Submitter DB ID	7881
IP Address	[redacted]
Submission Recorded On	05/06/2026 11:28 AM
Time to Take the Survey	3 minutes, 15 secs.

Page 1

1. First and Last Name

Laura Davidson

2. Email address (will not be publicly displayed)

[redacted]

3. Organization (Enter name of organization, business, or non profit if you are submitting comments on their behalf.)

Not answered

4. Street address (will not be publicly displayed)

[redacted]

5. City

Portola Valley

6. State

CA

7. Zip Code

94028

8. Date of Meeting you are submitting comment for.

05/13/2026

9. Agenda Item number or name

MidPen's Proposed Driveway and Parking Lot at Alpine and Portola Rd.

10. Comment

Hello,

The proposal that MidPen has to place a parking lot and driveway at the intersection between Portola and Alpine Roads is extremely unsafe, especially for children that are commuting via walking or biking to and from Corte Madera School. Placing more cars (especially those that are not local to Portola Valley) on the road at that intersection, which students walk through every morning and every afternoon is a recipe for an accident. We currently have a crossing guard only in the afternoon (not in the morning), and the intersection is still dangerous with lines of cars seeking to "roll" through stop signs there. The proposal as it is written is in direct violation of PVSD students' right to safe pathways to school. I implore the Town to stop this proposal from moving forward.

Sincerely,
Laura Davidson
Community Member and PVSD Parent

11. Optional: You can upload a copy of your comments.

Submitter DB ID	7890
IP Address	[redacted]
Submission Recorded On	05/10/2026 7:36 AM
Time to Take the Survey	2 minutes, 11 secs.

Page 1

1. First and Last Name

Karen Askey

2. Email address (will not be publicly displayed)

[redacted]

3. Organization (Enter name of organization, business, or non profit if you are submitting comments on their behalf.)

Not answered

4. Street address (will not be publicly displayed)

[redacted]

5. City

Portola Valley

6. State

CA

7. Zip Code

94028

8. Date of Meeting you are submitting comment for.

05/13/2026

9. Agenda Item number or name

7a Amendment to Town Zoning Code

10. Comment

Dear Town Council,

I am unable to attend your meeting on May 13th.

I am in support of the Staff recommendation to waive the first reading and approve amending the Town Zoning Code by adding regulations related to accessory dwelling units, junior accessory dwelling units, indemnification of Town, and emergency shelters. We must keep up with the ever-shifting stat mandates.

As one of the Town's priorities is to finalize our Housing Element amendments we must deliver on our Housing Element programs and remain in good standing with HCD.

Thanks for all you do for Portola Valley and its residents.

Karen

Submitter DB ID	7894
IP Address	[redacted]
Submission Recorded On	05/12/2026 9:03 AM
Time to Take the Survey	5 minutes, 45 secs.

Page 1

1. First and Last Name

William Urban

2. Email address (will not be publicly displayed)

[redacted]

3. Organization (Enter name of organization, business, or non profit if you are submitting comments on their behalf.)

self

4. Street address (will not be publicly displayed)

[redacted]

5. City

Portola Valley

6. State

CA

7. Zip Code

94028

8. Date of Meeting you are submitting comment for.

05/13/2026

9. Agenda Item number or name

Public discussion about Town Charter

10. Comment

Submission (in writing) of public comments to be shared with Town Council in advance or at May 13 Council meeting as part of a first hearing regarding adoption of a Town Charter.

The rationale for such a consideration is, as I understand it, solely to enable placement of a real estate transfer tax measure on the ballot later this year. Having this charter discussion before finalizing discussion about whether a transfer tax is preferable to a parcel tax or UUT reassignment is premature. These comments below argue against a transfer tax in favor of a parcel tax

Portola Valley 2026 Transfer Tax Proposal for New Revenue Generation: Taxpayer Equity Issues

Transfer tax inequitable to property sellers or buyers, because only small numbers of property owners each year would pay a very dollar large tax, nothing paid by all other property owners.

Act of a private sale or purchase of a property has no incidence or burden on Town services that are paid for with transfer tax, and has nothing to do wit the adverse financial situation that has developed in recent years with Town finances.

Property buyer subject to step-up to market value for the property tax on the purchased property, so pays now higher property tax as well as transfer tax a form of double taxation.

Property buyer gets no immediate income tax deduction for their share of transfer tax paid until property is sold at some point in future, and then it is deductible at only lower capital gains tax rates.

Property seller can deduct share of transfer tax paid at sale, but only at lower capital gains tax rates.

If property seller buys a replacement property in Portola Valley, they are subject to a second transfer tax for the roundtrip of selling and buying a replacement property, as well as a step-up to market value basis for the ongoing property taxes on their new property

The vast majority of all other non-selling Town property owners get a free ride on the taxes paid, as they pay no transfer tax or step-up of their current property tax basis to current market value.

No exclusions or exemptions have yet been discussed publicly from a transfer tax, a few of which might include:

-exempting a seller or buyer from two successive transfer taxes from selling and buying a replacement property both in Portola Valley

-exempting a property from successive transfer taxes if it has already been bought or sold (subject to transfer tax) within a year or two of its previous sal and payment of transfer tax

-exemption for property transfers within a family or due to estate settlement

Arguments that property buyers or sellers “can afford” to pay a transfer tax simply because there is a potential large liquidity event or dollar transaction involved, or because they have benefited for years from property taxes below the historical value of their property, are nonsense. The proposal has no means testing on wealth or income of property owner subject to transfer tax, i.e. it’s a highly regressive tax. People have large liquidity events every year from buying/selling investment securities, raising cash for living expenses, or to make required distributions from retirement accounts, and those event are not subject to a transfer tax. Virtually all property owners not selling their property and paying no transfer tax also benefit from the 2% annual reassessment cap on their property.

Council never researched or tested a fixed dollar annual parcel tax for all properties in town.

Perhaps two ballot measures, a transfer tax and a parcel tax, could be put on ballot, with provision that the one that gets the most votes, provided that number exceeds the plurality requirement for such measure, becomes law.

