

# Town of Portola Valley General Plan

## Open Space Element

Last amended May 25, 2011

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# *Open Space Element*

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## ***Introduction***

- 2200 The open space element provides a framework for the preservation of open space within the planning area. Open space includes all open areas, large and small, public and private. The element, however, is most concerned with those open space lands that are of major significance for protection of natural resources, public health and safety, aesthetics and recreation and that require special actions to ensure their preservation. The open space land uses described herein are primarily the macro- and intermediate-scale open spaces but this does not imply that the micro-scale is not important.
- 2201 Open spaces intended primarily for intensive recreation, such as parks and playfields, are addressed in the recreation element.
- 2202 Scenic corridors and greenways are described in this element; however, their use by motorists, cyclists, those on foot and equestrians are addressed in the circulation and trails and paths elements.

## **Definitions**

- 2203 The several types of open space included in this element are defined below; however, more complete descriptions can be found in section 2214.

**Neighborhood Open Space Preserves** serve local neighborhoods and are generally two to ten acres in size.

**Community Open Space Preserves** are scenic areas kept essentially in a natural state for the benefit of the residents of the town. Such preserves provide visual pleasure and accommodate very limited access and use, such as by trails and paths. They serve major parts of the town and generally are up to 50 acres in size.

**Large Open Space Preserves** are large areas that have important natural qualities and that are preserved by public or institutional ownership. Because these large open spaces can serve as recreational resources, they are also discussed in the recreation element.

**Scenic Corridors** are broad linear bands of open space along major roads in which recreational uses are acceptable when compatible with the open character of the corridor.

**Greenways** are corridors of natural beauty often enhanced by landscaping. They provide pleasant traveled ways for motorists, cyclists, those on foot and equestrians that link portions of the planning area. A number of greenways are proposed in the plan along roads and natural features such as canyons, streams and woods.

**Open Space - Limited Development** is the term assigned to those areas outside of the town that because of hazardous natural conditions, scenic beauty, limited access, remoteness, inadequate utilities or similar reasons are not appropriate for other than open space with very limited development. These areas should be kept essentially in their natural state with only minimal disturbance. These areas are shown on the General Plan Diagram, Part 5, of the General Plan.

**Agricultural Lands** occupy a large portion of the Stanford-owned Webb Ranch. These lands consist of alluvial soils and are well suited for agriculture. In addition, most of the area is within the flood plain of the Searsville Lake dam. Uses occupying this area include cultivated agriculture and boarding stables.

**Residential Open Space Preserves** are parts of residential developments that are kept as open space because of environmental constraints such as steep terrain, unstable land, and sensitive habitat. Also, these areas are visual assets for residents of the development in which they are located as well as the town. Where appropriate, access to portions of these areas by local residents can be an ancillary use by means of public trails and paths and thereby serve in part as a recreation function. (See also Section 2109 of the residential areas section in the land use element.)

2204 The Portola Valley town council, after much consideration, adopted the following definition of “open space preserve” by resolution No. 2490 on May 12, 2010. Consequently, whenever an area is owned by the town, it must comply with the following definition.

Open Space Preserves are areas to be kept largely in a “natural” condition with limited permitted uses as described below:

1. Open Space Preserves are areas where the character and intended use of the land warrant retaining the land in a natural condition. Such preserves provide visual pleasure and accommodate very limited access and use.
2. Open Space Preserves are named, located and described in the General Plan. The descriptions include permitted uses consistent with the provisions of this definition.
3. Permitted outdoor uses are those that do not require structures, other than those provided for elsewhere in this definition, and do not result in modification of the site. Typical uses include nature study, congregation of residents in time of emergencies, and unorganized activities such as tossing Frisbees and kite flying.
4. Permitted structures include occasional benches, trail and path signs, temporary scientific instruments, and bridges and board walkways in marshy areas for the purpose of viewing natural aspects of the site.
5. Permitted access is on permeable trails and, where appropriate, paths designed for disabled persons.
6. Consideration may be given to allowing existing structures to remain if they are consistent with and enhance the open space character of the land and/or are of historic value.
7. Activities to care for the land, such as controlling invasive plants and reducing fire hazards, are permitted provided they are undertaken in a manner that balances preservation of the natural vegetation and the need for reduction of fire hazard potential and are reviewed with input from town committees and staff.
8. Activities that seek to return the land to a prior more natural state are permitted provided such activities are reviewed with input from Town committees and staff.
9. Uses in addition to those above specified subsections 1. – 8. may be permitted by the town council provided such uses are consistent with the purposes of open space preserves as described in section 2204 and contribute to a person's enjoyment of, and do not detract, from a natural and tranquil setting.

(When considering residential open space preserves, see also Section 2109 of the general plan.)

2205 Open space land is defined in state law [Government Code, Section 65560 (b)]. The definition is intended as a guide to cities and counties, but does not preclude expansion of the list by jurisdictions. Section 65560 (b) states:

“Open space land is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:

1. Open space for the preservation of natural resources, including but not limited to areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lake-shores, banks of rivers and streams, and watershed lands.
2. Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
3. Open space for outdoor recreation, including but not limited to areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
4. Open space for public health and safety, including, but not limited to areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.”
5. (Pertains to military installations and therefore is not listed here.)

