



TOWN OF PORTOLA VALLEY
REGULAR PLANNING COMMISSION MEETING
765 Portola Road, Portola Valley, CA 94028
Wednesday, December 18, 2013 – 7:30 p.m.
Council Chambers (Historic Schoolhouse)

AGENDA

Call to Order, Roll Call

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

Oral Communications

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

Regular Agenda

1. Preliminary Review – Proposed Amendment to Conditional Use Permit (CUP) X7D-161, AT&T Mobility, 4115 Alpine Road
2. Continued Study Session – 2014 Housing Element Update

Commission, Staff, Committee Reports and Recommendations

Approval of Minutes: November 20, 2013

Adjournment:

ASSISTANCE FOR PERSONS WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Assistant Planner at 650-851-1700 ext. 211. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Any writing or documents provided to a majority of the Town Council or Commissions regarding any item on this agenda will be made available for public inspection at Town Hall located 765 Portola Road, Portola Valley, CA during normal business hours.

Copies of all agenda reports and supporting data are available for viewing and inspection at Town Hall and at the Portola Valley branch of the San Mateo County Library located at Town Center.

PUBLIC HEARINGS

Public Hearings provide the general public and interested parties an opportunity to provide testimony on these items. If you challenge a proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the Public

Hearing(s) described later in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing(s).

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

Date: December 13, 2013

CheyAnne Brown
Planning Technician



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Planning Commission
FROM: Tom Vlastic, Town Planner
DATE: December 12, 2013
RE: Agenda for December 18, 2013 Planning Commission Meeting

The following comments provide an overview of the items on the December 18th agenda.

Preliminary Review -- Proposed Amendment to CUP X7D-161, Alpine Road Wireless Facility, AT&T Mobility

This matter was scheduled for preliminary planning commission consideration at a December 9th joint site session with the ASCC. While the ASCC conducted a preliminary review at that time, the commission could not convene a quorum. The enclosed December 12th staff report provides an update of the status of application review and recommends that the commission continue the preliminary consideration to a site meeting during the week of January 13th with the ASCC. A specific time for the site session is to be finalized after all ASCC and commission member calendars can be consulted.

Study Session -- Housing Element Update Program

This is a continuation of the study session that took place at the December 4th commission meeting. The attached 12/12 staff report has been prepared to facilitate discussion at the 12/18 meeting and is based on input received at the last commission meeting and additional staff work completed since that meeting.

TCV
encl.

cc. Town Council Liaison
Mayor
Assistant Planner

Town Attorney
Town Manager
Deputy Town Planner



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Planning Commission
FROM: Tom Vlastic, Town Planner
DATE: December 12, 2013
RE: Supplemental Report -- Preliminary Review, Proposed Amendment to Conditional Use Permit X7D-161, AT&T Mobility, 4115 Alpine Road

This report is a supplement to the December 5, 2013 report provided to the planning commission on the subject preliminary review of the proposed amendment to AT&T's conditional use permit (CUP) X7D-161 for wireless facilities adjacent to 4115 Alpine Road. It is assumed that commission members still have the December 5th report. If this is not the case, it can be obtained from Assistant Planner Carol Borck in the planning department at town hall. In addition, an electronic version is available online at the town's website with the agenda and packet for the December 9, 2013 ASCC meeting.

The supplemental report provides an update of the status of application review based on the December 9, 2013 ASCC meeting and also recommends that preliminary planning commission application review be continued to a site meeting with the ASCC during the week of January 13, 2014. We are attempting to arrange the meeting for either the afternoon of January 13th or 15th and hope to have the date finalized at the time of the December 18th planning commission meeting.

Update on status of application review

The ASCC initiated its preliminary review at a site meeting on December 9, 2013 with staff and project representatives. After offering comments and reactions, summarized below, during discussion at the evening 12/9 meeting, the ASCC continued preliminary review to a second site meeting, tentatively scheduled for the afternoon of January 13, 2014.

The 12/9 site meeting was noticed as a joint session of the ASCC and planning commission, however, only commissioners Gilbert and McIntosh were able to attend. A quorum, therefore, was not available and the commission meeting could not be convened.

Prior to the 12/9 site meeting, Mr. Chris Raanes, 50 Bear Gulch, called the town to express his concerns with the application. Mr. Raanes is the neighbor immediately to the west and uphill of the subject facilities. He shared his concerns in a telephone conversation with the town planner and they include:

- Negative impacts of existing and proposed new antennas and ground mounted equipment relative to views from his property.
- Incremental growth of the scope of equipment associated with the wireless facilities.
- Frequency of site maintenance with levels of activity disturbing to the normal residential use of the property. He was particularly bothered by the emergency work that took place at the site over the Thanksgiving Holiday period. This work is discussed in the December 5th staff report.

Mr. Raanes requested that town officials consider views from his property as well as his other concerns during the application review process. Unfortunately, view consideration was not possible on December 9th as Mr. Raanes had work conflicts and wanted to be present when ASCC and Planning Commission members came to his property. After discussions with him and the applicant, it was determined that the best time for a second site meeting that would accommodate Mr. Raanes' schedule and needs would be the January 13th week referenced above.

In follow-up to the conversation with Mr. Raanes, we advised AT&T representative David Haddock to contact Mr. Raanes directly. This became more important as AT&T made another request for right of way encroachment for the weekend of December 13-15, as more emergency work was needed to keep the facility in operation. The public works director did authorize the encroachment permit for the emergency work.

In any case, the project review process needs to consider the concerns of the neighbor and staff will be contacting ASCC and planning commission members to confirm a time for the site meeting during the week of January 13th.

ASCC Comments offered at the Conclusions of the December 9th meeting

ASCC members conducted the site inspection, questioned AT&T representatives, and considered the staff report as well as the comments from Mr. Raanes as reported by the town planner. After discussion at the 12/9 evening meeting, the following preliminary comments were offered by ASCC members and focused on the aesthetic aspects of the project:

- Eliminate proposed chain link security fence. AT&T representatives advised that security had not been a problem at the site and that other such facilities in Portola Valley and towns like it have few if any actual security issues. Based on this input, ASCC members asked that the proposed security chain link fencing be removed from the proposal.
- Reconsider the plan for placement of ground-mounted equipment. The plan needs to be modified to protect all existing screen plants around the equipment. Additional planting should only be as needed to fill gaps. The direction was to rearrange the site plan taking into account the spaces available out of conflict with the existing, well established screen vegetation.
- Pull the four antennas into the pole as much as possible. The intent is to minimize the length of the "H" frame extension on the east side of the pole and attempt to reduce the profile of the top of the pole with antennas, particularly relative to views from the uphill neighbor.

- Control the visual impact of the cables, wires and other necessary pole mounted equipment. The direction was to control the scope of visual clutter on the utility pole below the antennas, particularly the amount of visible unshielded wires and cables.

