

PORTOLA VALLEY TOWN COUNCIL / PLANNING COMMISSION SPECIAL JOINT MEETING AND  
TOWN COUNCIL REGULAR MEETING, NO. 855 FEBRUARY 13, 2013

Mayor Richards called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance. Ms. Hanlon called the roll.

Present: Councilmembers Jeff Aalfs, Vice Mayor Ann Wengert, Mayor John Richards  
Planning Commissioners Nate McKitterick and Nicholas Targ; Vice Chair Denise Gilbert,  
Chair Alexandra Von Feldt

Absent: Councilmembers Maryann Derwin and Ted Driscoll  
Commissioner Arthur McIntosh

Others: Nick Pegueros, Town Manager  
Sharon Hanlon, Town Clerk  
Tom Vlastic, Town Planner  
Steve Padovan, Interim Planning Manager  
Sandy Sloan, Town Attorney

ORAL COMMUNICATIONS

None.

STUDY SESSION [6:02 p.m.]

(1) Study Session: Meadow Preserve” provisions of the Portola Valley General Plan

Mr. Vlastic referred to the February 13, 2013 staff report, which sets forth the background for this item, and said that it is an opportunity for the Town Council and Planning Commission to discuss issues that have been discussed before regarding the General Plan provisions for the Meadow Preserve. The hope tonight, he said, is to make enough progress to provide direction and to clarify the General Plan language or provide an interpretation of that language and to consider any appropriate amendments.

Mr. Vlastic said the Comprehensive Plan Diagram of the General Plan refers to a “proposed Meadow Preserve,” with an R-E (Residential Estate) District zoning designation and a 3.5-acre minimum parcel area. The area extends from the northern boundary of the Neely/Myers property to the Sequoias property. In addition to the Neely/Myers property, the Midpeninsula Regional Open Space District (MROSD) owns part of Meadow Preserve parcel.

Uses within the Neely/Myer property are now regulated under Conditional Use Permit (CUP) X7D-169 approved by the Planning Commission in 2012. It includes provision for an agricultural building at the north end of the Meadow Preserve and other agricultural uses in addition to haying. The MROSD parking lot access and planting permitted at the south end of the Meadow Preserve were approved in 1991 under CUP X7D-133.

Mr. Vlastic quoted from the Open Space Element, amended in May 2011, which defines the proposed Meadow Preserve as a community open-space preserve:

*The Meadow Preserve, the large field adjoining Portola Road and north of The Sequoias, lies astride the San Andreas Fault and is visually important to the entire quality of the valley. This preserve should be kept in a natural condition and the existing agricultural character preserved. A southern portion of the preserve is owned by the MROSD and is part of the Windy Hill Open Space Preserve. The parking lot serving the preserve (the Windy Hill Preserve) should be*

*maintained so as to cause minimum conflicts with the Meadow and remain compatible with the natural setting to the maximum extent possible.*

The Appendix to the Open Space Element defines how these proposals would be implemented:

- *As these lands come before the Town for development permits, the Town should work with the property owners to assure retention of these important open-space preserves.*
- *There may be instances where the Town will decide to use some of its open-space funds in order to achieve its objectives.*

An example of this was the Stable Preserve adjacent to Town Center, where the front portion was purchased.

Mr. Vlastic pointed out on PowerPoint slides the General Plan Diagram where preserves currently exist, including:

- The Corte Madera Preserve along Alpine Road west of Willowbrook Drive
- The Meadow Preserve, extending from The Sequoias to the two Jelich parcels, the 1.9-acre site with the Butler barn building and the 14-acre site that include the orchards
- The Town Center, with the existing Park Preserve north of the Stable Preserve

In addition to showing the locations of both existing and proposed preserve designations, Mr. Vlastic's slides showed:

- The entry to the MROSD parking lot, looking across the southern part of the Meadow Preserve to the northern part
- Fence posts that basically represent the boundary between the MROSD and Neely/Myers properties
- The western hillside from the trail within the Portola Road Corridor
- A view looking back to the Meadow Preserve from just inside the fence at the MROSD entry
- Story poles at the north end of the Meadow Preserve indicating the siting of the agricultural building approved by the Planning Commission
- Trees designated for removal from the Neely/Myers property under terms of the CUP
- Views from The Sequoias looking across the parking lot with the Meadow Preserve behind tree screening, and from the northern end of the Meadow Preserve looking toward The Sequoias

Since the staff report was prepared, Councilmembers and Commissioners received additional materials, Mr. Vlastic said. These include:

- An opinion piece entitled "Meadow preserve threatened" in *The Almanac* on February 13, 2013. It was written by Jon Silver with the assistance of Linda Elkind and Bev Lipman
- Comments from Marcia and Jeff Keimer, Cervantes Road
- A letter from George Comstock and Anne Hillman, Alamos Road

- Suggestions and recommendations from Kirk Neely and Holly Myers regarding language to be considered

Mayor Richards invited Dr. Neely to speak. Dr. Neely thanked the Council and stated that the subject has become tiresome, contentious, forbidding and so forth, but the Planning Commission requested concrete clarification of the General Plan rather than interpreting what is permissible under the General Plan in terms of the meadow. He said their proposal to replace part of the field with some vineyards was a modest one, carefully crafted to leave a large portion of the field open for hay and grass only, and that it that met provisions of prior General Plan language. But it wasn't enough to satisfy the Planning Commission. Since the application, the General Plan has been revised to incorporate new modifiers and words which offer no additional clarity.