2206 Open space lands can be grouped under the following scales of open space by their size and character. These descriptions are of assistance when considering the functions of different types of open space:

1. **Macro-Scale Open Space** – Lands where the sense of openness is extensive. Views of such space include large expanses of water, undeveloped or primarily undeveloped lands, or rural lands with minor development. Micro-environments may exist within such a space, such as a clearing in the woods, or a small wooded valley or a cluster of trees in the otherwise grass covered rolling hills; but continuity and large size give macro-scale open spaces their dominant character. Categories of open space that are usually of this type include: residential open space preserves, scenic corridors, greenways, open space-limited development areas and large open space preserves.
2. **Intermediate-Scale Open Space** – Lands of intermediate scale include areas generally ranging in size from 5 to 50 acres. The unifying element is the sense of openness in the middle ground with a definite background limit to one’s view. Categories of open space that are usually of this type include community open space preserves and neighborhood open space preserves.
3. **Micro-Scale Open Space** – Spaces that are of a small or intimate nature. Generally, the observer intimately confronts objects in this size of open space.

- 2207 Size is not a limiting factor for open space, nor is public ownership necessary. In Portola Valley, concern for the preservation of open space should include all scales of open space from hillside watershed areas of large expanse to natural and landscaped areas on residential and other developed properties.
- 2208 Preservation for the public interest does not necessarily mean public access to open space lands. For example, public access might be incompatible with other open space uses, such as wildlife habitat, flood control, maintenance of the natural drainage system, or establishing or maintaining fragile plant growth. It may also be incompatible with individual property owner’s rights to privacy.
- 2209 Many open spaces are best preserved and managed if the town or another public agency has responsibility or regulatory authority through fee title, easement or special zoning. This is especially true of public parks, flood plains, natural areas along travel corridors, creeks and riparian lands, wilderness areas or other wildlife habitat of shy or endangered species, and areas that represent a potential danger to health and safety.
- 2210 Implementation of the open space proposals was largely covered in the adopted Open Space Program, Town of Portola Valley, 1971, but is now addressed in Open Space Element Appendix 2, Implementation of the Open Space Element. The major open spaces are shown on the comprehensive plan diagram, Part 5.

2211 The open space element includes: objectives, principles and standards; and a description of an action program.

## ***Objectives***

- 2212
1. To preserve open space in order to maintain the natural environmental qualities that make Portola Valley an unusual and special place in which to live.
  2. To provide visual enjoyment by means of a continuous flow of open space and natural ground contours throughout the entire planning area.
  3. To retain the wooded outlines of the skyline ridge and lesser ridges.
  4. To retain and enhance important vistas, including the view of the skyline ridge as seen from below and the view of the valley as seen from the hillsides.
  5. To protect and enhance more intimate views for the enjoyment of local residents.
  6. To protect and maintain those areas necessary to the integrity of the natural processes with special emphasis on, but not limited to, the watershed.
  7. To preserve and, where appropriate, enhance and restore streams, and lesser drainage courses and their corridors, unique resources in the area, in a manner that will assure maximum retention of their value as wildlife habitat and provide for their use and enjoyment by local residents.
  8. To provide scenic corridors along routes of major movement.
  9. To provide greenways along local corridors of movement.
  10. To provide for the retention of vegetative forms that contribute to the public safety and help maintain the natural processes and aesthetic qualities of the town.
  11. To preserve as open space, insofar as necessary, those areas subject to inherent natural hazards in order to ensure the public safety and welfare.
  12. To preserve and protect areas vital as wildlife habitat or of a fragile ecological nature.



13. To preserve those areas of cultural and historic significance to the town, the Midpeninsula, and the Bay Area.
14. To provide open space to shape and guide development and to enhance community identity.
15. To ensure connectivity between open spaces to provide for wildlife movement.
16. To preserve those lands with high agricultural capabilities for agricultural and open space purposes where appropriate.

## ***Principles***

- 2213
1. In any land development project, the basic visual character of the planning area should be conserved through regulation or through public acquisition of less than fee title.
  2. All major visual features should be preserved through public acquisition of fee title or lesser interest.
  3. Structures and land uses should be subordinate to the dominant natural land forms and vegetation of the planning area. Only in the confines of individual sites should structures be allowed to be dominant. To preserve open space in the residential open space preserve areas, clustering of housing units outside these areas should be required to the maximum extent possible.
  4. Roads and other public works should incorporate beauty as well as utility, safety and economy.
  5. The scale and type of materials used in developments should be harmonious with the surrounding natural scenery.
  6. Open spaces should be linked together visually and physically to form a system of open spaces.
  7. Common open spaces intended to serve the immediate residents should be owned by the residents through a homeowners' association, condominium association, or other similar legal instrument.
  8. A variety of vistas should be provided and preserved, ranging from the small enclosed private views to the more distant views shared by many people.

