



TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING
765 Portola Road, Portola Valley, CA 94028
Wednesday, April 18, 2012 – 7:30 p.m.
Council Chambers (Historic Schoolhouse)

AGENDA

Call to Order, Roll Call

Commissioners Gilbert, McIntosh, McKitterick, Chairperson Von Feldt, 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:* Proposed Amendments to Site Development and Zoning Ordinances to Adjust Permit Appeals Periods and Time Limits
2. Annual Housing Element Monitoring Report for 2011
3. *Preliminary* Consideration of Portola Road Corridor Background Report and April 11, 2012 Town Council Direction Relative to Corridor Plan Process
4. Proposed Planning Program and Budget for Fiscal Year 2012-2013

Commission, Staff, Committee Reports and Recommendations

Approval of Minutes: March 21, 2012

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 Town Center.

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: April 13, 2012

CheyAnne Brown
Planning Technician



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Planning Commission

FROM: Tom Vlastic, Town Planner
Karen Kristiansson, Principal Planner

DATE: March 27, 2012

RE: Public Hearing on Proposed Amendments to Zoning and Site Development Ordinance Permit Appeals Periods and Time Limits

Action before the Planning Commission

At its April 18, 2012 meeting, the planning commission will be conducting a public hearing on proposed changes to the zoning and site development ordinance permit appeals periods and time limits. These proposed amendments are set forth in Attachment A to proposed Resolution No. 002-2012. The commission should receive the staff report on the proposed ordinance amendments and public input and, if determined appropriate after commission discussion, adopt the proposed resolution. If the commission passes the resolution recommending the proposed amendments, the matter will be set for public hearing and consideration before the town council at a future date to be determined.

Background

The attached January 20, 2012 report from the town planner sets forth the background on this matter. The report, including staff recommended ordinance amendments, was considered by the planning commission at a study session on March 21, 2012. The minutes of the study session are attached. At the study session, the commission concluded general support for the recommended changes and offered suggestions for some additional wording adjustments. These adjustments are reviewed below and have been incorporated in the amendments included in Attachment A to the attached proposed Resolution 002-2012.

In addition to input provided at the March 21, 2012 planning commission study session, the proposed ordinance amendments were presented to the ASCC for information and comment at a regular ASCC meeting on Monday, March 26, 2012. The ASCC found the changes acceptable as set forth in the January 20, 2012 report from the town planner without additional comment. The approved minutes of the March 26, 2012 ASCC meeting on the matter are attached.

Summary of proposed ordinance amendments and changes based on March 21, 2012 Planning Commission comments and suggestions

Appeal Periods

The town currently has two appeal periods. For a site development permit, an architectural review approval, or a zoning permit, the appeal period is 15 days after the determination. For a variance or a conditional use permit, however, the appeal period is 30 days after the applicant receives the notice of the decision. The long appeal period delays the effective date of the decision and adds uncertainty to the process. To make this process more certain and bring consistency to the town's appeals processes, the proposed ordinance amendment would change the appeals period for variances and conditional use permits to 15 days, as is explained in more detail in the January 20 memo. The current and proposed appeal periods for the different types of permits are summarized in the table below.

Permit Type	Current Appeals Period	Proposed Appeals Period
Site Development Permit	15 days from the decision	15 days from the decision
Architectural Review	15 days from the decision	15 days from the decision
Zoning Permit	15 days from the decision	15 days from the decision
Variance	30 days from receipt of notice of decision	15 days from the decision
Conditional Use Permit	30 days from receipt of notice of decision	15 days from the decision

Permit Time Limits

The proposed amendments to permit time limits would change the time limits for site development permits. A number of applicants in Portola Valley need both a site development permit and an architectural review for a single project. When grading is needed for a house, town policy requires that the grading permit not be issued before the building permit is issued for the house. As a result, work under the site development permit that is associated with a new house may not be allowed to start within 180 days, if more time than that is needed to finalize house plans and obtain a building permit.

The proposed amendments would also change the time limits for variances and would establish time limits for fence permits. These changes are described in the January 20 memo. The table below summarizes the current and proposed permit time limits.

Permit Type	Current Time Limit	Proposed Time Limit
Site Development Permit	180 days for start of work; one year for completion. Public Works Director can extend.	180 days for start of work; one year for completion. Public Works Director can extend. Permits issued in conjunction with an Architectural Review would have a two year time limit.
Architectural Review	Two years to pull building permit. No extensions.	Two years to pull building permit. No extensions.
Variance	180 days.	One year. Permits issued in conjunction with an Architectural Review would have a two year time limit.

Conditional Use Permit	One year.	One year.
Fence permit	Not specified.	One year. Permits issued in conjunction with an Architectural Review would have a two year time limit.

Changes based on planning commission comments

Based on planning commission study session comments, three additional changes were made to the proposed ordinance amendments as presented in Attachment A to proposed Resolution 002-2012. First, the word “unexercised” was added to Section 18.34.150.B. Second, the wording at the end of Section 18.70.080 was clarified. Finally, Section 18.72.200 was simplified by removing the reference to issuance of a conditional use permit, which also reflects actual practice in the town.