Dr. Neely said a reasonable person may look at the General Plan provisions and the way it has been applied by the Commission and conclude that such extreme restrictions place an unfair burden on a single owner of a very valuable property. These restrictions go far beyond those imposed on any other property in Portola Valley, restrictions that are much more extreme than any that are on comparable preserves in the valley. In other preserves, including Town Center, they are allowed to put up buildings and use property in a number of different ways and he can't even place vineyards or place other agricultural uses on portions of his land. He knows that the usual voices will be heard and that his property is expected to be a "museum of Portola Valley's past or for the benefit of passersby." Arguments that support those expectations must be weighed against the fairness of allowing practically no other uses for his property other than a mowed parcel.

Dr. Neely said he crafted two alternative versions to consider for General Plan revisions.

1. In the first, he said, he changed a few of the words in the most contentious sentence about "natural condition" and "existing agricultural character" – which are internally contradictory and difficult. A few words can be changed there to make it work for any kind of agriculture. He also added language to try to make the Meadow Preserve understandable – to remain an Agricultural Preserve and call it the Meadow Preserve but not strictly speaking, remain just another hayfield. He said he also borrowed language from the Stable Preserve and Orchard Preserve paragraphs, which he said should be linked to the Meadow Preserve related to acquisition of the land. He said its absence suggests that this parcel in particular is somehow defective.
2. The second alternative reflects some reorganization to make parity among the preserves more evident. It includes a preamble paragraph that omits language about potential open-space acquisition but keeps the views open and applies that principle across the board for all the open-space preserves along Portola Road.

Dr. Neely said the proposals he's recommended for the General Plan language are reasonable. Further, he added, General Plan language should avoid subjective terminology that has failed before, and it should be flexible

Dr. Neely said he knows that opinions differ, but believes that what they have proposed would look great and be fully consistent with the Town's rural character. In general, he said, he'd love to collaborate with the Town and get beyond the antagonism of the past five years. He further stated that proposed language should be flexible and has intent, but refrains from being a "taking" of the parcel.

Mayor Richards invited input from Planning Commissioners.

Vice Chair Gilbert said that before the meeting gets mired in wording details, we need to step back and ask what we really want to do. Do we want to keep it largely as a meadow, or broaden it to be an agricultural preserve? Once that decision is made, then the wording will follow. When the Planning Commission reached its decision, she said, "Meadow Preserve" had been used in all the General Plan verbiage, and the Commissioners had a wide range of divergent views on the extent to which "agriculture"

fit in that context. With the need to preserve the meadow as the common denominator, the Planning Commission agreed on a compromise that allowed the barn and agriculture around the edges without interrupting the visual effect of the meadow in front of it. Otherwise, we would be talking about an agricultural preserve rather than a meadow preserve.

Vice Chair Gilbert also said it would be important also to go back to when the General Plan was created and try to determine why "Meadow Preserve" was chosen in the first place. "Meadow" and "agricultural" connote different visual effects. It would also be important to determine that if indeed the focus was on meadow preservation, whether that direction remains valid or whether wishes have changed.

Commissioner Von Feldt stated that she confirmed what Commissioner Gilbert said regarding the Planning Commission's decision.

Commissioner McKitterick said he's much more comfortable asking what the future policy should be, rather than trying to draw conclusions about what went into previous decisions about the words that were used. He said the Planning Commission's decision on the Neely/Myers application was specific to the application and did not reflect a great deal of philosophical discussion. Now, however, is the time to open up that discussion.

Commissioner Targ said "agricultural character" encompasses an abundance of agricultural opportunities, but he is new to his position on the Planning Commission and there's history to be learned. The words evidently mean different things to different people, he said, so determining what we want to achieve is probably a good starting place. He added that he's heard there is an obligation to maintain a meadow and if it isn't maintained as a meadow, any change might be considered a blight on the meadow. This opens up an interesting legal question.

Commissioner McKitterick said some of the language considered for amending the General Plan would have allowed the vineyard as the applicant had proposed. In that context, he said, the agricultural language was certainly discussed.

Mayor Richards invited public comment.

Jon Silver, 355 Portola Road, said he would forward to Councilmembers and Commissioners an open letter, which contains more detail than *The Almanac* piece, that's signed by Rusty Day, chairman of the Westridge Architectural Supervising Committee (WASC), Vice Chair Gilbert, Ms. Elkind (a former Planning Commissioner), Tom Kelley and Fred Jefferson (both former Portola Valley School Board presidents), Bev Lipman and himself.

Mr. Silver said Vice Chair Gilbert hit the nail on the head when she said we have to decide what we want to accomplish before we find the right words to express it. He also agreed with Commissioner McKitterick to the extent that the focus should be on the future, but looking back is also important to understand the Town's traditions and what the original drafters of the General Plan meant to say. The existing agricultural character obviously now must be understood as historical, he said, but "character" does not imply keeping every detail the way it was 30 years ago. It makes sense to keep a largely open meadow and still allow agricultural uses that are reasonably consistent but not limited to haying, he added. He also advocated the principle of clustering.

When we come out of this process, Mr. Silver said, he hopes the Town will ensure that the language applies to all preserves, and clarifies goals we should all seriously try to achieve. He wants to see people come together, share clashing ideas and come up with the best solution. The process need not be "trench warfare," but rather a collaborative, respectful public process. He said that we can preserve the Town's tradition and the intention of Town founders to retain the largely open character of that meadow and at the same time allow vital, living agriculture to be a part of it.