During the site discussions, AT&T representatives advised that the two existing antennas are needed to accommodate existing 4G service that will be phased out as LTE service is fully implemented. They clarified that transition to LTE services would not be finished until 2017 or later. AT&T representatives also clarified that installation of the new facilities would need to include use of a crane, particularly for the larger battery cabinet backup power unit and that, after installation of the new facilities, site maintenance should be on a more normal basis and, particularly, not like the recent emergency events.

Next Steps

At this time, the planning commission should consider the above information and the December 5, 2013 staff report and then continue preliminary review to a site meeting to be confirmed for some time during the week of January 13, 2014. Prior to the continuance, any public testimony should be received and commissioners should offer any initial reactions or questions that may need to be considered before the January site meeting. In any case, we are anticipating receiving new information from AT&T prior to the next review addressing the comments and reactions of the ASCC as noted above.

TCV

encl.

attach.

cc. Town Council Liaison
Town Manager
Mayor
Deputy Town Planner Kristiansson
Assistant Planner Borck
Town Attorney Prince
Applicant



MEMORANDUM

TOWN OF PORTOLA VALLEY

TO: Planning Commission

FROM: Karen Kristiansson, Deputy Town Planner

DATE: December 12, 2013

RE: Potential Changes to the Second Unit Program, Referral to ASCC, and Public Outreach

This memo provides additional information on ideas that the Planning Commission has discussed for encouraging second units in Town and, based on discussion at previous meetings, begins to attempt to identify the ideas that could be prioritized at this time.

Some of these ideas may benefit from referral to the ASCC for their consideration and input. This discussion has been tentatively set for the January 13 ASCC meeting, and the Planning Commission could define questions at its December 18 meeting for the ASCC to consider.

In addition, this memo also provides updated information about public outreach for the housing element update process, including information on the Town website and provided through the e-Notification system, a postcard sent to all residents, and contacts with the homeowners' associations in town.

Finally, at the conclusion of the memo, there is a brief look ahead to the January 15 study session and the items that will be discussed at that time.

Potential Changes to the Second Unit Program

Unfortunately, the second unit affordability study is not yet available, so we are still operating on assumptions based on the 2008 study. We did talk with the 21 Elements consultants about the importance of this study for our housing element effort, and they are working to get it completed so that we will have at least a draft for the Planning Commission's January 15 study session.

Based on the information available at this time, we are assuming that the Town will need to make changes to its second unit program to increase the number of second units permitted by one to two units per year. At its November 20 and December 4 study sessions, the Planning Commission discussed a number of possible ways to do this.

Four ideas in particular appear to be priorities for additional discussion and consideration at this time:

1. Pre-approval of green designs for second units.
2. Allowing larger second units.
3. Allowing two second units on larger lots.
4. Allowing attached second units in smaller lot areas.

Each of these is briefly discussed below. Additional background on each can be found in the staff report for the December 4 Planning Commission meeting, which is available on the Town's website.

Pre-approved green second units

This idea would involve pre-approval of certain green pre-fabricated second units. Property owners could build pre-approved second units without the need to for individualized ASCC review. The Town would likely want to have some pre-approved designs at different sizes and possibly in different architectural styles.

A quick internet search showed green pre-fabricated homes that are less than 750 sf available from a number of manufacturers, including Blu Homes, Method Homes, and Stillwater Dwellings. There are likely many other possibilities, at a range of sizes, prices, and designs. The Town might want to consider designating one or two people or creating a committee to take the first look at options and suggest designs for more detailed consideration by the ASCC. As was stated previously, the work to get designs pre-approved could take 12-24 months.

As part of this program, the Town would also want to define specific performance standards or requirements for pre-approved second units. These could relate to siting, lighting, access, parking and the like, and would be intended to ensure that the pre-approved second units fully comply with the Town's overall goals, standards, and design guidelines. ASCC review includes these site-related items in addition to the specific architecture of a proposed structure, so the Town will want to ensure that use of pre-approved units results in projects that are of the same quality as the projects that are individually reviewed.

Allowing larger second units

In areas where second units are already permitted, some homeowners may want to have a second unit for parents or children to live in, but may feel that 750 sf is too small to be a comfortable living space. As a result, allowing larger second units may provide more of an incentive for these property owners.

The Planning Commission discussed the possibility of allowing second units up to 900 or 1,000 sf for second units, either on lots where they are currently allowed or only on residential lots over 2 acres, where a larger second unit may be less noticeable. Lots two acres and larger are located primarily in Westridge and Oak Hills, as well as the western hillsides.

Two second units on larger properties

This change could allow parcels that are larger than 3 or 3.5 acres to have two second units. Based on discussion to date, the Town may want to limit these parcels to one detached second unit, with the other second unit allowed only if it is attached to the main house.

Most of the parcels of this size in town are located in the Westridge area and on the western hillsides, with a small number of parcels scattered throughout other areas of town. Of the approximately 235 parcels in the Westridge neighborhood, there are about 52 parcels larger than 3 acres, of which 29 parcels are larger than 3.5 acres.

Second units on smaller lots

The Town currently allows second units in the R-E zoning districts on parcels that are larger than one acre in size. The question here is whether second units could be allowed in in the R-1 and P-C zoning districts, including lots that are smaller than one acre. Second units on these lots could be constrained in one or more of the following ways:

- Detached units could be prohibited, so that only attached second units would be allowed.
- Parking could be required on-site in a separate, non-tandem and independently accessible parking space.
- Floor area in the second unit could be smaller than on larger lots, perhaps with a maximum of 400-500 sf. Having a smaller second unit size would provide less of an incentive for property owners to build the units, but would limit occupancy and thereby indirectly limit the parking and traffic related to the second units.

Areas that could be affected by a change like this are: Woodside Highlands, Wyndham Circle, Brookside Park, and Portola Valley Ranch. Each of these neighborhoods is discussed individually below.

Woodside Highlands

The main issues in the Woodside Highlands area would likely be traffic and parking. Roads are steep, narrow and winding, and there is little or no space for street parking in the neighborhood. Although the majority of the Highlands is located on bedrock, this neighborhood is also surrounded by unstable slopes.

Wyndham Circle

The Wyndham Circle neighborhood is small but relatively flat and accessible. Parking would probably be the main concern. Impacts would likely be less here than in either Woodside Highlands or Brookside Park.

Brookside Park

Like Woodside Highlands, the main issues to consider in Brookside Park would be traffic and parking. However, streets are less steep and slightly wider than in Woodside Highlands, and the area is geologically more stable. If second units are attached and separate parking is available on-site, the impacts are likely to be less in the Brookside Park area.

Portola Valley Ranch

In Portola Valley Ranch, attached second units could be located in the lower portions of a number of existing homes. Detached second units would not be appropriate in the Ranch area and should not be permitted. Parking could be accommodated on existing parking easements that have not been developed and are not currently being used. Traffic is less likely to be an issue because roads are wider and less steep.