Compliance with California Environmental Quality Act

We have considered the proposed ordinance amendments and evaluated them with the town attorney in light of the requirements of the California Environmental Quality Act (CEQA). The amendments only impact appeal and permit life time limits and do not in any way change the requirements for specific land use proposals to conform to town land use plans, standards or regulations. Further, the changes make the town’s ordinance more internally consistent. Because it “can be seen with certainty that there is no possibility” that the proposed changes “may have a significant effect on the environment,” this project is exempt from CEQA (CEQA Guidelines Section 15061(b)(3)).

Recommendations for Action

Unless information from the April 18, 2012 public hearing leads to other determinations, we and the town attorney recommend planning commission approval of the attached Resolution 002-2012. The Resolution along with the background information in this report would be forward to the town council for public hearing and eventual ordinance adoption.

RESOLUTION NO. 002-2012

**RESOLUTION OF THE PLANNING COMMISSION OF THE
TOWN OF PORTOLA VALLEY
RECOMMENDING ADOPTION OF
ZONING AND SITE DEVELOPMENT ORDINANCE AMENDMENTS
TO ADJUST PERMIT APPEAL PERIODS AND TIME LIMITS**

WHEREAS, on March 21, 2012, the Planning Commission studied the issues related to permit appeal periods and time limits as presented and evaluated in the January 20, 2012 report from the town planner, and

WHEREAS, on April 18, 2012, the Planning Commission held a duly noticed public hearing considering the January 20, 2012 report and additional data as presented in the March 27, 2012 report from the town planner on the draft zoning and site development ordinance amendments, and also considered all information presented during the public hearing, and

WHEREAS, the proposed zoning and site development ordinance amendments set forth in Attachment A hereto are in general conformance with the general plan, and

WHEREAS, the proposed changes to the permit appeal periods and time limits will make the town's development processes and ordinance provisions internally consistent and more certain without changing the requirements for conformity to town land use plans and standards, and

WHEREAS, because the proposed zoning and site development ordinance amendments would not affect the development potential or future uses of land and are procedural, it can be seen with certainty that these amendments would not have a significant environmental impact, and therefore approval of these zoning and site development ordinance amendments is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA guidelines.

NOW, THEREFORE, be it resolved that the Planning Commission of the Town of Portola Valley finds that the public necessity, convenience and general welfare require the adoption of the proposed zoning and site development ordinance amendments and recommends that the Town Council find the proposed zoning and site development ordinance amendments exempt from CEQA and adopt the proposed ordinance amendments, as set forth in Attachment A.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the Town of Portola Valley on April 18, 2012.

By:

Alex Von Feldt, Chairperson

Attest: _____
Tom Vlasic, Town Planner

Attachment A: Recommended Municipal Code Text Amendments

Chapter 15.12 Site Development and Tree Protection

15.12.390 – Expiration of permit.

- A. ~~Every~~ A site development permit shall expire by limitation and become null and void if the work authorized by such permit has not been commenced within one hundred eighty days, or is not completed within one year from date of issue. ;
- B. Exceptions:
- ~~1. except, that~~ The town engineer may, if the permit holder presents satisfactory evidence that unusual difficulties have prevented work being started or completed within the specified time limits, grant a reasonable extension of time if written application is made before the expiration date of the permit.
 - Where a single project requires both a site development permit and an architectural review approval from the ASCC, and those permits are considered and issued together, the site development permit shall have the same expiration period as the architectural review approval.

Zoning Ordinance Amendments

Chapter 18.34 Administration

18.34.150 – Unexercised variance—Expiration—Renewal.

- A. A variance granted by the board of adjustment or council becomes null and void if not exercised within the time specified under Section 18.68.120, or if no date is specified, within one ~~year~~ hundred eighty days following the date on which the variance becomes effective, unless:
- The use has commenced; or
 - A building permit has been issued by the building inspector and construction started and diligently pursued toward completion on the site which was the subject of the variance; or
 - A certificate of occupancy has been issued by the building inspector for the site or the structure which was the subject of the variance.
 - Where a single project requires both a variance and an architectural review approval from the ASCC, and those permits are considered and issued together, the variance shall have the same expiration period as the architectural review approval.
- B. An unexercised variance may be renewed for an additional period of one year ~~hundred eighty days~~ provided that prior to its expiration an application for renewal of the variance is filed with the board of adjustment. The board of adjustment may grant or deny an application for renewal of a variance.

Chapter 18.43 Fences

18.43.080 – Fence permits and administration

- A. Fence permits are required for construction of all fences built within required yards, except as otherwise specified in this section. Fence permit applications shall be made on a form provided by the town planning staff and shall be accompanied by plans demonstrating the design and materials of the proposed fence, the location of the proposed fence and any associated landscaping. A fee shall be paid to cover the cost of review by town planning staff, or on referral, by the town planner. Prior to approving a

fence permit, town planning staff shall give written notice to owners of adjoining properties of the permit application. Prior to acting on a permit, town planning staff shall review the proposed design and location in the field, review the plans for conformance with the zoning ordinance and design guidelines, and consider comments from owner(s) of adjoining properties. Town planning staff may take action on a permit or refer it to the ASCC. Written notification shall be given to owner(s) of adjoining properties at least six days prior to action by town planning staff or the ASCC. Any town planning staff decision may be appealed by an applicant or an owner of adjacent property to the ASCC. Any ASCC decision may be appealed by the applicant or an owner of adjacent property to the board of adjustment.