Commissioner McKitterick asked whether Mr. Silver would support agricultural uses of the meadow. Mr. Silver said, "Oh, absolutely." He said that just removing "existing" from "existing agricultural uses" would be less ambiguous than the current language. It would be unreasonable to limit the meadow to non-native grasses that the Spanish introduced and leave it untouched except to maybe remove the thistles.

Tom Kelley, Franciscan Ridge, said Portola Valley's isn't an agricultural community, and that's a big issue. "That's not who we are," he said. "It's a natural community – Portola Valley is not agricultural, it is more horse people than agricultural people."

Bill Patterson, Stonegate Road, asked Mr. Vlasic for a clearer picture of where the proposed Neely/Myers barn and agricultural use would be in relation to the north end of the valley. Mr. Vlasic returned to the slides, pointing out the driveway at the north end of the property and some trees. He indicated that the barn would be behind the trees in the distance. He described the location as being pushed very much to the north end, with story poles erected at the northern setback limit, and explained that the site lies between the fault traces.

As Mr. Vlasic explained, the agricultural uses approved by the Planning Commission extend along a small portion of the front of the building and to the west side of the meadow. The uses around it also were pushed to the north end of the property, and included some orchard area back within the trees extending from the Orchard Preserve on the adjoining property, plus some vegetables, he said. About 14 acres of the meadow lie on Neely/Myers property, he said. Of the seven acres the applicants wanted for agricultural uses, a good portion was intended for vineyards, which the Planning Commission did not approve. The southern seven acres, extending to the MROSD property, was to remain in grass and hay.

In response to further questions from Mr. Patterson, Mr. Vlasic said the agricultural building would be between 2,000 and 3,000 square feet and about the same height at the Jelich barn, about 24 feet. He also noted that no access roads serve the area other than the one he pointed out. The old ranch roads that remain could be used for mowing and haying operations, Mr. Vlasic said, but neither be paved or otherwise changed from their existing character. The only improved access for maintenance and agricultural activities in the meadow would be associated with the northerly driveway.

Julia Shepardson, Meadowood Drive, said she's lived in Portola Valley for more than 30 years, and is grateful for the views of open spaces, and is concerned about the impact of any form of agriculture. She would like to see the community go in the direction of expanding the meadow rather than allowing any current owners to expand the agriculture. The meadow is a heritage for the community and communities beyond, she said – the soul of the valley. Agriculture requires having barns, people coming to manage the crops, delivery trucks, etc., which also invites opportunistic invasive plants to come in and ruin the ecology. Furthermore, she said that because the land backs up to contiguous open space, she would like the community to think of ourselves more as trustees for this heritage.

Judy Murphy, Portola Green Circle, said when Dr. Neely and Ms. Myers bought this property, they knew it was the Meadow Preserve and came with some restrictions as stated in the Town General Plan. She said she's certain they considered it carefully. When Dr. Neely spoke earlier, he said he felt restricted when in fact they've done a great deal to this property, she added, and an agricultural building has been allowed, and agriculture uses have been approved on a significant piece along the edge. She also noted that the "flexible" language Dr. Neely requested has led the Town into a lot of trouble. She stated that adopting flexible language should be the last thing to do; the language should be precise, careful, clear and as inflexible as possible. She said we must protect the Meadow Preserve as an iconic part of what we all consider our Town.

Bernie Bayuk, Paloma Road, who's lived in the same house for 50 years and has passed the Meadow Preserve maybe 1,000 times, said he fully agrees with Ms. Shepardson that Portola Valley is not an agricultural community. "We are an open-space Town," he said, and the legacy is there. Agriculture is an industry, and many activities take place if you're going to raise good wine.

Carter Warr, Willowbrook Drive, said that Portola Valley has an enormous history of agriculture. That was the original use of all the property, from timber harvesting to growing fruits, vegetables and livestock. All of Westridge and most of Alpine Hills was ranchland. Until 1948, almost all of Portola Valley was covered in orchards or ranchland. So the heritage is agricultural.

Seeing no more public comments, Mayor Richards brought the matter back to the Council and Commission for discussion.

Councilmember Aalfs thanked everyone for the public comments and agreed with how Commissioner Gilbert framed the issue. He believes some form of agriculture has a place in the meadow, but doesn't want to see rows and rows of plants in its midst. He said trees or vines could be considered on the edges of the meadow, but to keep the space as undeveloped as possible. He'd like to hear ideas about where the balance lies and how to create something to preserve it and keep it as undeveloped as possible while allowing some agricultural uses, which means that the issue will keep coming back to be debated again but that is the way it should be.

Mayor Richards said among the options are to continue the discussion when more Councilmembers are present, proceed toward amending the General Plan with attendant public hearings, or come to some decisions tonight.

Vice Mayor Wengert thanked the Planning Commission for all its great work on this very difficult issue, especially with the amendment in 2012. She said she believes General Plan amendments are in order, and a primary goal should be to balance the reasonableness of the desires of the community and all the values we hold dearest with property owner rights. She noted that a number of preserves along the entire Portola Road Corridor are named historically – a Meadow Preserve, an Orchard Preserve, and a Stable Preserve. But they are held in private ownership and may change hands in the future, and when that occurs, the Town may be able to make some acquisitions but there is no guarantee that will happen.

