

TOWN OF PORTOLA VALLEY

Meeting of the Town Council

Wednesday, May 10, 2023

7:00 P.M.

Jeff Aalfs, Mayor
Sarah Wernikoff, Vice Mayor
Judith Hasko, Councilmember
Mary Hufty, Councilmember
Craig Taylor, Councilmember

MEETING AGENDA

HISTORIC SCHOOLHOUSE - 765 Portola Road, Portola Valley, CA 94028

Remote Public Comments: Meeting participants are encouraged to submit public comments in writing in advance of the meeting. Please submit your comments using this [online form](#) by 1:00 PM on the day of the meeting. Time permitting, your correspondence will be uploaded to the website. All received questions will be forwarded to Council, Commission, or Committee members for consideration during the meeting and included in the public record. Additionally, technology permitting, the public body will take questions using the Raise Hand button for those who attend the meeting online or by phone. Phone callers may provide comments by pressing *9 on their phone to "raise your hand" and *6 to mute/unmute themselves. The meeting Chair will call on people to speak by the phone number calling in. Remote participation is provided as a supplemental way to provide public comment, but this method does not always work. The public is encouraged to attend in person to ensure full participation.

Assistance for People with Disabilities: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (650) 851-1700 or by email at towncenter@portolavalley.net. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

VIRTUAL PARTICIPATION VIA ZOOM

To access the meeting by computer:

<https://us06web.zoom.us/j/85805887585?pwd=Y3FCUXV5bTZCQWZycU1QWmNXS05Xdz09>

Webinar ID: 858 0588 7585

Passcode: 520123

To access the meeting by phone:

1-669-900-6833 or 1-888-788-0099 (toll-free)

Mute/Unmute – Press *6 / Raise Hand – Press *9

1. CALL TO ORDER

2. FOUNDERS AWARD PRESENTATIONS - Sue Crane and Gary Nielsen

3. ORAL COMMUNICATIONS

Persons wishing to address the Town Council on any subject may do so now. Please note, however, that the Council is not able to undertake extended discussion or action tonight on items, not on the agenda. *Each speaker's time is limited to three minutes*

4. CONSENT AGENDA

a. Approval of Minutes

- i. Action Minutes for April 26, 2023
- ii. Action Minutes for April 28, 2023—Special Meeting
- iii. Action Minutes for May 01, 2023—Special Meeting
- iv. Action Minutes for May 01, 2023—Special Meeting—Interviews
- v. Action Minutes for May 02, 2023—Special Meeting

b. Approval of Warrant List - May 10, 2023

5. PUBLIC HEARING – HOUSING ELEMENT

a. Proposed Housing Element and Conforming General Plan Amendments

Approve Resolution ____ adopting the Portola Valley Housing Element and Conforming General Plan Amendments.

6. REGULAR AGENDA

a. Town Participation in Multi-Jurisdictional Shared Housing Team

Provide direction on proposed Town participation in the multi-jurisdictional Shared Housing Team to assist the Town with the implementation of Housing Element programs; and authorize the Interim Town Manager to execute the Letter of Intent (Attachment 1).

b. Not for Profit Funding

Approve funding for not-for-profit agencies providing services benefiting the Town, its residents, or the larger Peninsula community, in an amount not to exceed \$21,621.

7. COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS

Oral and written reports arising out of liaison appointments to both in-town and regional committees and initiatives. The Town Council does not take action under this agenda item.

8. TOWN MANAGER REPORT

There are no written materials and the Town Council does not take action under this agenda item

9. ADJOURNMENT

The next Regular Town Council meeting will be held on May 24, 2023, at 7:00 p.m.

Land Acknowledgement: The Town of Portola Valley acknowledges the colonial history of this land we dwell upon—the unceded territory of the Ramaytush (rah-my-toosh) Ohlone, Tamien Nation, and Muwekma (mah-WEK-mah) Ohlone, who endured a human and cultural genocide that included removal from their lands and their sacred relationship to the land. Portola Valley recognizes that we profit from the commodification of land seized from indigenous peoples and now bear the ecological consequences. We seek to understand the impact of these legacies on all beings and to find ways to make repair.

**There are no written materials for
this item**



TOWN OF PORTOLA VALLEY
Historic Schoolhouse
765 Portola Road
Portola Valley, CA 94028

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Craig Taylor, Councilmember

COUNCIL MINUTES – APRIL 26, 2023

1. CALL TO ORDER – 7:01 P.M.

Present: Mayor Aalfs, Vice Mayor Wernikoff, and Councilmembers Hasko, Hufty, and Taylor
Absent: None

2. ORAL COMMUNICATIONS

The following spoke during oral communications

- Rita Comes
- David Cardinal
- Alyson Wood Illich
- Jennifer Hammer
- Leslie Kriese
- Betsy Morgenthaler
- Greg (last name not given)
- Ellen Vernazza
- Kristi Corley
- Rusty Gray
- Randy True

4. CONSENT AGENDA

(A) Approval of Minutes – Action Minutes for April 12, 2023

Mayor Aalfs and Vice Mayor Wernikoff pulled Item A.

Public Speakers on Item A

- Rita Comes
- David Cardinal

Motion: Mayor Aalfs made a motion, seconded by Vice Mayor Wernikoff, and unanimously carried, to approve the minutes of April 12, 2023.

(B) Approval of Warrant List – April 26, 2023

Motion: Vice Mayor Wernikoff made a motion, seconded by Councilmember Hasko, and unanimously carried to approve Consent Item B.

(C) Recommendation by Public Works Director – Annual Street Resurfacing Project FY 2023/2024 – Westridge Drive Rehabilitation Project No. 2023-PW01

Motion: Mayor Aalfs made a motion, seconded by Vice Mayor Wernikoff, and unanimously carried, to approve Consent item C and adopt:

Resolution 2923-2023 of the Town Council of the Town of Portola Valley Approving Plans and Specifications and Calling for Bids for the Westridge Drive Rehabilitation Project No. 2023-PW01

3. PUBLIC HEARING ANNUAL FEE UPDATE

Finance Director Cynthia Rodas presented the annual CPI adjustment of the Town's fee schedule and answered questions from the Mayor and Council.

The following spoke regarding the fee schedule

- Rita Comes
- David Cardinal
- Kristi Corley
- Caroline Vertongen
- Karen Batra

Motion: Councilmember Hasko made a motion, seconded by Councilmember Hufty, and unanimously carried, to adopt

Resolution 2924-2023: Approving a Revised Fee Schedule for the Town of Portola Valley's Administrative, Building, Public Works/Engineering, and Planning Departments

5. REGULAR AGENDA

(A) Discuss and Approve Annual CPI and Salary Schedule

Finance Director Cynthia Rodas presented the salary schedule and answered questions.

Motion: Councilmember Taylor made a motion, seconded by Councilmember Hufty, and unanimously carried, to adopt:

Resolution 2025-2023 of the Town Council of the Town of Portola Valley modifying the salary schedule for Fiscal Year 2023-24.

6. STUDY SESSION – SHERIFF'S CONTRACT

Stacey Stevenson, SMSO Finance Director, and SMSO Captain Mark Myers gave a PowerPoint presentation explaining the planned \$800,000 increase in the annual Sheriff's contract. They added that Sheriff Corpus was offering a three-month extension in order to give the Council and community time to consider the options.

The following commented

- David Cardinal
- Caroline Vertongen
- Betsy Morgenthaler
- Rita Comes
- Danna Breen
- Victor Schacter
- Rusty Gray

Captain Myers and Finance Director Stevenson answered questions.

This item will be placed on a future agenda.

7. COUNCIL LIAISON COMMITTEE AND REGIONAL AGENCIES REPORTS

The Mayor and Council reported on committees and events they attended.

The following commented

- Carolyn Vertongen
- Rita Comes

8. TOWN MANAGER REPORT

Howard Young, Interim City Manager, reported on an event he attended.

9. ADJOURNMENT

The meeting adjourned at 10:32 p.m. The next Regular Town Council meeting will be held on May 10, 2023, at 7:00 p.m.

Land Acknowledgement:

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COUNCIL MINUTES – SPECIAL COUNCIL MEETING
FRIDAY, APRIL 28, 2023, 4:30 PM

1. CALL TO ORDER – 4:45 PM

Present: Mayor Aalfs, Vice Mayor Wernikoff, and Councilmembers Hasko, Hufty, and Taylor
Absent: None

2. ORAL COMMUNICATIONS

There were no speakers.

3. CLOSED SESSION

PUBLIC EMPLOYEE—Pursuant to Government Code Section 54957. Title: Town Attorney

Recess: The Town Council recessed into a closed session at 4:46 p.m. All members were present.

Reconvene: The meeting reconvened at 7:14 p.m.

There was no reportable action from the closed session

4. ADJOURNMENT

The Special Meeting adjourned at 7:15 p.m. The next regular meeting of the Portola Valley Town Council will be held on May 10, 2023, at 7:00 p.m. in the Town Council Chambers.

Land Acknowledgement:

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COUNCIL MINUTES – SPECIAL COUNCIL MEETING
MONDAY, MAY 1, 2023, 1:00 P.M.

1. CALL TO ORDER – 1:07 P.M.

Present: Mayor Aalfs, Vice Mayor Wernikoff, and Councilmembers Hasko, Hufty, and Taylor
Absent: None

2. ORAL COMMUNICATIONS

There were no speakers.

3. CLOSED SESSION

PUBLIC EMPLOYEE –Pursuant to Government Code Section 54957. Title: Town Attorney

Recess: At 1:09 p.m. the Town Council recessed into a closed session. All members were present.

Reconvene: The Special Meeting reconvened into the open session at 2:00 p.m. with all present.

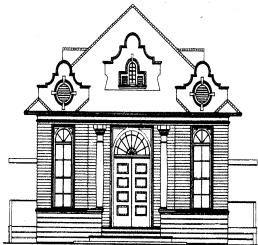
There was no reportable action from the closed session

4. ADJOURNMENT

The Special Meeting adjourned at 2:01 p.m. The next regular meeting of the Portola Valley Town Council will be held on May 10, 2023, at 7:00 p.m. in the Town Council Chambers.

Land Acknowledgement:

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COUNCIL MINUTES – SPECIAL COUNCIL MEETING
MAY 1, 2023, 2:00 P.M.

1. CALL TO ORDER – 2:05 P.M.

Present: Mayor Aalfs, Vice Mayor Wernikoff, and Councilmembers Hasko, Hufty, and Taylor
Absent: None

2. ORAL COMMUNICATIONS

There were no speakers.

3. COMMISSION INTERVIEWS

The Mayor and Council conducted interviews for two short-term vacancies on the Architectural Site Control Commission. One term expires in December 2023 and the longer term expires in December 2024

The following were interviewed:

- Rebecca Flynn
- Joslyn Parenti Gray
- Danna Breen

Action: After Council deliberations, Councilmember Hufty made a motion, seconded by Councilmember Taylor, and unanimously carried to appoint Danna Breen to the term expiring in December 2024

Action: Councilmember Hasko made a motion, seconded by Councilmember Taylor, to appoint Rebecca Flynn to the term expiring in December 2023. The motion carried as follows:

Ayes: Mayor Aalfs, Council Members Hasko, Hufty, and Taylor

Nays: Vice Mayor Wernikoff

Absent: None

Abstain: None

4. ADJOURNMENT

The meeting adjourned at 4:07 p.m. The next regular meeting of the Portola Valley Town Council will be held on May 10, 2023, at 7:00 p.m.

Land Acknowledgement:

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COUNCIL MINUTES – SPECIAL COUNCIL MEETING
TUESDAY, MAY 2, 2023, 1:00 P.M.

1. CALL TO ORDER – 1:07 P.M.

Present: Mayor Aalfs, Vice Mayor Wernikoff, and Councilmembers Hasko, Hufty, and Taylor
Absent: None

2. ORAL COMMUNICATIONS

There were no speakers.

3. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of California Government Code Section 54956.9: One (1) Case

Govt. Code § 54956.9(d)(2): “[a] point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.”

Recess: At 1:09 p.m. the Town Council recessed to a closed session with all members present.

Reconvene: At 3:40 p.m. the Council reconvened into open session with all members present.

There was no reportable action.

4. ADJOURNMENT

The Special Meeting adjourned at 3:40 p.m. The next regular meeting of the Portola Valley Town Council will be held on May 10, 2023, at 7:00 p.m. in the Town Council Chambers.

Land Acknowledgement:

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Check Register

Check Number	Vendor Number	Vendor Name	Check Amount	Check Date	BW	Check Type
Checks for Cash Account: 910-11011-000						
3108	20	ALLIANT INSURANCE SERVICES	1,249.00	05/10/23		
3109	34	ARC DOCUMENT SOLUTIONS LLC	114.92	05/10/23		
3110	48	BARTLETT TREE EXPERTS	3,795.00	05/10/23		
3111	78	CALIFORNIA WATER SERVICE CO	2,525.27	05/10/23		
3112	121	SCA OF CA, LLC	5,235.03	05/10/23		
3113	124	COMCAST	186.47	05/10/23		
3114	125	CONNIE STACK	876.80	05/10/23		
3115	127	CONTEMPORARY ENGRAVING CO.	48.52	05/10/23		
3116	179	FEDEX	11.76	05/10/23		
3117	203	GREEN HALO SYSTEMS	114.00	05/10/23		
3118	213	HILLYARD INC	861.19	05/10/23		
3119	218	MISSIONSQUARE RETIREMENT	3,806.50	05/10/23		
3120	337	O. NELSON & SON INC.	8,952.25	05/10/23		
3121	367	PG&E	2,902.91	05/10/23		
3122	380	PURCHASE POWER	29.99	05/10/23		
3123	407	SABER ROOFING INC	1,000.00	05/10/23		
3124	412	SAN MATEO SHERIFF	373,461.25	05/10/23		
3125	429	SHELLY SWEENEY	1,416.00	05/10/23		
3126	445	STANDARD INSURANCE CO.	572.52	05/10/23		
3127	448	STATE COMP INSURANCE FUND	3,932.00	05/10/23		
3128	464	THE CONRAD COMPANY	5,000.00	05/10/23		
3129	703	LEGACY ROOFING & WATERPROOFING	1,000.00	05/10/23		
3130	854	WALTER KRUBERG	107.50	05/10/23		
3131	860	STEPFORD	453.00	05/10/23		
3132	901	ABOVE ALL ROOFING	1,000.00	05/10/23		
3133	905	TAYLOR SOLENO	241.41	05/10/23		
3134	912	ELIZABETH BABB	361.08	05/10/23		
3135	949	PINPOINT TALENT, LLC	6,392.00	05/10/23		
3136	985	CHRIST CHURCH PV & WOODSIDE	800.00	05/10/23		
3137	986	DANIEL'S CONSTRUCTION	2,000.00	05/10/23		
3138	987	LIFETIME ROOFING	1,000.00	05/10/23		
3139	988	CHARLES CORLEY	1,024.00	05/10/23		
3140	989	PECKHAM & MCKENNEY	9,333.33	05/10/23		
Check totals:						439,803.70
ACH totals:						
EFTPS totals:						
Wire transfer totals:						
Payment Manager totals:						
GRAND TOTALS						439,803.70

Check totals:

439,803.70

ACH totals:

EFTPS totals:

Wire transfer totals:

Payment Manager totals:

GRAND TOTALS

439,803.70

Check Date	Check Number	Specified Information	Net check Amount	Total Invoices Paid	Invoice Number
05/10/23	3108	ALLIANT INSURANCE SERVICES Portola Valley Wildfire Preparedness Fair	1,249.00	1,249.00	2271454
	3109	ARC DOCUMENT SOLUTIONS LLC Smart Scan, Copying Fees	114.92	114.92	12082096
	3110	BARTLETT TREE EXPERTS Tree Removal near Horse Corral Storm Damage- Tree Removal	3,795.00	2,580.00 1,215.00	41005918-0 40956138-0
	3111	CALIFORNIA WATER SERVICE CO Water Service 03/11/23 - 04/12/23	2,525.27	2,525.27	MARCH-2023
	3112	SCA OF CA, LLC March Qtrly Litter/Street Clean	5,235.03	5,235.03	105725CS
	3113	COMCAST WIFI-04.21.2023-05.20.2023	186.47	186.47	1945-MAY23
	3114	CONNIE STACK Spring 2023 Classes	876.80	876.80	SPRING-2023
	3115	CONTEMPORARY ENGRAVING CO. Nameplate for Assistant Town Manager	48.52	48.52	6402
	3116	FEDEX Late Fee	11.76	11.76	9-649-24451
	3117	GREEN HALO SYSTEMS April Hosting & Access	114.00	114.00	4213
	3118	HILLYARD INC Janitorial Supplies	861.19	861.19	605087637
	3119	MISSIONSQUARE RETIREMENT Defer Comp, April 2023	3,806.50	3,806.50	APRIL-2023
	3120	O. NELSON & SON INC. Storm Cleanup/Road Maint. Operations	8,952.25	8,952.25	248
	3121	PGSE March Statements	2,902.91	2,902.91	MARCH-2023
	380	PURCHASE POWER			

Check Date	Check Number	Specified Information	Net check Amount	Total Invoices	Invoice Number
			Paid		
05/10/23	3122	Postage Meter Late Fees	29.99	29.99	7931-APRIL23
Vendor:	407	SABER ROOFING INC			
	3123	Deposit Refund, 155 Bear Gulch	1,000.00	1,000.00	BLDR0127-2020
Vendor:	412	SAN MATEO SHERIFF			
	3124	FY22-23 Q4 Law Enforcement Services	373,461.25	373,461.25	PS-INV304451
Vendor:	429	SHELLY SWEENEY			
	3125	Spring 2023 Classes	1,416.00	1,416.00	SPRING-2023
Vendor:	445	STANDARD INSURANCE CO.			
	3126	LTD/Life Premium	572.52	572.52	2023-APRIL
Vendor:	448	STATE COMP INSURANCE FUND			
	3127	WC Premium, 04/19/2023-05/19/2023	3,932.00	3,932.00	1001375785
Vendor:	464	THE CONRAD COMPANY			
	3128	Deposit Refund, 214 Grove	5,000.00	5,000.00	BLDR0003-2022
Vendor:	703	LEGACY ROOFING & WATERPROOFING			
	3129	Deposit Refund, 20 Los Charros	1,000.00	1,000.00	BLDR0014-2023
Vendor:	854	WALTER KRUBERG			
	3130	Deposit Refund, 175 Meadowood	107.50	107.50	PLN_SITE 0001-2
Vendor:	860	STEPFORD			
	3131	Veeam Backup & Replication for Disaster Recovery for April	453.00	453.00	2301205
Vendor:	901	ABOVE ALL ROOFING			
	3132	Deposit Refund, 515 Westridge	1,000.00	1,000.00	BLDR0017-2023
Vendor:	905	TAYLOR SOLENO			
	3133	T. Soleno Reimbursement, Office Supplies	241.41	241.41	FRRS-23-14
Vendor:	912	ELIZABETH BABB			
	3134	Reimbursement - Trails and Paths Committee	361.08	361.08	02172023
Vendor:	949	PINPOINT TALENT, LLC			
	3135	Temp Service, H. Singh 4/17/23 - 4/23/23	6,392.00	1,980.00	5875
		Temp Service, H. Singh 4/24/23 -4/30/23		1,980.00	5910
		Temp Service, S. Ahmad 4/24/23-4/30/23		2,432.00	5911
Vendor:	985	CHRIST CHURCH PV & WOODSIDE			

Check Date	Check Number	Specified Information	Net check Amount	Total Invoices Paid	Invoice Number
05/10/23	3136	Parking Lot Rental - Wildfire Preparedness Fair for April 22	800.00	800.00	1
Vendor:	986	DANIEL'S CONSTRUCTION			
	3137	Deposit Refund, 360 Golden Oak	2,000.00	1,000.00	BLDR0073-2022
		Deposit Refund, 360 Golden Oak		1,000.00	BLDR0123-2022
Vendor:	987	LIFETIME ROOFING			
	3138	Deposit Refund, 205 Golden Oak	1,000.00	1,000.00	BLDR0034-2023
Vendor:	988	CHARLES CORLEY			
	3139	Deposit Refund, 15 Golden Oak	1,024.00	24.00	BLDR0115-2021
		Deposit Refund, 15 Golden Oak		1,000.00	BLDR0115-2021-2
Vendor:	989	PECKHAM & MCKENNEY			
	3140	Town Manager Recruitment/Professional Fee	9,333.33	9,333.33	1
Check Date Totals			439,803.70		
			Grand Total	439,803.70	

TOWN OF PORTOLA VALLEY
Warrant Disbursement Journal
May 10, 2023

Claims totaling \$439,803.70 having been duly examined by me and found to be correct are hereby approved and verified by me as due bills against the Town of Portola Valley.