William Urban

11. Optional: You can upload a copy of your comments.

Outlook

Public Comment on Amended ADU ordinance and redlined version, Town Council Meeting Feb 13 ,2026

From Rebecca Flynn <rflynn@portolavalley.net>

Date Wed 5/13/2026 12:15 AM

To Veronica Dao <vdao@portolavalley.net>

Cc Darcy Smith <dsmith@portolavalley.net>; Sarah Cawrse <SCawrse@portolavalley.net>; Catherine C. Engberg [redacted]; Brandon DeLucas <bdelucas@portolavalley.net>

1 attachment (73 KB)

Version 3 05112026 ADU Ordinance PC packet 04152026.Flynn version.docx;

Veronica,

Please send these comments with the redlined ordinance attachment to the members of the Town Council as soon as you can as it will be critical that Councilmembers review the redlined comments. Please enter these comments into the public record for the Wednesday May 13, 2026, Town Council meeting. Note that the attachment is version 3 and contains updated information, as I corrected some errors I found.

Regards,
Rebecca Flynn
PV Town Council member

I am submitting these comments and redlined attachment (version 3) as a public record for Wednesday's Town Council Meeting, to be incorporated into the Town record in accordance with Brown Act requirements.

Portola Valley's open space, native habitats, and rural character are what drew most of us here. Once lost, they cannot be recovered. Our zoning regulations and design guidelines have preserved this environment for over 60 years. The Town is now being asked to adopt a new ADU ordinance this Wednesday, May 13. I urge the Council to slow down. The draft ordinance has serious legal compliance problems that expose the Town to risk, and it fails to protect the natural heritage that defines our community.

My recommendation: do not adopt the draft ordinance Wednesday until the changes recommended in my redlined version are discussed and adopted, if found reasonable and correct. Instead, the Town Council should immediately repeal the existing non-compliant ordinance and return with a properly vetted replacement by August or September 2026.

Issue 1: The Draft Ordinance Has Compliance Problems

This is not simply a matter of policy preference. The draft ordinance contains at least five instances where it does not comply with or correctly cite state law. There are also at least nine significant policy decisions embedded in the draft that were never reviewed by the ASCC, the Planning Commission, or the full Council. These include eliminating all off-street parking requirements for ADUs and allowing 1,200 sq ft ADUs to be placed just 4 feet from property lines, even though state law only requires that exemption for smaller ADUs of 800–1,000 sq ft.

Crucially, there is no urgency here that requires rushing. The Planning Department has already been operating under state ADU law since last year, and HCD does not require a local ordinance, only that any ordinance adopted complies with state law. Simply repealing the existing non-compliant ordinance is sufficient for now and removes the self-imposed pressure to act prematurely.

Issue 2: The Ordinance Does Nothing to Protect Our Natural Heritage

The draft ordinance makes no effort to encourage applicants to respect Portola Valley's design guidelines or rural character. While state law does give property owners more leeway on ADU placement, it does not require us to abandon our values entirely. The ADU law expressly permits municipalities to enforce objective design requirements on ADUs that are not of the state-exempt type — yet this draft imposes none.

Our design guidelines have no legal force if they are not codified as objective standards. Without that, every ministerial ADU decision will be made with no reference to the aesthetics, setbacks, and natural integration that make Portola Valley what it is. A proper ADU ordinance should, at minimum, remind applicants of our guidelines and encourage compliance where state law permits it. This draft does not do that.

Before adopting any ordinance, Town Council should direct the Planning Department working with the ASCC to develop strong objective requirements that enshrine our design guidelines for both ADUs and single-family homes and bring our multifamily and mixed-use objective requirements into better alignment with Portola Valley's rural character. This work is foundational. Adopting an ADU ordinance now with ministerial decision making, without it, leaves our community exposed.

What I Am Asking the Council to Do at Wednesday's Meeting

1. Repeal the existing non-compliant ADU ordinance and default to state ADU law (already the Planning Department's current practice).
2. Review the compliance issues redlined in the attached draft ADU ordinance.
3. Discuss the unvetted policy decisions embedded in the draft and provide direction, including the incorporation of Code citations following HCD recommended best practices.
4. Direct staff to develop objective design requirements that codify our Design Guidelines for ADUs, single-family homes, Multifamily dwellings, and mixed use developments.
5. Decide whether to convene a working group to explore enhancements that would encourage ADU construction while protecting our community's character.
6. Return with a revised ordinance by August or September 2026, following the normal Portola Valley process: ASCC study session, joint Planning Commission / Town Council review, and public comment.

Taking a few more months to get this right will protect Portola Valley far better than rushing through with a flawed ordinance. I have attached my full redlined draft for reference.

Regards,
Rebecca Flynn
Portola Valley Town Councilmember

Appendix: Supporting Detail

A. Reasons Not to Rush This Ordinance

1. HCD does not require a local ADU ordinance. State law only requires that any ordinance adopted comply with state law. Repealing the current non-compliant ordinance is adequate at this time.
2. HCD is finalizing an ADU ordinance template currently in their legal department. Waiting for it will help ensure favorable HCD review of whatever the Town ultimately adopts.
3. The State Legislature is considering new ADU laws this session. Adopting an ordinance now risks near-term obsolescence.
4. The draft ordinance did not go through the normal Portola Valley process: ASCC review, then Planning Commission, then Town Council.
5. It is premature to adopt an ADU ordinance before the Town has crafted and approved objective design requirements. The ADU law permits municipalities to enforce objective requirements on non-exempt ADUs; without them, we have no legal mechanism to protect our design guidelines.

B. Specific Compliance and Policy Problems in the Draft

1. At least 5 instances where the draft does not comply with or correctly match state code.
2. At least 9 policy decisions made by Planning staff that have not been adequately vetted, including: not requiring off-street parking for any ADUs; allowing 1,200 sq ft ADUs to be built 4 feet from the property line (state law only requires this exemption for ADUs of 800 sq ft / 1 bedroom or 1,000 sq ft / 2 bedrooms).
3. The draft combines state-exempt and regular (larger) ADU requirements without distinction, effectively allowing all ADUs to be placed 4 feet from side and rear property lines with no additional objective requirements for larger units.
4. State law allows municipalities to designate areas where ADUs may not be permitted (except state-exempt ones) based on adequacy of water and sewer services and traffic/public safety impacts. The draft does not address this.
5. No working group or community brainstorming process was convened to explore enhancements that could encourage ADU construction particularly rentals.
6. The HCD ADU Ordinance Template includes best practices not incorporated in this draft, including State Law Citations (Government Code links) annotating every section to facilitate understanding and HCD review.