9. Open space along creeks, streams and scenic trails should be protected from encroachment through flood plain zoning, development setbacks, conservation easements, public acquisition of streamsides and other appropriate devices which will help preserve them in an essentially natural state.
10. A qualified biologist should delineate those areas rich in wildlife, or of a fragile ecological nature. These areas should be preserved through land use regulation or through dedication or acquisition where necessary.
11. Environmental impact studies should take into consideration the impact of development proposals on wildlife habitats.
12. Land use regulations should be used to prevent damage to vegetative ground cover.
13. The contribution of vegetation and water areas in maintaining air quality should be considered in any major land use proposals.
14. Areas hazardous to the public safety and welfare should be retained as open space. Areas that fall into this category include:
  - a. Slopes generally over 30 percent.
  - b. Fault zones - bands on either side of known fault traces sufficient to include lands of probable ground rupture.
  - c. Areas of geologic instability.
  - d. Streams and their flood plains.
15. Streams, stream sides, ponds and trails should be preserved as scenic open spaces through regulation, dedication and, where necessary, by public acquisition.
16. Scenic corridors should be protected so as to maximize their scenic quality.
17. Scenic corridors and greenways
  - a. Scenic corridors and greenways should be of a width suitable to preserve the natural quality of the area through which the corridor passes and provide space for appropriate uses.
  - b. Development within scenic corridors and greenways should not detract from the essential qualities of the corridor or greenway.

- c. Scenic corridors and greenways should be designed to insulate residential areas from noise and activity on trafficways and to provide buffers between other incompatible uses.
18. New residential developments should provide for the clustering of residences so as to leave larger natural areas (residential open space preserves and other open space preserves) as undisturbed open space with limited local use by trails and paths. (When considering residential open space preserves, see also Section 2109 of the general plan.)

## ***Standards***

- 2214 Specific standards are and will be included within the zoning, subdivision and site development ordinances.

## ***Description***

- 2215 Extensive open lands presently exist within Portola Valley, much of which is in private ownership. The open space proposals in this element define those lands that enhance the character of the town. The primary open space function of these lands is for one or more of the following uses: preserving natural resources, managing production of resources, providing outdoor recreation, or protecting the public health and safety.

- 2216 The land use categories that are of major importance in assuring a continued quality of open space and make up the open space classification system for Portola Valley are:

1. ***Neighborhood Open Space Preserves*** - A number of neighborhood preserves are shown on the plan diagram. The specific sites for two of the preserves, Ridge Rest Open Space Preserve and Frog Pond Open Space Preserve, are defined through the general development plan for the Portola Valley Ranch “planned community” zoning. A third preserve, Coalmine Ridge Open Space Preserve, includes a small lake and is located at the edge of the town adjoining Los Trancos Woods.

The exact locations of the remaining preserves shown on the plan diagram for the undeveloped lands of the town’s western hillsides, should they ever be developed, should be determined by the town when more precise plans are made for this area. The distribution indicated on the plan diagram generally provides a neighborhood preserve within a radius of from 1/4 to 1/2 miles of all potential residential sites. Steep

grades and canyons have necessitated modifications of required standards in a few instances.

2. **Community Open Space Preserves** - The Orchard Preserve is an existing apple ranch known as the Jelich Ranch. It contains three historic structures included in the historic element: the Jelich house, the tank house and the Chilean Woodchopper's house. The property and structures help identify the rural nature of the town. If they ever cease to be in private ownership, the town should attempt to retain them as historic resources and open space for limited recreation and perhaps agricultural use.

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 Midpeninsula Regional Open Space District and is a part of the Windy Hill Open Space Preserve. The parking lot serving the 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 Morshead Community Preserve should capitalize on the natural and man-made lake of the property. It is shown by symbol on the plan diagram without specific recommendations with regard to size or shape of the preserve.

The Stables Preserve is between the town center and the Orchard Preserve. The front part of the property is owned by the town and forms part of the open space corridor along Portola Road. This area should be kept as a natural resource with very limited access by individuals. Distant views from this part of the Stables Preserve are to be preserved.

The boarding stable buildings are on the rear of the preserve and set back approximately 700 feet from Portola Road. The boarding stable is one of the recreation facilities in the town. Should the boarding stable ever cease, the town should attempt to see that this part of the property is retained as open space.

3. **Large Open Space Preserves** –A number of large open space preserves are shown on the plan diagram. Each of these preserves is briefly described below.

The Jasper Ridge Biological Preserve includes Jasper Ridge, Searsville Lake and the marsh area at the south end of Searsville Lake. The Preserve is owned by Stanford University and is used by the university for biological studies. This is a unique resource in the planning area and should continue as a wildlife preserve and a scenic location. Increased use by the general public is encouraged provided it is handled in a manner so as to not interfere with the basic purposes of the preserve for biological studies. It is also important as an entry to Portola Valley along Portola Road.