Date _____
Interim Town Manager

Motion having been duly made and seconded, the above claims are hereby approved and allowed for payment.

Signed and sealed this (Date) _____

Acting Town Clerk _____ Mayor _____



TOWN OF PORTOLA VALLEY STAFF REPORT

TO: Mayor and Town Council

FROM: Laura C. Russell, Planning & Building Director
Adrienne Smith, Senior Planner

DATE: May 10, 2023

RE: Adoption of Resolution Adopting the Proposed Housing Element and Conforming General Plan Amendments

RECOMMENDATION

Staff recommends that Town Council receive a presentation from staff, ask questions, receive public comment, and adopt a resolution adopting the Portola Valley Housing Element and Conforming General Plan Amendments.

BACKGROUND

For a refresher on the Town's Regional Housing Needs Allocation (RHNA), required Housing Element Components and changes incorporated into the Housing Element, view the March 15, 2023 Town Council meeting [staff report](#).

At its March 29, 2023 [meeting](#), the Town Council adopted the Housing and Safety Elements Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) via resolution. Council also continued its discussion of Members Hasko and Taylor's proposed Preliminary Post-Adoption Implementation Plan (see Attachment 7). The plan covers eight topic areas intended to support and enhance the Town's ability to accommodate the additional housing units planned for in the Housing Element. The Post-Housing Element Adoption Plan will be completed within thirty days of Housing Element adoption. Housing Element adoption was brought to a vote, but did not pass due to several council member concerns, particularly about the Glen Oaks housing site. Council member Hasko requested time to research the site and personally speak with the landowner and lessee to determine the potential for workforce housing and the feasibility of other potential substitute sites.

Also at the March 29, 2023 meeting, staff presented a preliminary, high level cost estimate associated with full implementation of Housing Element programs. The cost estimate includes the Housing Element programs, budgeting approach, whether the expense is direct (staff), or a consultant cost and the estimated level of staff time required. The cost estimate has been slightly updated since the meeting (see Attachment 8).

Self-Certification of Housing Element

To avoid application of the Builder's Remedy, many cities have been "self-certifying" their housing elements. Under this process, the Council adopts a resolution certifying that its Housing Element complies with all aspects of Housing Element law. To provide maximum protection for the Town, the staff have prepared the self-certification findings (Attachment 5 Exhibit C). However, use of this "self-certification" process before submitting the final Housing Element to the Department of Housing and Community Development (HCD) has not been legally tested and is only being included as a potential legal argument to use in the event the Town receives a Builder's Remedy application before HCD certifies the Housing Element.

DISCUSSION

New Amendments to Housing Element

To capture the proposed changes requested by the Planning Commission and Town Council since publication of Housing Element Draft #3, staff prepared an errata to Draft #3 that was included in the March 29, 2023 meeting packet. The errata has been further updated to reflect changes requested by Council at its March 29 meeting. The errata (Attachment 4) captures the changes; a new draft of the Housing Element has not been produced. Below is a summary of the latest changes in the order they are included in the errata:

- Change to interior side setback for Ladera Church property to be 0 feet with agreement of property owner(s)
- For Opt-In Housing Diversification Program, increase number of Planning Commission meetings from one to two.
- Program implementation timelines related to Dorothy Ford Park and Open Space extended to two full years from adoption of Housing Element to accommodate the "sunrise".
- Opt-In Housing Diversification Program technical change to reduce the cap of 12 units for each SB9 unit the Town issues a building permit for.
- Authorize the Planning and Building Director to adjust the timelines to extent them and encourage successful implementation.
- State law changes per AB2338 for Housing Elements submitted after March 31, 2023
 - AB2339 requires a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones must include sufficient capacity to accommodate the need for emergency shelter (based on 200 square feet per person), including

at least one year-round shelter. Adequate sites can include conversions of existing buildings.

- Based on HCD guidance, the program plans for emergency shelter for ten individuals. The program includes changes to allow emergency shelters by right within the new Multi-Family zones, the new Mixed-Use zone, and at the Town's religious institutions. The program also includes updating the definitions of emergency shelters to be consistent with state law and establish objective standards for emergency shelters

Once Town Council has adopted the Housing Element, staff will incorporate all errata content into the Housing Element Draft #3 as well as address all reported typos/clerical errors and produce a clean final version to be sent to HCD.

Conforming General Plan Changes

The elements of a general plan must be consistent with one another. The draft resolution therefore also includes minor general plan amendments to be consistent with the new housing element amendments.

Preliminary Post-Adoption Implementation Plan

At its March 22, 2023 [meeting](#), the Town Council unanimously approved a motion to adopt the topics of Council Members Hasko and Taylor's Preliminary Post Housing Element Adoption Plan topics #3 and #4 were incorporated into the MMRP as additional policy measures via an addendum and the remaining topics will be further developed by Council Members Hasko and Taylor within 30 days of Housing Element adoption by Town Council (see Attachment 7).

Integration of Fire District Recommendations

Admittedly there has been confusion over the final fire district recommendations. Staff and attorneys for the Fire District and Town have met and agree that the fire department comments fall into several buckets: (1) measures that are within the purview of the Fire Code (i.e. Fire code and implementation of new minimum fire safe regulations); (2) items that have already been implemented (i.e. home hardening ordinance and Chapter 7A); (3) items that are in process (i.e. evacuation plan) and (4) new items that belong in the upcoming Safety Element. To memorialize the Town's and WFPD's joint commitment to pursue the 7 additional fire prevention measures proposed by WFPD, the attorneys for the respective agencies negotiated resolution language (Recital 8) which was adopted by the Town Council on March 29. In addition, the Council clarified its intent to adopt the new Safety Element by October 1, 2023 with measures at least as protective as the 2010 Safety Element and agreed to adopt the Moritz Map and/or successor map as the basis for evaluating fire risk associated with specific sites in Town. This latter language was also suggested by the Fire District's CEQA attorney.

Additional Updates and Information

This section serves to provide additional information as requested by Town Council and other general Housing Element-related updates to assist Council in its decision-making.

SB 9 Units

Council asked staff to further explore the potential for SB9 units to be included in the Housing Element Sites Inventory. Staff spoke with one of its housing element consultants 21 Elements who advised that generally, the HCD has approved two types of methodologies for inclusion of any type of units on the sites inventory: Recent trends and analysis of individual sites. For the Town, this means the possibility of successful inclusion of SB9 units rests on establishing a proven track records of unit production based on approved building permits, or its ability to meet an onerous sites analysis. To date, the Town has received only two SB9 applications and neither have resulted in issued building permits. Additionally, the Town's SB9 ordinance is not particularly permissive. As for the analysis, the Town would first have to identify a list of SB9 housing sites and then account for existing uses, site characteristics, zoning, access to infrastructure, etc., all to demonstrate feasibility, or, the likelihood of the development of actual SB9 units during the eight-year housing element cycle. This is the lengthy, resource-intensive process that the Ad Hoc Housing Element Committee went through previously when conducting the sites selection process.

Staff also heard from several jurisdictions on their approach to including SB9 units on site inventories and determined that to date, none of those jurisdiction has received approval from HCD. Redwood City made an attempt but were advised by HCD they could not include units without providing specific sites and decided to remove the units. The cities of San Mateo and San Carlos have both included SB9 units and awaiting HCD comment letters.

In sum, the Town lacks an SB9 unit track record, the site analysis is challenging and time-intensive and the HCD response to the inclusion of SB9 units in other jurisdictions is either negative or unknown. Given these obstacles, staff recommend against including SB9 units in the inventory and instead use any future units as an offset to the unit count in the Opt-In Housing Diversification Program.

Jurisdictional Update on Housing Element Status

Redwood City is the only jurisdiction in San Mateo County with an adopted Housing Element that has been approved by HCD. Menlo Park is close to having approval. All other jurisdictions are at varying stages of the housing element update process. See the [Let's Talk Housing](#) county site for the detailed status of each jurisdiction.

Consequences of Not Adopting Housing Element

As discussed many times, the State has a combination of incentives and penalties for not adopting the housing element in a timely manner. These penalties range from loss of local control over housing projects (i.e. "by right" approval), to imposition of minimum density requirements, to civil lawsuits and monetary penalties up to \$600,000/month. The penalties ramp up with increased delay. It is also possible the State may enact new penalties if cities continue to drag their feet in adopting their housing elements. Finally, the builder's remedy is available during the window of time the Town does not have an approved Housing Element. Builder's remedy projects do not need to comply with existing zoning regulations, but do need to comply with CEQA. Staff anticipates the types of builder's remedy applications that could be filed in Portola Valley to include multiple dwelling units in R-1 and R-E zones, rather than large multi-family buildings on the corridors.

ENVIRONMENTAL REVIEW

To establish the appropriate level of environmental review for the project Town Staff and CEQA consultants prepared an “Initial Study” to determine if project may have a significant adverse effect. Since the initial study showed either no adverse environmental effects, or that potential environmental effects could be mitigated, a Mitigated Negative Declaration (MND) was determined to be appropriate. The IS/MND provides a programmatic review that includes broad policies but does not examine all potential site-specific impacts of individual projects because they are not known yet.

The IS/MND is not intended to serve as a recommendation of either approval or denial of the project. It provides the primary source of environmental information for the Town to consider and identify ways any potentially significant environmental impacts can be avoided or significantly reduced. All impacts identified in the IS/MND are “no impact,” “less than significant,” or “less than significant with mitigation”. These conclusions in large part are based on the existing general plan and zoning policies that guide development away from hazardous areas and regulate building construction to be subservient to the natural environment. The purpose of preparing this document is to provide decision makers with environmental information to serve as the foundation for their policy decisions. CEQA is just one input that informs the ultimate decision.

On March 29, with the unanimous recommendation of the Planning Commission, the Council adopted a Resolution adopting the IS/MND and the Mitigation and Monitoring Report (MMRP). The resolution does not provide blanket exemptions from CEQA for future housing projects. Instead, any new housing project submitted after the Housing Element is adopted will be subject to its own project level CEQA review.¹

PUBLIC COMMENTS

The 43 public Comments received since the March 29, 2023 Council meeting are included as Attachment 10. One letter is from Silicon Valley Law Group representing PublicSafety4PVNow, Inc., a Delaware corporation. This letter asserts that the IS/MND did not use the 2008 Moritz map, that on January 18, 2022, the Fire Marshal indicated to the Ad Hoc Housing Element Committee that the Moritz map was the most accurate depiction of the Town’s wildfire hazard, etc. The letter requests the Town to “immediately rescind” the IS/MND or alternatively to enter into confidential settlement discussions to “hopefully avoid[] all need for any litigation challenging the Town’s approval of the IS/MND.”

¹ Because the Town did not timely submit the Housing Element to the State, certain projects on the housing element inventory containing 20% below market rate housing units must be approved by right with no CEQA review.

NEXT STEPS

Staff will incorporate the collective changes in the errata as directed by Town Council into the Housing Element and submit an updated version to HCD. Comments from HCD are expected 60 days from the Town's resubmittal.

Within approximately 30 days of Housing Element adoption Council Members Hasko and Taylor will present a completed Post-Adoption Plan to Town Council for review and adoption. Once the Plan has been finalized, staff will begin working on a master schedule of all Housing Element implementation measures including all programs included in the Element.

ATTACHMENTS

1. Draft Resolution Adopting the Housing Element and Conforming General Plan Amendments
 - Exhibit A - HCD Letter
 - Exhibit B - Table Responding to HCD Comments
 - Exhibit C - Housing Element Self-Certification
2. [Housing Element Draft #3 \(without Appendices\)](#)
3. [Conforming General Plan Amendments](#)
4. Housing Element Draft #3 Errata
5. Town Council Resolution 2922-2023 Adoption of IS/MND and MMRP
6. Planning Commission Resolution 2012-2 Recommending Adoption of Housing Element and Conforming General Plan Amendments
7. [Council Members Hasko and Taylor's Preliminary Post-Adoption Plan](#)
8. Housing Element Program Implementation Cost Estimate
9. Table of Meetings and Documents Related to the Housing Element Update
10. Public Comments received since March 29, 2023 meeting

**PORTOLA VALLEY TOWN COUNCIL
RESOLUTION NO. -2023**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY
ADOPTING THE 2023-2031 HOUSING ELEMENT UPDATE
AND OTHER GENERAL PLAN AMENDMENTS
REQUIRED TO CONFORM WITH THE UPDATED HOUSING ELEMENT**

WHEREAS, the California Government Code Section 65300 et. seq. requires every city and county in California to adopt a General Plan for its long-range development, and further, to periodically update that Plan to reflect current conditions and issues;

The Current Affordability Crisis

WHEREAS, the California legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives.” (Gov. Code Section 65589.5.);

WHEREAS, the legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.” (Gov. Code Section 65589.5.);

The Town’s RHNA Allocation

WHEREAS, State Housing Element Law (Article 10.6 of Gov. Code) requires that the Town Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the Town of Portola Valley’s (Town) regional housing need allocation (RHNA) of 253 housing units, comprised of 73 very-low income units, 42 low-income units, 39 moderate-income units, and 99 above moderate-income units together with an appropriate buffer to ensure compliance with the “no net loss” requirements of Housing Element law;

Housing Element Law Requirements

WHEREAS, State law requires that the Town conduct an assessment of housing needs and prepare an inventory of resources and constraints relevant to the meeting of these needs, including analysis of population and employment trends, household characteristics, inventory of land suitable and available for residential development (Gov. Code Section 65583(a));

WHEREAS, State law requires that the Town identify a zone or zones where emergency shelters are allowed as a permitted use with sufficient capacity to accommodate the need for emergency shelters identified in the assessment of housing needs (Gov. Code Section 65583(a)(4));

WHEREAS, State law requires that the Town analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including for special housing needs and persons with disabilities, land use controls, fees, and permit procedures, along with efforts to remove governmental constraints (Gov. Code Section 65583(a)(5));

WHEREAS, State law requires that the Town analyze potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those identified in the sites inventory, along with local efforts to remove nongovernmental constraints (Gov. Code Section 65583(a)(6));

WHEREAS, State law requires that the Town analyze special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability, large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter (Gov. Code Section 65583(a)(7));

WHEREAS, State law requires that the Town analyze opportunities for energy conservation with respect to residential development (Gov. Code Section 65583(a)(8));

WHEREAS, State law requires that the Town analyze existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years (Gov. Code Section 65583(a)(9));

WHEREAS, State law requires that the Town prepare a statement of the community's goals, quantified objectives, and policies relative to affirmatively furthering fair housing and to the maintenance, preservation, improvement, and development of housing (Gov. Code Section 65583(b));

WHEREAS, State law requires that the Town prepare a program that sets forth a schedule of actions during the planning period, each with a timeline for implementation, to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, the utilization of appropriate federal and state financing (Gov. Code Section 65583(c));

WHEREAS, State law requires that the Town identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the Town's

share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory without rezoning (Gov. Code Section 65583(c)(1));

WHEREAS, State law requires that, where the Town identifies inadequate sites in the inventory to accommodate the need for groups of all household income levels, that the rezoning of those sites, including adoption of minimum density and development standards, for jurisdictions with an eight-year Housing Element planning period, shall be completed no later than three years after either the date the housing element is adopted pursuant to subdivision (f) of Gov. Code Section 65585;

WHEREAS, State law requires that the Town identify programs that assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households (Gov. Code Section 65583(c)(2));

WHEREAS, State law requires that the Town identify programs that address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities (Gov. Code Section 65583(c)(3));

WHEREAS, State law requires that the Town identify programs that conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action (Gov. Code Section 65583(c)(4));

WHEREAS, State law requires that the Town identify programs that promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other protected characteristics, and any other state and federal fair housing and planning law (Gov. Code Section 65583(c)(5));

WHEREAS, State law requires that the Town identify programs that preserve for lower income households the assisted housing developments that are eligible to change from low-income housing uses during the next 10 years (Gov. Code Section 65583(c)(6));

WHEREAS, State law requires that the Town develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent for very low, low-, or moderate-income households (Gov. Code Section 65583(c)(7));

WHEREAS, State law requires that the Town identify the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other General Plan Elements and community goals (Gov. Code Section 65583(c)(8));

New Affirmatively Furthering Fair Housing (AFFH) Requirements

WHEREAS, State law requires that the Town make a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the Housing Element, and the program shall describe this effort (Gov. Code Section 65583(c)(9));

WHEREAS, State law requires that the Town affirmatively further fair housing in accordance with Gov. Code Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2 (Gov. Code Section 65583(c)(10));

WHEREAS, State law requires that the Town include a summary of fair housing issues in the jurisdiction and an assessment of the jurisdiction's fair housing enforcement and fair housing outreach capacity (Gov. Code Section 65583(c)(10)(A)(i));

WHEREAS, State law requires that the Town include an analysis of available federal, state, and local data and knowledge to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty and affluence, disparities in access to opportunity, and disproportionate housing needs, including displacement risk (Gov. Code Section 65583(c)(10)(A)(ii));