C. About the Redlined Draft

The attached redlined draft (version 3) shows specific recommended changes with annotations referencing applicable state law. It is intended to assist Town Council in providing direction and staff in preparing a revised ordinance for consideration in August or September 2026.

CHAPTER 18.25 - STANDARDS FOR ACCESSORY DWELLING UNITS (ADU) AND JUNIOR ACCESSORY DWELLING UNITS (JADU)

18.25.010 - Purpose and Intent.

The purpose of this chapter is to implement Government Code Sections 66310 through 66342 by allowing the creation of accessory dwelling units (ADUs) or junior accessory dwelling units (JADUs) through ministerial review. In the event of any conflict or discrepancy between the ADU or JADU standards in this chapter and any other provisions of this title, the standards contained in this chapter shall take precedence. Ambiguities or gaps in this chapter shall be resolved first by reference to Government Code Sections 66310 through 66342. In the event of any conflict between State law and this chapter, Government Code Sections 66310 through 66342 shall govern.

A. Create new housing units while respecting the existing character of the Town
B. Encourage adherence to the Town's base zoning setbacks, objective requirements, and design guidelines (chapters 18.64.050, 18.64.060) while recognizing all legal rights granted by California Government Code sections 66310-66342.
C. Support the development of ministerially approved ADUs and JADUs.
D. Provide housing that responds to residents' changing needs, household sizes, and increasing housing costs, and provide accessible housing for seniors and people with disabilities.
E. Promote provision of affordable housing for people who work in town.

Commented [RF1]: Critical to establish and repeat our values within the new ADU ordinance and emphasize the desire to protect of our base zoning regulations. Different wording could be used to reflect that objective.

18.25.020 - Definitions.

For the purposes of this chapter the definitions as described in California Government Code Section 66313, or as amended, shall apply.

Commented [RF2]: Is there a reason not to include the full definitions in the new ordinance? A large number of new terms and definitions are included in the new law.

18.25.030 - Administration and Permitting Process.

A. **Building Permit Required.** All ADUs or JADUs, including those that are internal to an existing structure and converted from existing floor area, shall be subject to a building permit. (Gov. Code, § 66317, subd. (a)).

B. **Permitting Procedure.**

1. **Ministerial Review.** A permit application for an ADU or JADU shall be processed ministerially, without discretionary review or a public hearing. (Gov. Code, § 66316).
2. **Completeness Determination.** A permit application for an ADU or JADU shall be determined to be complete or incomplete and a written notice of the determination provided not later than 15 business days after receiving the application. If the Town determines that an application is incomplete, the Town will provide the applicant with a list of incomplete items and a description of how the application can be made complete in the written notice. If a permit application is determined to be incomplete or is denied, the applicant may address the items deemed incomplete or appeal that decision. After receipt of the appeal, the Town shall provide a final written determination within 60 business days (Gov. Code, § 66317) .
3. **Review Period.**
   i. **Application for an ADU on a Lot with an Existing Dwelling~~Developed Lot~~.** If there is an existing single-family or multifamily dwelling on a lot, a permit application for an ADU or JADU shall either be denied or approved within 60 calendar days of receipt of a complete application. (Gov. Code, § 66317, (a) (2))

Commented [RF3]: Who is the appeal to? The Planning commission or the Town Council? 66317 (d) (1) and (2) Needs to be clarified.

Commented [RF4]: This is not what state law says.

Commented [RF5]: All discrepancies and lack of preciseness needs to be removed from the ordinance.

ii. ~~Undeveloped~~ Application for both an ADU and a new single family or multifamily residence~~Lot~~. If a permit application to create or ~~serve~~ legalize an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on a lot, the Town may delay approving or denying the permit application for the ADU or JADU until the Town approves or denies the permit application to create the new single-family or multifamily dwelling; however, the application to create or ~~serve~~ legalize the ADU or JADU shall be considered without discretionary review or hearing within 60 days of the new single-family or multifamily dwelling approval or disapproval. (Gov. Code, § 66317, (a) (3))

iii. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. (Gov. Code, § 66317, (a) (3))

2. **Deemed Approved.** If a complete application is not approved or denied within 60 calendar days of receipt of a complete application if neither Section 3(ii) or 3(iii) apply, the application shall be deemed approved.

3. **Denied Applications.** If an application for an ADU or JADU is denied within 60 calendar days of receipt of a complete application, the Town shall return in writing a full set of comments to the applicant with a list of items that are defective or deficient, and a description of how the application can be remedied.

4. **Nonconforming Conditions.** No application for a permit to create an ADU or JADU shall be denied due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that:

   i. Do not present a threat to public health and safety; and

   ii. Are not affected by the construction of the ADU or JADU.(Gov. Code, § 66322 (b))

18.25.040 – General Development and Operational Standards

A. **Fire Sprinklers.** ADUs and JADUs shall not be required to provide fire sprinklers if fire sprinklers are not ~~required~~ existing ~~for~~ in the primary residence. The construction of an ADU or JADU shall not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling or existing multi-family dwelling.(Gov. Code, § 66314, (d) (12)). While ADU law allows an exemption for fire sprinklers for 66323 ADUs, applicants should be aware that the Woodside Fire Protection District requires fire sprinklers in all new buildings because of the dangers of living in the Wildland Urban Interface. (Woodside Fire Prevention District Ord. 14-2025 Fire Prevention Code).

B. **Short-Term Rental Limitation.** ADUs and JADUs shall not be rented for a term of less than 30 days. (Gov. Code, § 66315)

C. **Replacement Parking.** Replacement parking shall not be required when a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or JADU or converted to an ADU or JADU. A demolition permit for a detached garage to be replaced with an ADU or JADU shall be reviewed and issued concurrently with the ADU or JADU permit application. (Gov. Code, § 66314, (d) (11))

D. **Separate Sale.** Except as permitted by Government Code Section 66341, as the same may be amended from time to time, ADUs shall not be sold or conveyed separately from the primary dwelling. (Gov. Code, § 66341)

E. **Utility Connection.**

1. Availability of Utilities. All ADUs shall be connected to public utilities or their equivalent including water, electricity, and sewer services. In the case of well water systems and septic systems the applicant must demonstrate that they are adequately sized for the new demand. (Gov. Code ??? This no longer exists in the latest ADU Laws. 66324 was removed)

Commented [RF6]: This is not what state law says.