For that reason, Vice Mayor Wengert said, she is interested in two broad goals in terms of General Plan changes:

1. Try to find the balance between reasonable desires of residents for preservation of these spaces with other interests; she said the Planning Commission did an excellent job in allowing the agricultural building on the Neely/Myers property and to allow them to move forward with a large part of their plan
2. Create parity among the Meadow Preserve, Orchard Preserve and Stable Preserve, because all are part of the same Portola Road Scenic Corridor. She said we should take a general definition that 1) applies to these properties as they are, 2) allows for some grandfathered uses, and 3) ensures that the right processes remain in place to provide for adequate review going forward.

Mayor Richards stated that he has listened to comments on this subject for several years and agrees that the Council needs to go back and modify or amend the General Plan. The Council needs to decide what the future of the meadow should be along with the rest of the preserves in the corridor and do it under one package. He also wanted to acknowledge that Dr. Neely has been a good steward of the property and that both parties have the right ideas on both sides of the issue.

Chair Von Feldt asked that if the Council wants to proceed with a General Plan amendment, the issue would come back to the Planning Commission to come up with language pertaining to all three preserves as well as language pertaining to their different characteristics and depending on whether the land is public or private.

Vice Mayor Wengert said that while anticipating changes in the future and incorporating traditional values, the key question is, "What do we want for this corridor?" Certainly as long as parts of those preserves

remain privately owned, she said it's incumbent upon the Town to have consistent policy that reflects the Town's clear objectives while recognizing owners' rights.

Mayor Richards – recalling a history of herbs, medicinal herbs, stable, strawberries, orchards, grazing and farms (some of which are still there) – said he agrees that Portola Valley has been an agricultural Town for many years. Although a tall orchard in the meadow would certainly change its character, he said, he believes an active agricultural use of the meadow would provide some benefits to the community.

Vice Mayor Wengert said it's important to speak out relative to our views on the agricultural side, and she supports it as well. She recalled former Councilmember Steve Toben's interest in local agriculture from a sustainability point of view.

Commissioner Targ concurred with comments regarding the characterization of agriculture and also revisiting the General Plan. He said that in addition to clarifying goals and objectives, this situation offers an opportunity for the Town to better understand what's involved with agriculture and see that many agricultural uses do not involve a great deal of activity and are highly sustainable. Amending the General Plan provides an opportunity to create the kind of understanding needed to avoid having to repeat the process that Dr. Neely and Ms. Myers have been through.

Commissioner Targ added that his observations about sustainability and the work the owners have done to maintain the meadow are important to acknowledge. Maintaining the meadow has required financing, time and planning, and they have been outstanding stewards for the view that everyone appreciates and the owner should be commended.

Commissioner McKitterick said what Portola Valley means to each of us going forward is a good question, but he personally ties it to historic uses in the valley to a large extent. That means agriculture with the attendant buildings, including orchards, stables, three different schools – including the Historic Schoolhouse – estates, open space, trail system. He said he had a certain interpretation of the old language in the General Plan, and in crafting any new language, he would do so with an eye toward such historic uses in the Portola Road Scenic Corridor.

Vice Chair Gilbert said she concurs with the approach and the need for consistency among the preserves but pointed out that each also has its own requirements in that one is a stable, one an orchard and the other a meadow.

Chair Von Feldt said although she understands that it would go back to the Planning Commission to come up with the language, she's not very clear about direction from the Council. In the Planning Commission's original decision, she said, it wasn't just a matter of keeping the meadow "largely open," but fencing that would keep animals out. She also agreed that it's important to acknowledge the differences among the types of preserves.

Vice Mayor Wengert said she even questions whether "meadow" and "orchard" and "stable" should be the terminology or whether it might be the time to adopt "open space scenic corridor" terminology that doesn't create a series of boxes that are too difficult to encompass each of the preserves. Clearly, she said, existing uses would stay the same, but perhaps some consistent language could apply going forward that could serve as basis for analyzing any CUP for any of those properties that would maintain the overall goals of the General Plan. She said it may not be the ultimate answer, but now might be the best time to take a high-level look from that perspective and determine whether the properties share enough common objectives for a broader approach to work and whether the Planning Commission would be able to evaluate applications from any of the affected property owners considering the same criteria.

Vice Mayor Wengert said that judging from the input, there's certainly a base of support for considering agriculture as part of Portola Valley's heritage.

Commissioner McKitterick asked whether the idea is to work toward a balance between agriculture and open space. In response, both Mayor Richards and Vice Mayor Wengert said they do not mean a 50/50 split. Councilmember Aalfs said it would be more along the lines of open space with perhaps a judicious application of agriculture.

Mayor Richards said the General Plan seems to have overlapping definitions of open space preserve and greenbelt. It's intended to be fairly flexible from that standpoint. But in this case, as the situation currently exists, he said, something different probably ought to reflect the fact that Meadow Preserve already contains clumps of trees and a large parking lot. Some definition changes need to take place to accommodate those changes.

Mr. Vlastic said without trying to push in one direction or another, he is concerned that when applications come in, the Planning Department and the Planning Commission would have to look at the properties not in the context of a preserve, but in the present use and options for future uses before the Town can pin down what the best term is for the area. He noted, also, that there's the Morshead Preserve to consider, with its mustard orchard. He said the historic agricultural character would apply to many areas in Town.

Mr. Vlastic also said that he thinks the Town must look not so much toward a certain balance between open space and another use, but look carefully at the specific properties and realistic implementation of what can be done. The Town tries to work with property owners to achieve a certain objective – not place demands but work with the owners. He said in the Neely/Myers case, the Planning Commission tried hard to do that, although he acknowledged that the property owners feel otherwise.