WHEREAS, State law requires that the Town include an assessment of the contributing factors, including the local and regional historical origins and current policies and practices, for the fair housing issues (Gov. Code Section 65583(c)(10)(A)(iii));

WHEREAS, State law requires that the Town identify the jurisdiction's fair housing priorities and goals, giving highest priority to those factors identified that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance, and identifying the metrics and milestones for determining what fair housing results will be achieved (Gov. Code Section 65583(c)(10)(A)(iv));

WHEREAS, State law requires that the Town include strategies and actions to implement those priorities and goals, which may include, but are not limited to, enhancing mobility strategies and encouraging development of new affordable housing in areas of opportunity, as well as place-based strategies to encourage community revitalization, including preservation of existing affordable housing, and protecting existing residents from displacement (Gov. Code Section 65583(c)(10)(A)(v));

WHEREAS, State law allows local government to satisfy all or part of its requirement to identify a zone or zones suitable for the development of emergency shelters by adopting and implementing a multijurisdictional agreement (Gov. Code Section 65583(d));

Public Outreach and Review Process

WHEREAS, the Town conducted extensive community outreach over 24 months and totaling approximately 142 hours, including the following public meetings to discuss various aspects of the Housing Element update: 9 Town Council meetings; 11 Planning

Commission meetings; 1 Joint Town Council and Planning Commission meeting; 15 Ad Hoc Housing Element Committee meetings; 2 Ad Hoc Committee of Town Committees meetings; and 2 Community-Wide meetings;

WHEREAS, on August 11, 2022, the Town submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for review;

WHEREAS, on November 9, 2022, HCD provided the Town with a number of comments regarding the draft Housing Element (Exhibit A), and based upon comments, Town staff revised the draft Housing Element to include additional information and data to support the Town's position that the proposed programs and zoning changes would be adequate to accommodate the RHNA and affirmatively further fair housing as shown in Exhibit B;

Environmental Review Process

WHEREAS, the Town, as lead agency under the California Environmental Quality Act ("CEQA"), prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Housing Element, Safety Element, conforming General Plan amendments and zoning code amendments and circulated it for public review;

WHEREAS, on February 15, 2023, the Planning Commission conducted a public hearing to review the Response to Comments memorandum addressing the written and verbal comments made by Members of the Planning Commission and the public on November 16, 2022, the adequacy of the IS/MND, and the recommended text changes to the IS/MND. The Planning Commission then recommended approval of the IS/MND, updated Response to Comments, and further recommended that the Town Council adopt the project design features listed in the Targ/Brothers Colleagues Memo, excluding the financial terms, through the mechanism of Council's choosing, and additionally 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;

WHEREAS, on March 29, 2023, the Town Council conducted a public hearing on the IS/MND and adopted Resolution No. 2922-2023 adopting the IS/MND, the Updated Response to Comments and Text Changes, and the MMRP (as updated at the March 22 and 29, 2023 public hearings);

Conforming General Plan Amendments

WHEREAS, on November 30, 2022, the Planning Commission discussed amendments to the General Plan required to conform with the Housing Element.

WHEREAS, these programs include: the creation of a new "Gateway" district that allows affordable housing, recreation, and open space; the creation of two new multi-family land use classifications allowing up to four and 20 dwelling units per acre,

respectively; an “opt-in” overlay provision permitting limited single family homes to voluntarily upzone to up to 4 units (not to exceed a townwide total of 12 units), and a new mixed-use land use classification to allow for up to six dwelling units per acre. These changes will require relatively minor conforming updates to the Land Use Element, the Nathhorst Triangle Plan, and corresponding maps/diagrams;

WHEREAS, on November 30, 2022, the Planning Commission also discussed the need to update the Alpine Scenic Corridor Plan to clarify that any new development along the Alpine Scenic Corridor should be designed to respect the Plan’s scenic principles and provide sufficient setback for the use of Alpine Road as a major evacuation corridor. The Planning Commission also discussed that the Land Use Element be updated to remove outdated, impermissible limits on household composition;

WHEREAS, on March 6, 2023, the Planning Commission further discussed amendments to the General Plan required to conform with the Housing Element as required for general plan consistency;

WHEREAS, on March 2, 2023, the Town published the final draft Housing Element on the Town website and requested public comment on the final draft;

WHEREAS, the Planning Commission held a public hearing on the Housing Element and conforming general plan amendments on March 6, 2023, considered all public comments received, the presentation by Town staff, the staff report, and all other pertinent documents regarding the proposed request, which are incorporated by reference;

WHEREAS, the Planning Commission has reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD’s findings in Exhibit A, the Town’s response to HCD’s findings in Exhibit B, the staff report and all attachments, and oral and written public comments; and determined the Housing Element to be consistent with State law and the General Plan;

Town Council Review of Housing Element and Supporting Documents

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 and 29, 2023, the Town Council conducted a public hearing to review the IS-MND, the MMRP, the Response to Comments and Text Changes and the Post-Adoption Housing Element Colleague’s Memo; and

WHEREAS, on March 22 and 29 and May 10, 2023, the Town Council conducted public hearings to review the Housing Element, and the Conforming General Plan Amendments;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby takes the following actions:

1. As detailed in Resolution No. 2922-2023, the Council finds that on the basis of the whole record before it, there is no substantial evidence that the adoption of the Housing Element and the associated General Plan amendments, as mitigated in the Mitigated Negative Declaration, will have a significant impact on the environment.
2. The proposed 2023-2031 Housing Element amendment and the Errata attached to the March 29, 2023 Staff Report as Attachments 6 and 8, respectively, are hereby adopted. The Housing Element shall supersede the existing Housing Element and the Planning and Building Director shall be authorized to incorporate the Errata into a final draft, edit for typographical errors and submit such draft to the Department of Housing and Development (HCD) for certification.
3. The Housing Element is necessary to implement State housing element law. The Housing Element will accommodate higher density multifamily housing to expand housing options and affordability.
4. The Housing Element contains all provisions required by State Housing Element Law as set forth in Exhibit C which is incorporated by this reference, and the Council thereby self certifies that the Housing Element substantially complies with Housing Element Law, as provided in Government Code 65580 *et seq.*
5. A key principle of General Plan law is that each element in the General Plan must be consistent with one another. Therefore, to ensure consistency with the Housing Element the Town Council adopts the following minor conforming amendments to other General Plan elements: the Land Use Element, the Nathhorst Triangle Plan, and corresponding maps/diagrams; the Alpine Scenic Corridor Plan; and the Land Use Element to remove outdated, impermissible limits on household composition as set forth in Attachment 7 to the March 29 Staff Report.
6. The proposed General Plan amendments will not be detrimental to the public interest, convenience, and general welfare of the Town. The amendments will result in a logical placement of land uses consistent with the overall intent of the General Plan and facilitate housing development opportunities at a range of income levels and household types. The proposed General Plan amendments will facilitate the development, maintenance, and improvement of adequate and affordable housing for new and existing residents, which will be a benefit to the public.

Passed and Adopted on this 10th day of May, 2023.

By: _____
Mayor Jeff Aalfs

ATTEST:

Acting Town Clerk

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

GAVIN NEWSOM, Governor

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500

Sacramento, CA 95833

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www.hcd.ca.gov

November 9, 2022

Laura Russel, Planning & Building Director
 Town of Portola Valley
 765 Portola Road,
 Portola Valley, CA 94028

Dear Laura Russell:

RE: The Town of Portola Valley's 6th Cycle (2023-2031) Draft Housing Element

Thank you for submitting the Town of Portola Valley's (Town) draft housing element received for review on August 11, 2022. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation November 7, 2022 with you, Jeremy Dennis, Adrienne Smith, and consultants Cara Silver, Arly Dolbakian, Carla Violet, and Curtis Banks. In addition, HCD considered comments from Greenbelt Alliance and YIMBY LAW, pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes these, and other revisions needed to comply with State Housing Element Law.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), then any rezoning to accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i). Please be aware, if the Town fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until rezones to accommodate a shortfall of sites pursuant to Government Code section 65583, subdivision (c), paragraph (1), subparagraph (A) and Government Code section 65583.2, subdivision (c) are completed.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element

process, the Town should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the Town to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at:
<https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the Town meets housing element requirements for these and other funding sources.

HCD is committed to assisting the Town in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Molivann Phlong, of our staff, at Molivann.Phlong@hcd.ca.gov.

Sincerely,



Melinda Coy
Proactive Housing Accountability Chief

Enclosure

APPENDIX **TOWN OF PORTOLA VALLEY**

The following changes are necessary to bring the Town's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <https://www.hcd.ca.gov/hcd-memos>. Among other resources, the housing element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at <https://www.hcd.ca.gov/building-blocks> and includes the Government Code addressing State Housing Element Law and other resources.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)

The review requirement is one of the most important features of the element update. The review of past programs should analyze the Town's accomplishments over the previous planning period. This information provides the basis for developing a more effective housing program.

As part of the evaluation of programs in the past cycle, the element must provide an explanation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female-headed households, farmworkers, and persons experiencing homelessness).

B. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction (Gov. Code, § 65583, subd. (c)(10)(A))*

Integration and Segregation: The element includes some data on integration and segregation at the regional and local level; however, the element must also analyze segregation and integration of familial status and persons with disabilities, including a discussion of patterns and trends over time.

Racial/Ethnic Areas of Concentration of Areas of Affluence (RCAA): The element includes information relative to Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) but should also address concentrated areas of affluence. The combination of the R/ECAP and areas of affluence analyses will help guide goals and actions to address fair housing issues. The analysis should evaluate the patterns and changes

over time at a local (e.g., neighborhood to neighborhood) and regional level (e.g., Town to region).

Disproportionate housing needs and Displacement Risk: The element does include data on overcrowded households, substandard housing conditions, but it must also analyze the cost burdened and extreme cost burdened rates for owner households.

Site Inventory: The Town is predominantly a highest resource category according to TCAC/HCD Opportunity Maps and is predominantly higher income. Sites should be analyzed in relationships to any RCAA identified. The element should also include specific analysis of the Town compared to the region and should formulate policies and programs to promote an inclusive community. For example, the Town should consider additional actions (not limited to the Regional Housing Needs Allocation (RHNA) to promote housing mobility and improve new housing opportunities throughout the Town.

Contributing Factors: The element must prioritize contributing factors to fair housing issues, giving highest priority to those factors that most limit or deny fair housing choice or access to opportunity or negatively impact fair housing or civil rights compliance. Contributing factors create, contribute to, perpetuate, or increase the severity of fair housing issues and are fundamental to adequate goals and actions. Examples include community opposition to affordable housing, housing discrimination, land use and zoning laws, lack of regional cooperation, location and type or lack of affordable housing and lack of public or private investment in areas of opportunity or affordable housing choices. The analysis shall result in strategic approaches to inform and connect goals and actions to mitigate contributing factors to affordable housing.

2. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

While the element identifies the total number of overpaying households, it must quantify and analyze the number of overpaying lower-income households by tenure (i.e., renter and owner). For additional information and sample analysis, see the Building Blocks at <https://www.hcd.ca.gov/hcd-memos>.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

The Town has a RHNA of 253 housing units, of which 115 are for lower-income households. To address this need, the element relies on pipeline projects, Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), an Opt-in-Single-Family Rezoning Program and adopting three new zoning districts to allow multifamily dwellings. To demonstrate the adequacy of these sites and strategies to accommodate the Town's RHNA, the element must include complete analyses:

Pipeline Projects: The Town's RHNA may be reduced by the number of new units built since July 1, 2022. The element indicates 17 units affordable to low-income households are pending in the Willow Commons and Standford Wedge projects but must also demonstrate the affordability of the units. Specifically, the element must assign these units to the various income groups based on actual or anticipated sales price or rent level of the units or other mechanisms ensuring affordability (e.g., deed-restrictions) and demonstrate their availability in the planning period. For units in the pipeline, the element should describe the status of the application, required entitlements, and anticipated date of approval.

Realistic Capacity: While the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls and site improvements, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities.

Opt-In-Single-Family Rezoning Program: In order to accommodate the remaining need for the above moderate-income RHNA, the town is proposing to develop a program where property owners can opt-in to rezone their parcel to allow for 4 units per acre and a maximum of four dwelling units per lot. The Town is expecting to increase capacity by 12 units. In order to count these proposed unit towards the RHNA, the element must further describe the potential for additional capacity using the Opt-In-Single-Family Rezoning Program within the planning period. This must include reviewing program guidelines and processes, include a description of existing uses, the number of parcels that could apply for the rezone including a sample parcel inventory, a survey or other methodology to show how many parcels would potentially rezone in the planning period, and incentives for property owners to opt into the program. Please be aware, pursuant to Government Code section 65583 (c)(1)(A), rezones to accommodate RHNA must occur within three years from date of adoption of the element. The element should include a program to monitor application of the program to ensure that rezonings have been completed within that timeframe and commit to rezone or amend the housing element to identify additional sites.

Affiliated Housing Sites: The element identifies two sites that will not be rezoned but are anticipated to be developed under the Affiliated Housing Site Program including the 42 Acre Sequoia Housing Site and the Christ Church Affiliated Housing site. The element must include information that demonstrates the potential for development within the planning period including, but not limited to, information on proposed projects within the planning period, analysis on existing uses and whether those existing uses could impede development, and approval procedures (see next section). The element could also include programs that commit to facilitating the development of these properties and commit to monitor production throughout the planning period and if necessary additional actions to identify additional capacity.

ADUs: The element relies on 92 ADUs to accommodate a portion of the Town's RHNA. For your information, HCD records indicate permitted ADUs of 7 in 2018, 7 in 2019 and 3 in 2020. The element should reconcile these numbers and adjust assumptions as appropriate. The element must clarify these ADUs numbers in relationship to the projections, reconcile these numbers and adjust assumptions as appropriate.

Depending on the analysis, the element must commit to monitor ADU production and affordability throughout the planning period and implement additional actions if not meeting target numbers within a specified time period (e.g., within six months). Finally, if necessary, the degree of additional actions should be in stride with the degree of the gap in production and affordability. For example, if actual production and affordability of ADUs is far from anticipated trends, then rezoning or something similar would be an appropriate action. If actual production and affordability is near anticipated trends, then measures like outreach and marketing might be more appropriate.

Environmental Constraints: While the element generally describes a few environmental conditions within the Town (page 68), it must describe any known environmental constraints within the Town that could impact housing development in the planning period. (Gov. Code, § 65583.2, subd. (b).) For additional information and sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/analysis-of-sites-and-zoning.shtml#environmental>.

Sites with Zoning for a Variety of Housing Types:

- Emergency Shelters: The element should describe the development standards of the zone that allows emergency shelters by-right and should provide an analysis of proximity to transportation and services for these sites, hazardous conditions, and any conditions in appropriate for human habitability. Specifically, the element. In addition, the element should describe how emergency shelter parking requirements are in line with AB139/Government Code section 65583, subdivision (a)(4)(A) or include a program to comply with this requirement.
 - ADUs: The element indicates the Town modified its zoning code to ease barriers to the development of ADU's. However, after a cursory review of the Town's ordinance, HCD discovered several areas which were not consistent with State ADU Law. HCD will provide a complete listing of ADU non-compliance issues under a separate cover. As a result, the element should add a program to update the Town's ADU ordinance in order to comply with state law.
4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Government Code section 65584 and from meeting the need for housing for persons*

with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7). (Gov. Code, § 65583, subd. (a)(5).)

Multi-Family Zoning and Mixed-Use Zoning Districts: As stated above, to accommodate the town's RHNA, three new multifamily zoning districts will be created to accommodate 4 units, 6 units, and 20 units per acre respectively. While HCD recognizes that zoning has not yet been created to implement the new zones, the element should generally describe and commit to expectations for development standards in these zones. For example, the element should describe expected height limits, parking, and other standards that will facilitate development at the densities proposed. This is particularly critical because the Town currently does not have any zoning districts that specifically allow for multifamily.

Minimum Density Equals Maximum Density: The element states that the density for the new multifamily district allows 20 dwelling units an acre. However, the element must clarify if the minimum density for the rezone is also the maximum density. The element must analyze this narrow range of density (20 units per acre) as a potential governmental constraint on housing development including potential impacts resulting from site constraints, financial considerations, and other development factors.

Zoning, Development Standards and Fees: The element must clarify compliance with new transparency requirements for posting all zoning, development standards and fees on the Town's website and add a program to address these requirements, if necessary.

Design Review (D-R) Combining District: The element must further describe and analyze the Design Review Combining District and Architectural and Site Control Commission (ASCC). The element must include a description of any guidelines and design criteria, approval procedures, and decision-making criteria, for their impact as potential constraints on housing supply and affordability. For example, the analysis should consider processing and approval procedures and timeframes, level of review, subjectivity of approval findings and any discretionary approval procedures. The element should also indicate if housing under the new multifamily zoning districts will be subject to this procedure. The element must demonstrate these processes are not a constraint or it must include a program(s) to address this permitting requirement, as appropriate.

Affiliated Housing Program: The element identifies two sites within the inventory for potential for development through the Affiliated Housing Program. While the element provides a brief description (page 82), it must include further information and analysis on how projects proposed under this program are approved. For example, what development standards apply to the project, what types of finding are necessary to approve the conditional use permit, standards that are required to opt-in to the program, and other requirements that impact the feasibility of development on sites within the overlay.

Streamlining Provisions: The element must clarify whether there are written procedures for the SB 35 (Chapter 366, Statutes of 2017) Streamlined Ministerial Approval Process and add a program to address these requirements as appropriate.

Building Codes and Enforcement: While the element states that it has adopted the 2019 building code, it must also describe any local amendments to the building code and enforcement of the codes for impacts on housing supply and affordability.

Constraints on Housing for Persons with Disabilities: The element briefly describes its reasonable accommodation measures (page 51). However, the element should describe the process and decision-making criteria such as approval findings and analyze any potential constraints on housing for persons with disabilities.

The element must also address how non-licensed group home facilities that serve seven or more residences is permitted. Zoning and standards should simply implement a barrier-free definition of family instead of subjecting, potentially persons with disabilities, to special regulations. Zoning code regulations that isolate and regulate various types of housing for persons with disabilities based on the number of people and other factors may pose a constraint on housing choice for persons with disabilities. The element should include specific analysis of these and any other constraints for impacts on housing for persons with disabilities and add or modify programs as appropriate.

Water Sewer Priority: For your information, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are required to immediately deliver the housing element to water and sewer service providers. HCD recommends including a cover memo describing the Town's housing element, including the Town's housing needs and regional housing need. For additional information and sample cover memo, see the Building Blocks at <https://www.hcd.ca.gov/priority-for-water-and-sewer>.

5. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584. (Gov. Code, § 65583, subd. (a)(6).)*

Developed Densities and Permit Times: The element must be revised to include analysis of requests to develop housing at densities below those anticipated, and the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially hinder the construction of a locality's share of the regional housing need.