Commented [RF7]: Is this "will delay" or not? What are the actual reasons that the Town will choose to delay approving a ADU when accompanied by a SFR or MF ? If it is "may", then the ordinance needs to provide the exact details for when a delay will apply.

Commented [RF8R7]: HCD's template says "SHALL delay". This is a policy decisions and needs to be called out for specific approval by TC (and PC). If the ordinance is changed to say "shall delay", then the 60 day approval does not apply for the ADU. POLICY DECISION BY TC.

Commented [RF9]: This would be clearer if written to indicate in existing residence. Since fire sprinklers are required in all residences in PV according the fire code, for safety, it makes sense to remind people of this.

2. ADUs using a private sewage disposal system shall obtain approval by the local health officer. (Gov. Code § 66314 (d) (9))
3. ADUs constructed pursuant to paragraph (1) of subdivision (a) of Government Code section 66323 shall not be required to install a new or separate utility connection directly between the ADU and the utility, unless the ADU was constructed with a new single-family residence, or upon separate conveyance of the ADU pursuant to Government Code Section 66341. For all other ADUs the service provider may require a new or separate utility connection directly between the ADU and the utility. (Gov. Code § 66311.5 (d))
4. JADUs shall not be required to install ~~a~~ new or separate utility connections. (Gov. Code § 66338 (a))
5. When a new or separate utility connection directly between the ADU and the utility is proposed, the utility connection shall be placed underground consistent with Section 18.36.010.B.

F. **Separate Entrance.** Attached or converted ADUs and JADUs (or: within the single-family dwelling) shall provide at least one exterior entrance that is separate from the main entrance of the primary dwelling. (Gov. Code § 66323 (a) (1) (B))

G. **Separate Address.** ADUs and JADUs shall provide ~~a~~ separate addresses from the primary dwelling, except for JADUs which have an interior entry to the main living area of the single-family residence. (unable to find a link to the code for this)

~~G.~~ H. **Public Health and Safety.** Nothing in this code shall be construed as overriding any provision of state law allowing denial of an ADU for impacts to public health and safety. (Need a code for this)

18.25.050 – Fee Requirements

A. **Connection fees or Capacity Charges.** An ADU shall not be considered a new residencetial use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the ADU was constructed with a new single-family dwelling. (Gov. Code § 66311.5 (b))

B. **Impact Fees.** Impact fees shall not be imposed on an ADU that is less than 750 square feet in interior livable space. For all other ADUs, impact fees shall be charged proportionate to the square footage of the primary dwelling unit. Impact fees shall not be imposed on a JADU. For purposes of this subdivision, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. (Gov. Code § 66311.5 (c))

~~B.~~ C. **Education Fees.** For the purposes of this section and Section 17620 of the Education Code, an accessory dwelling unit or junior accessory dwelling unit that contains less than 500 square feet of interior livable space shall, for the purpose of subparagraph (C) of paragraph (1) of subdivision (a) of Section 17620 of the Education Code, be considered other residential construction that does not increase assessable space by 500 square feet. (Gov. Code § 66311.5 (c))

18.25.060 - Accessory Dwelling unit (ADU) Regulations

A. General Plan and Zoning.

1. **Residential Use.** ADUs approved in compliance with this chapter shall be considered a residential use that is consistent with the existing general plan and zoning designation for the lot. (Gov. Code § 66314 (c))
2. **Permitted Locations.** ADUs are permitted on lots with an existing or proposed single-family or multifamily dwelling in areas zoned to allow single-family or multifamily residential use and that have adequate water and sewer services and no significant increased impact on traffic flow and public safety. (Gov. Code § 66314 (a))

Commented [RF10]: Why not put SMC Environmental Health Officer?

Commented [RF11]: This is not the language of STATE LAW

It a POLICY decision to allow all dwellings constructed pursuant to all the subdivisions of 66323 to not be required to install a new or separate utility connection to the utility. This change needs to be confirmed with the water and sewer agencies, which I am sure, unfortunately, will not agree. While I support the policy decision to allow detached ADUs to have flexibility, particularly when it makes more sense to hook up through the main house sewer line as is the case for grinder pump installations, this policy decision does need to be detailed for the Council. Legal needs to weigh in on the ability of the Town to enlarge the exemption and whether or not the utilities have a say. Graywater should be allowed as well despite WBSD's prohibition. If graywater from bathroom sinks, showers, and tubs as well as most laundry was allowed, the remaining blackwater from toilets and kitchen sinks would be minimal , allowing for more ADU construction.

Commented [RF12]: This requirement needs flexibility. It makes no sense to require another grinder pump for an adu addition.

Commented [RF13]: "may require" - this needs more specificity. Legally who can require a separate utility connection? As mentioned already, it doesn't always make sense unless the ADU is for separate conveyance which is pretty unlikely in PV. IF the ADU is closer to the main house than the street, it doesn't necessarily make sense to build a new or separate utility connection directly with the utility, particularly for sewer lines with grinder pumps.

Commented [RF14]: Is this a fire dept request or requirement? This is a POLICY decision if it is not required by another agency.

Commented [RF15]: These terms need definition.