Mr. Vlastic said the time for imposing requirements comes when collaboration and cooperation don't achieve the General Plan objectives. As the Planning side gets deeper into working on proposals for General Plan amendments, they will have to consider priorities in the open-space program and determine where some of the Town's open-space funds would go to further its objectives, he said. Coal Mine Ridge and some other critical open-space areas the Town has acquired already, he added, were acquired via approval of significant subdivision developments, such as Portola Valley Ranch and Blue Oaks.

The Town has not wanted a lot of development in the western hillsides, he said, and geologic constraints provide leverage to control it, but nonetheless, the full acquisition of the meadow, orchard and/or stable was anticipated with a PUD or something similar. Another question, Mr. Vlastic said, concerns priorities for acquisition of open-space lands.

Relative to the meadow itself, he said the question concerning the whereabouts of the "transitional line" – where more development is or is not acceptable – needs to be addressed sooner rather than later. He suggested that a joint Council/Commission field trip might help, but the Planning Commission needs clear input from the Council. For example, he said that in looking together at the Neely/Myers property, they could evaluate whether the seven acres Dr. Neely wants for vineyards would be okay without jeopardizing the character that should be maintained. He said that needs more attention.

Councilmember Wengert said Mr. Vlastic's comments indicate the merits a two-pronged approach. One involves potential General Plan revisions in the broader sense, which could merge some of these areas. She said tackling the issue at the General Plan level is important for planning for the future, including thoughts about acquisition priorities when opportunities arise. In addition, in terms of first attending to the meadow in particular, she said the joint field trip is a great idea to get a sense of what the impact on the northern area of the meadow would be with more agricultural uses allowed specific to the Neely/Myers request.

Mr. Vlastic agreed that unless the Council and Commission take some hard looks at that property, things will remain vague.



Commissioner McKitterick said he would like the Open Space Acquisition Fund used not solely for buying parcels of land, but also to purchase trail and view or conservation easements and other types of property rights that can be monetized.

Dr. Neely said he would like fair representation of what was he and Ms. Myers proposed and how the Planning Commission actually ruled. He holds 19 or 20 acres on the valley floor, of which 14 acres are open. In their proposal they very carefully asked for only seven acres at the margin for agriculture, and left seven acres open as grassland in the middle. He said that wasn't good enough for the Planning Commission, where the decision represented not a compromise but a gutting of the original plan that left no economic agriculture whatsoever. He said that oddly enough, the "hobby agriculture" uses allowed on only three acres that were approved entail the most truck trips and the most water. In contrast, he said, the economically viable use – a vineyard – which requires neither truck trips nor water, was denied. He said what they had proposed was very balanced, forward-thinking and careful. The three acres was not a workable agricultural compromise.

Dr. Neely said Mr. Vlastic would essentially like the meadow in three zones, with the southern part owned by MROSD, the middle dedicated as open space and the northern part used for agriculture. He said that's what they asked for, but it was not allowed. Dr. Neely also said that he's dead set against a General Plan that would rule out any uses for the meadow whatever.

Mr. Vlastic said the central meadow was part of what was viewed as agricultural (haying) use.

Dr. Neely restated that his previous proposal was a very balanced one. He then asked whether these are "proposed" preserves or in fact preserves.

Ms. Sloan said that's part of the confusion, because the General Plan Diagram shows "proposed," as Mr. Vlastic pointed out, but the General Plan itself doesn't use that word. In response to Commissioner McKitterick, she said that yes, the Diagram is part of the General Plan.

Mr. Vlastic said it should be clear that a lot of the early-on General Plan language basically uses terminology such as "General Plan proposals." Until it comes to the point of the Town acquiring it, a property doesn't mature as an existing condition. For example, he said plans for the rear portion of the Stable Preserve are still articulated in the General Plan as proposals, because the Town doesn't own that portion of the property. Thus, the General Plan is a guide. The term "proposal" becomes problematic when it isn't used consistently, and that's clearly an issue, he said. In response to Mayor Richards, Mr. Vlastic confirmed that there's also a difference between the General Plan and zoning regulations.

In response to Mayor Richards, Commissioner McKitterick said three Commissioners opposed the Neely/Myers proposal and two favored it. Chair Von Feldt said there was no problem with the barn and the agricultural use of the meadow for haying, but the reason for objecting to the proposed vineyard was that the visual aspects of a vineyard with fencing around it would be inconsistent with General Plan guidance and also interfere with the wildlife corridor. Vice Chair Gilbert said the applicant could use alternative locations on the property for a vineyard.

Commissioner McKitterick added that Commissioners had differing interpretations of terms such as "largely open" and "existing agricultural character."

Mr. Silver said Vice Chair Gilbert started off on the right foot by emphasizing the importance of looking at the big picture. He said it's important also to look at the Town's organization chart. The public is the ultimate power, so public hearings are needed to get public input, take direction from that and come up with the best ideas based on the Town philosophy. If the Town Council doesn't like what the Planning Commission proposes, he said, it can send it back to the Planning Commission. But to begin with, he said the Planning Commission doesn't need marching orders from the Town Council. Public hearings need to come first, and then let the process play out.

Mr. Kelley said that rather than trying to be all things to all people, the Council should be more decisive about what Portola Valley is and wants to be. The primary job of the Council is to preserve Portola Valley.

Mayor Richards said there's general agreement about proceeding with a field trip, having the issue go to the Planning Commission, and holding public hearings.