Several properties owned by the Midpeninsula Regional Open Space District are shown as open space preserves on the comprehensive plan diagram. These lands are to be kept primarily as undeveloped open areas while allowing low intensity recreational uses that do not conflict with the essential open space character. Impact on the town from the use of these preserves should be minimal, and most vehicular access should be from roads on or near the boundaries of the town. These properties include:

- Coal Creek Open Space Preserve
- Los Trancos Open Space Preserve
- Montebello Open Space Preserve
- Russian Ridge Open Space Preserve
- Windy Hill Open Space Preserve

The Windy Hill Open Space Preserve, owned by the Midpeninsula Regional Open Space District, consists of a major portion of the eastern side of Windy Hill and is the only one of these preserves located within the town boundaries. Windy Hill is a visually dominant element for much of the town and the South Bay Area. The preserve serves as an adjunct to the balance of Windy Hill which is shown as a part of the Skyline Corridor. The natural character of the open ridge leading up to Windy Hill should be maintained. The lower part of the preserve, west of the Willowbrook Subdivision, includes a beautiful stretch of Corte Madera Creek, adjacent oak covered slopes and higher wooded knolls which open on to oak studded grassland. The preserve provides an extensive open space and trail system with opportunities for nature study as well as hiking and scenic enjoyment. The preserve is strategically located at the intersection of several main trails and paths where it can be an important destination for users of the trail and path system. The area should remain largely in its natural state. Besides use as a preserve, this land provides an important visual backdrop for the Willowbrook subdivision.

Because large open space preserves also serve as recreational resources, they are also discussed as regional parks or private recreational facilities in the recreation element.

4. **Scenic Corridors** –Scenic corridors are broad linear bands of open space along major roads in which recreational type uses are compatible with the open character of the scenic corridor.
  - a. **Alpine Scenic Corridor** - The Alpine Scenic Corridor includes Alpine Road and those portions of Los Trancos and San Francisquito creeks adjacent to the road. This corridor is of a smaller scale than the Skyline Scenic Corridor and will be primarily for the use of the residents of the planning area. A variety of uses would be compatible within the corridor, such as the existing tennis and swim clubs, equestrians, cyclists, runners and walkers. (See the Alpine Scenic Corridor Sub-Area Plan.)
  - b. **Portola Road Scenic Corridor** – The Portola Road Scenic Corridor extends from the intersection with Alpine Road to the northerly town limits. The corridor runs through the “valley” in the town and to a large extent does and should continue to reflect the open space values of the town. In order to achieve this objective, attention should be given to the entire corridor including the road, trails and paths, buildings and other structures, and plantings. While the corridor will be addressed in detail in a future overall plan for the corridor, attention is given in the open space element to the critical views to the western hillsides and nearby meadows. These views are of major open space importance and policies are needed to ensure their preservation. It is appropriate to address the views in the open space element since it is these views that help express the open space character of the valley.

Unfortunately, native and planted vegetation as well as landforms largely obscure some important views. In particular, plantings between the Sequoias and the road form a hedge that blocks important views to the west. Also, in the future, new plantings along the western side of the corridor could lead to increased blockage of views. Furthermore, landforms in at least two locations significantly block views. One is the berm between the town owned land between Spring Down Equestrian Center and Portola Road. The other is

the remnant of the hill that was created when grading was done many years ago for Portola Road in front of the Meadow Preserve. Were some of these visual impediments removed, vast views to the western hillsides would be opened up for users of the trail as well as motorists. Dealing with vegetation should be rather easily accomplished whereas modifying landforms would be much more difficult.

While the Portola Road corridor plan will comprehensively address plantings along the road, a first concern is with respect to existing and future plantings along the road that do and could further interfere with views. The town should consider establishing a special setback along the road for vegetation in which provisions could be included that would help ensure that in the future major views to the western hillsides and meadows would be preserved. Such a setback should, among other things, provide for a mixture of openings for major vistas and appropriate plantings.

- c. Skyline Scenic Corridor* - The Skyline Scenic Corridor is one of two major regional facilities within the town, the other being the Windy Hill Open Space Preserve. The corridor is composed of a broad band of natural area and will require controls over adjacent lands to assure compatibility with the corridor. A variety of uses would be appropriate in the corridor including scenic lookouts, trails and paths, and special scenic and natural scientific attractions. In addition to its primary function it would provide some local recreation. (See also the scenic roads and highways element.)
- 5. **Greenways** – Greenways are corridors of natural beauty, often enhanced by landscaping. They are pleasant traveled ways for motorists, cyclists, those on foot and equestrians linking portions of the planning area. A number of greenways are proposed in the plan along natural features such as canyons, streams and woods. The essential natural qualities of greenways should be maintained and enhanced by careful management of plant materials.
- 6. **Open Space - Limited Development** – These are areas which because of hazardous natural conditions, scenic beauty, limited access, remoteness, inadequate utilities or similar reasons are not appropriate for other than very limited development. These areas, which are outside of the town, should be kept essentially in their natural state with only minimal

disturbance. Four areas are shown in this category on the comprehensive plan diagram: a portion of the town's southern sphere of influence, land west of the Skyline Scenic corridor, and two areas in the hills of Palo Alto.

7. ***Agricultural Lands*** – A substantial portion of the Stanford-owned “Webb Ranch” is shown as agricultural land. This area lies predominantly between Ladera and the Junipero Serra Freeway. Most of the lands are currently used for cultivated agriculture and boarding stables. The lands are basically on alluvial soils and well-suited to agriculture. In addition, most of the area is within the flood plain of the Searsville Lake dam. This area should be retained primarily for agriculture with a limited amount of compatible recreational uses of low intensity such as the existing boarding stables.
8. ***Residential Open Space Preserves***- Residential open space preserves serve developments in which they are located. In addition they are important open space assets since they provide undisturbed natural areas for visual enjoyment by all town residents. Some of the preserves will be accessible for use by other than local residents by means of public trails and paths. (See the Residential Areas section of the land use element.)