- B. Fences within required yards that are no more than two feet in height, and no more than twenty feet in total length shall be exempt from this section but shall meet all other provisions of this chapter except Section 18.43.040 regarding opacity.
- C. The ASCC shall have the authority to review existing fences and fence permit applications under the following conditions:
 - 1. Upon referral from town planning staff, pursuant to Section 18.43.080.A.
 - 2. When acting on architectural review and site development permits, the ASCC shall consider and may require modifications to existing fencing on a property if the ASCC determines that there is a substantial modification to an existing residence or the site improvements of the property. If, in these situations, the ASCC determines that the existing fencing is not in conformity with current fencing standards, the ASCC may require conformity with the fencing regulations. In requiring conformity, the ASCC shall make the finding that the modified or replacement fencing will not result in an adverse effect on neighboring properties and reasonably adheres to the purposes of this chapter.
 - 3. When a fence permit application demonstrates that the proposed fence cannot conform to the regulations given the conditions on the parcel, the ASCC may grant relief from the fence regulations. In making such determination, the ASCC shall as much as reasonably possible ensure the proposed fence achieves the purpose and principles of this chapter set forth in Section 18.43.010.
 - 4. When a fence permit application is submitted for a proposed fence in the Mountainous-Residential (M-R) or Open-Area (O-A) zoning districts, the ASCC shall, with input from the Conservation Committee, make a determination of compliance based on the purposes of this chapter and the fence design guidelines adopted by the town council.
- D. When a portion of a fence exceeding twenty-five percent of the total length of fencing within required yards on a property is damaged or voluntarily removed, any replacement fencing of that portion shall conform to the fence regulations pursuant to a fence permit.
- E. A fence permit becomes null and void if not exercised within one year following the date the fence permit is approved, except:
 - 1. Where a single project requires both a fence permit and an architectural review approval from the ASCC, and those permits are considered and issued together, the fence permit shall have the same expiration period as the architectural review approval.

Chapter 18.70 Board of Adjustment

18.70.080 – Findings and decisions—Effective date—Appeal or review by council

The board of adjustment shall act within fourteen days after the conclusion of the public hearing. Action shall be by resolution which shall set forth the findings of the board of adjustment and any recommended conditions and any specific findings or recommendations specified under the chapter of this title dealing with the specific action. Any action shall be by a majority of all voting members. The decision of the board of adjustment is final on the ~~thirty first~~ fifteenth day at the close of business hours following the date of decision of the board of adjustment, unless the town council elects to review the decision or unless an appeal is filed ~~taken to the council~~.

Chapter 18.72 Conditional Use Permits

18.72.200 – ~~Issuance of conditional use permit—Effective date~~

~~Immediately following planning commission approval of a conditional use permit application, the secretary of the planning commission shall cause a formal conditional use permit to be issued to the applicant.—~~The conditional use permit shall become effective on the ~~thirty first~~ fifteenth day at the close of business hours following the date on which the permit is approved.

Chapter 18.78 Appeals to and Review by Town Council

18.78.022 – Appeal to be filed when

Within ~~thirty~~ fifteen days from the date ~~of the receipt of the notice~~ of the decision which is to be appealed, a written notice of appeal, specifying the grounds of appeal, must be filed with the agency from whom the appeal is made and with the clerk of the council.



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Planning Commission
FROM: Karen Kristiansson, Principal Planner
DATE: April 6, 2012
RE: Annual Housing Element Monitoring Report for 2011

Portola Valley's housing element calls for annual monitoring of inclusionary housing, multifamily housing, and second units. The element sets forth various goals for each of these types of housing. Each year, the planning commission is to monitor progress towards those goals and determine whether any adjustments are needed. In addition, state law requires that the town submit an annual report on the housing element to the Department of Housing and Community Development (HCD). This report must be filled out using a form provided by HCD. A copy of that form filled out for 2011 is attached.

Because the state form is very generalized, this memo focuses on the monitoring requirements set forth in the housing element. In particular, the following report describes the goals and objectives for the three programs to be monitored and then summarizes what has been done for each. This is mostly an information item for the planning commission, and to satisfy the monitoring requirements of the housing element. At this time, we do not believe any program adjustments are needed.

Inclusionary Housing

There are two overarching goals for this program: to build the Below Market Rate (BMR) housing for the Blue Oaks subdivision, and to update and review the town's inclusionary housing program.

The Blue Oaks subdivision contains four lots which have been deeded to the town for eight moderate income homes. The housing element calls for the town to consider both constructing the units on the lots and selling the lots in order to use the money to

build the units on another site. After some early consideration, the town has focused on selling the lots and has been considering potential sites. An ad hoc committee has been working on this and has held discussions with various property owners. All of the sites identified to date have challenges, but there are a couple of possibilities. At this point, it may still be possible for the town to meet the main goals of starting construction during the 2011-2013 time period, with the units completed by 2014. Work on this effort will continue.

The housing element also calls for the town to revise the inclusionary housing program to make it more effective, given the difficulties the town has had getting the Blue Oaks BMR units built. The Planning Commission did a lot of work in 2004 looking at possible changes to the program, and some or all of those amendments may be brought back for reconsideration. Another option might be to completely replace the inclusionary housing program with a housing impact fee; consideration of such a fee is called for in Program 10 of the housing element. Initial research on the possibility of a fee has been completed and discussed with the town attorney. Discussion of a housing impact fee will likely be undertaken later in 2012.

Multifamily housing

The goal of the multifamily housing program during this housing element cycle is the construction of eleven new housing units at The Priory School. Four of these units should be for low income households, four for moderate income households, and three for above moderate income households. The units should be built before 2014.