Commissioner McKitterick, recollecting the Nathhorst Triangle issue, said the first thing to do would be for staff to get input from the property owners regarding their opinions about the current language that controls their properties and their thoughts about what they consider appropriate for their properties. As a Commissioner, he said he would want to start there. Mayor Richards agreed that's always part of it. Commissioner McKitterick said he wouldn't want to go off on a tangent that's completely separate from the property owners' views.

Vice Mayor Wengert said it's important to be as clear as possible about next steps, particularly these two big issues:

- The joint field trip, including identifying what proposal remains from Dr. Neely and Ms. Myers
- The Planning Commission beginning the General Plan review

Mr. Vlasic said this year's budget includes the Meadow Preserve issue and the Portola Road Scenic Corridor, but even the combination of the two items is not as broad-based as tonight's discussion suggests. He said Dr. Neely and Ms. Myers probably are looking at more direction relative to the Meadow Preserve sooner versus later. He said the field trip may not produce a final conclusion, but at least it would elicit reactions from the Council and the Commission.

Vice Mayor Wengert emphasized that the hearings Mr. Silver mentioned most definitely would involve the public.

Commissioner Targ asked whether an application is currently pending. Ms. Sloan said no, the Planning Commission took its action and Dr. Neely and Ms. Myers did not appeal so they are free to resubmit.

Councilmember Aalfs said two things are being discussed – General Plan amendments and a field trip in response to the projected application. Mr. Vlasic said it would be Meadow Preserve and General Plan discussion, not specifically geared to the projected application.

Mayor Richards closed the Study Session, noting it was time to begin the Town Council regular meeting.

#### TOWN COUNCIL REGULAR MEETING [7:41 p.m.]

Ms. Sloan asked the Council to approve an urgency item, a Closed Session Government Code 54956.9C, regarding remediation related to the cutting of a significant number of trees at 18 Redberry Ridge in the Blue Oaks Subdivision.

Councilmember Aalfs moved to add the urgency item to the end of the agenda. Seconded by Vice Mayor Wengert, the motion carried 3-0.

- (2) Presentation: Oral Report from Adrienne Etherton, Executive Director, Sustainable San Mateo County [7:44 p.m.]

Ms. Etherton said Sustainable San Mateo County was founded in 1992 by a small group of citizens who wanted to raise awareness about the concept of sustainability, which wasn't widely understood at the time. She defined sustainability as meeting the needs of the present without compromising the future and planning for the future, not only in terms of the environment but also social equity and a vibrant economy.

The organization updated its mission statement within the last year – *to stimulate community action on economic, environmental and social issues by providing accurate, timely and empowering information* – to focus more on action. She said the organization's annual *Indicators for a Sustainable San Mateo County report* is a great data tool but it should lead to action by local governments and advocacy organizations.

Sustainable San Mateo County programs include Healthy Community Forums, which was launched in 2011 with the Sierra Club's Loma Prieta Chapter. The initiative now embraces nearly 30 community groups and elected officials supporting, co-sponsoring, planning and hosting interactive discussions that focus on various topics ranging from neighborhoods to affordable housing to healthy foods.

The organization also has developed a robust awards program, which includes:

- Sustainability Awards, established 14 years ago to recognize local businesses, community groups and individuals showing true commitments to the environment, economy and social equity
- Green Building Awards, established 11 years ago to honor owners, architects and builders of high-performance buildings either newly constructed or remodeled within the past five years
- Ruth Peterson Award, which will be presented for the first time in 2013, this pays tribute to the late Ruth Peterson, one of Sustainable San Mateo County's most inspirational leaders

The organization's 14th Annual Sustainability and Green Building Awards event, which is coming up on March 21, 2013, is also dedicated to Ms. Peterson. Ms. Etherton said that Ms. Peterson led the charge to Sustainable San Mateo County becoming an independent nonprofit public benefit corporation in 2002. The theme of this year's event, which will take place at the South San Francisco Conference Center, is Education: The Root of Sustainability. The evening will feature Redwood City School Board President Shelly Masur as emcee and State Senator Jerry Hill as auctioneer.

Ms. Etherton said that the Indicators Report is in its 17th year of covering County sustainability issues that address the broad "three E" spectrum of Economy, Environment and Equity – including sources of greenhouse gas (GHG) emissions, air and water quality, affordable housing, unemployment, child care, health care and education. Each report also contains the results of surveys of various communities and the San Mateo County Community College District (including College of San Mateo, Skyline College and Cañada College).

Each year, the report focuses on a particular indicator. In 2012 it was Community Health; in 2013 it will be Income Inequality, which has wide-ranging effects on different sustainability measures. Ms. Etherton showed the Council a preview the 2013 report cover, which showcases the work of citizens who participated in Sustainable San Mateo County's Cover Photo Contest.

Noting that they are becoming a bit dated, with work underway on the 2013 Indicators Report, she called attention to some of the striking highlights from the 2012 edition:

- The County's senior population was expected to more than double by 2050, affecting areas such as health care, affordable housing, transportation and land use patterns
- In 2011, 59% of the residents were overweight, and 12% lacked health insurance, which present serious health challenges
- Solid waste disposal was down 39% from 2000
- Facilities had spaces for only 27% of children who potentially need child care

- GHG emissions in 2010 (the latest data available at the time) were down about 8% from the 2003 peak; Ms. Etherton said a lot of that was attributed to reduced vehicle miles traveled, which in turn could have been affected by the economic downturn – but she said she hoped to see continued improvement
- 93% of the water used in San Mateo County came from the San Francisco Public Utilities Commission, and 85% of that from Hetch Hetchy; thus, Ms. Etherton said that water could become a significant issue going forward

In terms of affordable housing, she said it's a key issue in San Mateo County, which is one of the most unaffordable places to live in the country. The lack of a wide range of housing options limits the ability of people who work in San Mateo County to live here, creates problems for businesses that want to hire employees, forces residents to pay more for housing than they can afford or move farther away, resulting in longer commutes, more traffic congestion, lower air quality and less community and family cohesion.