Currently, second units are prohibited by both the Planned Unit Development permit (PUD) and the Covenants, Codes and Restrictions (CC&Rs) for the development. The Town can amend the PUD, but only the Homeowners' Association (HOA) can change the CC&Rs.

The question of whether the Ranch might want to change their CC&Rs to allow second units was brought up by a member of the Affordable Housing Ad Hoc Committee at an HOA meeting several months ago. Based on that recent discussion, we have been told that the Ranch is not interested in pursuing a change to their CC&Rs at this time.

Floor Area Discount

Although the Commission did not appear to support a floor area discount for second units across the board, it was not clear from the discussion whether this type of incentive might be considered together with one or more of the other possible changes discussed above.

For example, a floor area discount could be provided as part of a program to allow larger second units on some or all lots. With a discount, the increase in the floor area of the second unit would not need to come from the overall floor area limit for the lot.

Another possibility would be to allow a floor area discount as part of a program to allow second units on smaller lots in town. Many of these lots are largely built out, and discounting the floor area to some extent would make it easier to add a second unit to these properties.

Referral to ASCC

The Planning Commission expressed the desire to refer issues and questions to the ASCC for their reactions as appropriate. A discussion of the housing element update is tentatively scheduled for the January 13 ASCC meeting, and comments would be reported at the January 15 Planning Commission meeting. If Planning Commissioners have specific questions that they would like the ASCC to consider, those should be outlined at the December 18 meeting.

Public Outreach

The Town has made a commitment to making the housing element update process as open and inclusive as possible. To that end, staff has been taking a number of steps to reach out to residents to encourage participation in the housing element planning process. Each of the steps taken to date is described below.

Postcards

On Wednesday, December 11, the Town mailed postcards to all Town residents to inform them of the housing element update and provide information about upcoming meeting dates. One more town-wide postcard will likely be mailed in the spring to update residents and tell them about later meetings in the process.

Website and e-Notifications

The webpage at www.portolavalley.net/housing provides background information about the housing element, dates of upcoming meetings, and links to staff reports from previous and pending meetings related to the housing element. The week before each meeting, information about the meeting is sent to everyone who has signed up for notification of housing events.

In addition, news items related to the housing element are posted on the Town's main webpage and sent out to everyone who has subscribed to the more general "news" e-Notification list as appropriate. This was done in early November prior to the joint study session with the Town Council, and was also done last week when the postcard was mailed.

Homeowners' Associations (HOAs)

Staff has continued to provide information to the HOAs in Town by phone or email and to request comments and feedback for the Commission. I have talked with or emailed information to representatives of the Portola Green Circle, Portola Valley Ranch, Blue Oaks, and Westridge HOAs, and left phone messages for the Oak Hills HOA. I was not able to reach the Hayfields HOA by phone and did not have an email address, but did send them a letter.

Looking Ahead

The Commission will next discuss the housing element at its January 15 study session. Topics for discussion at that meeting will include:

- continued consideration of possible changes to the second unit program, as well as reporting on the county-wide affordability study;
- initial discussion of the Town's existing inclusionary housing program, potential changes to that program, and recent court cases; and
- the state density bonus law and its relationship to the housing element update.

cc. Town Planner
Town Manager
Town Attorney
Mayor
ASCC

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REGULAR PLANNING COMMISSION MEETING, TOWN OF PORTOLA VALLEY, NOVEMBER 20, 2013,
SCHOOLHOUSE, TOWN CENTER, 765 PORTOLA ROAD, PORTOLA VALLEY, CA 94028

Chair Von Feldt called the Planning Commission regular meeting to order at 7:30 p.m.

Present: Commissioners Arthur McIntosh, Nate McKitterick and Nicholas Targ; Vice Chair Denise Gilbert
Chair Alexandra Von Feldt

Absent: None

Staff Present: Tom Vlastic, Town Planner
Karen Kristiansson, Deputy Town Planner
Leigh Prince, Town Attorney

ORAL COMMUNICATIONS

None.

REGULAR AGENDA

- (1) Continued Public Hearing: Proposed Amendments to Conditional Use Permits (CUP) X7D-151 and X7D-169, 555 Portola Road, Spring Ridge LLC (Kirk Neely/Holly Myers) [7:31 p.m.]

Mr. Vlastic referred to the November 14, 2013 staff report, noting that tonight's meeting continues the public hearing that opened on October 2, 2013 and continued to October 16, 2013. He said the staff report reflects the direction of Commissioners from October 16 relative to considerations for allowing vineyard acreage within the meadow area. Approval of this CUP amendment would allow removal of some of the haying and permit 5.5 acres of vineyards, he said.

Mr. Vlastic said the action resolution, prepared in conjunction with the Town Attorney, includes the action on the negative declaration, and the staff report discusses input received during the circulation period of the negative declaration. The Commission asked staff to assemble an action resolution to help ensure that the area for more active agricultural uses (i.e., vineyards) be limited. The proposed resolution includes three exhibits:

- Exhibit A: Findings to support proposed amendments to CUPs X7D-151 and X7D-169
- Exhibit B: Amended Terms and Conditions, CUP X7D-169, providing limitations on fencing and other elements associated with the Commission acts and allowing for 5.5 acres of new vineyards within the lower portion of the property.
- Exhibit C: Amended Terms and Conditions, CUP X7D-151, which regulated the winery operation on the property, reflecting the additional vineyard acreage that would be processed onsite.

Mr. Vlastic said staff has tried to incorporate within the action resolution responses to Commission input and now recommends adopting the resolution with whatever clarifications to the exhibits that are appropriate. In that light, he said there has been communication with Commissioner Targ related to an additional finding. Mr. Vlastic said he informed the applicants about the addition being proposed today. Mr. Vlastic read it into the record, explaining that the addition, dated November 20, 2013, would become Finding 7 with the renumbering of the findings in Exhibit A (with current Finding 7, about the Williamson Act contract, become Finding 8):

The General Plan provides that the Meadow Preserve would be kept in a natural condition and existing agricultural character preserved, but does not specifically define the actual or existing agricultural condition. The existing permitted agricultural uses include haying, growing of vegetables, maintaining orchards and an agricultural building with access on approximately 10.5 to 11 acres of the subject 229-acre property's 17-acre Meadow Preserve area. The proposed CUP amendment would allow those 10.5 to 11 acres of the subject Meadow Preserve to be used

DRAFT UNAPPROVED MINUTES

for agricultural uses of a similar character as presently allowed, but would reduce the hay/grass area meadow and allow 5.5 acres of the northerly preserve area to be devoted to new vineyards. The remaining meadow on the subject property would include approximately 4.6 acres, which would be located immediately contiguous to the 4- or 5-acre grassland on the 7-acre Midpeninsula Regional Open Space District Meadow Preserve land, establishing a combined meadow area of approximately 8.5 to 9.5 acres that is highly visible from Portola Road. The combined area of grassland, other agricultural use lands and undeveloped land would total approximately 21 to 22 acres of the 24-acre Meadow Preserve. The ASCC concluded on May 14, 2013, that the proposed range of agricultural uses was appropriate and that the area proposed for the uses would not be highly exposed to view from the Portola Road Corridor. Based on the foregoing, the Planning Commission finds that the natural condition and the existing agricultural character of the Meadow Preserve would not be preserved if the meadow on the subject property were reduced beyond that proposed by the CUP amendment as identified on Sheet S-K1 dated 11/14/13 or to reconfigured so as not to be contiguous to the MROSD grassland meadow area.