The Priory School has been focusing on other projects, but still intends to build these eleven new units. Long-term planning underway at the school could change the intended location of the units, however, which would require a change to the Priory's use permit. The new units are expected to be built in the next few years.

Second units

The goal for this program is to increase the average number of second units constructed each year from under five to six. To do this, the housing element lists a number of actions, which have now been completed. These are summarized below:

- In January 2011, the town adopted zoning ordinance amendments to allow staff level review and approval of second units that are created by converting floor area within the first floor of an existing home.
- At the same time, the town also adopted zoning ordinance amendments to allow staff level review and approval of second units that are 400 square feet in area or smaller and that do not require a site development permit.

- In January 2012, the town's new second unit manual was posted on Portola Valley's website. In addition, a two-page flyer was created that can be handed out at the planning counter.

Once the actions described above have been fully implemented, the town is to monitor production of second units each year. If fewer than six second units on average are produced annually, the town will then consider other actions to encourage second unit production. These actions could include: holding a workshop on second units, reducing fees for second units, further streamlining the second unit permit process, developing prototype floorplans for second units, increasing the size of second units allowed in the town, or allowing two second units on parcels with 7.5 acres or more.

The table below shows the number of second units permitted and built for each year.

Time Period	Second Units Permitted	Second Units Built
1999-2000	7	3
2000-2001	3	9
2001-2002	8	5
2002-2003	7	3
2003-2004	5	5
2004-2005	3	6
2005-2006	2	3
2006-2007	7	3
2007-2008	5	4
2008-2009	4	3
2009-2010	4	6
2010-2011	5	3

So far in 2011-12, four second units have been permitted and three have been built. There are currently eleven second units in town that have been permitted but not built; staff suggests that three of those are unlikely to be constructed, leaving eight that may be built in the near future.

The goal of this program is to increase the number of units built each year to an average of 6 units per year. The actions taken to date are intended to encourage residents to build second units by both providing information to property owners and making the approval process easier. Because the zoning changes were made in 2011 and the second unit manual was just posted in early 2012, some time is needed to see the effect of these actions on the number of second units that are built.

Conclusion

Again, no commission action is needed relative to the above information, other than to accept this monitoring report. We do not need to send the report to the state, only the attached form, but this more detailed report will be kept on file in case anyone questions whether or not the town has satisfied its housing element requirements.

cc. Leslie Lambert, Planning Manager
Angela Howard, Town Manager
Sandy Sloan/Leigh Prince, Town Attorney
Maryann Moise, Mayor
Ted Driscoll, Town Council Liaison to the Planning Commission

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Town of Portola Valley

Reporting Period 1/1/2011 - 12/31/2011

Table A

Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information						Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions			
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			See Instructions	See Instructions	
(9) Total of Moderate and Above Moderate from Table A3 ▶ ▶			1	2	3						
(10) Total by income Table A/A3 ▶ ▶			1	2	3						
(11) Total Extremely Low-Income Units*											

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Town of Portola Valley
Reporting Period 1/1/2011 - 12/31/2011

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate				1		1	1
No. of Units Permitted for Above Moderate	1			1		2	2

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Town of Portola Valley

Reporting Period 1/1/2011 - 12/31/2011

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2007	2008	2009	2010	2011	2012	2013	2014	2015	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	5	NK	NK	NK	0	0					-1
	Non-deed restricted		NK	NK	NK	4	2				6	
Low	Deed Restricted	10	NK	NK	NK	0	0					9
	Non-deed restricted		NK	NK	NK	1	0				1	
Moderate	Deed Restricted	17	NK	NK	NK	0	0					15
	Non-deed restricted		NK	NK	NK	1	1				2	
Above Moderate		26	NK	NK	NK	2	2				4	22
Total RHNA by COG. Enter allocation number:		58	NK	NK	NK	8	5				13	45
Total Units ► ► ►												
Remaining Need for RHNA Period ► ► ► ► ►												

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Town of Portola Valley
Reporting Period 1/1/2011 - 12/31/2011

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
1. Inclusionary Housing Requirements	Build 8 Blue Oaks BMR units; one other BMR is expected; and revise the inclusionary housing program	Construction by 2012 or 2013; revise program in 2012	The town is looking at options for the eight Blue Oaks BMR units, including alternative sites. An ad hoc committee of town officials and staff are pursuing these options.
2. Multifamily Housing	Construction of 11 new units anticipated; town will monitor annually	2014; annually	Construction is still anticipated but has been slowed by the economy. The property owner is considering options for moving forward; staff monitors progress regularly.
3. Second Units	Increase construction to an average of 6 second units/year	Starting 2010-2011	The town amended its design review process and now allows staff level review for more units. The amendments were adopted in January 2011. The second units manual is complete and was posted on the town's webpage in February 2012.
4. Waiver of Fees	Mitigate a constraint by allowing fee waivers	2009	The zoning ordinance was amended to include a fee waiver provision in January 2011.
5. Shared Housing	Continue participation in HIP Housing	Ongoing	The town continues to participate in this program.
6. Emergency Shelters	Adopt zoning ordinance amendment to allow emergency shelters	2010	The zoning ordinance was amended to include provisions allowing emergency shelters in January 2011.
7. State-Required Density Bonus	Adopt a density bonus program	2010	After looking at this program, it was recommended that the density-bonus program be considered together with the revisions to the inclusionary housing program. This program will therefore be implemented in 2012.
8. Fair Housing	Make information available about a county-wide program	Ongoing	Town staff is referring people to the county-program as necessary.
9. Removal of Constraints to Housing for People with Disabilities	Amend zoning ordinance to remove constraints and add reasonable accommodations ordinance	2010	These zoning ordinance amendments were adopted in January 2011.
10. Housing Impact Fee	Study possibility of and options for housing impact fee, and adopt if appropriate	2010 and 2011	The county-wide housing nexus study that was under discussion will not be conducted. Staff has completed a background report and will bring this to the town council for discussion later in 2012.
11. Farmworker Housing Zoning Amendments	Amend zoning ordinance to comply with state law	2010	These zoning ordinance amendments were adopted in January 2011.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Town of Portola Valley