6. *Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, §*

65583, subd. (a)(7).)

While the element quantifies some of the Town's special needs populations, it must also analyze their special housing needs. The element must also quantify the number of the elderly and large households. For a complete analysis of each population group, the element should discuss challenges faced by the population, the existing resources to meet those needs (availability senior housing units, # of large units, # of deed restricted units, etc.), an assessment of any gaps in resources, and proposed policies, programs, and funding to help address those gaps.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)*

Programs must demonstrate that they will have a beneficial impact within the planning period. Beneficial impact means specific commitment to deliverables, measurable metrics or objectives, definitive deadlines, dates, or benchmarks for implementation. Deliverables should occur early in the planning period to ensure actual housing outcomes. To address the program requirements of Gov. Code section 65583, subd. (c)(1-6), and to facilitate implementation, programs must include: (1) specific actions the local government will take during the planning period; (2) timelines that result in beneficial impacts within the planning period; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials.

Additionally, all programs should be evaluated to ensure meaningful and specific actions and objectives. Programs containing unclear language (e.g., "Evaluate"; "Consider"; "Encourage"; etc.) should be amended to include more specific and measurable actions. Programs to be revised include, but are not limited to, Programs 1-1-4, 2-1, 3-2, 4-1, 4-2, 4-3, 4-4, and 6-3.

Transitional Housing and Supportive Housing: The element must include a program to amend the zoning ordinance to permit transitional and supportive housing as a residential use in all zones allowing residential uses and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. (Gov. Code, § 65583, subd. (c)(3).) For additional information, see the Building Blocks' at <https://www.hcd.ca.gov/zoning-for-a-variety-of-housing-types> and HCD's SB 2 memo at http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb2_memo050708.pdf.

Developmental Disabilities: The element must include a program to assist in the development of housing for persons with developmental disabilities (SB 812). Program actions could include proactive outreach and assistance to non-profit service providers and developers, prioritizing some funding for housing developments affordable to special needs households and offering financial incentives or regulatory concessions to encourage a variety of housing types.

2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the town's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.*
(Gov. Code, § 65583, subd. (c)(1).)

As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the Town may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

Programs 1-1, 1-2, 1-3: These programs currently have a timeframe for completion of January 2031. Because these programs are required to accommodate the RHNA, pursuant to Government Code section 65583 (c)(1)(A) rezones must be completed within three years from the date of adoption.

For your information, if rezones are completed after January 31, 2023, the element must also demonstrate Program 1-1 complies with the requirements of Government Code section 65583.2, subdivisions (h) and (i). For example, while the element indicates the residential capacity of the rezoned sites, it must also demonstrate the rezoned sites have a site capacity of at least 16 units, permit rental and owner multifamily development without discretionary review at minimum densities of at least 16 or 20 dwelling units per acre, and that at least at least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for exclusive residential uses or on sites zoned for mixed uses that accommodate all of the very low and low-income housing need, if those sites allow 100 percent residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project. For additional information, go to <https://www.hcd.ca.gov/hcd-memos>.

Program 1-4: The program should be revised to describe incentives for the Affiliated Housing Program and as stated above, include a program to monitor development of sites within the Affiliated Housing Program. In addition, the municipal code update should occur sooner in the planning period to have a beneficial impact.

3. *The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

Extremely Low-Income Program (ELI): While the element includes programs to assist in the development of very low-, low-, and moderate-income households, it must also include a program(s) to assist in the development of housing affordable households. Programs must be revised or added to the element to assist in the development of housing for ELI households. Program actions could include prioritizing some funding for housing developments affordable to ELI households and offering financial incentives or regulatory concessions to encourage the development of housing types, such as multifamily, single-room occupancy (SRO) units, to address the identified housing needs for ELI households. For additional information, see the Building Blocks at <https://www.hcd.ca.gov/extremely-low-income-housing-needs>.

4. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Finding B4 and B-5, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the Town may need to revise or add programs and address and remove or mitigate any identified constraints.

Program 4-1: This program should be revised to include specific details of the new parking requirements for affordable housing.

Program 4-4: This program should be revised to clarify that the zoning regulations and objective standards will facilitate the development of residential units at the densities proposed.

Pursuant to conversations with staff, the Town's density bonus may be out of date with state law. The element should include a program to update the ordinance accordingly.

5. *The Housing Element shall include programs to conserve and improve the condition of the existing affordable housing stock. (Gov. Code, § 65583, subd. (c)(4).)*

Conserve and Improve: The element must include a program(s) to conserve and improve the condition of the existing stock, which may include addressing the loss of dwelling units. A program could provide grants for substantial rehabilitation, provide matching grants for homeowner improvements, or implement proactive code enforcement program.

6. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

Goals and actions must significantly seek to overcome contributing factors to fair housing issues. Currently, the element identifies programs to encourage and promote affordable housing; however, most of these programs do not appear to facilitate any meaningful change nor address affirmatively furthering fair housing requirements. Furthermore, the element must include metrics and milestones for evaluating progress on programs, actions, and fair housing results and include geographic targeting as appropriate. Given that most of the Town is considered a highest resource community, the element could focus on programs that center on place-based strategies for economic and community revitalization, protecting residents from disaster-driven and investment-driven displacement, and enhancing housing mobility to encourage the development of more housing choices and affordable housing. Programs also should be based on identified contributing factors, be significant and meaningful. The element must add, and revise programs based on a complete analysis and listing and prioritization of contributing factors to fair housing issues. For example, the Town could consider tying Program 8-7 towards actions to improve nongovernmental constraints such as mortgage acceptance rates. For more information, please see HCD's guidance at <https://www.hcd.ca.gov/community-development/affh/index.shtml>.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 11/9/22 COMMENTS ON PORTOLA VALLEY HOUSING ELEMENT

Town Comment Number	HCD Comment	Town Response
1	<p>A. Review and Revision</p> <p><i>Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)</i></p> <p>The review requirement is one of the most important features of the element update. The review of past programs should analyze the Town's accomplishments over the previous planning period. This information provides the basis for developing a more effective housing program.</p> <p>As part of the evaluation of programs in the past cycle, the element must provide an explanation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female-headed households, farmworkers, and persons experiencing homelessness).</p>	<p>Added a list of key accomplishments during the 5th Cycle and additional evaluation on the of past programs in meeting the needs of special needs populations to <i>Appendix D, Revised 2015-2023 Housing Element Performance</i>.</p>
2	<p>B. Housing Needs, Resources, and Constraints</p> <p><i>1. Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction (Gov. Code, § 65583, subd. (c)(10)(A))</i></p> <p>Integration and Segregation: The element includes some data on integration and segregation at the regional and local level; however, the element must also analyze segregation and integration of familial status and persons with disabilities, including a discussion of patterns and trends over time.</p>	<p>Added data on familial status under <i>Section 3, AFFH, Primary Findings</i> (fifteenth bullet). Data on persons with disabilities can be found in the text under <i>Section 3, AFFH, Primary Findings</i>, (third and second to last bullets) and <i>Appendix C, AFFH, 4.3.3 Disability Status</i>.</p>
3	<p>Racial/Ethnic Areas of Concentration of Areas of Affluence (RCAA): The element includes information relative to Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) but should also address concentrated areas of affluence. The combination of the R/ECAP and areas of affluence analyses will help guide goals and actions to address fair housing issues. The analysis should evaluate the patterns and changes over time at a local (e.g., neighborhood to neighborhood) and regional level (e.g., Town to region).</p>	<p>Added RCAA text in <i>Appendix C, AFFH, 4.3.3 Racially or Ethnically Concentrated Areas of Poverty and Affluence</i> and <i>Section 3, AFFH, Primary Findings</i>.</p>
4	<p>Disproportionate housing needs and Displacement Risk: The element does include data on overcrowded households, substandard housing conditions, but it must also analyze the cost burdened and extreme cost burdened rates for owner households.</p>	<p>Added Figures 3-2: Overpayment by AMI and 3-3: Overpayment by Tenure and additional text to <i>Section 3, AFFH</i> under subheading Primary Findings, and to <i>Appendix C, AFFH, Section 6.2 Cost Burden and Sever Cost Burden</i>.</p>
5	<p>Site Inventory: The Town is predominantly a highest resource category according to TCAC/HCD Opportunity Maps and is predominantly higher income. Sites should be analyzed in relationships to any RCAA identified. The element should also include specific analysis of the Town compared to the region and should formulate policies and programs to promote an inclusive community. For example, the Town should consider additional actions (not limited to the Regional Housing Needs Allocation (RHNA) to promote housing mobility and improve new housing opportunities throughout the Town.</p>	<p>Added text under <i>Appendix C, AFFH, 7.2 Distribution of sites in the Site Inventory</i> and <i>Section 3, AFFH, Primary Findings</i>.</p> <p>Added language to <i>Section 6, Adequate Sites</i> discussing how Sites locations will help address concerns described in <i>Section 3, AFFH</i>.</p>
6	<p>Contributing Factors: The element must prioritize contributing factors to fair housing issues, giving highest priority to those factors that most limit or deny fair housing choice or access to opportunity</p>	<p>Added text in <i>Section 3, AFFH, Table 3-1</i> to denote "low, medium, and high" prioritization of Contributing Factors.</p>

	<p>or negatively impact fair housing or civil rights compliance. Contributing factors create, contribute to, perpetuate, or increase the severity of fair housing issues and are fundamental to adequate goals and actions. Examples include community opposition to affordable housing, housing discrimination, land use and zoning laws, lack of regional cooperation, location and type or lack of affordable housing and lack of public or private investment in areas of opportunity or affordable housing choices. The analysis shall result in strategic approaches to inform and connect goals and actions to mitigate contributing factors to affordable housing.</p>	
7	<p><i>2. Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)</i></p> <p>While the element identifies the total number of overpaying households, it must quantify and analyze the number of overpaying lower-income households by tenure (i.e., renter and owner). For additional information and sample analysis, see the Building Blocks at https://www.hcd.ca.gov/hcd-memos.</p>	<p>Added Figures 3-4 and 3-5 Cost Burden by Income for Owners, and for Renters, respectively, showing overpayment by tenure by income level to <i>Section 3, AFFH</i> under subsection Primary Findings. Added analysis of data.</p>
8	<p><i>3. An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)</i></p> <p>The Town has a RHNA of 253 housing units, of which 115 are for lower-income households. To address this need, the element relies on pipeline projects, Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), an Opt-in-Single-Family Rezoning Program and adopting three new zoning districts to allow multifamily dwellings. To demonstrate the adequacy of these sites and strategies to accommodate the Town's RHNA, the element must include complete analyses:</p> <p>Pipeline Projects: The Town's RHNA may be reduced by the number of new units built since July 1, 2022. The element indicates 17 units affordable to low-income households are pending in the Willow Commons and Stanford Wedge projects but must also demonstrate the affordability of the units. Specifically, the element must assign these units to the various income groups based on actual or anticipated sales price or rent level of the units or other mechanisms ensuring affordability (e.g., deed-restrictions) and demonstrate their availability in the planning period. For units in the pipeline, the element should describe the status of the application, required entitlements, and anticipated date of approval.</p>	<p>Added language to <i>Section 6, Adequate Sites</i> under subheading Pipeline and Pending Projects, with additional details on the Willow Commons and Stanford Wedge projects.</p>
9	<p>Realistic Capacity: While the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls and site improvements, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities.</p>	<p>Added language to <i>Section 6, Adequate Sites</i> under subheading Realistic Capacity, describing local setting (no multifamily zones, limited multifamily development), site quality, and the rezonings.</p>
10	<p>Opt-In-Single-Family Rezoning Program: In order to accommodate the remaining need for the above moderate-income RHNA, the town is proposing to develop a program where property owners can opt-in to rezone their parcel to allow for 4 units per acre and a maximum of four dwelling units per lot. The Town is expecting to increase capacity by 12 units. In order to count these proposed unit towards the RHNA, the element must further describe the potential for additional capacity using</p>	<p>Added language to <i>Section 6, Adequate Sites</i> under Subheading Opt-In Housing Program, providing additional detail on how the program would function, program incentives the review process for applicants. Revised Opt-In program language in <i>Section 7, Programs</i> (Program 1-3) to reflect additional program details.</p>

	<p>the Opt-In-Single-Family Rezoning Program within the planning period. This must include reviewing program guidelines and processes, include a description of existing uses, the number of parcels that could apply for the rezone including a sample parcel inventory, a survey or other methodology to show how many parcels would potentially rezone in the planning period, and incentives for property owners to opt into the program. Please be aware, pursuant to Government Code section 65583 (c)(1)(A), rezones to accommodate RHNA must occur within three years from date of adoption of the element. The element should include a program to monitor application of the program to ensure that rezonings have been completed within that timeframe and commit to rezone or amend the housing element to identify additional sites.</p>	
11	<p>Affiliated Housing Sites: The element identifies two sites that will not be rezoned but are anticipated to be developed under the Affiliated Housing Site Program including the 42 Acre Sequoia Housing Site and the Christ Church Affiliated Housing site. The element must include information that demonstrates the potential for development within the planning period including, but not limited to, information on proposed projects within the planning period, analysis on existing uses and whether those existing uses could impede development, and approval procedures (see next section). The element could also include programs that commit to facilitating the development of these properties and commit to monitor production throughout the planning period and if necessary additional actions to identify additional capacity.</p>	<p>Added language to <i>Section 6, Adequate Sites</i>, under subheading Affiliated Housing Sites to describe the codification of the Affiliated Housing Program and more information about the Sequoias and Christ Church sites.</p>
12	<p>ADUs: The element relies on 92 ADUs to accommodate a portion of the Town's RHNA. For your information, HCD records indicate permitted ADUs of 7 in 2018, 7 in 2019 and 3 in 2020. The element should reconcile these numbers and adjust assumptions as appropriate. The element must clarify these ADUs numbers in relationship to the projections, reconcile these numbers and adjust assumptions as appropriate. Depending on the analysis, the element must commit to monitor ADU production and affordability throughout the planning period and implement additional actions if not meeting target numbers within a specified time period (e.g., within six months). Finally, if necessary, the degree of additional actions should be in stride with the degree of the gap in production and affordability. For example, if actual production and affordability of ADUs is far from anticipated trends, then rezoning or something similar would be an appropriate action. If actual production and affordability is near anticipated trends, then measures like outreach and marketing might be more appropriate.</p>	<p>Added languages to <i>Section 6, Adequate Sites</i>, under subheading Accessory Dwelling Units and Junior Accessory Dwelling Units to strengthen assumptions about ADU production.</p> <p>HCD, Thank you for noting the discrepancy between the Town's records and HCD records. The Town is aware of past reporting errors that need to be corrected with HCD. Unfortunately, the report form was completed incorrectly so the numbers do not align.</p> <p>(Town may need to add a program to resolve the past reporting problems.)</p>
13	<p>Environmental Constraints: While the element generally describes a few environmental conditions within the Town (page 68), it must describe any known environmental constraints within the Town that could impact housing development in the planning period. (Gov. Code, § 65583.2, subd. (b).) For additional information and sample analysis, see the Building Blocks at http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/analysis-of-sites-and-zoning.shtml#environmental.</p>	<p>Added discussion of biological and hazardous materials to <i>Section 4, Constraints</i> under the Environmental Constraints subheading.</p>
14	<p>Sites with Zoning for a Variety of Housing Types:</p> <ul style="list-style-type: none"> ▪ Emergency Shelters: The element should describe the development standards of the zone that allows emergency shelters by-right and should provide an analysis of proximity to transportation and services for these sites, hazardous conditions, and any conditions in appropriate for human habitability. Specifically, the element. In addition, the element should describe how emergency shelter parking requirements are in line with AB139/Government Code section 65583, subdivision (a)(4)(A) or include a program to comply with this requirement. 	<p>Added language to <i>Section 4, Constraints</i> under subheading Zoning Code describing addition of Emergency Shelters to new code for Multi-Family zones, and shelter regulations as permitted by Government Code section 65583 (a)(4)(A).</p> <p>Added language to <i>Section 2, Housing Needs</i>, referring to Emergency Shelter updates in new Multi-Family zones, as described in <i>Section 4, Constraints</i>.</p>
15	<ul style="list-style-type: none"> ▪ ADUs: The element indicates the Town modified its zoning code to ease barriers to the development of ADU's. However, after a cursory review of the Town's ordinance, HCD discovered 	<p>Added Program 7-8, Update Town's ADU ordinance regularly to comply with state law, to <i>Section 7, Goals, Policies, and Programs</i>. A description of Program 7-8 was</p>

