

PLANNING COMMISSION REGULAR MEETING, TOWN OF PORTOLA VALLEY, OCTOBER 1, 2014,
SCHOOLHOUSE, TOWN CENTER, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Chair Gilbert called the Planning Commission regular meeting to order at 7:30 p.m. Ms. Pedro called the roll.

Present: Commissioners Alexandra Von Feldt, Judith Hasko and Nate McKittrick; Chair Denise Gilbert

Absent: Vice Chair Nicholas Targ

Staff Present: Debbie Pedro, Planning Director
Karen Kristiansson, Deputy Town Planner
Ted Sayre, Town Geologist

ORAL COMMUNICATIONS

None.

REGULAR AGENDA

- (1) Public Hearing: Request for Modification to the Town's Ground Movement Potential Map, 430 Golden Oak Drive, Lands of Scheuch, File #39-2014 (Staff: Debbie Pedro)

Ms. Pedro described the subject property as a 1.48-acre parcel with an average slope of about 33%. Its two-story, single-family home with a detached carport, was built in 1960 on a cut-and-fill building pad on the north and upper portion of the lot. The Town's Ground Movement Potential Map shows the upper third of the property as Sbr (stable shallow bedrock) and the lower two-thirds as Pd (unstable, unconsolidated material, on moderate to steep slopes, subject to deep landside movement).

Because a geological investigation conducted by Murray Engineers in July 2014 determined that sandstone bedrock at or near the ground surface generally underlies the subject areas, the applicant is requesting reclassification of the middle one-third – which is just below the residence – from Pd to Sbr. The top and bottom thirds would retain their current designations (Sbr and Pd). If the Planning Commission approves the map modification request, Ms. Pedro said allowable floor area and impervious surface areas would be recalculated, resulting in an increase of 703 square feet of floor area and 1,416 square feet of impervious surface area.

The Town Geologist recommends approval of the proposal.

Commissioner Von Feldt noted several question marks in the Murray report and asked whether it means Murray was unsure whether there might be materials other than landslide deposits on the property. Applicant Jeff Scheuch said when they built the original house on the property in 1961, fill had gone into that area and some of it moved down from around the drainout for the septic tank, which was later redirected out of the fill area. He said the material is quite shallow and presents no danger. Mr. Sayre said Murray queried the designation due to some of the landslide debris consisting of the remobilized fill and soil that Mr. Scheuch described. He also noted that any failure that might occur in that area would be less than 10 feet deep. The key, Mr. Sayre said, is the definitive indication on the depth of the sandstone bedrock. He added that Murray conducted a very strategic exploration on the site, with four borings on the slope, and it made a strong case for modifying the map.

Commissioner Von Feldt asked Mr. Sayre's opinion of the landslide repair and the current placement of the leachfield. He said he assumed a hump in the middle of the property is part of landslide debris, but otherwise the repair work has performed well. He said he did not look into the leachfield. Commissioner Von Feldt was concerned that the previous leachfield might have contributed to the prior failure. Mr. Scheuch said it's been moved 50 feet down the hillside, beyond the limits of the old landslide.

Chair Gilbert opened the public hearing. With no speakers coming forward, she closed the public hearing and brought the matter back to the Commission.

Commissioner Von Feldt said because a past failure on the property was attributed at least in part to the old leachfield location, she'd like impartial confirmation that the proposed map modifications take the leachfield's current location into account. Mr. Sayre said the designations are tied to the physical stratification of earth materials on the site, so they're somewhat independent of where the leachfield would be. Additionally, he said the leachfield is away from the central portion of the property.

Ms. Pedro quoted from the Murray report. "We were also informed that after the 1982 landslide, the leachfield was abandoned and relocated to below the slope failure and outside the limits of the mapped fill, which likely substantially improved the stability of the slopes in this area."

Chair Gilbert said the Planning Commission could pass the resolution approving modifications to the Ground Movement Potential Map pending confirmation that the leachfield has been moved.

Commissioner McKitterick said leachfield siting is a good question but he doesn't know that it affects the proposed map re-designation. Commissioner Hasko agreed that for purposes of categorizing on the map, we have the information necessary. Chair Gilbert asked staff to follow up for confirmation of the leachfield's relocation, either through Town records or with the San Mateo County Health System. Ms. Pedro also noted that regardless of the leachfield location, if any future improvement for the property is proposed, a separate evaluation would have to be done on any leachfield expansion or replacement.

Commissioner McKitterick moved to approve the resolution regarding the lands of Scheuch at 430 Golden Oak Drive. Seconded by Commissioner Hasko, the motion carried 4-0.

(2) Public Hearing: Portola Road Corridor Plan, Related General Plan Amendments and Initial Study/Negative Declaration (Staff: Karen Kristiansson)

With a number of matters to consider in relation to the proposed Portola Road Corridor Plan, Chair Gilbert proposed that Commissioners begin by discussing options for wording Section 6413, which staff had been asked to develop when the Planning Commission last reviewed the draft. After that discussion, she suggested reviewing the remainder of the plan, and then turning to the Initial Study/Negative Declaration. To keep comments focused, she said she would open and close the public hearing for each discussion.