Reporting Period 1/1/2011 - 12/31/2011

12. Transitional and Supportive Housing Zoning Amendments	Amend zoning ordinance to comply with state law	2010	These zoning ordinance amendments were adopted in January 2011.
13. Continue Existing Energy Conservation Measures and Implement Sustainability Element	Continue existing green & energy conservation measures, and implement the Sustainability Element	Ongoing	Work on this program is ongoing. In 2010, the town adopted a mandatory Build-It-Green Program for all new buildings and remodels.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Town of Portola Valley
Reporting Period 1/1/2011 - 12/31/2011

General Comments:

Why does the sheet enter the second units shown in Table A3 into Table A, which is just supposed to show multifamily projects? Do second units count as multifamily projects? Should we be entering the affordable second units into Table A?



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Planning Commission

FROM: Tom Vlastic, Town Planner
Karen Kristiansson, Principal Planner

DATE: April 12, 2012

RE: Portola Road Corridor Plan Process and Draft Background Report

Background and Request for Planning Commission Representative and Comments

One of the major planning projects for the 2011-12 fiscal year is the start of work on the Portola Road Corridor Plan. At the April 11 town council meeting, the council provided direction as to the process that will be used to develop the plan. That process is outlined below and is provided for your information. As will be explained in more detail, the process includes a taskforce to help define the issues and different points of view at the beginning of the process. That taskforce will be appointed by the town council at their April 25 meeting, and the taskforce will include a planning commissioner. Therefore, commissioners should discuss which member can serve on the taskforce.

Based on the approved planning program, we have drafted the attached background report that includes a preliminary identification of issues to be addressed in this corridor plan planning effort. At this point, we would welcome comments on this draft. Any comments will be incorporated into the document before the taskforce begins work.

Outline of Planning Process

Development of the plan will occur under the oversight of the planning commission, with a taskforce holding a limited number of meetings at the beginning of the process to help define the issues and points of view. The taskforce will likely include the following:

- Town council member
- Planning commission member
- ASCC member
- Conservation committee member
- Trails & paths committee member
- Bicycle, pedestrian and traffic committee member
- Open Space Committee
- Public works director
- Town Planner representatives

The basic process to be followed is outlined below.

1. Town Council appointment of taskforce at their April 25 meeting.
2. Taskforce provides feedback and suggestions, based on consideration of the background report and discussions with the committees and interest groups each member represents. The intent is for the taskforce to meet for a limited number of meetings at the beginning of the process to help define the issues and identify possible approaches.
3. Staff would contact other groups, such as property owners along the corridor, for their input.
4. We would then collate all of the feedback and bring ideas back to the Planning Commission for further study. The town council would be kept abreast of the work through copies of the information and reports provided to the planning commission and also with town council liaison attendance at commission meetings. Taskforce members would also be kept informed.
5. Based on the input received and direction received from the planning commission at the study sessions, we would draft the proposed Portola Road Corridor Plan as an element of the general plan. During this process, some taskforce members, committees or commissions could be consulted in more detail about particular issues if appropriate and necessary.
6. When the draft plan is ready, the Town Council and Planning Commission hold a joint study session to provide reactions to it.
7. The plan would then be revised and brought back to the Commission and Council for the formal General Plan Amendment public hearings needed to adopt the corridor plan.

Timing

Once the taskforce is appointed by the town council, we hope to hold 2-3 meetings with the group during May and early June. At the same time, we will begin discussions with property owners. This item could then return to the planning commission for further study and direction later in the summer. The amount of time needed for the process will depend on the level of comments and the amount of research and discussion needed on the issues. Barring unforeseen complications, we intend to have a draft of the plan completed in the second half of 2012.

Commission Representative and Feedback

It is requested that the planning commission recommend a member to represent the commission on the taskforce. Commissioners should also offer individual comments on the preliminary background report. Using that feedback, we will revise the background report as necessary for the initial meeting with the taskforce.

TCV/KK

Attachment

cc. Maryann Moise, Mayor
Angela Howard, Town Manager
Barbara Powell, Interim Assistant Town Manager
Sandy Sloan/Leigh Prince, Town Attorney
Leslie Lambert, Planning Manager

Draft Background Report: Portola Road Corridor

Introduction

Portola Road and Alpine Road are the two main roads through the heart of Portola Valley. The conditions along these roads set the basic visual impression of the town. For a number of years, discussions on the town's annual planning program have indicated a strong desire for a more detailed plan to be developed for the Portola Road corridor, as has already been done for the Alpine Road corridor. This matter was finally added to the 2011-12 fiscal year planning program.