	<p>several areas which were not consistent with State ADU Law. HCD will provide a complete listing of ADU non-compliance issues under a separate cover. As a result, the element should add a program to update the Town's ADU ordinance in order to comply with state law.</p>	<p>also added to <i>Section 6, Adequate Sites</i>, where the proposed ADU programs are described, under subheading Proposed ADU and JADU Policies and Programs.</p>
16	<p><i>4. An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Government Code section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7). (Gov. Code, § 65583, subd. (a)(5).)</i></p> <p><u>Multi-Family Zoning and Mixed-Use Zoning Districts:</u> As stated above, to accommodate the town's RHNA, three new multifamily zoning districts will be created to accommodate 4 units, 6 units, and 20 units per acre respectively. While HCD recognizes that zoning has not yet been created to implement the new zones, the element should generally describe and commit to expectations for development standards in these zones. For example, the element should describe expected height limits, parking, and other standards that will facilitate development at the densities proposed. This is particularly critical because the Town currently does not have any zoning districts that specifically allow for multifamily.</p>	<p>Updated <i>Section 6, Adequate Sites</i> to add basic development standards. Corresponding zoning code amendments are underway and expected to be completed by July 2023.</p>
17	<p><u>Minimum Density Equals Maximum Density:</u> The element states that the density for the new multifamily district allows 20 dwelling units an acre. However, the element must clarify if the minimum density for the rezone is also the maximum density. The element must analyze this narrow range of density (20 units per acre) as a potential governmental constraint on housing development including potential impacts resulting from site constraints, financial considerations, and other development factors.</p>	<p>Updated <i>Section 6, Adequate Sites</i>, to clarify minimum and maximum densities for the new Multi-Family and Mixed Use Districts. The R-MF-20 allows between 10 to 20 dwelling units per acre and the R-MF-4 allows between 2 to 4 dwelling units per acre. The MU allows between 4 to 6 dwelling units per acre.</p>
18	<p><u>Zoning, Development Standards and Fees:</u> The element must clarify compliance with new transparency requirements for posting all zoning, development standards and fees on the Town's website and add a program to address these requirements, if necessary.</p>	
19	<p><u>Design Review (D-R) Combining District:</u> The element must further describe and analyze the Design Review Combining District and Architectural and Site Control Commission (ASCC). The element must include a description of any guidelines and design criteria, approval procedures, and decision-making criteria, for their impact as potential constraints on housing supply and affordability. For example, the analysis should consider processing and approval procedures and timeframes, level of review, subjectivity of approval findings and any discretionary approval procedures. The element should also indicate if housing under the new multifamily zoning districts will be subject to this procedure. The element must demonstrate these processes are not a constraint or it must include a program(s) to address this permitting requirement, as appropriate.</p>	<p>Updated <i>Section 4, Constraints</i>, to clarify limited scope of D-R Combining District and add information about ASCC review process.</p>
20	<p><u>Affiliated Housing Program:</u> The element identifies two sites within the inventory for potential for development through the Affiliated Housing Program. While the element provides a brief description (page 82), it must include further information and analysis on how projects proposed under this program are approved. For example, what development standards apply to the project, what types of finding are necessary to approve the conditional use permit, standards that are</p>	<p><i>Section 7, Goals Policies and Programs</i> (Programs 1-4 and 4-2) updated with detail on the Affiliated Housing Program.</p> <p>in <i>Section 4, Constraints</i>, subsection Conditional Use Permit and Planned Unit Development Permit Processes updated to explain why the permit process does not</p>

	required to opt-in to the program, and other requirements that impact the feasibility of development on sites within the overlay.	impact the feasibility of development. Additionally, each Affiliated site is discussed in detail in <i>Section 6, Adequate sites</i> .
21	<u>Streamlining Provisions:</u> The element must clarify whether there are written procedures for the SB 35 (Chapter 366, Statutes of 2017) Streamlined Ministerial Approval Process and add a program to address these requirements as appropriate.	Added language in <i>Section 4, Constraints</i> , clarifying that, while the Town has not adopted its own procedure, it will follow State law when processing SB 35 applications.
22	<u>Building Codes and Enforcement:</u> While the element states that it has adopted the 2019 building code, it must also describe any local amendments to the building code and enforcement of the codes for impacts on housing supply and affordability.	Added language in <i>Section 4, Constraints</i> , to specify the local amendments related to sustainability and fire safety.
23	<p><u>Constraints on Housing for Persons with Disabilities:</u> The element briefly describes its reasonable accommodation measures (page 51). However, the element should describe the process and decision-making criteria such as approval findings and analyze any potential constraints on housing for persons with disabilities.</p> <p>The element must also address how non-licensed group home facilities that serve seven or more residences is permitted. Zoning and standards should simply implement a barrier-free definition of family instead of subjecting, potentially persons with disabilities, to special regulations. Zoning code regulations that isolate and regulate various types of housing for persons with disabilities based on the number of people and other factors may pose a constraint on housing choice for persons with disabilities. The element should include specific analysis of these and any other constraints for impacts on housing for persons with disabilities and add or modify programs as appropriate.</p>	Updated subsection Zoning for a Variety of Housing Types in <i>Section 4, Constraints</i> to indicate plan to modernize the Municipal Code definition of "household" and added action 8-9 to TABLE 3-1 in <i>Section 3, Affirmatively Furthering Fair Housing</i> .
24	<u>Water Sewer Priority:</u> For your information, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are required to immediately deliver the housing element to water and sewer service providers. HCD recommends including a cover memo describing the Town's housing element , including the Town's housing needs and regional housing need. For additional information and sample cover memo, see the Building Blocks at https://www.hcd.ca.gov/priority-for-water-and-sewer .	Thanks HCD – Town will distribute Housing Element to water provider.
25	<p><i>5. An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584. (Gov. Code, § 65583, subd. (a)(6).)</i></p> <p><u>Developed Densities and Permit Times:</u> The element must be revised to include analysis of requests to develop housing at densities below those anticipated, and the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially hinder the construction of a locality's share of the regional housing need.</p>	(Explanation will be provided to HCD)

26	<p><i>6. Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)</i></p> <p>While the element quantifies some of the Town's special needs populations, it must also analyze their special housing needs. The element must also quantify the number of the elderly and large households. For a complete analysis of each population group, the element should discuss challenges faced by the population, the existing resources to meet those needs (availability senior housing units, # of large units, # of deed restricted units, etc.), an assessment of any gaps in resources, and proposed policies, programs, and funding to help address those gaps.</p>	<p>Further analysis added to Section 2, Housing Needs, subsection Large Households</p> <p>In looking at the data again, only 2.1% of the housing stock is small multi-family (48 units), while 29% of the pop is over 65 (1,336 ppl). This shows we don't have the small units to meet the possible demand of our older population. Do we need to say more about this?</p>
27	<p>C. Housing Programs</p> <p><i>1. Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)</i></p> <p>Programs must demonstrate that they will have a beneficial impact within the planning period. Beneficial impact means specific commitment to deliverables, measurable metrics or objectives, definitive deadlines, dates, or benchmarks for implementation. Deliverables should occur early in the planning period to ensure actual housing outcomes. To address the program requirements of Gov. Code section 65583, subd. (c)(1-6), and to facilitate implementation, programs must include: (1) specific actions the local government will take during the planning period; (2) timelines that result in beneficial impacts within the planning period; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials.</p>	<p>Added language to <i>Section 7, Goals, Policies and Programs</i> clarify and solidify objectives and timeframes for programs throughout. Deliverables are generally early in the planning period in order to allow time for outcomes to occur.</p>
28	<p>Additionally, all programs should be evaluated to ensure meaningful and specific actions and objectives. Programs containing unclear language (e.g., "Evaluate"; "Consider"; "Encourage"; etc.) should be amended to include more specific and measurable actions. Programs to be revised include, but are not limited to, Programs 1-1-4, 2-1. 3-2, 4-1, 4-2, 4-3, 4-4, and 6-3.</p>	<p>Programs have been updated to provide more clarity and specificity.</p>
29	<p><u>Transitional Housing and Supportive Housing:</u> The element must include a program to amend the zoning ordinance to permit transitional and supportive housing as a residential use in all zones allowing residential uses and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. (Gov. Code, § 65583, subd. (c)(3).) For additional information, see the Building Blocks' at https://www.hcd.ca.gov/zoning-for-a-variety-of-housing-types and HCD's SB 2 memo at http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb2_memo050708.pdf.</p>	<p>This code amendment has already been completed so no program is necessary.</p>
30	<p><u>Developmental Disabilities:</u> The element must include a program to assist in the development of housing for persons with developmental disabilities (SB 812). Program actions could include proactive outreach and assistance to non-profit service providers and developers, prioritizing some funding for housing developments affordable to special needs households and offering financial incentives or regulatory concessions to encourage a variety of housing types.</p>	<p>Added new Policy 9 and program 9-1 to <i>Section 7, Goals, Policies and Programs</i> to assist in the development of housing for persons with developmental disabilities.</p>
31	<p><i>2. Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate</i></p>	<p>Language has been added to <i>Section 6, Sites</i> describing the Opt-In Housing Program in more detail, to <i>Section 7, Goals, Policies and Programs</i> describing various ADU</p>

	<p><i>that portion of the town's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.</i> (Gov. Code, § 65583, subd. (c)(1).)</p> <p>As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the Town may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.</p>	<p>programs, and to <i>Section 4, Constraints</i>, describing the inclusion of updated Emergency Shelter language in the new Multi-family zoning standards.</p>
32	<p><u>Programs 1-1, 1-2, 1-3:</u> These programs currently have a timeframe for completion of January 2031. Because these programs are required to accommodate the RHNA, pursuant to Government Code section 65583 (c)(1)(A) rezones must be completed within three years from the date of adoption.</p> <p>For your information, if rezones are completed after January 31, 2023, the element must also demonstrate Program 1-1 complies with the requirements of Government Code section 65583.2, subdivisions (h) and (i). For example, while the element indicates the residential capacity of the rezoned sites, it must also demonstrate the rezoned sites have a site capacity of at least 16 units, permit rental and owner multifamily development without discretionary review at minimum densities of at least 16 or 20 dwelling units per acre, and that at least at least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for exclusive residential uses or on sites zoned for mixed uses that accommodate all of the very low and low-income housing need, if those sites allow 100 percent residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project. For additional information, go to https://www.hcd.ca.gov/hcd-memos.</p>	<p><i>Section 7, Goals, Policies and Programs</i> updated to reflect completion timeframe for programs 1-1, 1-2 and 1-3.</p>
33	<p><u>Program 1-4:</u> The program should be revised to describe incentives for the Affiliated Housing Program and as stated above, include a program to monitor development of sites within the Affiliated Housing Program. In addition, the municipal code update should occur sooner in the planning period to have a beneficial impact.</p>	<p>Updated Program 1-4 to increase monitoring and clarify when code amendments will be done.</p>
34	<p><i>3. The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households.</i> (Gov. Code, § 65583, subd. (c)(2).)</p> <p><u>Extremely Low-Income Program (ELI):</u> While the element includes programs to assist in the development of very low-, low-, and moderate-income households, it must also include a program(s) to assist in the development of housing affordable households. Programs must be revised or added to the element to assist in the development of housing for ELI households. Program actions could include prioritizing some funding for housing developments affordable to ELI households and offering financial incentives or regulatory concessions to encourage the development of housing types, such as multifamily, single-room occupancy (SRO) units, to address the identified housing needs for ELI households. For additional information, see the Building Blocks at https://www.hcd.ca.gov/extremely-low-income-housing-needs.</p>	<p>Added language to <i>Section 4, Adequate Sites</i> under subheading Non-Vacant Underutilized Sites describing RFP process for Ford Field site and Town's control over number and type of low income and/or special needs units to be developed. The Town will require that 50 low income units be developed, with 5% set aside for extremely low income and/or special needs. If supportive housing is proposed, the Town will waive fees and expedite permit review, as was done with Willow Commons.</p> <p>Program 1-1, New Gateway Land Use Classification, describes how the site will allow for affordable housing. Program 3-1, Initiate Site Planning Process in Gateway, provides for pursuing an affordable housing project on the site.</p>

35	<p><i>4. Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. ©(3).)</i></p> <p>As noted in Finding B4 and B-5, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the Town may need to revise or add programs and address and remove or mitigate any identified constraints.</p>	<p>Language in <i>Section 7, Goals, Policies and Programs</i> has been updated to reflect responses to comments on constraints. See responses to Comments 16-24.</p>
36	<u>Program 4-1:</u> This program should be revised to include specific details of the new parking requirements for affordable housing.	
37	<u>Program 4-4:</u> This program should be revised to clarify that the zoning regulations and objective standards will facilitate the development of residential units at the densities proposed.	Program 4-4 removed and language integrated into other programs.
38	Pursuant to conversations with staff, the Town's density bonus may be out of date with state law. The element should include a program to update the ordinance accordingly.	Updated Program 4-2 in <i>Section 7, Goals, Policies and Programs</i> to include annual assessment of Density Bonus Law and regular reviews of Affiliated Housing Program
39	<p><i>5. The Housing Element shall include programs to conserve and improve the condition of the existing affordable housing stock. (Gov. Code, § 65583, subd. ©(4).)</i></p> <p><u>Conserve and Improve:</u> The element must include a program(s) to conserve and improve the condition of the existing stock, which may include addressing the loss of dwelling units. A program could provide grants for substantial rehabilitation, provide matching grants for homeowner improvements, or implement proactive code enforcement program.</p>	<p>The Housing Element includes multiple programs which support the conservation and improvement of housing units within Portola Valley (described in <i>Section 7, Goals, Policies, and Programs</i>):</p> <ul style="list-style-type: none"> • 7.2 ADU Amnesty program. Added language clarifying that, once legalized, previously unpermitted ADUs could then be improved via building permits from the Town. The Town's existing ADU Ambassador program can help spread the word about the Amnesty program. The Town estimates that 15 ADUs will be rehabilitated through the Amnesty Program (Table 7-2). • 7.3 Building Division support for JADU construction. The Town will provide property owners with direct assistance in making minor changes to accommodate a JADU. If rented, a new JADU would provide an income stream to the homeowner, which could be used for home improvements to their existing home. <p>In addition, Portola Valley's Home Hardening Ordinance, which is already in effect, incorporates specific building requirements into the Town municipal code that improves the fire safety of buildings by "hardening" them against fire. Where implemented, these home hardening elements will help preserve the home, by improving the likelihood that a home will survive a wildfire.</p> <p>Finally, it is worth noting that Portola Valley's high land values and high-income levels make it extremely unlikely that a home will fall into disrepair, become uninhabitable, or sit vacant. Further discussion on this topic can be found in <i>Section 2, Housing Needs</i>, under subsection Housing Condition.</p>
40	<i>6. Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of</i>	Added language to relevant policies in <i>Section 7, Goals, Policies, and Programs</i> describing which contributing factors from Table 3-1: Summary Matrix of Fair Housing Issues and Actions would be addressed by any given policy, in order to more

<p><i>Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. ©(5).)</i></p> <p>Goals and actions must significantly seek to overcome contributing factors to fair housing issues. Currently, the element identifies programs to encourage and promote affordable housing; however, most of these programs do not appear to facilitate any meaningful change nor address affirmatively furthering fair housing requirements. Furthermore, the element must include metrics and milestones for evaluating progress on programs, actions, and fair housing results and include geographic targeting as appropriate. Given that most of the Town is considered a highest resource community, the element could focus on programs that center on place-based strategies for economic and community revitalization, protecting residents from disaster-driven and investment-driven displacement, and enhancing housing mobility to encourage the development of more housing choices and affordable housing. Programs also should be based on identified contributing factors, be significant and meaningful. The element must add, and revise programs based on a complete analysis and listing and prioritization of contributing factors to fair housing issues. For example, the Town could consider is tying Program 8-7 towards actions to improve nongovernmental constraints such as mortgage acceptance rates. For more information, please see HCD's guidance at https://www.hcd.ca.gov/community-development/affh/index.shtml.</p>	<p>clearly draw a through line from fair housing contributing factors to the Town's Policies and Programs.</p>
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2022 Housing Element Statutory Provisions Checklist

Section 65583

Government Code Provision	Housing Element Compliance
The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing.	Sec. 7: Goals, Policies, Programs
The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.	Sec. 5: Resources (Regulatory Resources) Sec. 6: Adequate Sites (Sites Inventory) Sec. 7: Goals, Policies, Programs
The element shall contain all of the following:	Noted
(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:	Noted
(a)(1) An analysis of population and employment trends and documentation of projections	Sec. 2: Housing Needs Assessment (Portola Valley Population Characteristics and Trends)
(a)(1) A quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. The number of extremely low income households and very low income households shall equal the jurisdiction's allocation of very low income households pursuant to Section 65584.	Sec. 2: Housing Needs Assessment (Portola Valley Population Characteristics and Trends); (Special Needs Population) Sec. 3 Affirmatively Furthering Fair Housing (Primary Findings) Sec. 6 Adequate Sites (Regional Housing Needs Allocation (RHNA))

Government Code Provision	Housing Element Compliance
(a)(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay,	Sec. 3 Affirmatively Furthering Fair Housing (Primary Findings)
(a)(2) housing characteristics, including overcrowding, and	Sec. 2: Housing Needs Assessment (Portola Valley Population Characteristics and Trends)
(a)(2) housing stock condition.	Sec. 2: Housing Needs Assessment (Portola Valley Population Characteristics and Trends)
(a)(3) An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites, and an analysis of the relationship of the sites identified in the land inventory to the jurisdiction's duty to affirmatively further fair housing. Note: Please see Section 65583.2 regarding the land inventory.	Sec. 6: Adequate Sites
<p><i>[Note that AB 2339 (Chapter 654, Statutes of 2022) amended Section 65583(a)(4). It does not apply to ABAG-area housing elements unless the first draft of the housing element is submitted to ABAG after January 31, 2023 or a draft is submitted after April 1, 2023. Therefore the sections below include the statutory provisions of Section 65583(a)(4) effective in 2022. Jurisdictions adopting their housing element after January 1, 2023 should describe why AB 2339 is not applicable to them.]</i></p>	
(a)(4)(A) The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter.	Noted
(a)(4)(A) If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit.	Noted

(a)(4)(A) The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters.

Noted

Government Code Provision	Housing Element Compliance
<p>(a)(4)(A) Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:</p> <ul style="list-style-type: none"> (i) The maximum number of beds or persons permitted to be served nightly by the facility. (ii) Sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone. (iii) The size and location of exterior and interior onsite waiting and client intake areas. (iv) The provision of onsite management. (v) The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart. (vi) The length of stay. (vii) Lighting. (viii) Security during hours that the emergency shelter is in operation. 	Noted
<p>(a)(4)(B) The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).</p>	Noted
<p>(a)(4)(C) A local government that can demonstrate to the satisfaction of the department the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multijurisdictional agreement that can accommodate that jurisdiction's need for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zone or zones where new emergency shelters are allowed with a conditional use permit.</p>	Noted
<p>(a)(4)(D) A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zones for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph.</p>	Noted
<p>(a)(5) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and [Note: The types of housing identified in Section 65583(c)(1) include multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.]</p>	Sec. 4: Constraints (Governmental Regulations and Constraints)
<p>(a)(5) for persons with disabilities as identified in the analysis pursuant to paragraph (7),</p>	Sec. 4: Constraints (Governmental Regulations and Constraints)
<p>(a)(5) including land use controls,</p>	Sec. 4: Constraints (Governmental

	Regulations and Constraints)
(a)(5) building codes and their enforcement,	Sec. 4: Constraints (Governmental Regulations and Constraints)

Government Code Provision	Housing Element Compliance
(a)(5) site improvements,	Sec. 4: Constraints (Governmental Regulations and Constraints)
(a)(5) fees and other exactions required of developers,	Sec. 4: Constraints (Governmental Regulations and Constraints)
(a)(5) local processing and permit procedures,	Sec. 4: Constraints (Governmental Regulations and Constraints)
(a)(5) and any locally adopted ordinances that directly impact the cost and supply of residential development.	Sec. 3: Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan)
(a)(5) The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584	Sec. 3: Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan)
(a)(5) and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7).	Sec. 4: Constraints (Governmental Regulations and Constraints) Sec. 5 Resources (Regulatory Resources)
(a)(6) An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing,	Sec. 4: Constraints (Non-Governmental Constraints); (Non-Governmental Constraints Specific to Portola Valley) Sec. 5 Resources (Regulatory Resources)
(a)(6) the price of land,	Sec. 4: Constraints (Non-Governmental Constraints)
(a)(6) the cost of construction,	Sec. 4: Constraints (Non-Governmental Constraints)

