

Attachment 5

RESOLUTION NO. 2922-2023**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY
ADOPTING THE INITIAL STUDY-- MITIGATED NEGATIVE DECLARATION AND
THE MITIGATION, MONITORING AND REPORTING PLAN FOR THE HOUSING AND
SAFETY ELEMENTS UPDATE AND CONFORMING GENERAL PLAN AND ZONING
CODE AMENDMENTS**

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Initial Study-Mitigated Negative Declaration (IS-MND), which is included as Attachment 1 to the March 22, 2023 Town Council Staff Report and incorporated by this reference, was prepared for the Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments, collectively the "Project"; and

WHEREAS, pursuant to CEQA, a Notice of Intent ("NOI") to Adopt the IS-MND was prepared and provided to interested agencies, and to all members of the public who had previously requested notification; and posted at Portola Valley Town Hall notifying all interested parties of the availability and 30-day public review period commencing on October 31, 2022 and ending on November 29, 2022; and

WHEREAS, copies of the IS-MND were made available online, to members of the public who had previously requested notification, and by appointment at Portola Valley Town Hall in the Planning and Building Department; and

WHEREAS, opportunities for verbal comments on the IS-MND were provided during a November 16, 2022 Planning Commission hearing; and

WHEREAS, the IS-MND identified potentially significant impacts to the environment, including specific impacts to Air Quality, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, and Tribal Cultural Resources, which can and will be avoided or mitigated to less than significant levels through adoption and implementation of the included mitigation measures; and

WHEREAS, on February 15, 2023, the Planning Commission conducted a public hearing to review the Response to Comments memorandum addressing the verbal comments made by Members of the Portola Valley Planning Commission and public on November 16, 2022, the adequacy of the IS/MND and the recommended text changes to the IS-MND. The updated version of the Response to Comments memorandum is included as Attachment 1 in the March 22, 2023 Town Council Staff Report and incorporated by reference; and

WHEREAS, on February 15, 2023, the Planning Commission also heard a presentation from Fire Marshal Bullard and had extensive discussion on a Colleagues Memorandum from Commissioners Targ and Brothers regarding the Draft Initial Study/Mitigated Negative Declaration-- Proposed Project Design Features to Maintain and Enhance Environmental Quality, Safety and Community Quality of Life which was

included as Attachment 6 to the February 15, 2023 Staff Report (“Targ/Brothers Colleagues Memo”); and

WHEREAS, the Town is in the process of updating its Safety Element and during that process commits to address the actions requested by Fire Marshal Bullard at the Planning Commission’s February 15, 2023 meeting and email from the Woodside Fire Protection District’s attorney Ann Danforth to the Town Attorney dated March 29, 2023. For reference a copy of that email is attached as Exhibit A to this resolution. The Council intends to adopt the safety element on or before October 1, 2023. The Council anticipates the new Safety Element will contain fire prevention programs and policies at least as protective as the 2010 Safety Element, and will contain a timeline for implementing said programs and policies expeditiously. The Town will also adopt the Moritz Map and/or any successor map as a basis for evaluating the fire risk associated with specific sites in the Town; and

WHEREAS, the Planning Commission at a regular meeting on February 15, 2023 recommended approval of the IS-MND and updated Response to Comments and Text Changes and the Mitigation Monitoring and Reporting Plan (MMRP); and

WHEREAS, the Planning Commission’s February 15, 2023 resolution also recommended that the Town Council adopt the project design features listed as Exhibit A in the Targ/Brothers Colleagues Memo, excluding the financial terms, through the mechanism of Council’s choosing; and

WHEREAS, the Planning Commission’s February 15, 2023 resolution also recommended that the Town Council recommended that the Town Council further consider adopting the key approaches for Fire Safety presented by Fire Marshal Bullard in his February 15, 2023 presentation to the Planning Commission and included in the Planning Commission’s February 15, 2023 resolution as Exhibit B; and

WHEREAS, on March 15, 2023, the Town Council conducted a Study Session to review the IS-MND, the MMRP, the Response to Comments and Text Changes, the Housing Element, the Conforming General Plan Amendments and the recommendations in the Targ/Brothers Colleague’s Memo as attached to the March 15, 2022 Town Council Staff Report and incorporated here by reference; and

WHEREAS, on March 22, 2023, the Town Council conducted a public hearing to review the IS-MND, the MMRP, the Response to Comments and Text Changes the Housing Element, the Conforming General Plan Amendments and the recommendations in the Targ/Brothers Colleague’s Memo;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby adopts the IS-MND, the Updated Response to Comments and Text Changes, and the MMRP (as updated at the March 22 and 29, 2023 public hearing), prepared for the Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments Project, attached as Attachments 2, 3 and 4, respectively, to the March 22,

2023 Staff Report. The updated MMRP is also included as Exhibit B to this resolution for clarity. This action is based on the following findings:

1. The IS-MND, Updated Response to Comments and Text Changes and the MMRP have been completed in accordance with the requirements of the CEQA statutes, and the CEQA Guidelines.
2. The IS-MND was prepared, published, circulated, and reviewed in accordance with the requirements of CEQA and the Town's CEQA Guidelines, and constitutes an adequate, accurate, objective, and complete analysis addressing all issues relevant to the approval of the proposed Project.
3. The Town Council has reviewed and considered the information contained within the IS-MND together with any comments received during the public review process and it reflects the independent judgment and analysis of the Town.
4. The IS-MND identifies all potentially significant adverse environmental impacts and feasible mitigation measures or standard conditions of approval that would reduce these impacts to a less-than-significant level. All of the mitigation measures identified in the IS-MND will be implemented, if applicable, once the Project is adopted. The Town Council finds that on the basis of the whole record before it, there is no substantial evidence that the Project, as mitigated in the IS-MND, will have a significant impact on the environment.
5. During the preparation of the Initial Study Checklist, it was determined that the Project would have no impact or have less-than-significant impact on the following environment factors: Aesthetics, Agriculture and Forestry Resources, Biological Resources, Energy, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Parks and Recreation, Population/Housing, Public Services, Transportation, Utilities/Service Systems, Wildfire, and Mandatory Findings of Significance. It was determined that the Project would have a potentially significant impact on one or more of the following environmental factors: Air Quality, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, and Tribal Cultural Resources. Consistent with CEQA Statutes and CEQA Guidelines, the IS-MND contains a full and complete explanation as to how the potentially significant impact on these environmental factors are reduced to less-than-significant impact level by the incorporation of the required mitigation measures.
6. The administrative record is located in the Office of the Town Clerk who is designated as the location and custodian of the documents and other material constituting the record of proceedings upon which this decision is based.
7. The above recitals are true and correct and material to this Resolution.

8. In making these findings, the Town Council relied upon and hereby incorporates by reference all correspondence, staff reports, and other written and oral testimony presented to it.

BE IT FURTHER RESOLVED that the Town Council hereby resolves that Topics 1, 2 and 5-8 of the March 22, 2023 Town Council Colleague's Memo will be incorporated into a Post Housing Element Plan.

Passed and Adopted this 29th day of March 2023.

By: Jeff D Aalfs
Jeff Aalfs, Mayor

ATTEST:

Corie Stocker
Corie Stocker, Acting Town Clerk