This background report is the starting place for developing a corridor plan for Portola Road. The report reviews the current policies for the Portola Road corridor as spelled out in other elements of the town's general plan and discusses current issues along the corridor in light of these policies. Finally, the report summarizes the key issues and potential policy recommendations that could be reflected in a Portola Road Corridor Element.

Policies for the Portola Road Corridor in Current Town Plans

The town's current general plan refers to the Portola Road corridor in a number of elements. In particular, the trails and paths element, the Nathhorst Triangle area plan, and the Town Center area plan all include significant provisions about the Portola Road corridor. In addition, the land use, open space and recreation elements contain provisions for key properties and areas along the roadway. Excerpts from the general plan that discuss the Portola Road corridor are attached.

In general, the policy direction from the General Plan can be divided into three main areas: 1) transportation through the corridor, 2) land adjacent to the corridor, and 3) visual quality of and views from the corridor. Each of these is discussed below.

Transportation through the corridor

General Plan Vision

Portola Road connects the town's two commercial areas and provides access to the town center and its recreational facilities. As such, the corridor is "to facilitate . . . movement through the valley . . ." by vehicles, pedestrians, equestrians and bicyclists (Section 2159). The road itself is envisioned as two lanes wide, with turning lanes in appropriate locations (Sections 3111 and 6107).

The trails and paths element further designates Portola Road as a bicycle route. This type of facility is defined as a "street where special attention is given to providing safety for bicyclists." As a side note, both the Nathhorst Triangle Area Plan and the Town Center Area Plan call for a bicycle lane along Portola Road, but when the trails and paths element was updated in 2003, the bicycle route designation was chosen because the existing paved shoulders of the road are too narrow in some places to allow a striped bicycle lane along the full length of the road. In

some areas, it may be difficult to widen the shoulder to the required five foot width for a bicycle lane.

The land use element states that pedestrian and equestrian facilities should be separated from the road as much as possible (Section 2160). Taking this further, the trails and paths element calls for a major multiuse corridor facility along Portola Road, from Alpine Road up to the crosswalk opposite Wyndham Way. This is envisioned as a type of "country lane" with multiple users sharing an all-weather trail (Section 3220).

Current Conditions

Portola Road's pavement is in very good condition along its whole length. Both the road and its right-of-way vary in width along the corridor. The road right-of-way is between 50' and 150' wide, with a width of approximately 65-75' for most of the corridor. The paved roadway meanders within the right-of-way and consists of two lanes for the whole length, with turning lanes in some locations. Like the right-of-way, the pavement width varies depending on the size of the shoulders and whether or not there is a center turn lane.

The bicycle route is in generally good condition, with shoulders along the road varying from two to five or more feet in width. An internet search shows that Portola Road and Alpine Road are both frequently mentioned as part of the popular "Portola Loop" bike route. No complaints about the road were mentioned, and most comments were positive. As part of the corridor plan, discussion should be held with bicyclists to determine whether any particular issues related to the bicycle route should be addressed.

There is a separate trail along the road for the full length of the corridor. This trail starts on the east side of the road at Alpine Road, crosses to the west side just south of the Sequoias, and continues north on the west side up to and past the town center. The trail's condition varies along the length of the road, with some segments in better condition than others. Three sections are in particularly good condition, with a fairly wide, flat trail: 1) along the Nathhorst Triangle; 2) by the Open Space District land and the Sequoias; and 3) by the Town Center and Christ Church. Much of the rest of the trail is now a narrow dirt path, often with visible signs of erosion. Three pictures of the trail are below. In some of these areas, the trail could be difficult



for an equestrian, a young recreational bicyclist, or a parent with a stroller to use comfortably, and passing would be problematic.

Issues

One issue that has come up is parking along the shoulders of Portola Road. In the areas where the right-of-way is relatively wide with large dirt shoulders, there has been some history of problems with parking of construction vehicle trailers and other shoulder parking, especially in the southern segment of Portola Road, i.e., the portion closest to Alpine Road. On the west side of the road, the town created a mound and added landscaping to discourage this parking because of its impact on the roadway and visual conditions along the road. In addition, there is sometimes a parking overflow problem along Portola Road near that MROSD property. At times, preserve users can't find parking in the lot and park along the road corridor. Parking along the road affects trail and path use and safety for pedestrians and bicyclists, including children walking and biking to nearby schools and commercial uses, and also views along the road. The problem at the MROSD property needs to be discussed with the Open Space District so that, hopefully, solutions can be identified.

A related issue is whether the town can and should have a goal of widening the shoulders of Portola Road to accommodate full five foot wide bicycle lanes in both directions. This would likely be easy along some segments of the road and difficult in other places.

The condition of the trail is a third issue. The trails and paths element of the general plan calls for a multi-use corridor and bicycle routes to extend most of the length of Portola Road, with a pedestrian path and separate equestrian/hiking trail replacing the multi-use trail along the northernmost portion of the road. Although there is currently a trail along the full length of the corridor, this trail does not meet the standards for a multi-use corridor along most of its length. A multi-use corridor is supposed to have an all-weather surface and be suitable for a variety of types of users, including equestrians, hikers, bikers, and pedestrians.