She invited Ms. Kristiansson to bring members of the audience up to date on the background of the plan's development. Ms. Kristiansson explained that the work started in 2012, when the Town Council appointed a Portola Road Corridor Plan Taskforce, which included Commissioner McKitterick and also Commissioner Hasko, who was then on the Trails and Paths Committee. The taskforce produced a report including recommended goals and some implementation measures. The Planning Commission used that report, as well as wording in the General Plan, particularly in the Land Use and Open Space Elements, to develop a draft Corridor Plan and held a number of meetings to develop and refine the draft. On January 22, 2014, the Planning Commission and Town Council held a joint study session to address four particular issues, one of which was the wording of Section 6413.

Ms. Kristiansson said that the Corridor Plan, like the General Plan, is designed to provide an overall vision and general guidance. Because it is a vision document rather than a regulatory document, she said that Councilmembers and Planning Commissioners recognized that the language could be broad enough to allow for interpretation. Accordingly, she said the Planning Commission's goal in finalizing the Section 6413 tonight would be to choose wording that communicates the overall vision for the Corridor.

She said it would also be appropriate for Commissioners to provide any final comments or edits for the plan tonight, and to consider General Plan amendments. The proposed amendments are fairly straightforward and would add references to the Corridor Plan to other portions of the General Plan as appropriate, and remove language about the Corridor, especially from the Land Use and Open Space Elements. These amendments would therefore consolidate language about the Portola Road corridor in a single part of the General Plan, thus avoiding problems of inconsistency and redundancy. As for the Initial Study and Negative Declaration, Ms. Kristiansson said staff found no significant environmental impacts that could occur as a result of the project, and no comments were submitted.

Staff's recommendations for the Planning Commission are incorporated into the proposed resolution that is attached to the September 26, 2014 staff report. Because it is a General Plan Element, she explained, the Town Council must take final action on the Portola Road Corridor Plan. It is scheduled for the Council meeting on October 22, 2014.

Chair Gilbert opened the public hearing for comments on the Section 6413 options.

Bev Lipman, Favonio Road, said that she thought a key question was whether the plan would have helped to preserve more of the view or viewshed across the meadow. In looking at the options in the staff report, she suggested that Option D was best and that Option E would not be a good choice.

Judith Murphy, Portola Green Circle, said she served on the Taskforce and chairs the Conservation Committee, but she's speaking on her own behalf. She recalled the Taskforce struggling with the phrase "largely open and undeveloped" more than anything else, so she appreciates the difficulty of choosing an option. In general, Ms. Murphy said there will be endless chipping away with whatever comes along and people arguing for the least restrictive interpretation, so she favors the strongest, most expansive and most protective language possible. She said Option B – "consistent with other provisions of the General Plan" – is too vague and Option E is totally insufficient. She also said that Option C's statement about protecting "the vegetated areas between the Corridor and the ridge" is so broad that it would result in unintended consequences. She said Option D comes closest to being workable: "Efforts should be made to work with the land owners to preserve and protect the scenic qualities of these lands, minimize disruption of existing visual characteristics, and protect critical views of the western hillsides and nearby meadows, which are essential to the open-space character of the valley."

Craig Hughes, Town Council liaison, said he also prefers the wording of Option D. He's not particularly fond of "open and undeveloped" because he thinks the idea is to achieve a "managed naturalness," and if the land is left alone it tends to get overgrown and that's probably not what we want. One thing he doesn't like about Option D, he noted, is that the introductory "efforts should be made to work with the land owners" is soft; as opposed to language that says "we will maintain the scenic quality," it says we'll hope to maybe work on this.

Ms. Murphy agreed that Option D should be stronger, and that this will take management of the land.

Ms. Kristiansson clarified that the introductory language, "Efforts should be made to work with the land owners to preserve and protect . . ." applies to all of the options presented.

Commissioner Von Feldt said she pretty much agrees with the speakers that many of the options aren't strong enough. She said she's also concerned about the potential impact on future development decisions along the Corridor. While it isn't a regulatory document, she said we should be very clear about the intention of this General Plan because Planning Commission decisions on findings are often based on consistency with the General Plan. She also said that some of what appears elsewhere in the General Plan bears repeating in this Element because it's so important.

Commissioner McKitterick said he agreed with Commissioner Von Feldt. In addition, he said the Council made it clear that we're not only looking to protect but also to reestablish open views, and choosing more proactive language that gives more specific guidance would improve the chance of achieving that goal.

Chair Gilbert asked whether Commissioners could agree to take any of the options off the table.