- 2217 Historic sites include areas and trails of historic significance and open space potential that may be lost if not protected from development. Such areas and trails are limited in quantity in the planning area, but should be preserved whenever possible. (See the historic element.)
- 2218 Areas of particular biotic importance should be kept in their natural state because they play a vital role in natural processes and are of importance to the welfare of the town. These include wildlife, riparian corridors, wetlands, and vegetative and biotic communities. The protection of these areas is to be achieved by land use policies and by the open space proposals previously listed which include the biotically important steep canyons, streams, forests, wetlands and similar areas.
- 2219 Areas of importance for public health and safety purposes should by and large be kept in their natural state because they present potential hazards due to earth shaking, earth movement, fire, flooding, erosion and siltation. These areas are not shown separately on the comprehensive plan diagram, but are included in the open space proposals previously listed in this element and are described in the safety element.
- 2220 Appendix 1 to this Open Space Element indicates the responsiveness of the Portola Valley open space proposals to state law requirements. Appendix 2 discusses the



implementation of the open space element to ensure the systematic preservation of the open space character of Portola Valley.

## ***Action Program***

2221 The zoning, subdivision and site development ordinances have been prepared and administered to preserve and protect major open spaces in the town through a variety of provisions. These include:

- planned community zoning districts,
- slope-density combining zoning districts,
- open area zoning districts,
- special building setbacks along the Alpine Scenic Corridor and Skyline Parkway,
- planned unit development provisions permitting cluster development,
- dedication requirements for park areas,
- requirements for open space easements,
- trail and path dedication requirements,
- limitations on grading and tree removal,
- wide rights-of-way to provide open space along roads,
- required building setbacks along major town creeks, and
- setbacks and controls on planting along major roads.

These provisions have secured many of the open space proposals in the general plan and will continue to be used to secure additional open spaces. The tools are in place and need only to be administered as development projects come before the town.

2222 While most of the open space proposals in the plan can be achieved through regulation, there may be instances where the town may wish to purchase land or rights in land in order to secure open spaces. It is not possible at this time to determine which parcels would require such treatment. In order for the town to be in a position to purchase land if needed, the town should maintain an open space fund and an acquisition process plan.

2223 Several large parcels have been purchased by the Midpeninsula Regional Open Space District to form the Windy Hill Open Space Preserve. In the future, MROSD may purchase some additional parcels which are now indicated for residential development. Such purchases cannot be anticipated in this general plan but would be reviewed by the town at that time.

## ***General Plan Diagram***

2224      Modify the general plan diagram legend as follows:

- Change the heading “Preserve” with respect to “Neighborhood” and “Community” to read “Open Space Preserve.”
- Change “OPEN SPACE PRESERVE” to read “LARGE OPEN SPACE PRESERVE.”
- Change “AGRICULTURE” to read “AGRICULTURAL LANDS.”

## Open Space Element Appendix 1: State Requirements for Open Space Planning

California state law (Section 65560 et seq.) requires each municipality to prepare a local plan “for the comprehensive and long-range preservation and conservation of open space land within its jurisdiction.” (§ 65563) The open space element of the general plan is meant to satisfy this state requirement.

In the legislation, “open space land” is defined as “any parcel or area of land or water which is essentially unimproved and devoted to an open space used as defined in this section, and which is designated on a local, regional or state open-space plan as any of the following:

- (1) Open space for the preservation of natural resources
- (2) Open space for the managed production of resources
- (3) Open space for outdoor recreation
- (4) Open space for public health and safety (§ 65560).

The table below illustrates how the various open space categories in the Portola Valley open space element relate to the purposes of open space land as defined by the State of California.

Portola Valley Open Space and Recreation Categories	Purpose of Open Space			
	Preservation of Natural Resource	Managed Production of Resources	Outdoor Recreation	Public Health and Safety
Residential Open Space Preserve	P		s	P
Scenic Corridors	P		s	s
Greenways	P		s	s
Open Space-Limited Development	P		s	P
Open Space Preserve	P		s	s
Agriculture		P		
Community Park	s		P	s
Community Preserve	P		s	s
Neighborhood Park	s		P	s
Neighborhood Preserve	P		s	s
Trails and Paths			P	s
Historic Sites	s		P	

**Key:** P - indicates the primary purpose of the category of open space  
s - indicates the secondary purpose of the category of open space

## **Open Space Element Appendix 2: Implementation of the Open Space Element**

### **Actions to date:**

1. The town has acquired a number of easements that preserve the open space quality of land while retaining it in private ownership. Notable open space, scenic or conservation easements occur in the following subdivisions: Portola Valley Ranch, Westridge Unit #10, Sausal Vista, The Hayfields, Applewood, Rossotti, Portola Glen Estates, Meadow Creek Estates, Blue Oaks and the Woodside Priory.
2. The Midpeninsula Regional Open Space District has acquired extensive open spaces as a part of the Windy Hill Open Space Preserve. This preserve provides for major hiking and nature study opportunities.
3. See also list of actions in Recreation Element Appendix 1: Implementation of the Recreation Element.