The current trail is a narrow dirt path for much of the length of the corridor. The trail is well-marked and easy for pedestrians to use. However, it would not be usable by casual bicyclists along much of the trail, and equestrians would likely have difficulty with certain stretches. The trail is not ADA compliant and portions could not be used by a parent walking or jogging with a standard stroller. Upgrading the existing path to a true multi-use corridor would be costly and may be too expensive to do as a single project. The Portola Road corridor plan can identify portions of the road that should receive priority for upgrades, such as trail sections that would facilitate movement between schools or recreational facilities and residential areas.

Land adjacent to the corridor

General Plan Vision

The general plan designates Portola Road as a local scenic road (Section 3309). To that end, development is to be "kept well back from the road" (Section 2123a), with land zoned "to maintain maximum possible open space and scenic quality" near the road (Section 3316).

Further, open space and plantings along the road should epitomize the “natural quality” of the town (Section 2159) and “should continue to reflect the open space values of the town” (Section 2216(4)).

This vision is already being carried forward into the town’s Municipal Code in several ways. First, the town has special building setbacks for Portola Road, ranging from 20 – 50 feet, depending on the minimum required lot size for the zoning district and whether the parcel fronts onto Portola Road or has a side or rear parcel line contiguous with the road. The table below summarizes the various setbacks along the road.

Minimum Parcel Area	Parcel Line contiguous with Portola Road	Required Setback
1+ Acres	Front	50'
1+ Acres	Side or Rear	25'
< 1 Acre	Front	35'
< 1 Acre	Side or Rear	20'

These are larger than standard parcel setbacks, but less than the setback along Alpine Road, which is 75’ regardless of the minimum parcel area and which property line is contiguous with Portola Road.

Building permits for construction on all parcels with frontages on Portola Road and Alpine Road requires ASCC design review approval. For very minor permits, such as interior remodeling, the ASCC has designated this responsibility to town staff.

Along both Alpine and Portola Roads, parcels with frontage along those roads need approval by the conservation committee to plant trees and shrubs within 75’ of the road right of way. Parcels in the C-C and A-P zoning districts, which are all located along Alpine Road or Portola Road, must have 30% (C-C district) or 40% (A-P district) of the lot either landscaped or in a natural vegetative cover.

All permanent signs, whether for commercial office, institutional or other uses, need design review and approval by the ASCC. To address state law, the municipal code also contains special provisions for motor vehicle fuel price signs along Portola Road and Alpine Road. These signs are exempt from the provisions of state law which requires all places that sell motor vehicle fuel to display a sign meeting certain minimum requirements. For signs with motor vehicle fuel price information in Portola Valley, the area for the price information may be exempt from the town’s sign area limitations but cannot be more restrictive than the minimum state standards for this type of sign. Like all other permanent signs, these signs must go through the design review process and receive approval from the ASCC.



Current Conditions

Most landscaping and structures along the corridor are consistent with the general plan's call for the corridor to epitomize the natural quality of the town (Section 2159). There are, however, a few places where fences, vegetation, or general treatment of the land are not consistent with this natural quality.

The most significant facilities in the Portola Road corridor are overhead utility lines and poles. These line the corridor for its full length and are quite visible in some areas. In other parts of the corridor, mature trees help to make the lines and poles less noticeable. As the three pictures below show, visibility of the lines depends on the height and fullness of the tree cover behind them, the distances between the lines and the trees and the road, and changeable factors such as the angle of the sun.



The sewer district pump station on the south side of the road adjacent to Corte Madera Creek causes some visual impact, but the smell from the pump station in warmer months is likely more of an issue than its visual presence. There are also some sight distance issues at the intersections of Brookside Drive with Portola Road and some selective trimming of vegetation could assist in addressing these issues.

Issues

As was mentioned above, although most of the land along the road is consistent with the general plan's vision, there are a few places where fences or landscaping are not consistent with the natural quality greenway that the plan calls for. Given the town's current standards and design review requirements, these likely fall into two categories: 1) items that existed before the town's current policies were adopted (legal non-conforming uses), or 2) items that were put in place illegally. These two categories would need to be addressed differently.

A second issue is the utility lines along the road. The land use element of the general plan calls for utilities along the Portola Road corridor to be undergrounded (Section 2161). As part of the Portola Road corridor plan, the town should reassess this goal and determine the best approach for the town to take given current conditions. For example, in addition to the cost of undergrounding utility lines, equipment for wireless service providers in the right-of-way has been proliferating. The town, however, has limited jurisdiction over these providers.

Visual quality of and views from the corridor

General Plan Vision

The importance of views along the Portola Road corridor is discussed in the open space element in Section 2216(4). This section states that views to the western hillsides and nearby meadows “are of major open space importance” and suggests where vegetation should be opened up to allow and enhance these views.

Current Conditions

In the southern segment of the Portola Road corridor, there are no significant views to the western hillsides. However, there is a view to the east of the road across the Gambetta property to the lands above and north of the Priory School. This view is not likely to be noticeable to motorists but could be seen by pedestrians and other users of the corridor. For view preservation, a portion of the grassy hillside above the school was placed in a conservation easement at the time the Priory’s three-lot subdivision was approved. Views of the wireless antenna facilities at the school have been of some concern. The town is working to reduce the visual impact of these facilities as part of implementing the conditions of approval for the antennas.

Moving north along the corridor, there are some significant views across the meadow and to the western hillsides from the path along the open space district in particular, as is shown in the picture below on the left. These views are largely screened from Portola Road itself, however, by trees and shrubs along the road, especially along the frontage of the open space district property, as is shown in the picture below in the middle. The open space district has said that they would be willing to permit removal of this vegetation.