3. **Density.** ADUs shall not count toward the maximum density permitted on the lot. (Gov. Code § 66314 (b) (1))

~~3.~~4. ADUs are required to adhere to Portola Valley's base zoning restrictions except for ADUs permitted per Government Code Section 66323 and ADUs converted from existing accessory structures per Government Code Section 66314 (d) (7)

B. **ADU Typology.** ADUs shall be either (i) attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses or within an existing accessory structure or; (ii) detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling, including attached to or located within detached garages. (Gov. Code §66314 (d) (3))

C. ~~**Objective Standards.**~~ **Number of ADUs or JADUs Permitted per Legal Parcel or Lot – State Exemption ADUs** (Gov. Code § 66323)

1. One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:
   i. The accessory dwelling unit or junior accessory dwelling unit is within the existing or proposed space of a single-family dwelling or within an existing accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
   ii. The space has exterior access from the proposed or existing single-family dwelling.
   iii. The side and rear setbacks are sufficient for fire and safety.
   iv. The junior accessory dwelling unit complies with the requirements of Article 3 (commencing with Section 66333).
2. One detached, new construction, accessory dwelling unit that has no less than four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The following conditions apply to the accessory dwelling unit:
   i. A total floor area limitation of not more than 800 square feet of livable space.
   ii. A height limitation as provided in subparagraph (A), (B), or (C) of paragraph (4) of subdivision (b) of Section 66321, as applicable.
   iii. A JADU may also be combined with a detached ADU (Gov. Code § 66323, subd (a) (1) (A))

~~1. ii.~~ An ADU in a single-family residential zone that does not meet the criteria of subsection 1 or 2 ~~(i)~~ above may be ministerially approved if it meets the objective standards contained in Chapter 66314 ~~contained in this chapter.~~

3. ~~1. Single Family ADUs.~~

~~i. The following accessory units shall be ministerially approved on a lot with a single-family dwelling:~~

~~a. One (1) ADU within the proposed space of a single-family dwelling or existing space of a single-family dwelling or existing accessory structure that may include an expansion of not more than 150 square feet for ingress/egress; and~~

Commented [RF16]: 66314 (d) (7) is one of the most poorly written sections in the law. It is exclusively about conversion of existing accessory buildings. If I had written the section I would have written this : "Conversion of Existing Accessory Structures. No setback shall be required for the conversion of an existing living area or accessory structure. No setback shall be required for a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit. Existing accessory structures that are converted to only a portion of an accessory dwelling unit shall maintain a setback of at least four feet from the side and rear lot lines for any portion or footprint not previously existing." Furthermore 66323 conversion units are only allowed to expand by 150 sf for ingress/egress. That additional square footage cannot be placed closer than 4' from side and rear property lines."

Commented [RF17]: 66314 d3 is another extremely poorly written section of the code. Adding a few words helps clarify the meaning.

Commented [RF18]: Clearer to include the entire language of 66323 with both ADUs and JADUs.

Commented [RF19]: No. Any ADU that does not meet the criteria of a 66323 unit, must conform with the defined objective standards of 66314

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Commented [RF20]: It's clearer to just combine the ADUs and JADUs in the same section instead of forcing people to read the entire ordinance to find out what they are allowed to do.

~~b. One (1) detached, new construction, ADU of not more than 800 square feet of interior livable space that does not exceed four foot side and rear yard setbacks and that meets the height requirements of this chapter.~~

4. ~~2.~~ **Multifamily ADUs.**

i. The following units shall be ministerially permitted on a lot with a multifamily dwelling:

a. **Conversion ADUs.** A minimum of one (1) ADU and a maximum of 25 ~~-~~percent of the total number of existing multifamily dwelling units shall be permitted to be converted from existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with the State building standards for dwellings. (Gov. Code § 66323, subd (a) (3))

b. **Detached ADUs.**

(1) **Existing Multifamily Dwelling.** On a lot with an existing multifamily dwelling, not more than eight (8) detached ADUs shall be permitted. The number of ADUs shall not exceed the number of existing multifamily units on the lot. An ADU subject to this provision shall meet the height requirements of ~~this~~ chapter 66321. ((Gov. Code § 66323, subd (a) (3))

(2) **Proposed Multifamily Dwelling.** On a lot with a proposed multifamily dwelling, not more than two (2) detached ADUs shall be permitted. An ADU subject to this provision shall meet the height requirements of ~~this~~ chapter 66321. (Gov. Code § 66323, subd (a) (4))

D. Objective Standards

~~2.~~1. **Size.** The maximum allowable square footage for ADUs shall not exceed the area limitations specified below. For the purposes of this section, the calculation of ADU square footage shall not comprise garages, carports, covered porches/patios, breezeways, and/or other accessory structures.

i. **Existing Floor Area.** ADUs converted from existing floor area shall be limited to not more than 50% of the existing building as long as at least an 800-sf unit is possible ~~not be subject to any size limitations.~~ (Gov. Code § 66321 (b) (3) and Gov. Code § 66314 (d) (4))

ii. **New Floor Area.**

a. **Attached and Detached ADUs.** ADUs created from new floor area shall not exceed ~~1,200~~850 square feet of interior livable space for up to one bedroom and 1000 square feet for more than one bedroom. (Gov. Code § 66321 (b) (2))

~~a~~b. **Potential addition: ((Attached and Detached ADUs.** ADUs created from new floor area that exceed the maximums in (a) above, must comply with all base zoning requirements and Town Objective Requirements and are limited to 1200 sf (Gov. Code § 66314.)))

~~3.~~2. **Adjusted Maximum Floor Area (AMFA).**

i. ADUs count towards and shall not exceed the AMFA for the subject single-family residential parcel. However, this shall not inhibit the ministerial approval of an ADU of at least 800 square feet of interior livable space and with no less than four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards. A parcel may exceed the AMFA by the minimum amount necessary to allow such an ADU.

Formatted: List Paragraph, Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, … + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.55"

Commented [RF21]: I split this off from the number of ADUs/JADUs allowed. That section was too big and complex.

Commented [RF22]: The code limits the size to 800 sf or 50%. Existing floor area can only be expanded by 150 sf beyond the existing walls. 66321 b3 California Code, GOV 66321. and 66314 d 4 California Code, GOV 66314.

Commented [RF23]: 66314. d. 5. The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet. Comment: THE ADU law does not require an agency to allow up to 1200 sf, only 850 or 1000 sf for more than one bedroom.

Commented [RF24R23]: While the town can allow 1200 sf ADUs, the law allows us to define objective requirements for them including setbacks as they exceed 66323 units. We are not required to allow 1200 sf adus 4' from the property line.

Commented [RF25]: This is an enhancement to state law requirements (allowing larger ADUs than 66323 sizes). The Town currently does not have objective design requirements for our design guidelines. It may be preferable to leave this addition out until we do and not allow larger ADUs until we have objective requirements.

Commented [RF26R25]: This section could eventually also accommodate additional enhancements of larger ADUs for 3.5 acre properties. Note that this draft ADU ordinance eliminates the current ability for 3.5 acre lots to have 1500 sf adus.

Commented [RF27]: This section is NOT in compliance with state law for Multifamily lots.