(a)(6) the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Section 65583.2,	Sec. 6 Adequate Sites (Sites Inventory)
(a)(6) and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Section 65584.	Sec. 4: Constraints (Governmental Regulations and Constraints)
(a)(6) The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing.	Sec. 3: Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan) Sec. 7: Goals, Policies, Programs
(a)(7) An analysis of any special housing needs, such as those of the	Sec. 2: Housing Needs Assessment
(a)(7) elderly;	Sec. 2: Housing Needs Assessment (Portola Valley Population Characteristics and Trends); (Special Needs Population)
(a)(7) persons with disabilities, including a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code;	Sec. 2: Housing Needs Assessment (Portola Valley Population Characteristics and Trends); (Special Needs Population)
(a)(7) large families;	Sec. 2: Housing Needs Assessment (Portola Valley Population Characteristics and Trends); (Special Needs Population)
(a)(7) farmworkers;	Sec. 2: Housing Needs Assessment (Special Needs Population)
(a)(7) families with female heads of households;	Sec. 2: Housing Needs Assessment (Special Needs Population)
(a)(7) and families and persons in need of emergency shelter.	Sec. 2: Housing Needs Assessment (Special Needs Population)

Government Code Provision	Housing Element Compliance
(a)(7) The need for emergency shelter shall be assessed based on the capacity necessary to accommodate the most recent homeless point-in-time count conducted before the start of the planning period, the need for emergency shelter based on number of beds available on a year-round and seasonal basis, the number of shelter beds that go unused on an average monthly basis within a one-year period, and the percentage of those in emergency shelters that move to permanent housing solutions.	Sec. 2: Housing Needs Assessment (Special Needs Population)
(a)(7) The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period.	Noted – not applicable to Portola Valley
(a)(7) An analysis of special housing needs by a city or county may include an analysis of the need for frequent user coordinated care housing services.	Noted – not applicable to Portola Valley
(a)(8) An analysis of opportunities for energy conservation with respect to residential development. Cities and counties are encouraged to include weatherization and energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. This may include energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system.	Sec. 5: (Resources Regulatory Resources)
(a)(9) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65915.	Noted – not applicable to Portola Valley
(a)(9)(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use, and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.	Noted – not applicable to Portola Valley
(a)(9)(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregate for each five-year period and does not have to contain a project-by-project cost estimate.	Noted – not applicable to Portola Valley

Government Code Provision	Housing Element Compliance
(a)(9)(C) The analysis shall identify public and private nonprofit corporations known to the local government that have legal and managerial capacity to acquire and manage these housing developments.	Noted – not applicable to Portola Valley
(a)(9)(D) The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs that can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program that have not been legally obligated for other purposes and that could be available for use in preserving assisted housing developments.	Noted – not applicable to Portola Valley
(b)(1) A statement of the community's goals, quantified objectives, and policies relative to affirmatively furthering fair housing and to the maintenance, preservation, improvement, and development of housing.	Sec. 7: Goals, Policies, Programs
(b)(2) It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period.	Sec. 7: Goals, Policies, Programs
(c) A program that sets forth a schedule of actions during the planning period, each with a timeline for implementation, that may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element	Sec. 7: Goals, Policies, Programs
(c) through the administration of land use and development controls,	Sec. 7: Goals, Policies, Programs
(c) the provision of regulatory concessions and incentives,	Sec. 7: Goals, Policies, Programs
(c) the utilization of appropriate federal and state financing and subsidy programs when available,	Sec. 5 Resources (Financial Resources) Sec. 7: Goals, Policies, Programs
(c) and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code).	Noted – not applicable to Portola Valley

In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:

Noted

Government Code Provision	Housing Element Compliance
(c)(1) Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09.	Sec. 7: Goals, Policies, Programs
(c)(1) Sites shall be identified as needed to affirmatively further fair housing	Sec. 3 Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan) Sec. 7: Goals, Policies, Programs
(c)(1) and to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing,	Sec. 6 Adequate Sites (Site Inventory Methodology) Sec. 7: Goals, Policies, Programs
(c)(1) factory-built housing,	Specific program not required to comply with Section 65584.09
(c)(1) mobilehomes,	Sec. 6 Adequate Sites (Adequate Sites)
(c)(1) housing for agricultural employees,	Specific program not required to comply with Section 65584.09
(c)(1) supportive housing,	Sec. 7: Goals, Policies, Programs
(c)(1) single-room occupancy units,	Specific program not required to comply with Section 65584.09
(c)(1) emergency shelters,	Specific program not required to comply with Section 65584.09
(c)(1) and transitional housing.	Specific program not required to comply with Section 65584.09

(c)(1)(A) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, rezoning of those sites, including adoption of minimum density and development standards, for jurisdictions with an eight-year housing element planning period pursuant to Section 65588, shall be completed no later than three years after either the date the housing element is adopted pursuant to subdivision (f) of Section 65585 or the date that is 90 days after receipt of comments from the department pursuant to subdivision (b) of Section 65585, whichever is earlier, unless the deadline is extended pursuant to subdivision (f). Notwithstanding the foregoing, for a local government that fails to adopt a housing element that the department has found to be in substantial compliance with this article within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning of those sites, including adoption of minimum density and development standards, shall be completed no later than one year from the statutory deadline in Section 65588 for adoption of the housing element.

Noted – not applicable to Portola Valley

(c)(1)(B) Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall identify sites that can be developed for housing within the planning period pursuant to subdivision (h) of Section 65583.2. The identification of sites shall include all components specified in Section 65583.2. Note: Please see Section 65583.2 regarding the land inventory and conformance with subdivision (h).

Noted – not applicable to Portola Valley

Government Code Provision	Housing Element Compliance
(c)(1)(C) Where the inventory of sites pursuant to paragraph (3) of subdivision (a) does not identify adequate sites to accommodate the need for farmworker housing, the program shall provide for sufficient sites to meet the need with zoning that permits farmworker housing use by right, including density and development standards that could accommodate and facilitate the feasibility of the development of farmworker housing for low- and very low income households.	Noted
(c)(2) Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households.	Sec. 6 Adequate Sites (Sites Inventory) Sec. 7: Goals, Policies, Programs
(c)(3) Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels	Sec. 7: Goals, Policies, Programs
(c)(3) and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities.	Sec. 7: Goals, Policies, Programs
(c)(3) Transitional housing and supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.	Sec. 7: Goals, Policies, Programs
(c)(3) Supportive housing, as defined in Section 65650, shall be a use by right in all zones where multifamily and mixed uses are permitted, as provided in Article 11 (commencing with Section 65650).	Sec. 7: Goals, Policies, Programs
(c)(4) Conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.	Sec. 7: Goals, Policies, Programs
(c)(5) Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law.	Sec. 7: Goals, Policies, Programs
(c)(6) Preserve for lower income households the assisted housing developments identified pursuant to paragraph (9) of subdivision (a).	Noted – not applicable to Portola Valley
(c)(6) The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available.	Noted – not applicable to Portola Valley

(c)(6) The program may include strategies that involve local regulation and technical assistance.

Noted – not
applicable to Portola
Valley

Government Code Provision	Housing Element Compliance
(c)(7) Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, “accessory dwelling units” has the same meaning as “accessory dwelling unit” as defined in paragraph (4) of subdivision (i) of Section 65852.2.\	Sec. 6 Adequate Sites (Credit Towards RHNA) Sec. 7: Goals, Policies, Programs
(c)(8) Include an identification of the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals.	Sec. 7: Goals, Policies, Programs
(c)(9) Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.	Appendix A: Community Engagement
(c)(10)(A) Affirmatively further fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2. The program shall include an assessment of fair housing in the jurisdiction that shall include all of the following components:	Noted
(c)(10)(A)(i) A summary of fair housing issues in the jurisdiction	Sec. 3: Affirmatively Furthering Fair Housing Appendix C: Portola Valley Fair Housing Assessment (8. Contributing Factors and Fair Housing Action Plan)
(c)(10)(A)(ii) and an assessment of the jurisdiction’s fair housing enforcement and fair housing outreach capacity.	Sec. 3: Affirmatively Furthering Fair Housing (Primary Findings) Appendix C: Portola Valley Fair Housing Assessment (3. Fair Housing Enforcement and Outreach Capacity)
(c)(10)(A)(iii) An analysis of available federal, state, and local data and knowledge to identify integration and segregation patterns and trends,	Sec. 3: Affirmatively Furthering Fair Housing (Primary Findings) Sec. 6 Adequate Sites (Sites Inventory) Appendix C: Portola Valley

	Fair Housing Assessment (2. Introduction and Primary Findings); (4. Integration and Segregation)
(c)(10)(A)(ii) racially or ethnically concentrated areas of poverty and affluence,	Sec. 3: Affirmatively Furthering Fair Housing (Primary Findings) Appendix C: Portola Valley Fair Housing Assessment (4. Integration and Segregation)
(c)(10)(A)(ii) disparities in access to opportunity,	Sec. 3 Affirmatively Furthering Fair Housing (Primary Findings); (Contributing Factors and Fair Housing Action Plan) Sec. 6 Adequate Sites (Sites Inventory) Appendix C: Portola Valley Fair Housing Assessment (5. Access to Opportunity)
(c)(10)(A)(ii) and disproportionate housing needs,	Sec. 3 Affirmatively Furthering Fair Housing (Special Needs Population); (Primary Findings) Sec. 6 Adequate Sites (Sites Inventory) Appendix C: Portola Valley Fair Housing Assessment (6. Disproportionate Housing Needs)
(c)(10)(A)(ii) including displacement risk.	Sec. 3 Affirmatively Furthering Fair Housing (Primary Findings) Appendix C: Portola Valley

	Fair Housing Assessment (6. Disproportionate Housing Needs)
(c)(10)(A)(ii) The analysis shall identify and examine such patterns, trends, areas, disparities, and needs, both within the jurisdiction.	Sec. 3 Affirmatively Furthering Fair Housing (Primary Findings) Appendix C: Portola Valley Fair Housing Assessment (6. Disproportionate Housing Needs)
(c)(10)(A)(ii) and comparing the jurisdiction to the region in which it is located, based on race and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2) and Section 65008.	Sec. 3 Affirmatively Furthering Fair Housing (Primary Findings) Appendix C: Portola Valley Fair Housing Assessment (6. Disproportionate Housing Needs)
(c)(10)(A)(iii) An assessment of the contributing factors, including the local and regional historical origins	Sec. 3 Affirmatively Furthering Fair Housing (Primary Findings) Appendix C: Portola Valley Fair Housing Assessment (6. Disproportionate Housing Needs)
(c)(10)(A)(iii) and current policies and practices, for the fair housing issues identified under clauses (i) and (ii).	Sec. 3 Affirmatively Furthering Fair Housing (Primary Findings) Appendix C: Portola Valley Fair Housing Assessment (6. Disproportionate Housing Needs)

Government Code Provision	Housing Element Compliance
(c)(10)(A)(iv) An identification of the jurisdiction's fair housing priorities and goals, giving highest priority to those factors identified in clause (iii) that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance,	Sec. 3 Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan) Appendix C: Portola Valley Fair Housing Assessment (8. Contributing Factors and Fair Housing Action Plan)
(c)(10)(A)(iv) and identifying the metrics and milestones for determining what fair housing results will be achieved.	Sec. 3 Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan) Appendix C: Portola Valley Fair Housing Assessment (8. Contributing Factors and Fair Housing Action Plan)
(c)(10)(A)(v) Strategies and actions to implement those priorities and goals, which may include, but are not limited to, enhancing mobility strategies	Sec. 3 Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan) Appendix C: Portola Valley Fair Housing Assessment (8. Contributing Factors and Fair Housing Action Plan)
(c)(10)(A)(v) and encouraging development of new affordable housing in areas of opportunity,	Sec. 3 Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan) Appendix C: Portola Valley

	Fair Housing Assessment (8. Contributing Factors and Fair Housing Action Plan)
(c)(10)(A)(v) as well as place-based strategies to encourage community revitalization, including preservation of existing affordable housing,	Sec. 3 Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan) Appendix C: Portola Valley Fair Housing Assessment (8. Contributing Factors and Fair Housing Action Plan)
(c)(10)(A)(v) and protecting existing residents from displacement.	Sec. 3 Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan) Appendix C: Portola Valley Fair Housing Assessment (8. Contributing Factors and Fair Housing Action Plan)
(c)(10)(B) A jurisdiction that completes or revises an assessment of fair housing pursuant to Subpart A (commencing with Section 5.150) of Part 5 of Subtitle A of Title 24 of the Code of Federal Regulations, as published in Volume 80 of the Federal Register, Number 136, page 42272, dated July 16, 2015, or an analysis of impediments to fair housing choice in accordance with the requirements of Section 91.225 of Title 24 of the Code of Federal Regulations in effect before August 17, 2015, may incorporate relevant portions of that assessment or revised assessment of fair housing or analysis or revised analysis of impediments to fair housing into its housing element.	Sec. 3 Affirmatively Furthering Fair Housing (Primary Findings) Appendix C: Portola Valley Fair Housing Assessment
(c)(10)(C) The requirements of this paragraph shall apply to housing elements due to be revised pursuant to Section 65588 on or after January 1, 2021.	Noted
(d)(1) A local government may satisfy all or part of its requirement to identify a zone or zones suitable for the development of emergency shelters pursuant to paragraph (4) of subdivision (a) by adopting and implementing a multijurisdictional agreement, with a maximum of two other adjacent communities, that requires the participating jurisdictions to develop at least one year-round emergency shelter within two years of the beginning of the planning period.	Noted – not applicable to Portola Valley

<p>(d)(2) The agreement shall allocate a portion of the new shelter capacity to each jurisdiction as credit toward its emergency shelter need, and each jurisdiction shall describe how the capacity was allocated as part of its housing element.</p>	<p>Noted – not applicable to Portola Valley</p>
<p>(d)(3) Each member jurisdiction of a multijurisdictional agreement shall describe in its housing element all of the following:</p>	<p>Noted – not applicable to Portola Valley</p>
<p>(d)(3)(A) How the joint facility will meet the jurisdiction's emergency shelter need. (d)(3)(B) The jurisdiction's contribution to the facility for both the development and ongoing operation and management of the facility. (d)(3)(C) The amount and source of the funding that the jurisdiction contributes to the facility.</p>	<p>Noted – not applicable to Portola Valley</p>

Government Code Provision	Housing Element Compliance
(d)(4) The aggregate capacity claimed by the participating jurisdictions in their housing elements shall not exceed the actual capacity of the shelter.	Noted – not applicable to Portola Valley
(e) Except as otherwise provided in this article, amendments to this article that alter the required content of a housing element shall apply to both of the following: [Note that this provision is applicable to AB 2339 (Chapter 654, Statutes of 2022), which amended Section 65583(a)(4). Jurisdictions adopting their housing element after January 1, 2023 should describe why this amendment is not applicable to them.]	No applicable amendments
(1) A housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when a city, county, or city and county submits a draft to the department for review pursuant to Section 65585 more than 90 days after the effective date of the amendment to this section.	No applicable amendments
(2) Any housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when the city, county, or city and county fails to submit the first draft to the department before the due date specified in Section 65588 or 65584.02.	No applicable amendments
(f) – (j): Not applicable	N/A

Section 65583.1(a)

Government Code Provision	Housing Element Compliance
(a) The Department of Housing and Community Development, in evaluating a proposed or adopted housing element for substantial compliance with this article, ... may also allow a city or county to identify sites for accessory dwelling units based on the number of accessory dwelling units developed in the prior housing element planning period whether or not the units are permitted by right, the need for these units in the community, the resources or incentives available for their development, and any other relevant factors, as determined by the department.	Sec. 6 Adequate Sites (Credit Towards RHNA) Sec. 7: Goals, Policies, Programs
(b) Sites that contain permanent housing units located on a military base undergoing closure or conversion as a result of action pursuant to the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526), the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510), or any subsequent act requiring the closure or conversion of a military base may be identified as an adequate site if the housing element demonstrates that the housing units will be available for occupancy by households within the planning period of the element. No sites containing housing units scheduled or planned for demolition or conversion to nonresidential uses shall qualify as an adequate site.	Noted – not applicable to Portola Valley
Note: If communities are using the provisions of Section 65583.1(c), which allow RHNA credit for conversion of non-affordable to affordable housing and for preservation of existing affordable housing at risk of loss, the applicable provisions need to be added to this table.	Noted – not applicable to Portola Valley

Section 65583.2

Government Code Provision	Housing Element Compliance
(a) A city's or county's inventory of land suitable for residential development pursuant to paragraph (3) of subdivision (a) of Section 65583 shall be used to identify sites throughout the community, consistent with paragraph (10) of subdivision (c) of Section 65583,	Sec. 6: Adequate Sites (Sites Inventory)
(a) that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels pursuant to Section 65584. As used in this section, "land suitable for residential development" includes all of the following sites that meet the standards set forth in subdivisions (c) and (g):	Sec. 6: Adequate Sites (Sites Inventory)
(a)(1) Vacant sites zoned for residential use.	Sec. 6: Adequate Sites (Sites Inventory)
(a)(2) Vacant sites zoned for nonresidential use that allows residential development.	Sec. 6: Adequate Sites (Sites Inventory)
(a)(3) Residentially zoned sites that are capable of being developed at a higher density, including sites owned or leased by a city, county, or city and county	Sec. 6: Adequate Sites (Sites Inventory Methodology), (Sites Inventory)
(a)(4) Sites zoned for nonresidential use that can be redeveloped for residential use, and for which the housing element includes a program to rezone the site, as necessary, rezoned for, to permit residential use, including sites owned or leased by a city, county, or city and county.	Sec. 6: Adequate Sites (Sites Inventory)
(b) The inventory of land shall include all of the following:	Sec. 6: Adequate Sites
(b)(1) A listing of properties by assessor parcel number.	Sec. 6: Adequate Sites (Sites Inventory)
(b)(2) The size of each property listed pursuant to paragraph (1), and the general plan designation and zoning of each property.	Sec. 6: Adequate Sites (Sites Inventory)
(b)(3) For nonvacant sites, a description of the existing use of each property.	Sec. 6: Adequate Sites (Sites Inventory)
(b)(3) If a site subject to this paragraph is owned by the city or county, the description shall also include whether there are any plans to dispose of the property during the planning period and how the city or county will comply with Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5.	Sec. 6: Adequate Sites (Sites Inventory)
(b)(4) A general description of any environmental constraints to the development of housing within the jurisdiction, the documentation for which has been made available to the jurisdiction. This information need not be identified on a site-specific basis.	Sec. 4: Constraints (Non-Governmental Constraints Specific to Portola Valley)

(b)(5)(A) A description of existing or planned water, sewer, and other dry utilities supply, including the availability and access to distribution facilities.