A sustainable condition, Ms. Etherton said, would be a balanced and sufficient housing supply available in infill projects, transit-oriented development (TOD) projects, and green-building projects to a wide range of income levels. In fact, she said that one of the 2013 award winners is a 109 unit workforce housing complex in South San Francisco that's part of the pedestrian-oriented "Grand Boulevard" development on El Camino Real. The combination of affordable housing, transit access and green building add up to several key wins, she noted.

Ms. Etherton updated some of the housing-related information from the 2012 Indicators Report:

The first-time buyer housing affordability index now shows 54% of households are able to afford an entry-level home (approximately \$580,000), she said, in contrast to 80%-plus in the U.S. as a whole. Ms. Etherton said she believes the index is based on a household's ability to pay the mortgage, not whether they'd be able to make the down payment or qualify for a mortgage in the first place. She said the index defines affordability as 85% of the median sales price, and in 2011 the median sales price in San Mateo County was \$685,000. At the same time, annual family income across the County as a whole was slightly more than \$91,000.

Average monthly rents in some areas of San Mateo County were up 17% in 2012 over 2011. She said that many two-bedroom apartments rent for \$3,000 and \$4,000 a month, which is not a sustainable level for many families.

The median sales price of homes in San Mateo County is now about \$740,000, up about 8% since last year. San Mateo County ranks second in the Bay Area counties in median sales prices, and Ms. Etherton said San Mateo County is "really up there" in the context of California as a whole and the rest of the country. According to the data, which came from the San Mateo County Association of Realtors, the median sales price of homes in Portola Valley was \$2.2 million in 2012, up about 19% over 2011 and 14% from 2007. Although median home prices elsewhere in San Mateo County were up in 2012 from 2011, she said, most of them are still lower than they were in 2007, she said

The 2013 City Survey is not yet complete, she added, but data so far suggests that most of the communities in San Mateo County are not yet where they should be in terms of Regional Housing Needs Assessment (RHNA) numbers.

In closing, Ms. Etherton provided her contact information, invited Councilmembers to join Sustainable San Mateo County events and share successes, and offered to answer any questions.

CONSENT AGENDA [7:55 p.m.]

- (3) Approval of Minutes: Regular Town Council Meeting of January 23, 2013 [*removed from Consent Agenda*]

- (4) Approval of Minutes: Special Town Council Meeting of January 30, 2013
- (5) Ratification of Warrant List: February 13, 2013 in the amount of \$134,929.94
- (6) Recommendation by Public Works Director: Approval of a Resolution of support to authorize the filing of an application for funding from the Metropolitan Transportation Commission (MTC) for a Road Improvement Project
  - (a) Resolution of the Town Council of the Town of Portola Valley authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission and committing to any necessary matching funds and stating the assurance to complete the project (Resolution No. 2578-2013)
- (7) Recommendation by Town Manager: Adoption of Revised Commission/Committee Handbook
- (8) Appointment by Mayor: Woodside Highlands Road Maintenance District Advisory Board
- (9) Appointment by Mayor: Request for appointment of member to the Emergency Preparedness Committee
- (10) Appointment by Mayor: Request for appointment of members to the Bicycle, Pedestrian & Traffic Safety Committee [*removed from Consent Agenda*]
- (11) Recommendation by the Bicycle, Pedestrian and Traffic Safety Commission: Proposed revision to Committee Charter

By motion of Vice Mayor Wengert, seconded by Councilmember Aalfs, the Council approved Items 4-9 and 11 on the Consent Agenda with the following roll call vote:

Aye: Councilmember Aalfs, Vice Mayor Wengert, Mayor Richards

No: None

- (3) Approval of Minutes: Regular Town Council Meeting of January 23, 2013

Vice Mayor Wengert moved to approve the minutes of the Regular Town Council Meeting of December 12, 2012. Seconded by Mayor Richards, the motion carried 2-0-1 (Aalfs abstained).

- (10) Appointment by Mayor: Request for appointment of members to the Bicycle, Pedestrian & Traffic Safety Committee

Applicant Martha Blackwell withdrew her application. Councilmember Aalfs moved to approve Angela Hey and Kari Rust as BP&TS Committee members. Seconded by Vice Mayor Wengert, the motion carried 3-0.