AMFA is only relevant to residential zones. It is not applicable to Multifamily and Mixed use zones (which use CAR and FAR to limit development. See 18.15.050). This needs to be clarified in the ordinance that AMFA only applies to single family residential parcels, not multifamily.

Commented [RF28]: ENHANCEMENT IDEA: The state is moving to define square footage as "livable" only. PV should move that direction as well for AMFA and provide direction on garage and accessory building sf issue. (recommend allowing 400 sf garage not counted in AMFA)

Commented [RF29R28]: Potential enhancement idea: Allow for an additional sf if the ADU is deeded for rental for a certain number of years and/or included in the Town's future Rental tracking list.

~~4.~~3. **Height.**

i. **Existing Floor Area.** ADUs converted from existing floor area shall not be subject to height limitations.

ii. **New Floor Area.**

a. **Attached ADUs.** Attached ADUs created from new floor area shall not exceed a height of 25 feet or the maximum height permitted in the underlying zoning district, whichever is lower. In all cases, ADUs shall not exceed two stories. (Gov. Code § 66321 (b) (4) (D))

b. **Detached ADUs.** Detached ADUs created from new floor area, on a lot with an existing or proposed single family or multifamily dwelling unit, shall not exceed a height of 16 feet, or a height of 18 feet if either of the following conditions are met:

~~5.~~(1) **Transit Proximity.** The lot on which the ADU will be created is within one-half mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Public Resources Code Section 21155. Portola Valley does not have any locations that are close to major transit stops. (Gov. Code § 66321 (b) (4) (B))

~~(1)~~(2) **Multifamily, Multistory Structure.** The lot on which the ADU will be created consists of an existing or proposed multifamily, multistory dwelling. (Gov. Code § 66321 (b) (4) (C))

~~(2)~~(3) An additional height of two feet, for a maximum height of either 18 or 20 feet, shall be allowed to accommodate a roof pitch on an ADU that is aligned with the roof pitch of the primary dwelling unit. (Gov. Code § 66321 (b) (4) (B))

~~6.~~4. **Setbacks.**

i. **Existing Floor Area.** ADUs located within an existing living area or an existing accessory structure, or ADUs that replace an existing structure and are in the same location and to the same dimensions as the structure being replaced, shall not be subject to setbacks.

ii. **New Floor Area.** Detached and attached ADUs created from new floor area are subject to the following setbacks (Gov. Code § 66314 (b) (1)):

a. **Front Yard.** Same as the underlying district. (No front setback is required for ADUs permitted per Government Code Section ~~66321(b)(3) or~~ 66323.)

b. **Side Yard.** Same as the underlying district. (Minimum 4' setback is required for ADUs permitted per Government Code Section 66323.) ~~A minimum of four (4) feet~~.

c. **Rear Yard.** Same as the underlying district. (Minimum 4' is required for ADUs permitted per Government Code Section 66323.) ~~A minimum of four (4) feet.~~

~~7.~~5. **Parking.**

i. ~~i. No parking is required for ADUs.~~

ii. Accessory dwelling units shall provide at least one off-street parking space per accessory dwelling unit (except for State exemption ADUs permitted by Government Code Section 66323 and those that comply with Government Code 66322). (Gov. Code § 66314 (d) (10) (A))

iii. Off-street parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking on a driveway, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions. (Gov. Code § 66314 (d) (10) (B))

Commented [RF30]: ENHANCEMENT REQUEST: Why not whichever is higher to match the existing house?

Commented [RF31]: I do not think that PV has any location that qualifies for a major transit stop. That point should be clarified in the ordinance to reduce questions into the P&B department or just eliminate the section.

Formatted

Commented [RF32]: This subsection had no number associated and applies to detached adus only so I gave it a number (3)

Commented [RF33]: This text is taken directly from state law.

Commented [RF34R33]: There is no reason to give away the bank if it's not required by state law.

Commented [RF35]: This is a POLICY decision that needs to be detailed out to the TC and requires their approval. If we want to encourage rental ADUs, we need to require off street parking as allowed by state law. We cannot have people parking in our streets for emergency truck access, safety and evacuation reasons

~~i.~~iv. This subparagraph shall not apply to an accessory dwelling unit that is described in Section 66322. (Gov. Code § 66314 (d) (11))

~~ii.~~v. ~~ii.~~ If parking is provided, parking space ~~design~~ shall be at least ten feet by twenty feet (?) and screened from the street ~~conform with Section 18.60.020, Parking Dimensions and Access.~~

~~8.~~6. **Site improvements.** Site improvements, including grading, driveways, patios, decks, etc., outside the minimum necessary to facilitate the construction an of an ADU pursuant to Government Code Section ~~66321(b)(3) or~~ 66323 shall be subject to the requirements and permitting processes of the underlining zoning district for such improvements.

~~9.~~7. **Objective Design Standards.** ADUs (except those created pursuant to Government Code Section 66323) shall comply with the following Objective Design Standards. ADUs created pursuant to Government Code Section 66323 are encouraged, but not required, to comply with the Objective Design Standards of this section.

i. Requirement to comply with underlying base zone requirements.

ii. Prohibition of building within areas that are prohibited for single family or multifamily housing including within creek, earthquake fault, other geological hazard, or flood zone setbacks; trail, utility, or other easements; or on existing trails; or within scenic corridor setbacks. (18.48.010)

iii. Prohibition of building within areas of steep slopes, unstable geology, or areas subject to flooding that are prohibited for single family or multifamily housing.

~~i.~~iv. **Light reflectivity Values (LRV)** – The LRV of proposed colors shall not exceed 40 percent, except that trim color and roofs shall not exceed 50 percent.

~~ii.~~v. ~~ii.~~ **Exterior Lighting** – All exterior lighting shall comply with all requirements listed in Section 18.36.040.A.8 Outdoor lighting

~~iii.~~ ~~iii.~~ **Landscaping** – Proposed landscaping plantings shall comply with the ~~be selected from the~~ town's approved native plant ~~-~~list policy.

vi. **Objective Design requirements:** The Town may in the future review, adopt, amend, or repeal objective design requirements to implement additional uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this chapter.