### **Future actions:**

1. Studies should be made of the major riparian corridors in the town and recommendations made for protecting wildlife habitats and also protecting development from flooding.
2. Studies should be made of any other fragile biotic habitats in the town and recommendations made for their protection.
3. Recommendations should be made for any necessary amendments to the zoning, subdivision and site development regulations to help implement the general plan provisions relating to topics 1. and 2. above.
4. The Open Space Action Program should be implemented in order to further protect open space in the town. This program is described below.

### **Open Space Action Program**

The preservation and enhancement of the natural beauty of Portola Valley can be achieved through a variety of methods, ranging from individual efforts of concerned property owners to various forms of public control of open space lands, including outright purchase. This program is based on officially adopted policy of the town as expressed in the general plan. While there may be interest from time to time in open space acquisitions beyond those recommended in the general plan, such acquisitions are not included in this program.

In the text below, methods of preserving open space are described under two headings—regulatory and non-regulatory approaches. Each type of open space is then matched with applicable methods of implementation in a summary table.

### ***Regulatory Approaches***

The natural character of Portola Valley can be preserved in large part by ensuring that new and existing development is controlled by suitable regulation—mainly zoning, subdivision and site development regulations. These regulations are applied by the town as part of its “police power,” which is the right of government to enact laws which are in the public interest and which are directly related to the health, safety and general welfare of the community. In the case of Portola Valley, it is clear that a major objective of the community is the preservation and enhancement of its natural setting. However, these regulations will only achieve town objectives with careful and imaginative guidance by town staff, elected representatives and citizens. In other words, these regulations are tools which need to be properly utilized.

### ***Zoning***

The zoning ordinance has been tailored to carry out the open space provisions of the general plan. Control of lot sizes, permitted land uses, and building bulk, height and coverage requirements limit the type and intensity of activities or intrusiveness of buildings. Review of new buildings and remodels by the Architectural and Site Control Commission provides close control of the compatibility of development with the natural setting. Following are brief descriptions of those provisions of the zoning ordinance that work most directly to preserve open space:

#### **Planned Community District**

Provisions in the ordinance permit the phased development of parcels of land larger than 60 acres according to an agreed-upon plan tailored to the specific land involved. This provision encourages orderly development of major tracts and benefits both the town and the subdivider. Cluster development is encouraged so as to leave substantial areas in a natural state.

#### **Planned Unit Development**

Parcels of 10 acres or more, or in some cases of smaller sizes, may be developed in specified zoning districts upon approval of a conditional use permit. Planned unit development allows flexibility in site design beyond that allowed in conventional subdivisions. This provision, as well as the planned community district, encourages cluster development and the resulting preservation of open space. Through careful design, development can be disposed on the land so as to minimize disturbance to the natural terrain and sited to preserve special features.

#### **Slope-Density Districts**

Slope-density combining districts limit the density of development based on the average steepness of terrain. This provision in the zoning ordinance does much to help relate the amount of development to the ability of the terrain to accommodate such development.

### Open Area District

The purpose of this district is “to protect the open quality and preserve the natural characteristics and scenic qualities of lands in visually important locations.” The district permits agricultural and low intensity recreation uses. Residential planned unit developments are also permitted. For non-residential uses, stringent building coverage and grading regulations are included.

### Special Building Setbacks – S (Scenic)

Special building setbacks of 75 feet and 200 feet are in force along portions of Alpine Road and Skyline Boulevard, respectively. These setbacks are designed to help achieve an open quality along the corridors. Projects are subject to architectural and site plan review with the objective of conserving the existing terrain and vegetation.

### *Subdivision Control*

Because a subdivider is in effect creating a new part of a community, the state enabling legislation governing local subdivision ordinances gives to local communities considerable latitude in requiring a subdivider to provide a range of amenities. The town can make provisions to ensure that future residents of new subdivisions are assured a desirable environment. Also, the town can assure that development is compatible with the rest of the community.

The subdivision, zoning and site development ordinances are highly interrelated and in combination form a powerful set of tools for carrying out the general plan. Many provisions of the subdivision ordinance are relevant to the open space program and as each subdivision is reviewed, all pertinent aspects of the ordinance must be brought to bear on each application. Some of the most important provisions are briefly described below.

### Cluster Subdivisions

Deviations from certain subdivision standards are permitted as a part of a cluster subdivision pursuant to the planned unit development procedures of the zoning ordinance. Common open areas must be covered by appropriate maintenance agreements.

### Open Space Easements

Dedication of open space easements may be required for the purposes of protecting natural vegetation, terrain, water courses, waters and wildlife and for preventing or limiting drainage and erosion problems. This provision when linked to another requirement of the subdivision ordinance—that the subdivision comply with the general plan—provides a basis for securing open space easements over major undeveloped canyons designated as “residential open space preserves” on the comprehensive plan diagram.

### Park and Recreation Lands

To provide park and recreation areas, the subdivision ordinance requires payment of a fee or dedication of land according to two formulas. For subdivisions of less than 50 lots, a fee must be paid that is equal to the formula:  $.005 \times \text{land value per acre} \times \text{number of residents}$ . For subdivisions of 50 or more lots, a dedication of land must be made that is equal to the formula:  $.005 \text{ acres} \times \text{number of residents in the subdivision}$ . A combination of fees and land dedication is also possible.