When the trail moves up above the road, the views are further screened from the road by a berm that appears to be left over from when the road was cut through, as is shown in the picture above to the right. Significant grading would be needed to remove this landform and open the views.

The owner of the Spring Ridge LLC property is required to thin the trees along the west side of the corridor along the parcel frontage as a condition to building a new agricultural building in the meadow and adding additional agricultural plantings. Opening views from Portola Road to the meadow and western hillsides has been a long-term desire of many in town and is encouraged by general plan policies.

The last set of significant views are looking west across the Town Center, Christ Church land, and El Mirador Ranch. The close-in views of the fields and orchards contribute to these views, as well as distant views of the western hillsides. Examples of these views are shown in the pictures below.



Issues

One issue is that vegetation in some places obscures what could otherwise be significant views of the western hillsides. This is true in particular of the view from the corridor across the open space district and Spring Ridge LLC properties to the western hillsides. The town could partially address this issue by trimming vegetation in the public right-of-way in these areas. A related policy could be to encourage vegetation trimming on private property in these areas. Open space district representatives have indicated that they would be willing to allow removal of vegetation in this area on their property, at town expense.

The other issue is that current land uses on private lands, such as the open meadow on the Spring Ridge LLC property and the orchard on the El Mirador Ranch property, enhance these significant views. The town may want to consider options for encouraging these property owners to protect these special areas.

Summary of Issues & Potential Approaches

This section summarizes the issues that were highlighted in the analysis above and suggests some possible approaches to each one.

Issue: Bicycle safety

Possible Approaches:

- Prohibit parking along the shoulders of Portola Road
- Work with the MROSD to develop a solution for overflow parking
- Determine whether the town should have a goal of creating true five foot bicycle lanes along the corridor
- Discuss the road with bicyclists and police to determine any other safety considerations
- Check also with the Bicycle, Pedestrian and Traffic Safety Committee about any concerns relative to the corridor

Issue: Trail condition

Possible Approaches:

- Identify portions of the road to receive priority for upgrades, such as trail sections that would facilitate movement between schools or recreational facilities and residential areas
- Develop a standard for what the trail should ideally look like for its entire length
- Apply for grants
- Encourage property owners along the road to maintain and improve the trail along their properties.

Issue: Landscaping and structures on private property that are inconsistent with the town's vision for the corridor

Possible approaches:

- Examine the town's current policies and determine whether any changes are needed.
- Identify any illegal structures or plantings and undertake code enforcement actions
- If appropriate, establish time limits for legal non-conforming uses such as older fences

Issue: Utility lines and equipment along the road

Possible approaches:

- Create an undergrounding district along Portola Road
- Identify sections of the corridor where undergrounding will be given priority and additional wireless equipment and antennas will be discouraged

Issue: View enhancement and protection

Possible approaches:

- Trim vegetation in public right-of-way
- Determine cost and feasibility of removing berm in front of the MROSD property to open views

- Work with MROSD to trim vegetation on their property as appropriate
- Develop policies to encourage vegetation trimming on other private properties
- Encourage private property owners to protect special areas that enhance views from the corridor, such as the meadow on the open space and Spring Ridge LLC properties and the orchard on the El Mirador Ranch property
- Consider whether the town should and can acquire key property, or conservation easements, in order to protect and preserve views
- Consider developing a wider setback from the road for structures, including fences, particularly in areas with significant views



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO : Planning Commission
FROM : Tom Vlastic, Town Planner
DATE : April 12, 2012
RE : Proposed Planning Program and Budget for FY 2012/13

Background and Planning Commission Consideration

Each year the town planner prepares a planning program and budget for the next fiscal year (FY). This is considered by a planning budget committee and the committee's recommendations are presented to the planning commission for review and comment before being transmitted to the town manager for inclusion in the town's annual budget.

The attached April 5, 2012 memorandum to the planning budget committee presents the proposed planning program and budget for FY 2012-13 and also reviews the progress of work on the FY 2011-12 planning program. On April 12, 2012 the planning budget committee consisting of the following individuals met at town hall to review the proposed FY 2012-13 program and budget:

Maryann Moise, Mayor
Alex Von Feldt, Planning Commission Chair
Craig Hughes, ASCC Chair
Barbara Powell, Interim Assistant Town Manager
Tom Vlastic, Town Planner
Karen Kristiansson, Principal Planner

The committee considered the data in the report, including the special considerations discussed in the introduction. It was recognized that the changes and transitions over the next year would influence the work of the town planner's office as it has over the past FY. It was also recognized that the work to record the status of land use controls and conditions for specific properties and uses (proposed budget item #5), and on the update of the zoning ordinance and handbook for ordinance administration (items 3 & 4) would be important as new planning and administration staff assume positions at town hall.

After consideration of the current year program and work and discussion of the conditions impacting the town over the next FY, the committee concluded that the proposed program and budget were appropriate and should be forward to the planning commission for review and comment and thereafter to the town manager.

Recommendation

The planning commission should review the attached program and budget proposals and offer any comments as may be appropriate. The proposed program and budget with any planning commission comments would then be forwarded to the town manager for incorporation the town's proposed FY 2012-13 budget.

TCV

Attach.

cc. Leslie Lambert, Planning Manager
Angela Howard, Town Manager
Barbara Powell, Interim Assistant Town Manager
Maryann Moise, Mayor