E. **Building Code Requirements.** ADUs must comply with the Town's building code requirements for detached dwellings. However, constructing an ADU does not constitute a Group R occupancy change under Section 310 of the California Building Code (Title 24), unless the Building Official issues a written finding, supported by substantial evidence, that the construction poses a specific, adverse impact on public health and safety. This provision shall not prevent the Town from changing the occupancy code for spaces~~d~~ converted from uninhabitable or non-residential use to residential use. (Gov. Code § 66314 (d) (8))

~~C.~~

F. **Passageway.** No passageway shall be required in conjunction with the construction of an ADU. (Gov. Code § 66314 (d) (6))

18.25.070 - Junior Accessory Dwelling unit (JADU) (Gov. Code § 66333)

A. **Permitted Locations.** JADUs shall be permitted in single-family residential zones.

B. **Number of JADUs.** The following accessory units shall be ministerially approved on a lot with a single-family dwelling. This is in ~~addition to the ADUs allowed per~~ line with the details provided in Section 18.25.060.

Commented [RF36]: 18.60.020 requires a covered parking space in a garage or carport. That will likely not be in compliance with 66311, presenting excessive barriers to construction. POLICY decision

Commented [RF37]: This needs to be detailed out. What are the PVMC reference(s)? Which site improvement regulations?

Commented [RF38]: 66321 (b) (3) is essentially a reference to state exemption ADUs covered in 66323. There is no reason to add it to the ordinance.

Commented [RF39]: A new ordinance actually needs to be created to define the current responsibilities of the Conservation Committee. It would appear that the current Town Council approved "native plant list" is the list found in the Design Guidelines booklet. The updated list was approved by the ASCC in April 2011 but I haven't found the date that the approved updated list was incorporated and approved in the updated Design guidelines subsequently. (18.30.030).

The actual ASCC and Conservation Committee municipal codes in the subdivision section seems to only refer to trees, not bushes or other plants. The Westridge HOA has defined for itself wider jurisdiction to include trees and all plants.

Commented [RF40R39]: 638791068621870000 This is PV's latest list of recommended and discouraged plants by the CC. I haven't found any municipal requirements for using these plants encoded in our MC. The CC should be tasked with creating a Planting policy that allows some non native plants closer to the house and require more natives further in the property.

Commented [RF41]: Because I recommend including JADUs in section 18.25.00, this sentence may be confusing. People may not pick up on the fact that it says ADUs, particularly since the term ADUs sometimes also includes JADUs.

1. One (1) JADU within the proposed space of a single-family dwelling or existing space of a single-family dwelling or within the existing space of an accessory structure ~~that~~ and may include an expansion of not more than 150 square feet for ingress/egress. (Gov. Code § 66323 (a) (1) (A)

C. **Size.** JADUs shall be limited to a maximum size of 500 square feet of interior livable space.

D. **Owner Occupancy.** Owner occupancy is required if the JADU has shared sanitation facilities with the primary dwelling. The owner may reside in either the JADU or the primary dwelling unit. Owner-occupancy is not required if the JADU has separate sanitation facilities from the primary dwelling unit or if the owner is another governmental agency, land trust, or housing organization. (Gov. Code § 66333 (b))

E. **Deed Restriction.** A deed restriction, which shall run with the land, shall be filed with the Town. The deed restriction shall include: (Gov. Code § 66333 (c))

1. A prohibition on the sale of the JADU separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers; and
2. A restriction on the size and attributes of the JADU that conforms with Government Code Sections 66333 – 66339.

F. **Interior Entry.** In addition to a separate exterior entrance, JADUs that do not include a bathroom shall include an interior entry to the main living area of the single-family residence. (Gov. Code § 66333 (e))

G. **Efficiency Kitchen.** JADUs shall provide an efficiency kitchen that includes all of the following:

1. A cooking facility with appliances.
2. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU. (Gov. Code § 66333 (f))

H. **Parking.** No parking spaces shall be required as a condition of permitting a JADU. (Gov. Code § 66334 (a))

I. **New or Separate Unit.** JADUs shall not be considered a separate or new dwelling unit for the purposes of any fire and life protection ordinance or regulation.

J. **Short-Term Rental Limitation.** JADUs shall not be rented for a term of less than 30 days. (Gov. Code § 66333 (g))

Commented [RF42]: 66323 a 1 a : The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

Code says clearly "junior accessory dwelling unit is within … the existing space of an accessory structure."

Commented [RF43]: This is included already at the beginning of the ordinance but for the sake of completeness for the JADU section, I'm including it here as well. Could be eliminated.

CHAPTER 18.36 - USES PERMITTED IN ALL DISTRICTS

All other sections remain the same.

Commented [RF44]: See a few correction and enhancements

18.36.040 - Accessory uses.

A. An accessory use is a related minor use which is either (a) necessary to the operation or enjoyment of a lawful principal use or conditional use, or (b) appropriate, incidental and subordinate to any such use. No use in any district shall be permitted as an accessory use which is not qualified as hereinabove set forth, or which constitutes in effect a conversion of a principal use to one not permitted in that district. This section shall apply to new construction and replacement fixtures. In addition to other uses meeting the qualifications set forth in this section, and subject to the limitations set forth in this title, the following accessory uses are permitted in all districts when located on the same parcel as the principal use:

Commented [RF45]: Do we need such outdated language or is there a legal reason not to just say: "as set forth above"

1. The installation and operation of necessary facilities and equipment in connection with such schools and other institutions as are permitted in the respective district;

2. Recreation, refreshment and service buildings in public parks;

3. Required off-street parking spaces and required off-street loading spaces as regulated by this title;

4. Fences and walls subject to the height and area regulations of this title;

5. Hedges, trees, shrubs and other ornamental planting;

6. Horticulture;

7. Electric and communication service lines provided that all such lines are placed underground except where exempted in accordance with the procedure set forth in subsection B of Section 18.36.010;

8. Outdoor Illumination.

i. Purpose. The purpose of this subsection is to provide clear regulations regarding allowable outdoor lighting. The town's general plan states: "Night lighting visible from the exterior of buildings should be strictly limited to that necessary for security, safety and identification. All night lighting, including signs, should be low intensity and shielded from view from residential areas." This chapter aims to provide regulations for outdoor lighting that will:

a. Permit the use of outdoor lighting that does not exceed the minimum necessary for night-time safety, utility, security, and enjoyment.