Commissioner Hasko said she would remove Option E; other Commissioners concurred. She also recommended removing Option A. Commissioner Von Feldt said she likes Option A, but it isn't viable because this went to the Council and the Council didn't like it. Chair Gilbert said she'd strike Option B because it makes a resident really search through other elements of the General Plan, and a lot of related information in other sections that would apply would be removed, so at least part of the search would take them in circles and they'd never find a definition of "largely open." Chair Gilbert suggested working with Options C and D or some variation.

Commissioner Von Feldt agreed that "the critical views to western hillsides and nearby meadows" in the Open Space Element should be retained. So did Commissioner McKitterick, noting that it is really specific. He said he

liked the point that these views are essential to “the open-space character of the valley” in that section of the Open Space Element as well. He also suggested:

- Considering “preserve and enhance” or “preserve and reestablish” instead of “preserve and protect”
- Instead of the vagueness of “the scenic qualities,” talking about the “critical views” and other references that are more specific

In addition to the views, Commissioner Von Feldt said it’s also important what the land looks like. She said that’s the idea behind the phrase about minimal destruction of existing visual characteristics in Option B. Noting that “existing” is problematic because what exists now may not exist 10 years hence, Chair Gilbert said we need to be more specific. Rather than keep what we’re seeing, Commissioner McKitterick said we actually want to open it up more than it is now.

Commissioner Hasko said she favors Option D, and asked whether Commissioners agree that Option C is not workable. Commissioner Von Feldt said she didn’t like Option C for the same reason Ms. Murphy pointed out, that “meadow” says much more than “vegetated areas between the Corridor and the ridge” does. Commissioner McKitterick agreed. Chair Gilbert said “vegetated area” could mean a lot of different things.

Commissioners then discussed tweaking Option D. Commissioner Hasko said she agreed with the concern about using “existing” to describe visual characteristics. She also said they needed to decide on the appropriate lead-in and said that she would be open to strengthening it. Additionally, she suggested that we want to preserve and protect the lands themselves as well as their scenic qualities. To that end, she suggested something more holistic, along the lines of “preserve and protect these lands, including the scenic qualities thereof.”

Commissioner Von Feldt said she liked Commissioner Hasko’s suggestion, and she also wants to strengthen the preamble. Commissioner McKitterick concurred, but added that instead of “protect critical views,” he’d prefer “enhance critical views” or “re-establish critical views.” They also discussed whether to retain “existing” as a modifier for “visual characteristics,” or using “largely open” or “rural” instead. Commissioner Von Feldt said “largely open” speaks to the value of the habitat for animals, insects and people. She said she also likes the term “undeveloped.” Commissioner McKitterick said he was focusing on what the Council may have been trying to accomplish in the words they chose. Commissioner Hasko suggested that because the last phrase speaks to protecting and re-establishing views of the western hillsides and meadows that are essential to the open-space character of the valley, the entire phrase “to minimize disruption of existing visual characteristics” may be unnecessary.

Chair Gilbert summarized: “Efforts should be made to preserve and protect these lands, including their scenic qualities, and protect and re-establish critical views of the western hillsides and nearby meadows, which are essential to the open-space character of the valley.”

Chair Gilbert then opened the public hearing for comments pertinent to the proposed Portola Road Corridor Plan as a whole. With no speakers coming forward, she brought the matter back to the Commission for discussion. Commissioner McKitterick said overall he’s pretty happy with the draft.

Chair Gilbert noted that the related General Plan amendments are in the packet following the draft Portola Road Corridor Plan. These were proposed to minimize redundancy and ensure consistency with other elements of the General Plan. She asked whether there were any concerns about what was being removed, and whether it was adequately covered in the draft plan; Commissioners did not express any concerns.

In response to a question, Ms. Kristiansson advised that the public would have another opportunity to comment on the draft Corridor Plan, the General Plan amendments, and the Initial Study and Negative Declaration during the Town Council’s public hearing, which is tentatively scheduled for the October 22, 2014 meeting.

Chair Gilbert opened the public hearing for comments on the Initial Study and Negative Declaration. With no speakers coming forward, she brought the matter back to the Commission for discussion.

In response to Commissioner Hasko, Ms. Kristiansson said nothing in the Corridor Plan calls for anything to be built or developed. Any future development or significant changes proposed along the Corridor would be independently assessed in terms of CEQA.

Chair Gilbert pointed out that the “no impact” box should be marked for Cultural Resources item 5d.

Commissioner McKitterick moved the Planning Commission approve the resolution adopting the Portola Road Corridor Plan as an Element of the General Plan, with related General Plan amendments and a Negative Declaration for the project, with changes to the draft as set forth tonight. Seconded by Commissioner Von Feldt, the motion carried 4-0.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS

Ms. Kristiansson said the draft Housing Element was submitted to the California Department of Housing and Community Development (HCD), responded to initial comments, which were relatively minor, and expects to hear back from HCD no later than October 24, 2014.

Approval of Minutes: August 6, 2014

Commissioners agreed to postpone a vote on the minutes until their next meeting.

ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

Denise Gilbert, Chair

Debbie Pedro, Planning Director