Chair Von Feldt invited the applicant to speak.

Dr. Neely said he and Ms. Myers went over the proposed exhibits and findings with Ms. Prince and were reasonably satisfied. As for the addition that emerged from Commissioner Targ's conversations with Mr. Vlastic, he said one could always quibble over language but it says practically the same as the existing findings, so he has no particular objections.

Dr. Neely said the process "has been a long and winding road," but he appreciates the efforts of all the Commissioners and believes that if they approve the project they'll find it a very attractive addition to the Town that the Town will not regret.

Vice Chair Gilbert inquired about the number of acres for particular uses. She said the subject property is 17 acres, and in prior discussions on the CUP they've talked about roughly 11 of those 17 acres. Noting that the staff report refers to "the remainder" staying in "its existing open-space condition," she asked where the remaining acreage is located. In response, Mr. Vlastic pinpointed three areas: 1) along the frontage on Portola Road, 2) along the northerly boundary and 3) along the Sausal Creek side of the property.

Vice Chair Gilbert asked whether adding language that would allow using pesticides under extraordinary circumstances, at the discretion of staff, creates issues with the CEQA document. Mr. Vlastic said they tried to craft it to state the process to ensure good communication and appropriate environmental review if any such circumstances come up, but in speaking with Dr. Neely about it, Mr. Vlastic said Dr. Neely's position also is that if it presented any issue for the Commission, that provision could be removed. Ms. Prince said that it was not intended as a mitigation measure in any case. Commissioner Targ said that provided the pesticides are used in the ordinary course of application consistent with instructions on the label and approved by the EPA, their use would not require mitigation.

Chair Von Feldt asked Commissioner Targ to elaborate on the last part of the proposed additional finding. In response, Commissioner Targ said that in encompassing the concepts of "natural condition" and "agricultural character," the General Plan includes open-ended language. The last sentence is to say that if the acreage devoted to meadow were to be reduced further or not to be contiguous with the open space on the neighboring property, it would be inconsistent with and conflict with the General Plan provision.

Chair Von Feldt re-read the last sentence: "Based on the foregoing, the Planning Commission finds that the natural condition and the existing agricultural character of the Meadow Preserve would not be preserved if the meadow and the subject property. . ." and asked if that means the haying portion. Commissioner Targ said yes, it's the portion adjacent, the 4.5 acres or so. Ms. Prince said that could be clarified, but it is already spelled out earlier in the proposed language.

Chair Von Feldt opened the public hearing.

DRAFT UNAPPROVED MINUTES

Jon Silver, Portola Road, said he considers Commissioner Targ's finding positive because it allows the vineyard use to go this far but no farther. He suggested that it could be strengthened by saying that the meadow should not be visually divided or obscured from Portola Road by plantings.

With no other speakers coming forward, Chair Von Feldt closed the public hearing and brought the matter back to the Commission for discussion. She invited Commissioners' thoughts on the proposed Finding 7.

Commissioner McKitterick said he was struck the same as Mr. Silver, but the way he read Finding 7, it implied that the vineyard area was no longer part of the meadow. He said that if the Commission approves the application in some form, the "hay/grass" and "vineyard" areas of the meadow should both be identified. He said it's important to be specific about the location and permitted uses of both those areas. Commissioner Targ agreed; his intent was to address both location and acreage for those elements. Mr. Vlasic said the Commission would be approving a very specific proposal. He read from Finding 6A:

The area identified as Hay/Grass on SK-1 shall be maintained in such agricultural uses or open space. If a future use permit amendment is sought to extend other agricultural uses into this area, it would be considered only after the General Plan has been modified to clarify "Meadow Preserve" provisions so as to allow consideration of such other agricultural uses.

Commissioner McKitterick said that what had been specified was hay/grass in one area and vegetables in another. Vice Chair Gilbert said the term "existing agricultural conditions" has multiple interpretations and removing some of the words may clarify it. Accordingly, she suggested that instead it could say, "the permitted uses being referred to are those permitted by the CUP." Commissioner McKitterick said that he would prefer to take out the second sentence.

Ms. Prince said most of the "meat" of this finding is in the first and last sentences; the rest is covered in other findings. Thus, she said that if Commissioners are comfortable with the material in the other findings about acreage uses, an option may be to keep only the first and last sentences. Commissioner Targ said he didn't disagree, noting that while the internal language provides clarity and basis, the first and last sentences are key.

If the middle of the finding is deleted, Commissioner McKitterick suggested that the last sentence's "Based on the foregoing. . ." be changed to "Based on the foregoing findings . . ." Chair Von Feldt said she'd be comfortable with that, plus changing "the meadow" to the "hay/grass area."

Chair Von Feldt moved to alter Finding 7 to include only the first and last sentence, delete "foregoing" and add "findings herein" to the end of the introductory clause in the last sentence, and change the word "meadow" to "hay/grass area," so that Finding 7 reads (with additions underscored and deletions showing in ~~strikethrough~~ type):

The General Plan provides that the Meadow Preserve would be kept in a natural condition and existing agricultural character preserved, but does not specifically define the actual or existing agricultural character condition. ~~The existing permitted agricultural uses include haying, growing of vegetables, maintaining orchards and an agricultural building with access on approximately 10.5 to 11 acres of the subject 229-acre property's 17-acre Meadow Preserve area. The proposed CUP amendment would allow those 10.5 to 11 acres of the subject Meadow Preserve to be used for agricultural uses of a similar character as presently allowed, but would reduce the hay/grass area meadow and allow 5.5 acres of the northerly preserve area to be devoted to new vineyards. The remaining meadow on the subject property would include approximately 4.6 acres, which would be located immediately contiguous to the 4- or 5-acre grassland on the 7-acre Midpeninsula Regional Open Space District Meadow Preserve land, establishing a combined meadow area of approximately 8.5 to 9.5 acres that is highly visible from Portola Road. The combined area of grassland, other agricultural use lands and undeveloped land would total approximately 21 to 22 acres of the 24-acre Meadow Preserve. The ASCC concluded on May 14, 2013, that the proposed range of agricultural uses was appropriate and that the area proposed for the uses would not be highly exposed to view from the Portola Road Corridor. Based on the foregoing findings herein, the Planning Commission finds that the natural condition and the existing agricultural character of the Meadow Preserve would not be preserved if the~~

DRAFT UNAPPROVED MINUTES

~~meadow hay/grass portion~~ on the subject property were reduced beyond that proposed by the CUP amendment as identified on Sheet S-K1 dated 11/14/13 or to reconfigured so as not to be contiguous to the MROSD grassland meadow area.