b. Minimize adverse offsite impacts of lighting such as light trespass and obtrusive light.

c. Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy and star gazing in keeping with the dark sky movement.

d. Help protect the natural environment from the adverse effects of night lighting.

e. Conserve energy and resources to the greatest extent possible.

ii. Definitions.

a. Brightness shall be measured in lumens.

b. Dark sky compliant fixture or equivalent shall mean a light fixture from which all light emitted directly or indirectly, is projected below a horizontal plane.

c. Flood lighting shall mean any fixture which lights a large area, as opposed to an individual feature such as a step, path or doorway.

d. Manual switch shall mean any light requiring a physical action to control, whether by hardwires at the property, phone or computer application, or other technology.

e. Motion-sensor shall mean any light control which is trigged by motion.

f. Photo-cell shall mean a light-sensitive control that switches lights on or off depending on the level of outdoor light.

g. Timer shall mean any device which controls the hours or amount of time that a light fixture is illuminated.

iii. Applicability. All outdoor lighting installed after the date of effect of this ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location. These regulations are meant to apply only to the visible light spectrum.

a. Exceptions.

1. Lighting for signs shall be regulated by Chapter 18.40, Signs.

Commented [RF46]: Outdoor Illumination has nothing to do with Accessory uses and should be pulled out into its own section and cleaned up to ensure it contains all the design guidelines for lighting. It also needs to be checked for objectivity.

2. Holiday lighting, including in trees, for up to sixty total days per calendar year.

iv. Lighting Placement.

a. Exterior front doors shall have ~~one~~ no more than two fixtures each, limited to a total lumen count of one thousand one hundred and twenty-five lumens. All other exterior doors shall be limited to one fixture.

b. Garage doors may have one or two fixtures, which shall be limited to a total lumen count of one thousand one hundred twenty-five lumens.

c. Low path, step and wall lights for safety and navigation purposes for pedestrian and other non-vehicular uses.

d. Lighting for exterior patios and dining areas shall be recessed and shielded from off-site visibility.

v. Fixture Type. All outdoor lighting fixtures shall be dark sky compliant or equivalent. ~~S~~pecifically, they shall include the following elements:

a. Shield directing light downward;

b. Bulb not protruding below horizontal plane at bottom of shield;

c. Light spill limited to the object to be illuminated;

d. Fixtures shall not have ability to swivel or adjust direction, except path lighting, which shall not swivel above a forty-five-degree ~~angel~~angle from a vertical line down.

vi. Lighting Control. Lighting controls and technologies shall be implemented to the effect that outdoor lights are on only when needed and never during daylight. Controls shall function with dark sky compliant fixtures. Current technologies include manual switches, photo-cells, timers, and motion sensors. Any combination of these technologies may be used, with the following limitations:

a. Motion-sensor lights shall be triggered only by motion within a property and shall not be activated by motion in adjacent property or rights-of-way.

b. Photo-cells shall be used only to ensure lighting is off during the day, as opposed to on a night.

c. Timers shall be included on all motion-sensor lights to ensure that illumination is limited. Timers shall be used only to turn lights off, not on.

d. Lights shall self-extinguish within two minutes of being illuminated.

vii. Prohibited Lighting. The following lighting types and systems are prohibited from being installed or used:

a. Up-lighting;

b. Lighting for night use of uncovered game courts, including tennis, paddle tennis, basketball, riding rings, and similar outdoor recreation facilities and areas;

c. Aerial lasers and other focused beams;

d. Flood lights or lighting;

e. Searchlights;

f. Lighting with no on/off switch or ability to be controlled;

g. Any permanent or temporary lighting in which any single light source exceeds one thousand one hundred twenty-five lumens.

h. Festoon, cafe, or any other string of exposed blubs.

Commented [RF47]: This is a POLICY decision that requires a study session with the community, ASCC, PC, and TC. The reality is that many projects before the ASCC routinely request 2 lights at the front door and they all are routinely approved. The total lumens should be the key criteria. I input the same lumens into the text as for the garage doors but others knowledgeable on lumens should weigh in.

Commented [RF48]: Not sure this is reasonable from a tech standpoint.

viii. Lighting Requiring ASCC Approval. The following light fixtures, placements, or types are generally discouraged and require ASCC approval in order to be installed:

a. Lighting for landscaping, trees or structures, including entryway features, pillars and posts;

b. Commercial parking lighting.

c. A small lighted sign to indicate the house number that complies with Fire code does not require ASCC approval.

9. Septic tanks and drain fields;

10. Antennas designed to receive television or microwave signals transmitted from satellite or terrestrial stations. Antennas with diameters exceeding four feet are subject to review by the architectural and site control commission as provided for by paragraph 6 of subsection A of Section 18.64.010.

11. Tennis courts and paddle tennis courts, provided the sum of the maximum depth of cut and maximum height of fill for such facilities shall not exceed the following:

Parcel Area	Combined Cut and Fill Feet
1.0 ac. or less	8
1.2 ac.	9
1.4 ac.	10
1.6 ac.	11
1.8 ac. or more	12

12. Emergency shelters for up to ten individuals only, when located on a parcel with a conditional use for a religious institution, subject to a zoning permit. Emergency shelters shall comply with the following standards:

i. Temporary shelter shall be available to residents for no more than sixty days. Extensions up to a total stay of one hundred eighty days may be permissible if no alternative housing is available.

ii. On-site management shall be provided during the hours of shelter operation.

iii. Emergency shelters may include common space for the exclusive use of the guests, and office and meeting space for the exclusive use of emergency shelter staff.

iv. Each shelter shall have a designated outdoor smoking area that is not visible from the street or from adjacent properties. The outdoor smoking area may be screened by vegetation as long as it does not present a fire danger.

v. On-site parking may be provided as shared parking with the church use. If separate on-site parking is needed, the maximum amount required shall be 0.35 parking spaces per one bed plus one space per staff member on duty when guests are present.

Commented [RF49]: Some reference should be made to SMC environmental health being the agency in charge. Of course, I would like to see graywater in here in the future. It's odd to have no regulations written in here.

Commented [RF50]: Does this need capitals and the word "Permit" added?

Commented [RF51]: Needs appropriate legal language and reference to PV/ WFPD fire code and zone 0-5