partially or entirely destroyed may be reconstructed to its original design.
4. A historic resource noted as to be preserved shall not be removed unless one of the following conditions has been determined to exist; however, if one of the conditions is determined to exist, time shall be provided to allow the town to consider alternate ways in which to retain the resource.
 - a. The resource is a potential safety hazard and alterations to provide safety and retain its historic character are unreasonable.
 - b. The resource has been so altered or modified that its historic significance no longer exists.
 - c. Retention of the historic resource is an unreasonable burden on a property owner.
5. It is intended that resources noted as to be preserved should at an appropriate time have a plaque installed in a location visible by the public unless otherwise indicated in the description section of this element.

Note

This memo has been prepared in consultation with the town attorney.

Next Steps

If the recommendations in this memo are accepted as presented or modified, the planning commission should send its recommendations to the town council. Ultimately, the town should adopt the review procedures by ordinance, resolution, regulation or rule as recommended by the town attorney. Prior to final adoption by the town, the following should be accomplished:

1. Preparation of a form for building review.
2. Compilation of a list of outstanding architects and building designers.
3. Compilation of a map showing potential archeology sites.

cc. Tom Vlastic, Town Planner
CheyAnne Brown, Building and Planning Assistant
Sandy Sloan, Town Attorney
Angela Howard, Town Manager