Vice Chair Gilbert called attention to the first sentence of Finding 1:

The January 2012 approval of CUP X7D-169 allowed for approximately 10.5-11.0 acres of hay/grass and other vegetable and orchard agricultural uses in the 17 acre General Plan "Meadow Preserve" area of the subject 229-acre property."

She said she is concerned how this would be interpreted if some day a future Planning Commission is considering a proposal for this property. To her, the language implies that hay/grass, vegetables and orchards can go anywhere on the 10.5-11.0 acres, but Commissioners have agreed that orchards, in particular, would be assigned to one particular area on the periphery. The vegetable issue is more complex in that it involves fences breaking up the area, she added. Commissioner McKitterick suggested, ". . . acres of hay/grass in, and other vegetable and orchard agricultural uses on the periphery of, in the 17 acre . . ." Ms. Kristiansson said another alternative is to say, "in designated areas," because this would refer back to the January 2012 approval. Commissioner Targ said he preferred the second alternative.

Vice Chair Gilbert also had an issue with Finding 5, because caution was expressed in the findings for CUP X7D-151 relative to winery expansion due to the high visibility of the property and potential for modification of natural landforms and vegetation. She said she understands the visibility issue, but said while vineyards would not modify natural land forms, they would modify vegetation. After some discussion, the Commission determined to remove the last part of the final sentence of Finding 5, so that the last sentence would read, "Thus, the additional proposed vineyard area would not be highly visible."

Vice Chair Gilbert referred next to Finding 6, and expressed concern about the introductory section of this finding:

. . . the requested amendments can be found consistent with the General Plan "Meadow Preserve" provisions because the area proposed for additional vineyards is not highly visible from Portola Road, continues to maintain an agricultural character to the property . . .

As Vice Chair Gilbert pointed out, to be consistent with the General Plan language the wording of the last phrase of this text should be changed to say, "continues to maintain the existing agricultural character . . ." Commissioners agreed.

Vice Chair Gilbert said Finding 6a also needs to be modified. She pointed out inconsistencies with new Finding 7 and the General Plan language. Commissioner McKitterick suggested the substitution of "hay/grass uses" for "agricultural uses" in the first sentence and deletion of the second sentence. He also suggested deleting a phrase from the end of the sentence, ". . . relative to the most visible meadow area."

The area identified as Hay/Grass in SK-1 shall be maintained in such Hay/Grass agricultural uses or open space. ~~If a future use permit amendment is sought to extend other agricultural uses into this area, it shall be considered only after the General Plan has been modified to clarify "Meadow Preserve" provisions so as to allow consideration of such other agricultural uses.~~ The Commission finds that maintaining the hay/grass areas on SK-1 and the grass uses on the adjacent MROSD property (regulated by the Town pursuant to MROSD CUP X7D-133) achieves conformity with General Plan "Meadow Preserve" provisions ~~relative to the most visible meadow area.~~

Commissioner McKitterick asked whether the Commission had any issues with Finding 6c, which references ". . . trees along the southern boundary [that] may remain as [they] . . . provide some identification of the transition between the properties and also some habitat for deer and other meadow area wildlife." He said he didn't recall which trees in particular that the Commission agreed would stay, or whether that was an ASCC decision. Chair Von Feldt said the reference is to a few trees on the proposed fence line. Mr. Vlasic said that all the trees that had been planted were removed; the few that remain are volunteers.

DRAFT UNAPPROVED MINUTES

Commissioner McIntosh and Vice Chair Gilbert raised questions the last sentence of Finding 6f:

The existing property dirt/grass road system as described on Sheet SK-1 . . . may continue to be used for periodic maintenance and harvesting of agricultural production consistent with the agricultural plan on SK-1 and the provisions of CUPs No new property dirt/grass roads shall be established for the meadow area. Further, the current meadow area dirt/grass roads shall not be improved beyond their current conditions. The above notwithstanding, the existing dirt/grass roads may be modified when found appropriate by the ASCC during review and approval of detailed meadow area planting and fencing plans.

Vice Chair Gilbert concurred with Commissioner McKitterick's suggestion to strike the last sentence, inasmuch as the applicants have not made any proposals to expand the roads. Mr. Vlasic pointed out that this sentence is not meant to allow expansion or paving of any roads, but rather to address situations such as if a detailed planting plan required minor adjustment to a service road. Commissioner McKitterick proposed changing the last part of this sentence to read as follows, and to change the wording in Finding 5 of Exhibit B to also specifically refer to the alignment of the road:

~~The above notwithstanding,~~ the alignment of the existing dirt/grass roads may be modified . . .

In Finding 6g, Vice Chair Gilbert suggested deleting the parenthetical "meadow" from the line "New agricultural (meadow)" and also from "Hay/grass (meadow)" in the table.

In terms of what would be re-numbered Finding 8 (regarding the Williamson Act), Vice Chair Gilbert said she's not sure why it is included because the Planning Commission does not know the details of the contract. Commissioner Targ said she had a good point, and Commissioners agreed to strike this finding.

Turning to Exhibit B (Amended CUP X7D-169), Vice Chair Gilbert asked about the reference to "secondary access" in the second sentence of Condition 3:

The existing gated driveway at the north end of the parcel's Portola Road frontage shall only be for secondary access, i.e., maintenance of the meadow area, emergency access and service to the meadow area agricultural uses allowed for herein.

She suggested deleting the reference to secondary access lest it open it up to a broader definition of secondary access. Mr. Vlasic said the wording was taken from the original CUP. After some discussion, the Commission determined to leave the finding as drafted.

Commissioner McKitterick expressed concern about leaving Condition 6 of Exhibit B open-ended by calling for a good faith effort. He said he regrets that the applicants have received mixed messages, and acknowledged that the Town Council has not yet approved the recommended plan for the Corridor. Mr. Vlasic said part of the problem is that the Portola Road Corridor effort included some differences of opinion relative to clearing, and there was some pushback related to habitat protection. He also pointed out that there's a lot of work for the Town to do in terms of clearing, including removing branches that extend into the trail area, and once that's completed the views would be considerably more open. He said that the Conservation Committee and the ASCC did a careful job of walking the land and working with the applicants to selectively remove plantings, although some Commissioners have indicated they didn't go far enough. He said he believes the Conservation Committee and the ASCC probably remain the best entities to strike the balance, and once the plan is approved, the Public Works Department would receive further direction. The question, he said, is how to tie the property owner to conformity with a plan that hasn't been finalized and determine who would oversee it. Dr. Neely said they had worked with Mr. Vlasic to create a document with considerable clarity, and they would have problems with changing the wording for this finding. After additional discussion, the Commission agreed to leave the wording for this finding as proposed.