Sec. 4: Constraints
(Governmental
Regulations and
Constraints)

Sec. 6 Adequate Sites
(Site Inventory
Methodology)

Government Code Provision	Housing Element Compliance
(b)(5)(B) Parcels included in the inventory must have sufficient water, sewer, and dry utilities supply available and accessible to support housing development or be included in an existing general plan program or other mandatory program or plan, including a program or plan of a public or private entity providing water or sewer service, to secure sufficient water, sewer, and dry utilities supply to support housing development. This paragraph does not impose any additional duty on the city or county to construct, finance, or otherwise provide water, sewer, or dry utilities to parcels included in the inventory.	Sec. 4: Constraints (Governmental Regulations and Constraints)
(b)(6) Sites identified as available for housing for above moderate-income households in areas not served by public sewer systems. This information need not be identified on a site-specific basis.	Sec. 4: Constraints (Governmental Regulations and Constraints)
(b)(7) A map that shows the location of the sites included in the inventory, such as the land use map from the jurisdiction's general plan, for reference purposes only.	Sec. 6: Adequate Sites (Sites Inventory)
(c) Based on the information provided in subdivision (b), a city or county shall determine whether each site in the inventory can accommodate the development of some portion of its share of the regional housing need by income level during the planning period, as determined pursuant to Section 65584. The inventory shall specify for each site the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing.	Sec. 6: Adequate Sites (Sites Inventory) Appendix E: Sites Inventory Spreadsheet
(c) A nonvacant site identified pursuant to paragraph (3) or (4) of subdivision (a) in a prior housing element and a vacant site that has been included in two or more consecutive planning periods that was not approved to develop a portion of the locality's housing need shall not be deemed adequate to accommodate a portion of the housing need for lower income households that must be accommodated in the current housing element planning period unless the site is zoned at residential densities consistent with paragraph (3) of this subdivision and the site is subject to a program in the housing element requiring rezoning within three years of the beginning of the planning period to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households. An unincorporated area in a nonmetropolitan county pursuant to clause (ii) of subparagraph (B) of paragraph (3) shall not be subject to the requirements of this subdivision to allow residential use by right.	Noted – not applicable to Portola Valley
(c) Notwithstanding the foregoing, for a local government that fails to adopt a housing element that the department has found to be in substantial compliance with state law within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning pursuant to this subdivision shall be completed no later than one year from the statutory deadline in Section 65588 for adoption of the housing element.	Noted – not applicable to Portola Valley
(c) The analysis shall determine whether the inventory can provide for a variety of types of housing, including multifamily rental housing,	Sec. 5 Resources (Regulatory Resources)

Government Code Provision	Housing Element Compliance
(c) factory-built housing, mobilehomes,	Sec. 5 Resources (Regulatory Resources)
(c) housing for agricultural employees, supportive housing,	Sec. 5 Resources (Regulatory Resources)
(c) single-room occupancy units,	Sec. 5 Resources (Regulatory Resources)
(c) emergency shelters, and	Sec. 5 Resources (Regulatory Resources)
(c) transitional housing	Sec. 5 Resources (Regulatory Resources)
(c) and whether the inventory affirmatively furthers fair housing .	Sec. 3 Affirmatively Furthering Fair Housing (Contributing Factors and Fair Housing Action Plan) Sec. 6 Adequate Sites (Site Inventory Methodology) Appendix C: Portola Valley Fair Housing Assessment (Sites Inventory Analysis)
(c) The city or county shall determine the number of housing units that can be accommodated on each site as follows:	Noted
(c)(1) If local law or regulations require the development of a site at a minimum density, the department shall accept the planning agency's calculation of the total housing unit capacity on that site based on the established minimum density. If the city or county does not adopt a law or regulation requiring the development of a site at a minimum density, then it shall demonstrate how the number of units determined for that site pursuant to this subdivision will be accommodated.	Sec. 6 Adequate Sites (Sites Inventory)
(c)(2) The number of units calculated pursuant to paragraph (1) shall be adjusted as necessary, based on the land use controls and site improvements requirement identified in paragraph (5) of subdivision (a) of Section 65583,	Sec. 6 Adequate Sites (Sites Inventory)
(c)(2) the realistic development capacity for the site,	Sec. 6 Adequate Sites (Sites Inventory)

(c)(2) typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction,	Sec. 6 Adequate Sites (Sites Inventory)
(c)(2) and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities.	Sec. 6 Adequate Sites (Sites Inventory)
(c)(2)(A) A site smaller than half an acre shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site is adequate to accommodate lower income housing.	Sec. 6 Adequate Sites (Sites Inventory)
(c)(2)(B) A site larger than 10 acres shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site can be developed as lower income housing.	Sec. 6 Adequate Sites (Sites Inventory)
(c)(2)(B) For purposes of this subparagraph, “site” means that portion of a parcel or parcels designated to accommodate lower income housing needs pursuant to this subdivision.	Sec. 6 Adequate Sites (Sites Inventory)

Government Code Provision	Housing Element Compliance
(c)(2)(C) A site may be presumed to be realistic for development to accommodate lower income housing need if, at the time of the adoption of the housing element, a development affordable to lower income households has been proposed and approved for development on the site.	Sec. 6 Adequate Sites (Sites Inventory)
(c)(3) For the number of units calculated to accommodate its share of the regional housing need for lower income households pursuant to paragraph (2), a city or county shall do either of the following:	Noted
(c)(3)(A) Provide an analysis demonstrating how the adopted densities accommodate this need. The analysis shall include, but is not limited to, factors such as market demand, financial feasibility, or information based on development project experience within a zone or zones that provide housing for lower income households.	Sec. 6 Adequate Sites (Sites Inventory)
<p>(c)(3)(B) The following densities shall be deemed appropriate to accommodate housing for lower income households:</p> <ul style="list-style-type: none"> (i) For an incorporated city within a nonmetropolitan county and for a nonmetropolitan county that has a micropolitan area: sites allowing at least 15 units per acre. (ii) For an unincorporated area in a nonmetropolitan county not included in clause (i): sites allowing at least 10 units per acre. (iii) For a suburban jurisdiction: sites allowing at least 20 units per acre. (iv) For a jurisdiction in a metropolitan county: sites allowing at least 30 units per acre. 	Sec. 6 Adequate Sites (Sites Inventory)
(4)(A) For a metropolitan jurisdiction:	Noted – not applicable to Portola Valley
(4)(A)(i) At least 25 percent of the jurisdiction's share of the regional housing need for moderate-income housing shall be allocated to sites with zoning that allows at least 4 units of housing, but not more than 100 units per acre of housing.	Sec. 6 Adequate Sites (Sites Inventory)
(4)(A)(ii) At least 25 percent of the jurisdiction's share of the regional housing need for above moderate-income housing shall be allocated to sites with zoning that allows at least 4 units of housing.	Sec. 6 Adequate Sites (Sites Inventory)
<p>(B) The allocation of moderate-income and above moderate-income housing to sites pursuant to this paragraph shall not be a basis for the jurisdiction to do either of the following:</p> <ul style="list-style-type: none"> (i) Deny a project that does not comply with the allocation. (ii) Impose a price minimum, price maximum, price control, or any other exaction or condition of approval in lieu thereof. This clause does not prohibit a jurisdiction from imposing any price minimum, price maximum, price control, exaction, or condition in lieu thereof, pursuant to any other law. (iii) The provisions of this subparagraph do not constitute a change in, but are declaratory of, existing law with regard to the allocation of sites pursuant to this section. 	Sec. 6 Adequate Sites (Sites Inventory)
(C) This paragraph does not apply to an unincorporated area.	Noted

(D) For purposes of this paragraph:

Noted

Government Code Provision	Housing Element Compliance
(i) "Housing development project" has the same meaning as defined in paragraph (2) of subdivision (h) of Section 65589.5.	Noted
(ii) "Unit of housing" does not include an accessory dwelling unit or junior accessory dwelling unit that could be approved pursuant to Section 65852.2 or Section 65852.22 or through a local ordinance or other provision implementing either of those sections. This paragraph shall not limit the ability of a local government to count the actual production of accessory dwelling units or junior accessory dwelling units in an annual progress report submitted pursuant to Section 65400 or other progress report as determined by the department.	Noted
(E) Nothing in this subdivision shall preclude the subdivision of a parcel, provided that the subdivision is subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land.	Noted
(d) For purposes of this section, a metropolitan county, nonmetropolitan county, and nonmetropolitan county with a micropolitan area shall be as determined by the United States Census Bureau. A nonmetropolitan county with a micropolitan area includes the following counties: Del Norte, Humboldt, Lake, Mendocino, Nevada, Tehama, and Tuolumne and other counties as may be determined by the United States Census Bureau to be nonmetropolitan counties with micropolitan areas in the future.	Noted
(e)(1) Except as provided in paragraph (2), a jurisdiction shall be considered suburban if the jurisdiction does not meet the requirements of clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (c) and is located in a Metropolitan Statistical Area (MSA) of less than 2,000,000 in population, unless that jurisdiction's population is greater than 100,000, in which case it shall be considered metropolitan. A county, not including the City and County of San Francisco, shall be considered suburban unless the county is in an MSA of 2,000,000 or greater in population in which case the county shall be considered metropolitan.	Noted
(2)(A)(i) Notwithstanding paragraph (1), if a county that is in the San Francisco-Oakland-Fremont California MSA has a population of less than 400,000, that county shall be considered suburban. If this county includes an incorporated city that has a population of less than 100,000, this city shall also be considered suburban. This paragraph shall apply to a housing element revision cycle, as described in subparagraph (A) of paragraph (3) of subdivision (e) of Section 65588, that is in effect from July 1, 2014, to December 31, 2028, inclusive.	Noted
(2)(A)(ii) A county subject to this subparagraph shall utilize the sum existing in the county's housing trust fund as of June 30, 2013, for the development and preservation of housing affordable to low- and very low income households.	Noted

Government Code Provision	Housing Element Compliance
<p>(2)(B) A jurisdiction that is classified as suburban pursuant to this paragraph shall report to the Assembly Committee on Housing and Community Development, the Senate Committee on Housing, and the Department of Housing and Community Development regarding its progress in developing low- and very low income housing consistent with the requirements of Section 65400. The report shall be provided three times: once, on or before December 31, 2019, which report shall address the initial four years of the housing element cycle, a second time, on or before December 31, 2023, which report shall address the subsequent four years of the housing element cycle, and a third time, on or before December 31, 2027, which report shall address the subsequent four years of the housing element cycle and the cycle as a whole. The reports shall be provided consistent with the requirements of Section 9795.</p>	Noted
<p>(f) A jurisdiction shall be considered metropolitan if the jurisdiction does not meet the requirements for “suburban area” above and is located in an MSA of 2,000,000 or greater in population, unless that jurisdiction’s population is less than 25,000 in which case it shall be considered suburban.</p> <p>(g)(1) For sites described in paragraph (3) of subdivision (b) [non-vacant sites], the city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential.</p>	Noted
<p>(g)(1) The methodology shall consider factors including the extent to which existing uses may constitute an impediment to additional residential development,</p>	Sec. 6 Adequate Sites (Sites Inventory)
<p>(g)(1) the city’s or county’s past experience with converting existing uses to higher density residential development,</p>	Sec. 6 Adequate Sites (Site Inventory Methodology)
<p>(g)(1) the current market demand for the existing use,</p>	Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)
<p>(g)(1) an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development,</p>	Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)
<p>(g)(1) development trends,</p>	Sec. 4 Constraints (Non-Governmental Constraints) Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)
<p>(g)(1) market conditions,</p>	Sec. 4 Constraints (Non-Governmental Constraints) Sec. 6 Adequate Sites

	(Site Inventory Methodology); (Sites Inventory)
(g)(1) and regulatory or other incentives or standards to encourage additional residential development on these sites.	Sec. 5 Resources (Regulatory Resources) Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)
(g)(2) In addition to the analysis required in paragraph (1), when a city or county is relying on nonvacant sites described in paragraph (3) of subdivision (b) to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use identified pursuant to paragraph (3) of subdivision (b) does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.	Noted – not applicable to Portola Valley

Government Code Provision	Housing Element Compliance
(g)(3) Notwithstanding any other law, and in addition to the requirements in paragraphs (1) and (2), sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low income, subject to any other form of rent or price control through a public entity's valid exercise of its police power, or occupied by low or very low income households, shall be subject to a policy requiring the replacement of all those units affordable to the same or lower income level as a condition of any development on the site. Replacement requirements shall be consistent with those set forth in paragraph (3) of subdivision (c) of Section 65915.	Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)
(h) The program required by subparagraph (A) of paragraph (1) of subdivision (c) of Section 65583 shall accommodate 100 percent of the need for housing for very low and low-income households allocated pursuant to Section 65584 for which site capacity has not been identified in the inventory of sites pursuant to paragraph (3) of subdivision (a) on sites that shall be zoned to permit owner-occupied and rental multifamily residential use by right for developments in which at least 20 percent of the units are affordable to lower income households during the planning period.	Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)
(h) These sites shall be zoned with minimum density and development standards that permit at least	Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)
(h) 16 units per site at a density of at least 16 units per acre in jurisdictions described in clause (i) of subparagraph (B) of paragraph (3) of subdivision (c),	Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)
(h) shall be at least 20 units per acre in jurisdictions described in clauses (iii) and (iv) of subparagraph (B) of paragraph (3) of subdivision (c)	Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)
(h) and shall meet the standards set forth in subparagraph (B) of paragraph (5) of subdivision (b).	Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)
(h) At least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for residential use and for which nonresidential uses or mixed uses are not permitted, except that a city or county may accommodate all of the very low and low-income housing need on sites designated for mixed uses if those sites allow 100 percent residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project.	Sec. 6 Adequate Sites (Site Inventory Methodology); (Sites Inventory)

(i) For purposes of this section and Section 65583, the phrase “use by right” shall mean that the local government’s review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act.

Sec. 6 Adequate Sites
(Site Inventory
Methodology); (Sites
Inventory)

Government Code Provision	Housing Element Compliance
(i) A local ordinance may provide that “use by right” does not exempt the use from design review. However, that design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.	Noted
(i) Use by right for all rental multifamily residential housing shall be provided in accordance with subdivision (f) of Section 65589.5.	Noted
(j) Notwithstanding any other provision of this section, within one-half mile of a Sonoma-Marin Area Rail Transit station, housing density requirements in place on June 30, 2014, shall apply.	Noted – does not apply to Portola Valley

Section 65583.3

Government Code Provision	Housing Element Compliance
<p>(a) For a housing element or amendment adopted on or after January 1, 2021, the planning agency shall submit to the department an electronic copy of its inventory of land suitable for residential development developed pursuant to paragraph (3) of subdivision (a) of Section 65583 and subdivision (b) of this section with the copy of its housing element or amendment submitted pursuant to subdivision (g) of Section 65585. The local government shall ensure, to the best of its knowledge, that the inventory of land submitted to the department is true and correct.</p> <p>(b) Notwithstanding subdivision (a) of Section 65301, each local government shall prepare the inventory required under paragraph (3) of subdivision (a) of Section 65583 using standards, forms, and definitions adopted by the department.</p>	Sec. 6 Adequate Sites (Sites Inventory)

Housing Element Errata

Changes to Draft #3

Recommended by Planning Commission

Location in Draft #3	Draft #3 Language	Revised Language
Find and replace throughout	Dorothy Ford Field and Open Space	Dorothy Ford Park and Open Space
p.111 Table 6-6 Column 7, Row 1	Multi-Family 5-20 du/ac	Multi-Family 3-20 du/ac
p. 111 Table 6-6 Column 7, Row 2	General Plan Amendment	General Plan Amendment to Gateway classification
p.111 Table 6-6 Column 7, Row 7	Multi-Family 5-20 du/ac	Gateway Multi-Family 3-20 du/ac
top p. 123	<ul style="list-style-type: none"> • Residential uses are permitted with a minimum of 3 units per acre and a maximum of 21 units per acre. • The front setback shall be 20 feet; side and rear setbacks shall be 10 feet. • 28 feet height limit and 34 feet maximum height limit (which are the same limits as residential districts). Height shall be measured from natural grade. 	<ul style="list-style-type: none"> • Residential uses are permitted with a minimum of 3 units per acre and a maximum of 20 units per acre. • The front setback shall be 75 feet; right side setback adjacent to Ladera Church shall be 0 feet; left side setbacks and rear setback shall be 15 feet. <u>The right side setback adjacent to Ladera Church may be reduced to 0 feet with permission of the owner(s) of the subject site and Ladera Church.¹</u> • 28 feet height limit and 34 feet maximum height limit (which are the same limits as residential districts). Height shall be measured from natural grade. <p style="margin-top: 10px;">State Density Bonus Law may be applied to this site if an affordable housing project is developed, which would likely impact the setbacks and height.</p>
p. 120 bullet 4	Setback from the creek/drainage ditch shall be at least 5 feet.	Setback from the creek/drainage shall be as specified in an individualized Engineering Study

¹ Language about 0 foot setback revised based on Council discussion on March 29, 2023.

		approved by the Town Engineer, but in no event less than 10 feet.
Find and replace throughout document	Opt-In Housing Program	Opt-In Housing Diversification Program
p. 108 last paragraph	<p>The Opt-In Housing Program will be initiated via a call for projects during a limited time period. For consideration, applicants only require submission of conceptual plans. To ensure successful program implementation, project applications will not require a conditional use permit and will be subject only to limited discretionary review. Projects will first be reviewed by the Planning Commission where applications will be screened for conformance with the abovementioned minimum safety criteria. Planning Commission review will be limited to one public meeting per project application to ensure a streamlined process. Planning Commission will forward projects to the Architectural and Site Control Commission (ASCC). At this point, the applicant will be required to prepare detailed plans.</p>	<p>The Opt-In Housing Diversification Program will be initiated via a call for projects during a limited time period. To ensure successful program implementation, project applications will not require a conditional use permit and will be subject only to limited discretionary review. For consideration, only conceptual plans will be required. Projects will first be reviewed by the Planning Commission where applications will be screened for conformance with the abovementioned minimum safety criteria. Projects will be encouraged to include a diversification of housing types and sizes; consideration of natural terrain, and a comprehensive site planning approach to achieve superior design and community benefits through the provision of diversified housing types. Planning Commission review will be limited to two^{one} public meetings² per project application to ensure a streamlined process. Planning Commission will forward projects to the Architectural and Site Control Commission (ASCC). Detailed plans will be required for ASCC review.</p>

² Additional Planning Commission meeting added in response to Council feedback

Revised language for 4394 Alpine Road Site Description (Draft #3 page 113)
Recommended by Town Attorney for clarity and specificity

The housing site located in the Nathhorst Triangle at 4394 Alpine Road is an approximately 1.18-acre vacant site consisting of a grassy field. This site is currently zoned A-P (Administrative-Professional).

Background on Adjacent Site: Willow Commons at 4388 Alpine Road. The site at 4388 Alpine Road is currently controlled by two local residents who are developing a 13-unit affordable supportive housing project commonly known as “Willow Commons” for adults with intellectual or development disabilities (IDD). The 4388 Alpine Road site has been approved for 11 lower income deed restricted units for adults with IDD and two units for employees working at the project site. This project underwent a “by right” local approval process under the supportive housing (AB 2162) and density bonus state laws.