#### REGULAR AGENDA

- (12) Recommendation by Bicycle, Pedestrian & Traffic Safety Committee: Report Findings of Bike Lane Study on Portola and Alpine Roads [*7:58 p.m.*]

Shandon Lloyd, the BP&TS Committee's Acting Chair, said the Committee did considerable research and devoted significant time and effort to the study. She reported on the following actions at its meeting on December 5, 2012:

1. Motion to approve widening road shoulders; approved 7-2 (with the dissenting votes opting for official Class 2 Bike Lanes)

2. Motion to widen selected road shoulder areas to five feet; approved 9-0
3. Motion to implement widened road shoulders in 2013; approved 5-4 (with two of the dissenting votes pushing for incorporation with scheduled road repair – which was also Public Works Director Howard Young’s preference, because he’d like to make it part of the Town’s 10-year resurfacing plan – and two focused on doing hot spots first)
4. Motion to implement road shoulder widening at Town Center (one of the hot spots); approved 9-0
5. Motion to direct staff to obtain the cost of implementing five-foot shoulders at intersection of Arastradero and Alpine Roads

Vice Mayor Wengert asked whether Mr. Pegueros had a sense of where Mr. Young stands on the recommendation to deal with the hot spots, and the timing, versus moving forward as quickly as possible without necessarily waiting for scheduled maintenance work. Mr. Pegueros said that Mr. Young clearly has some concerns about user demands for some of these improvements as well as the accident history of various locations suggesting a need for prioritization. He said Mr. Young wants staff to research it further and bring the Council an analysis of the BPTS recommendations.

- (13) Recommendation by Town Manager: Approval of the Affordable Housing Ad-Hoc Committee Charter [8:06 p.m.]

Mr. Pegueros said that based on Council input during its meeting of January 23, 2013 and other developments, the proposed charter has been revised, including a start date in March 2013 rather than February 2013. In addition, the final draft charter contains several refinements and clarifications. Most notably, he said, the meeting schedule now takes into consideration ski week and allows time for Committee members to meet with their neighborhoods to collect input.

Councilmember Aalfs moved to approve the Affordable Housing Ad-Hoc Committee Charter. Seconded by Vice Mayor Wengert, the motion carried 3-0.

- (14) Appointment by Mayor: Request for appointment of member to the Affordable Housing Ad-Hoc Committee [8:09 p.m.]

Mayor Richards appointed the following people to the Affordable Housing Ad-Hoc Committee: Susan Dworak, Bud Eisberg, Judith Hasko, Judy Murphy, Jon Myers, Andrew Pierce, Onnolee Trapp, Wanda Ginner and Carter Warr.

Vice Mayor Wengert moved concurrence with the Mayor’s appointments. Seconded by Councilmember Aalfs, the motion carried 3-0.

#### COUNCIL, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

- (15) Reports from Commission and Committee Liaisons [8:13 p.m.]

Councilmember Aalfs:

- (a) Architectural and Site Control Commission (ASCC)

At its meetings of January 28, 2013 and February 11, 2013, the ASCC approved a number of pending projects, excessive tree removal at 18 Redberry Ridge and the Neely/Myers project. Councilmember Aalfs reported that an ASCC subcommittee had gone out to look at the Neely/Myers site, where the applicants have proposed single-rail fencing that would go along the MROSD property boundary.

Vice Mayor Wengert:

(b) Regional Housing Needs Assessment (RHNA)

The vote to approve final housing allocation numbers in San Mateo County has been delayed for two months until mid-March 2013, pending a deadline extension by the Association of Bay Area Governments (ABAG).

(c) SFO Airport Community Roundtable

At their February 6, 2013 meeting, members discussed considerable commentary that was fed back to the Federal Aviation Administration (FAA). Woodside, Millbrae, Pacifica and Brisbane have received much attention because they're clearly on the arrival and departure paths, Vice Mayor Wengert said. Jeff Gee was reappointed as Chairman.

The Airport Roundtable will continue to pressure the FAA to make sure environmental assessments are done adequately to protect our communities from unintended impacts as the NextGen technology is rolled out, Vice Mayor Wengert said. NextGen is on focused on fuel efficiency, not noise, but the glide paths potentially will change our vector and result in more noise. Vice Mayor Wengert said the environmental assessment supposedly will be complete by the end of this year.

The next SFO Airport Community Roundtable meeting is scheduled for April 2013, but the group expects to add meetings and possibly some field studies as NextGen becomes more of an issue.

Mayor Richards:

(d) Bicycle, Pedestrian & Traffic Safety Committee (BP&TS)

Members discussed Committee assignments, which will be reviewed and resolved now that new members have been appointed.

WRITTEN COMMUNICATIONS [8:19 p.m.]

(16) Town Council January 25, 2013 Weekly Digest – None

(17) Town Council February 1, 2013 Weekly Digest – None

(18) Town Council February 8, 2013 Weekly Digest

(a) #10 – Memo from Nick Pegueros, Town Manager – Weekly Update – Friday, February 8, 2013

Mr. Pegueros indicated that a group came to Town Hall on February 6, 2013 to request a permit to solicit, which was issued in conformance with a process that's been in place for several years. When complaints of aggressive solicitation came to his attention, he said he revoked the permit. In the wake of that incident and comments on PV Forum, a list of current permits has been posted on the Town's website so residents may check out which groups are authorized, and an option to sign up for a "do not solicit" will be made available to residents.

Ms. Sloan said it would be appropriate to look at ways to strengthen the ordinance without interfering with rights to free speech.

CLOSED SESSION [8:30 p.m.]

Prior to the Council adjourning to the Closed Session, Joy Elliott, Redberry Ridge, said that the Blue Oaks Homeowners Association met and concurred that removal of trees at 18 Redberry Ridge was excessive. The HOA asked to be included in the conversation about remediation efforts.

(19) Remediation Conference

Government Code Section 54956.9(c)

To discuss a decision whether the Town should initiate remediation in relation to the significant clearing of trees at 18 Redberry Ridge in the Blue Oaks Subdivision

REPORT OUT OF CLOSED SESSION

No reportable actions.

ADJOURNMENT [9:05 p.m.]

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Mayor

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Town Clerk