With the concurrence of Chair Von Feldt, Commissioner McKitterick proposed changing Condition 9 to read:

The area identified as Hay/Grass on SK-1 shall be maintained in such Hay/Grass agricultural ~~uses~~ or open space.

DRAFT UNAPPROVED MINUTES

Noting that Condition 10 addresses the issue of fencing along the southern boundary, Commissioner McKitterick asked how other Commissioners feel about fencing elsewhere on the property and wondered whether the condition should prohibit other fencing in the meadow. Mr. Vlasic said that the approval specifically defines the fencing that is allowed under the use permit, and no other fencing would be authorized. Dr. Neely pointed out that the agricultural fences would be controlled by the ASCC, so he believes everything is already covered.

Vice Chair Gilbert asked whether the site plan submitted as part of the applications would be part of the use permit, and asked whether the language regarding the planting plan should be more definitive in terms of what uses are allowed where. Mr. Vlasic confirmed that the site plan would be part of the CUP approval and would control the uses and locations of uses on the property. Dr. Neely said they would like to have some flexibility to adjust the planting plan, but it would be acceptable if the Commission were to exclude orchards from the area identified for vineyards. Mr. Vlasic suggesting that it would make sense to allow flexibility but to prohibit orchards in Block A1 southerly of the existing agricultural building line.

Vice Chair Gilbert said the only issue relating to vegetables is fencing, because if the uses are mixed and matched, there could be a visual impact. Ms. Myers said that it would be inefficient to have a number of small uses mixed.

Chair Von Feldt invited comments on the CEQA document.

Commissioner McKitterick noted the change to a Negative Declaration as had been discussed previously by the Commission. He proposed changing the document under "Findings and Basis for a Negative Declaration" in point 1 to say that the project would have "less than significant impact" on scenic resources rather than that "The project will not adversely impact scenic resources. . ." The Commission agreed.

For the record, Vice Chair Gilbert asked whether Commissioners need to repeat their reasons when they vote if they have issues with the findings. Mr. Vlasic said no, that they can reference the record if they have already expressed their concerns, and the minutes would support their reasoning. Chair Von Feldt added that the findings go through the reasons and the logic behind the decision.

Commissioner McKitterick moved to approve Resolution 2013-3, including the exhibits therein, of the Town of Portola Valley granting Spring Ridge LLC (Neely/Myers) amendments to CUPs for property located at 555 Portola Road; in particular, adopting:

- 1) Proposed negative declaration as revised November 14, 2013 and with comments made and approved on November 20, 2013
- 2) Use permit amendments as set forth in Exhibit A of the resolution as modified on November 20, 2013
- 3) Amendments to CUP X7D-169, subject to the terms and conditions set forth in Exhibit B of the resolution as modified on November 20, 2013 and
- 4) Amendments to CUP X7D-151, subject to the terms and conditions set forth in Exhibit C of the resolution

Commissioner McIntosh seconded the motion.

Chair Von Feldt said that although tonight's discussion alleviates some of her concerns, she does not believe the vineyard use is consistent with the meadow language in the general plan. The fencing and braces to support the grapes would change the look and use of the land.

Vice Chair Gilbert said that she, too, cannot find the vineyard consistent with her interpretation of the General Plan, because in her view a meadow is hay or grass. In addition, she said that she is concerned about reviewing and acting on the use permit prior to clarifying the General Plan language.

The motion carried 3-2, with Von Feldt and Gilbert dissenting.

DRAFT UNAPPROVED MINUTES

Chair Von Feldt said the Planning Commission decision is effective 15 days from approval unless an appeal is filed within that time.

(2) Study Session: 2014 Housing Element Update [8:56 p.m.]

Chair Von Feldt launched the first Planning Commission study session on the Housing Element update.

Referring to her staff report of November 15, 2013, Ms. Kristiansson said there were two goals for tonight's discussion. First is to go over the schedule for the Planning Commission's other study sessions; all of the meetings would be in front of the Planning Commission, with possibly two of them more widely advertised to take the place of the community meetings discussed with the Town Council on November 13, 2013. Second is to begin talking about some ideas for encouraging additional second units.

The Town is currently averaging about 5.6 second unit permits per year, she said. Based on current projections and assumptions, it appears that if we can increase that to about seven, the Town will likely be able to meet its share of the regional housing need. In response to Commissioner McKitterick, she said that most communities about Portola Valley's size tend to meet their numbers primarily through second units and through some affiliated housing program.

Chair Von Feldt invited questions from Commissioners, which would be followed by public comments.

Commissioner McIntosh suggested that the state should be cognizant of production declines during the recession. Ms. Kristiansson agreed but added that production during boom times also averaged fewer than seven second units per year. As a result, the town probably needs to do more than in the past.

Chair Von Feldt opened the public comment period.

Virginia Bacon, Golden Oak Drive, stated that originally second units with kitchens were only allowed on lots that were two acres or larger. Ms. Bacon also noted that according to the study session schedule outlined in the staff report, most of the discussion about second units would occur on December 4 and December 18, 2013, when she said a lot of people who would like to participate would not be available. She suggested postponing this discussion until January or February of 2014 so that more people might be able to come out and provide input. Ms. Bacon said the issue of second units raises the question of density, and at some point, that should be addressed, and also expressed a concern about where (in terms of zoning districts) the Town's second units are concentrated today. She asked where the income distribution of second units came from. She said we should know the situation as it is now before getting into a discussion of what we should do and what we want to do to change. Ms. Bacon asked whether basements are pertinent for 750 square foot units.

Mr. Silver said that historically, at one point, guest houses were allowed on all lots but they could only have kitchens on lots greater than two or 2.5 acres. Thinking back, this created an odd category of kitchenless guest houses.

Tom Kelley, Franciscan Ridge, said he became interested in housing because of his time serving on the school board and the difficulty of recruiting teachers to the area. He said Portola Valley, and other communities as well, have always used guest houses to get around the affordable housing issue. He said that if the Town is truly interested in affordable housing, we can make it happen, and he provided a plan for producing affordable housing to a couple of Town Council members.