If proposed park and recreation areas in the subdivision exceed the amount required for dedication, the town could enter into a binding agreement to purchase the property within a two year period. This provision, permitted by state law, would need to be added to the subdivision ordinance at least 30 days prior to imposing such a requirement.

### Pedestrian Pathways, Hiking, Cycling and Equestrian Trails

Public easements for paths and trails and the construction of trails and paths may be required as a part of the subdivision process.

### Grading and Tree Clearance

These are controlled through the site development ordinance, which is incorporated by reference in the subdivision ordinance.

### Road Standards

The subdivision ordinance requires generous rights-of-way from 60 feet to 100 feet to provide open corridors for roads. These corridors are considered important because they are the traveled ways from which most persons, resident and visitor, perceive the town.

### Landscaping

The subdivision and site development ordinances require protection of existing vegetation and the planting of additional vegetation if necessary. New plantings are required to conform to the adopted town native plant list.

### *Site Development*

The site development ordinance sets standards for grading and controls removal of vegetation with the intent of creating “a superior community environment,” and “maximum preservation of the natural scenic character” of the town. Site development permits are necessary for work that exceeds certain minimum quantities. Provisions include the following:

#### Grading

Final contours of excavations and fills must be shown to be compatible with the terrain and not cause erosion.

### Driveways

Standards are set for suitable grades and widths, to require adjustment to the terrain and to allow only a single driveway access to each residential lot.

### Vegetation

Approval is needed for removal of vegetation in excess of 5,000 square feet from any vacant parcel or any parcel of land in excess of 10 acres. Suitable planting is required to return graded land to a natural condition and to prevent erosion.

### ***Non-regulatory Approaches***

As described in the preceding section on regulation, the preservation of many open spaces and the careful siting of development can be obtained through the regulation of private development. The town can go only so far, however, in conserving open space through regulation. There will be instances where regulations will not provide a basis for achieving open space goals and other approaches will be needed.

### *Types of Ownership*

There are two basic types of land ownership—full or fee title, and partial title such as through an easement or ownership of development rights. Each of these types of title is implicit in the regulations previously discussed. For example, dedication of a park to the town would consist of dedication of the fee title. On the other hand, dedication of limited rights to implement a residential open space preserve would consist of an easement. Under such an easement the property owner would still own the land but would make a dedication to the town limiting the uses she or he could make of the property.

Such differences in title are particularly pertinent in considering nonregulatory open space implementation. For example, if the town is going to be required to purchase some open space, the amount of interest purchased in the land should be the minimum consistent with the purpose for which the open space is intended. Thus, if the objective is to merely protect a view, then a view easement may be all that is required. A park needed for active use, on the other hand would probably require obtaining full title to the land. Purchase of partial rights can be used to permit access, prohibit altering of natural features, or control development. The appropriateness of purchase of partial interests needs to be questioned in each instance where its use is contemplated. Where development is imminent, the cost of partial interests in the land may be very close to the cost of obtaining a fee title.

### *Donation of Property*

Where open space or interests in open space are to be acquired by donation, the differences in types of ownership perhaps become most important. Donations of land or interests in land must be tailored to the needs of the individual making the donation. The types of arrangements can be many and varied. There are many source materials which probe this subject area in some depth. It is a specialized area requiring an understanding of human nature, estate planning, assessment procedures, tax laws, etc. For the purposes of this



program, a few examples will suffice. Land may be donated to preserve an area or building which has particular sentimental value to the donor. Easements may be appropriate when an individual wants to preserve a low intensity use such as a farm or large estate and is willing to donate development rights and thereby receive a reduction in assessed value and taxes. Others may want to donate money for the purchase of property or development of a project as a memorial to a member of the family. These are but a few of the many situations possible.

#### *Citizen Support*

Citizen attitude and effort toward the open space program in Portola Valley is perhaps the most important part of the implementation work. Citizen support of official actions of the town and grass roots citizen programs, as well as the continued maintenance of private property, are all needed. Residents should be encouraged to continue to maintain and improve their properties so as to preserve and enhance the natural qualities of the town. This message should be given to residents through many means including official actions and the actions of local groups. Official town recognition should be given to outstanding actions by citizens.

#### *Public Information*

The town should also pursue an active public information program to assure that citizens are informed of and understand the underlying reasons for public policies and actions. Periodic reports should be issued to the residents indicating the accomplishments and programs of the town. Intergovernmental arrangements should play a large role in the ultimate realization of the open space program. Several of the open space proposals for Portola Valley, and indeed the framework of open space outside the town, require cooperation with other jurisdictions. The town should initiate programs as necessary and continue those in effect toward achieving interjurisdictional open space proposals. Major proposals include the Alpine and Skyline Scenic Corridors, a trail and path system for the mid-peninsula, and the maintenance of open areas such as the Stanford Biological Preserve.