Ed Wells, Naranja Way, said the state's housing mandate for Portola Valley calls for an increase of less than 1% per year. As it stands now, he said, many of Portola Valley's homes are more than 50 years old, and many began as summer cabins and small houses. The Town's system of square footage allowances encourages monster houses, and the Town encourages second units without defining any ways to control how they are used. He recommended that the Town take a look at its housing now and think about what kind of housing mix we want 20 years from now. He also suggested that as the Planning Commission goes through its Housing Element meetings, it's important that everyone understands what the various terms mean – affordable housing, second units, BMRs (below-market-rate units), etc. The Planning Commission should also think about how to use in-lieu funds, such as using them as a revolving fund to lend money to start a project in return for a requirement that the

DRAFT UNAPPROVED MINUTES

unit be rented affordably for five to ten years. Mr. Wells suggested getting together a team with legal, financial and auditing help to ensure maximizing use of the in-lieu money, and offered his assistance.

Mark Moulton, Executive Director of the Housing Leadership Council of San Mateo County, said he is available as a resource to the Town. He is hopeful about the interest in affordable housing in town, and he encouraged the Planning Commission to think about this not as some onerous burden that comes down from the state, but as an opportunity to do something that you might like to do. The Housing Leadership Council watches all of the 21 jurisdictions in the County, looking for increased performance. He emphasized that the Council stands ready as a resource for the Town to tap.

Carter Warr, Willowbrook Drive, said that as a member of the Ad Hoc Affordable Housing Committee, he had hoped everyone would read its recommendations carefully. He said every member of the Committee is willing and available to help the Planning Commission better understand the group's vision. Some of their recommendations are for actions that should be pursued now, he said, and others may be for future planning periods. One thing the Committee didn't get a chance to review and the Planning Commission should, Mr. Warr said, is the overall effect of the continuing increase in the number of housing units in Portola Valley over a series of eight-year Housing Element cycles, particularly in light of the community's recreational resources, topography and values, such as open-space preservation. He said that looking for ways to provide greater variety and greater opportunity for families who need affordable housing at each of the RHNA income levels should be a priority goal for Portola Valley in this round of the Housing Element update.

Regarding second units, Mr. Warr said one reason they haven't been developed as much as they might be is because it is nearly impossible to house a three- or four-member family in a 750 square foot structure. As an architect, he added, he also has clients who want second units on smaller parcels, which is not currently an option in Portola Valley, and this could be significant opportunity.

Judith Murphy, Portola Green Circle, who also served on the Ad Hoc Affordable Housing Committee, agreed that virtually everyone on the Committee would continue helping in whatever way they can. She said Committee members were struck very much by the need to continually engage people and the fact that the early meetings were dominated by discussions of what went on before, with negativity stemming from fear and uncertainty. Ms. Murphy said that the goal of the housing element process should be to participate whole-heartedly rather than trying to find a way around the state requirements. She emphasized that the Town needs clarity to reduce uncertainty. Density will need to decrease, but the Town will need to protect key areas in order to minimize or mitigate the impact. The uncertainty and ambiguity inhibit our ability to hold the lines we want to hold.

Virginia Bacon expressed concern about the impact of building codes on affordability. For example, when sprinklers are required, costs can be excessive, and fire alarms may be just as effective. If these problems are not addressed, people who are interested in converting existing structures to second units may not be able to find a way.

Mr. Silver echoed the concern that discussion of second units is all scheduled for December and suggested that the Commission plan for more after the holidays. He also promoted the idea of a tour to look at examples of affordable-housing projects and the impact they have on the neighborhoods in which they're located. He said additional guest houses make a lot of sense and would be productive in terms of the housing numbers and also consistent with the Town's goals. However, he is concerned to hear talk of using guest houses as living quarters for families of four, because he is not sure that's the purpose of second units. Larger second units would also be less affordable. He added that in Santa Cruz, second units are allowed with the idea that they are rent-controlled but that would not be the case in Portola Valley.

Chair Von Feldt brought the matter back to the Commission, first inviting comments on the schedule.

Commissioner McKitterick noted that February 19, 2014 date falls in Ski Week, and April 16, 2014 occurs during Spring Break. He also suggested considering the possibility of special meetings. Ms. Kristiansson said at this point, because adjustments are likely in any case, it would be a good start if the Planning Commission can agree on December and January dates.

DRAFT UNAPPROVED MINUTES

Chair Von Feldt asked when discussion about the possibility of purchasing property would be scheduled. Ms. Kristiansson said that would be part of the February 19, 2014 agenda (with "Identify preferred housing programs.") Commissioner McKitterick said that we could also schedule extra meetings, as we see how the process goes.

Ms. Kristiansson asked whether the Planning Commission would like to have the discussion of second units continue to be set primarily for the December meetings. Chair Von Feldt said that although she heard the concern from the audience about having the second units discussion mainly at the two December meetings, the time pressures to keep moving forward make it important to begin work on this key program as early as possible. Commissioner McIntosh agreed.

Chair Von Feldt then invited comments on potential changes to the second unit program.

Commissioner McKitterick asked about the Town's potential to meet some of its RHNA commitment via housing located in its sphere of influence, and/or what it would take to make lands within the sphere of influence part of the Town. Virginia Bacon asked whether there might be potential on some of the open land on the other side of the creek that's in Santa Clara County. Mr. Vlastic said that land is not within the Town's sphere of influence as assigned by LAFCO, the Local Agency Formation Commission. Commissioner McIntosh said he did not think Portola Valley be able to reduce its RHNA as Woodside did with the annexation agreement with Redwood City, because the Town is not in the same situation. Town Council Liaison Wengert added that incorporating any areas from the Town's sphere of influence also could increase the Town's RHNA allocation burden in the long run. Also, she noted that the issue is so large here that we're struggling to just deal with it within the Town boundaries, and we have a long list of tasks and objectives to accomplish to move things along for the 2014 Housing Element update.

Commissioner Targ stated that he would like clarification from the Town Attorney on inclusionary housing and in-lieu fees.

Chair Von Feldt requested clarification on a table on page 3 of the November 20, 2013 staff report. Ms. Kristiansson explained that the numbers shown in the table are solely for second units. For each income category, the table shows the target established in the 2009 Housing Element and the number of permits issued to date. The distribution by income levels shown in the table is based on a 2008 county-wide study of rental rates to estimate the affordability of second units.

Vice Chair Gilbert asked what the rental rate range for 1,000-square-foot second units in Portola Valley would be. Commissioner McIntosh said that a lot of residents want to provide housing to Stanford students, but a market rate might be about \$2,000 per month.

In response to Chair Von Feldt, Ms. Kristiansson clarified that the Town needs to demonstrate in its housing element how it intends to meet the housing needs for each income category, not just for the overall total number of housing units. The Town could not provide all of its housing for above moderate income households, for example.

Chair Von Feldt directed the discussion toward ideas to increase production of second units.

Increase the permitted size of second units. Commissioner McKitterick said this is worth exploring. Ms. Kristiansson pointed out that the state has seen this type of increase positively in the past, and also that from conversations with various residents, she believes property owners also might appreciate being able to build more spacious second units. Mr. Vlastic cautioned that a discussion of larger second units would have to take into account whether the additional square footage would come out of a property's floor-area maximum. Commissioner McIntosh pointed out that if people had to reduce the size of their main homes to increase the size of their second units, that would not be an incentive.

Chair Von Feldt about which homeowners' associations (HOAs) might have strong opinions about allowing larger second units. Mr. Vlastic said the Westridge Architectural Supervising Committee (WASC) in particular expressed concerns during earlier discussions about the density and numbers of second units. Commissioners agreed to solicit information on the possible changes to the second units program from Westridge.

DRAFT UNAPPROVED MINUTES

Consider allowing some small second units in smaller-lot areas. Commissioner McKitterick said even where setbacks have room enough to build second units, parking is already a problem in places such as Woodside Highlands and along Corte Madera. Commissioner McIntosh said the idea is worth exploring in areas where it's feasible.

Vice Chair Gilbert said detached second units probably would be out of the question for most properties in the Ranch. Mr. Vlastic pointed out that at the Ranch, some of the downhill houses in particular have large basement spaces that would be easy to convert into second units. He also noted that a number of designated but undeveloped parking spaces are left in easements at the Ranch, held in reserve if needed.

Regardless of how HOAs might weigh in, Chair Von Feldt pointed out that their approval wouldn't be necessary to include a plan to start discussions on the matter in the Housing Element update. Ms. Kristiansson observed that the Town has the authority to amend the Planned Unit Development (PUD) to be more lenient in terms of second units, but at some point the HOA would also have to agree to amend their Covenants, Conditions and Restrictions (CC&Rs). Mr. Vlastic said to avoid creating unnecessary conflict, it's important early on to determine the HOA's willingness to even consider this.

In response to a question from Commissioner McKitterick, Mr. Warr indicated that he believed that many people at the Ranch would want to have the ability to have a second unit on their property, and this could also work in other small lot areas. There are a number of illegal second units already in those areas, and having a second unit can be beneficial for those who want to age in place in town.

Reducing fees an incentive. Commissioner McKitterick said he does not sense that reduced fees would be much of a motivator. The staff report noted that a program in Calistoga in 2001 reduced sewer fees for second units by 50%; Ms. Kristiansson said sewer hook-up fees can be significant, depending on the property location. If a property owner with a septic system adds a bedroom, the septic system must be able to accommodate it. If not, and the property is within 200 feet of a sewer line, a sewer connection is required. Commissioner McIntosh asked for a sense of how many of Portola Valley's second units are connected to the sewer system. Mr. Vlastic responded that it would be a small number, and added that the idea of reducing fees as an incentive is worth looking into, but the Town likely would not be in a position to do much about it. The Town certainly couldn't front-end a sewer fee, he said.

Second-unit amnesty program. Commissioner McIntosh asked Mr. Moulton for his impression as to whether the state might give credit for any existing second units that might be grandfathered in as part of an amnesty program, if people register them and commit to long-term affordable rental rates. Mr. Moulton said it would probably be difficult to get such units into a plan that the state approves. He said it's exciting that communities have a lot of opportunity for creativity, so he suggests going from what we have and parlay that into something that would work.

Although the state may not acknowledge units added via an amnesty program (per Commissioner McIntosh's earlier exchange with Mr. Mohr), Vice Chair Gilbert said such a program would legalize them, improve many of them and provide more housing for people who work in Town to live here as well. Ms. Kristiansson said an amnesty program also would make sense if the Town decides to authorize second-unit structures that aren't currently allowed, such as units up to 1,000 square feet or on smaller lot areas. She said it's also important to remember that the Housing Element is Portola Valley's document and not the state's. While acknowledging and meeting the state's requirements, the Town is trying to set forth a vision for housing in the community. As to the number of units that an amnesty program might cover, she said it would depend on the standards the Town would impose, for instance, whether encroaching into a setback would be approved. Mr. Vlastic said code compliance would more likely be a major factor, and some people would not even want the Town to look at their unauthorized second units.

Increased education efforts. Chair Von Feldt said that should be fairly easy to accomplish. Ms. Bacon added that increased education about the HIP Housing program would be helpful

More than one second unit on larger properties. Commissioner McKitterick said this might work under the right conditions, depending on the property. Mr. Vlastic suggested that in some cases, a property could have a

DRAFT UNAPPROVED MINUTES

smaller attached unit for relatives and a larger detached rental unit. Chair Von Feldt said that this type of arrangement could alleviate the amount of site development.

Relax Town standards. Commissioners discussed implications of allowing separate mailboxes and utility meters, and allowing second units in setbacks if doing so would not affect neighbors or scenic corridors. Concerns were expressed about reducing standards and about the staff resources this would take to implement.

Economic or tax incentives for second-unit construction. Commissioners requested more information about this option. Ms. Kristiansson said that suggestion came from the Ad Hoc Affordable Housing Committee. For economic incentives, she said they discussed loans and/or grants for building second units. Ed Wells suggested allowing lot splits whereby a property owner could divide a parcel and receive Town funding to build a small house and rent it for a specified period of time at affordable rates. Mr. Vlastic suggested that this might appeal to property owners, but it would be a difficult to reconcile with the General Plan and zoning ordinance.

Other ideas. Chair Von Feldt pointed out the potential of increasing second-unit production less expensively by pre-approving use of specified green pre-fabricated second units. Commissioner Targ supported the idea. Commissioner McIntosh expressed concern about potential conflict with the design of the existing house, but said that there are some great examples of pre-fabricated homes. Mr. Vlastic said that one concern is that whenever a site development permit was needed for grading, the project would go past the point where only staff approval would be sufficient. However, he believes this idea to be worth exploring.

COMMISSION, STAFF, COMMITTEE REPORTS AND RECOMMENDATIONS [10:30 p.m.]

Ms. Kristiansson said that so far Judith Hasko, a member of Trails and Paths Committee, is the only person who has submitted an application for the Planning Commission vacancy. The deadline is December 11, 2013. The advertisement for the vacancy on the Architectural and Site Control Commission (ASCC) is going up on the Town website this week and will be in the December 4, 2013 edition of *The Almanac*.

APPROVAL OF MINUTES [10:31 p.m.]

Commissioner McKitterick moved to approve the minutes of the October 2, 2013 Planning Commission meeting, incorporating revisions previously submitted by Commissioner McKitterick and Vice Chair Gilbert and an additional change from Vice Chair Gilbert. Seconded by Commissioner McIntosh, the motion carried 5-0.

Commissioner McKitterick moved to approve the minutes of the November 6, 2013 Planning Commission meeting. Seconded by Commissioner McIntosh, the motion carried 4-0-1 (Gilbert abstained).

ADJOURNMENT [10:35 p.m.]

Alexandra Von Feldt, Chair

Tom Vlastic, Town Planner