#### *Sources of Funds*

While most of the open space proposals can be achieved through regulatory means, there may be instances where some purchases of property or rights in property may be necessary to carry out the plan. Although such purchases cannot be determined with accuracy at this time, it would be advisable for the town to have in mind approaches to securing funding if the need arises. In addition, approaches to voluntary contributions of land or rights in land may be appropriate. Some sources of funding or contributions are listed below.

##### Town Sources

The town can draw on its own bonding and tax powers to meet open space acquisition needs. The town-imposed utility users tax is one source of open space funds.

##### Fund Raising

The town can sponsor special events that would bring the community together for fun and recreation and for the purpose of raising funds to assist in open space acquisition.

#### Midpeninsula Regional Open Space District

MROSD has made major purchases of open space in the town. The district could be the source for additional purchases.

#### Peninsula Open Space Trust

POST, a private non-profit corporation, has purchased open space in the town and could be a source for additional purchases.

#### Contributions from Private Sources

Private contributions can assist in many ways. There are many incentives toward helping the community through donations. These include the ability to make a direct contribution to the continued quality of the town, the creation of a memorial which present and future town residents will use and enjoy, substantial tax benefits and increased property values.

#### ***Relationship of Implementation Devices to Open Space Proposals***

The following table relates implementation devices to the several types of open space in this program. In the following examples, emphasis is given to achieving the maximum results through regulation. Acquisition is cited where regulation may be inadequate to accomplish the open space purposes. While not stated below, it is recommended that if regulation is not sufficient, donations should always be sought before moving to acquire by purchase.

Open Space Proposal	Implementation
Neighborhood Open Space Preserve	<p><b>Regulation:</b> Most of these are so located that it is likely that they will be retained as open space as a part of subdivisions.</p> <p><b>Acquisition:</b> In those instances where regulation will not achieve the objective, purchase by the town may be necessary.</p>
Community Open Space Preserve	<p><b>Regulation:</b> As these lands come before the town for development permits, the town should work with the property owners to assure the retention of these important open space preserves.</p> <p><b>Acquisition:</b> There may be instances where the town will decide to use some of its open space funds to in order to achieve its objectives.</p>
Large Open Space Preserve	Several open space preserves, both within and outside of the town are owned by the Midpeninsula Regional Open Space District. Stanford University owns the biological preserve adjoining the town. The town should support the continuation of these preserves.
Skyline Scenic Corridor	<p><b>Regulation:</b> Zoning and site development regulations provide considerable protection.</p> <p><b>Acquisition:</b> Purchase, such as by MROSD, is necessary to make lands available for general public use.</p>
Alpine Scenic Corridor	<p><b>Regulation:</b> Zoning can be useful in controlling the form of development on the edges of the corridor.</p> <p><b>Acquisition:</b> All of the parcels between the Alpine Road and Los Trancos Creek from the town boundary south to Arastradero Road should be acquired, or kept in private ownership, but retained as open space with compatible uses.</p>
Greenways	<p><b>Regulation:</b> A combination of land in fee title and conservation easements should be obtained at the time of subdivision. Special building setbacks might also be established in already subdivided areas.</p> <p><b>Acquisition:</b> Purchase should only be used where there is little or no likelihood of protecting the greenway through regulation.</p>
Open Space-Limited Development	Extensive areas in unincorporated San Mateo and Santa Clara Counties are shown in this category. The town should support the continuation of this designation and as well as its application to a small area in Palo Alto.
Agricultural Lands	The agricultural areas lie outside of the town limits. The town should, however, cooperate with San Mateo County and Stanford University to retain these areas in agricultural use for the foreseeable future.
Residential Open Space Preserve	<p><b>Regulation:</b> Open space easements to be dedicated at time property is subdivided.</p> <p><b>Acquisition:</b> To be used only in rare cases where an open space preserve covers such a large portion of a parcel that no reasonable use would remain for the owner if the open space is preserved.</p>

Recreation Proposal	Implementation
Neighborhood Park	<p><b>Regulation:</b> Dedication at time of subdivision.</p> <p><b>Acquisition:</b> Purchase will be necessary if the park is not included in a subdivision. Purchase will also be needed when a park will serve a substantially different area from the subdivision or the land area exceeds the amount the town can require through dedication.</p>
Community Park	<p><b>Regulation:</b> Dedication if part of large subdivision and substantially related thereto.</p> <p><b>Acquisition:</b> Purchase will be necessary if the park is not included in a subdivision. Also needed when a park will serve a substantially different area from the subdivision or the area exceeds the amount the town can require through dedication.</p>
Regional Parks and Private Regional Facilities	<p>These facilities already exist and include such as Foothill Park, the Stanford Golf course, Windy Hill Open Space Preserve, the Alpine Tennis and Swim Club and local boarding stables</p>
Trails and Paths	<p><b>Regulation:</b> Many needed trails and paths can be obtained by dedication at time of subdivision. Improvements can also be obtained at the same time.</p> <p><b>Acquisition:</b> Purchases should be made only when acquisition by regulations or voluntary contribution appears unlikely.</p>
Historic Resources	<p><b>Regulation:</b> The Historic Resources Combining District in the zoning regulations requires review of historic resources when part of an application before the town to help ensure compliance with provisions of the Historic Element of the general plan. Also, review of changes to structures that may meet historic criteria is required pursuant to CEQA.</p>