Housing Potential at 4394 Alpine Road. The local residents and owners of the Willow Commons project at 4388 Alpine Road acquired the adjacent 4394 Alpine Road property in 2021. The owners have not yet developed a housing program for the site, but they may do so in this planning cycle. The owners plan to use the property to support their philanthropic mission of building permanent affordable housing for adults with IDD, a vulnerable population historically facing limited housing options. The owners have surveyed supportive housing models throughout the United States and hope to bring a collection of best practices to this new site. Some of the options being considered are a stand-alone supportive housing site similar to the project at 4388 Alpine, development of additional supportive housing programs to complement 4388 Alpine, development of other housing models (e.g., shared housing) that address vulnerable populations, or a combination of these or other alternatives. The applicants are also exploring some mixed use (such as retail or art gallery) that would provide both job training and revenue, and a mix of market rate housing units to provide integration of tenant populations and additional revenue to cross-subsidize the below market rent units. The Town desires to support and facilitate the owners’ philanthropic efforts and recognizes this is a rare opportunity to showcase that a vital, yet scarce, form of housing can be developed in the core of an affluent, suburban community.

Feasibility and Property Owner Concerns. A Town-retained consultant (Lisa Wise Consulting) prepared a preliminary concept plan for the site and estimated 21 units could be developed. The property owners have not yet reached the stage of producing conceptual plans for the site. As the development program for this site has not yet been determined, the property owners have concerns about losing flexibility to design the best community-benefiting project based on the Town’s assumptions for the site in the Housing Element. Some of the concerns include the following:

- *Flexibility Concerns.* Losing rights currently available under the current A-P zoning (including ministerial processing for supportive housing under AB 2162 and the ability to develop commercial uses). Accordingly, the owner has requested that supportive housing and commercial uses will continue to be allowed under the new designation(s).
- *Density Concerns.* Being committed to new density/development standards in the Housing Element before feasibility analyses or development plans have progressed. The owner has requested flexibility with respect to density obligations.
- *Implications to Willow Commons.* Implications to Willow Commons funding sources if 4394 Alpine Road development/design standards are untenable.

Housing Element Redesignation. The intent is to allow for additional housing density via a Multifamily designation in case the site is sold to a market rate developer, while providing flexibility to permit the development of a supportive housing project on this site through a Supportive Housing Overlay. The site shall be governed by a new multifamily designation, Supportive Housing Overlay, and development standards as outlined below.

Multifamily Designation. The 4394 Alpine site will be designated with a new Multifamily designation on the General Plan Map and in the Municipal Code that will allow 3-204 units per acre. The following development standards shall apply until zoning code amendments are approved, which is anticipated by July 2023:

- Residential uses are permitted with a minimum of 3 units per acre and maximum of 20 units per acre.
- The front setback shall be 75 feet; side setback is 15 feet and rear setback shall be 20 feet.
- 28 feet height limit and 34 feet maximum height limit (which are the same limits as residential districts). Height shall be measured from natural grade.
- Setback from the creek/drainage shall be as specified in an individualized Engineering Study approved by the Town Engineer, but in no event less than 10 feet.

In addition, a new Supportive Housing Overlay is hereby established and applied to this site with the following provisions:

- All principally permitted uses and all conditionally permitted uses in the A-P zone (Municipal Code Chapter 18-22) would be permitted by right in the Supportive Housing Overlay if the commercial use directly supports a new or existing supportive housing project.
- A density below the range specified in the Multifamily designation will be permitted provided the site accommodates at least 4 residential units at the lower income level.
- Any supportive housing project that would be permitted by right under AB 2162 (or other applicable law) in the A-P zone will be permitted under the Supportive Housing Overlay. For purposes of determining whether a proposed project on the Property is a "use by right" under the AB 2162 supportive housing requirements (Government Code §65650, et seq.), the designation will be deemed to be a designation where multifamily and mixed uses are permitted.
- Some market rate units and/or non-supportive units may be permitted to cross subsidize a supportive housing project provided that at least 25% of units are supportive housing units with at least 4 units at the lower income level and no more than 21 units (including market rate, supportive housing and manager's units) would be constructed on site. Supportive housing units include the following categories: persons with disabilities (including IDD) or Extremely Low-Income.
- For purposes of determining the number of residential units in a proposed project, and at applicant's request, a shared housing unit in a shared housing building wishall be counted as one residential unit. Alternatively, if requested by applicant, a unit will be counted traditionally by each dwelling unit as defined in the Municipal Code Section 18.04.150 (one or more rooms arranged for the use of one household with cooking, living, and sleeping facilities).
 - For purposes hereof, a "shared housing unit" shall mean one or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, is used for permanent residence, that meets the "minimum room

- area" specified in Section R304 of the California Residential Code (Part 2.5 of Title 24 of the California Code of Regulations), and complies with the definition of "guestroom" in Section R202 of the California Residential Code.
- For purposes hereof, a "shared housing building" shall mean a residential or mixed use structure, with two or more shared housing units and one or more common kitchens and dining areas designed for permanent residence of more than 30 days by its tenants. The kitchens and dining areas within the shared housing building shall be able to adequately accommodate all residents. A "shared housing building" may include other dwelling units that are not shared housing units, provided that those dwelling units do not occupy more than 25 percent of the floor area of the shared housing building. A shared housing building may include 100 percent shared housing units.
 - A supportive housing project that meets the Supportive Housing Overlay criteria defined herein would be subject to a ministerial, by right approval process. In such case, a proposed project will be reviewed for compliance with objective standards by the Town Architecture and Site Control Commission (but not subject to discretionary review by the Town Council or Planning Commission).

The following development standards shall apply [to the Supportive Housing Overlay](#):

- Height limit of 28 feet and 34 feet maximum height limit (which are the same limits as residential districts). Height shall be measured from natural grade. Maximum height shall be 28 feet and two stories.
- Front setback shall be 75 feet.
- Rear setback shall be 20 feet.
- Side setback shall be 20 feet; provided that the side setback adjacent to 4388 Alpine Road may be reduced to zero feet, with the approval of the 4394 Alpine Road owner and 4388 Alpine Road owner.
- Setback from the creek/drainage shall be as specified in an individualized Engineering Study approved by the Town Engineer, but in no event less than 10 feet.
- Parking requirements will be subject to applicable density bonus law and supportive housing law standards if the project qualifies under either or both laws.
- Maximum percentage of non-residential uses for a supportive housing project shall be 33%.
- In the event any implementing zoning regulations provide different use, setbacks, height or lot coverage or more restrictive regulations than specified here or in the current A-P zoning, the more permissive regulations will prevail.
- The owner's replacement of soil moved by the prior owner of the property to its original location on the property shall not be counted as soil movement subject to a Town Site Development Permit and shall not require Town approval.

Three Revisions to Address Gateway and Sunrise Concept

1. Create new Program 2-3 that builds on the Hasko/Taylor Colleagues Memo

Program 2-3 Establish a more proactive and continual evaluation of housing needs beyond what is required for Housing Element certification.

- Create an accessible web-based repository of information from the Housing Element Update process including: analyses of sites that were not included in the current Element and reasons why they were omitted; potential sites for future development; and the process and discussion of the Ad Hoc Housing Element Committee.
- Begin tracking existing or newly identified sites, noting any legal, safety, or other impediments to including such sites in future Housing Element updates.
- Establish a working group or ad hoc committee to focus on conducting community discussion of longer term Town housing needs outside of the Housing Element update cycle.
- Utilize existing ADU working group to promote new ADU/JADU opportunities, especially ones for very low income tenants/workers
- To the extent additional housing opportunity sites are identified through this program, the development of such sites should be prioritized above the use of the Dorothy Ford Park and Open Space.

Quantified Objective/Metric and Timeframe: Create repository and begin tracking sites by September October 2023. Establish a working group by May April 2026.

Responsible Agency: Town Council and Planning & Building Department

Financing Source: General Fund

2. Update existing Program 3-1 to extend timelines by one year

Program 3-1: Initiate a site planning process for the sites in the new “Gateway” land use classification to make the most efficient use of the property and preserve open space. Pursue an affordable housing project on the Dorothy Ford Field and Open Space site in partnership with an affordable housing developer.

- Comply with provisions of the Surplus Land Act (Assembly Bill 1486-Ting, 2019).
- Consider improvements to the baseball field as part of the site planning process.
- Consider collaboration with Ladera Church to integrate their site into the Town’s affordable housing project.

Quantified Objective/Metric: Begin site planning process in May 2025.³ January 2024. Issue Request for Proposals to affordable housing developers by January 2025. September 2024. Develop 50 very low-income units.

Time Frame: Issue RFP by January 2025. September 2024.

Responsible Agency: Planning & Building Department

Financing Source: General Fund and Affordable Housing Trust Fund

³ Dates on this page related to Dorothy Ford Park and Open Space have been updated to accommodate a “sunrise” of two full years.

3. Add new language in Section 6 – after the description of the site (Draft #3 page 117)

The Dorothy Ford Park and Open Space site is a highly valued open space in the community. Development of this site would result in the permanent change to open space, which is contradictory to other Town policies. The Town seeks to balance its affordable housing goals and obligations with the long-standing open space ethos of the community. As such, the Dorothy Ford Park and Open Space is included in the site inventory and detailed in Program 3-1. The Town will proceed with development of the site as outlined in Program 3-1 unless another confirmed, feasible site or program can achieve the same number of affordable units within the planning period.

Requested by Town Council on March 29, 2023

Location in Draft #3	Draft #3 Language	Revised Language
p. 108 paragraph 4 (description of Opt In Housing Diversification Program)	This program will be capped at a total of 12 residential units to be accommodated through the Town during the 6 th Cycle planning period.	This program will have an initial cap of 12 total residential units during the 2023-2031 planning period. For each SB9 unit the Town issues a building permit for, the cap shall be reduced by one.

Recommended by Staff Due to Adoption Later than Expected

Authorize the Planning and Building Director to make adjustments to the timelines for implementation of the programs, including extending the timelines and making adjustments to encourage successful implementation.

State Law Changes required per AB2339 for Housing Elements submitted to HCD after March 31, 2023

Revision to Section 5 Resources. Draft #3 page 93

Emergency Shelters

State law (SB 2) requires that cities identify one or more zoning districts that allow emergency shelters. The Town amended its Municipal Code during the 5th Housing Element Cycle to comply with SB 2. The Town of Portola Valley Municipal Code allows emergency shelters for up to ten individuals in the Residential Estate (R-E) District when located on a parcel with a conditional use for a religious institution, subject to a zoning permit. Architectural and site plan review are required for the design of the emergency shelter unless the shelter is located within an existing structure, but no discretionary approval is required. Emergency shelters must be available to residents for no more than 60 days but extensions up to a total stay of 180 days may be permissible if no alternative housing is available. On-site management must be provided during the hours of shelter operation. 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. Each shelter must 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. On-site parking may be provided as shared parking with the church use. If separate on-site parking is needed, the maximum amount required is 0.35 parking spaces per one bed plus one space per staff member on duty when guests are present.

In September 2022, Assembly Bill (AB) 2339 was signed by the Governor. It requires that every jurisdiction must identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit (Government Code Section 65583(a)(4)). The identified zone or zones must include sufficient capacity to accommodate the need for emergency shelter (based on 200 square per person) as identified in the housing element, and each jurisdiction must identify a zone or zones to accommodate at least one year-round shelter. Adequate sites can include sites with existing buildings that can be converted to emergency shelters to accommodate the need for emergency shelters.-AB 2339 further specifies that emergency shelters for purposes of these provisions include other interim intervention, including, but not limited to, navigation centers, bridge housing, and respite or recuperative care.

As discussed in the Housing Needs chapter, San Mateo County conducted the unsheltered homeless survey through March 3, 2022. In both 2019 and 2022, Portola Valley had 0 homeless individuals according to the most recent PIT San Mateo County data (<https://www.smcgov.org/hsa/2022-one-day-homeless-count>) (see Table 22). Nonetheless, Portola Valley will continue to provide zoning to allow emergency shelters in Town as required by AB 2339. The standard for homeless shelters allow shelters to serve up to 10 people. The Housing Element must demonstrate that at least one shelter can be accommodated in Town. Facilities must be of sufficient size to provide 200 square feet per person. A 10 bed facility would require a minimum of 2,000 square feet. Program 8-3 states that—the zoning updates that will be approved immediately following this

Housing Element will include changes to allow emergency shelters by right within the Multi-Family zones, the Mixed-Use zone, and at religious institutions. The program also includes updating the definitions of emergency shelters to be consistent with state law and establish objective standards for emergency shelters. The new Multi-Family zones will apply to three parcels in Town, described in Section 6, Adequate Sites, as 4394 Alpine Road, Glen Oaks, and Ladera Church. These sites are all suitable for development. The proposed multi-family sites at 4394 Alpine Road and Ladera Church are within walking distance to grocery stores and other services. The site at 4394 Alpine Road is currently vacant. The Glen Oaks-and Ladera Church sites are currently classified as nonvacant, but significantly under-utilized. The 0.5-acre development site proposed at Ladera Church is currently vacant, with only a small portion used as a children's play area for the church. The development site is within Portola Valley town limits, although the church itself is outside of town limits. The Glen Oaks site is currently occupied by the Isola Stables at the Glen Oaks Equestrian Center. -The site consists of grassy open fields surrounding the stables. Across the street from this site is the Stanford Wedge property, a 39-unit project (see pending project).

The mixed-use site at 4370 Alpine Road is approximately 2.45 acres total with 1.5 acres estimated to be developable. The rear portion of the site is currently underutilized with existing uses being abandoned tennis courts, unused parking, and office uses. A ephemeral creek/drainage ditch runs along the rear of the existing office buildings bisecting the lot into two distinct portions – referred to as front and rear. The front portion of the site is currently developed with three separate underutilized office buildings. The rear, northwest portion of the site includes former tennis courts and parking area that are not being used.

Emergency shelters would also be allowed by right at the Town's religious institutions – Christ Church, Valley Presbyterian Church, and Our Lady of the Wayside Church. All of these sites have sufficient space for a 2,000 square foot shelter with some site plan modifications or use of existing buildings.

Objective standards will be developed as allowed by Government Code Section 65583 (a)(4)(A):

- Shelters may serve up to 10 individuals.
- The shelter shall be available to individuals for no more than sixty days.
Extensions up to a total stay of 180 one hundred eighty days may be permissible if no alternative housing is available.
- On-site management shall be provided during the hours of shelter operation.
- 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.
- On-site parking shall be provided to accommodate all staff working in the emergency shelter at any given time.
- Lighting as described in the Portola Valley Municipal Code.

Low Barrier Navigation Centers

A Low Barrier Navigation Center (LBNC) is a temporary service-enriched shelter that helps homeless individuals and families to quickly obtain permanent housing. AB 101 (2019) established requirements for local jurisdictions to allow low barrier navigation centers as a by-right use in certain mixed use and nonresidential districts. The Town currently does not have multi-family or mixed-use zoning districts, but when adopted in connection with this Housing Element update, Program 8-3 is included to amend the Portola Valley Zoning Ordinance to allow LBNCs and Program 8-4 is included to allow in the multi-family zone to comply with AB 2339 (see Section 7, Goals, Policies, and Programs).

Transitional Housing

SB 2 requires that transitional housing and supportive housing be treated as any other residential use, subject only to those restrictions on residential uses contained in the same type of structure in the same zone. The law also requires that the identified zones contain sufficient capacity to provide shelter for homeless persons that have unmet housing needs. Transitional housing, which is housing intended for a limited length of stay that is often linked with supportive services, may be provided in the M-R (Mountainous Residential) District, the R-E (Residential Estate) District, and the R-1 (Single-Family Residential) District. No additional approval is required as long as a transitional housing project meets the requirements applicable to the type of residential development in which it is accommodated. The Town is in the process of updating its Municipal Code to update the definition of transitional housing to comply with the State definition and to remove the six-resident cap currently specified in the Code. The Town currently does not have a multi-family zoning district, but when adopted in connection with this Housing Element update, transitional housing will be treated similarly to other residential uses (see Section 7, Goals, Policies, and Programs). In accordance with AB 2339, transition housing will also be allowed in the multi-family zone.

Revisions to Program 8-3

Program 8-3: Update the Municipal Code to comply with State law to allow a Low Barrier Navigation Center by-right in zones where mixed uses are permitted, pursuant to Government Code Section 65660 (SB 48 (2019)).

Quantified Objective/Metric: Adopt code amendment.

Time Frame: Complete rezoning by July 20233 years and 120 days from January 1, 2023.

Responsible Agency: Planning & Building Department and Town Council

Financing Source: General Fund

To comply with State Law AB 2339, the definition for emergency shelters in the municipal code will be amended to include other interim intervention, including, but not limited to, navigation centers, bridge housing, and respite or recuperative care. The new multi-family district and mixed- use districts will allow

emergency shelters by right. The zoning code will be amended to allow emergency shelters by right in religious institutions and include the following objective standards:

- Shelters may serve up to 10 individuals.
- The shelter shall be available to individuals for no more than 60 days. Extensions up to a total stay of 180 days may be permissible if no alternative housing is available.
- On-site management shall be provided during the hours of shelter operation.
- 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.
- On-site parking shall be provided to accommodate all staff working in the emergency shelter at any given time.
- Lighting as described in the Portola Valley Municipal Code.

Quantified Objective/Metric: Adopt Code Amendment

Time Frame: Complete by October 2023.

Responsible Agency: Planning & Building Department and Town Council

Financing Source: General Fund

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

Exhibit A

From: Ann Danforth <adanforth@publiclawgroup.com>
Sent: Wednesday, March 29, 2023 5:18 PM
To: Cara E. Silver
Cc: Jon Holtzman
Subject: List of Fire Safety Measures for New Safety Element and Municipal Code
Attachments: 2023.03.29 ISMND Mitigations db.docx

Hello Cara: pursuant to our conversation today, I attach a list of Fire Safety Regulations that Fire Marshall Don Bullard believes are necessary to promote fire safety in Portola Valley. Please include them record of proceedings tonight.



Ann Danforth
Of Counsel
adanforth@publiclawgroup.com
(415) 848-7200

Named Top 20
Boutique Law Firm 2019
by the Daily Journal.



Confidentiality Notice: This transmittal is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this transmittal is not the intended recipient or the employee or agent responsible for delivering the transmittal to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

WFPD's Requested Mitigations

1. Adoption and codification by ordinance of the High and Highest Hazard areas identified in the Moritz map as High and Very High Fire Hazard Severity Zones in accordance with Government Code §51179 and WFPD's newly proposed WUI Ordinance 22-02. Such hazard zone designations should be updated as and when the district's updated assessment of wildfire hazard and risk is completed and released.
2. Codification by ordinance of the fire prevention policies in section 4151 of the 2010 Safety element regarding development in High and Highest Hazard areas identified in the Moritz map or any successor map approved by the district and Town.
3. Adoption and codification by ordinance of Cal Fire's minimum fire safe development regulations (14 C.C.R. §§ 1270.01 thru 1276.05) throughout all High and Highest Hazard areas identified in the Moritz map or any successor map approved by the district and Town, and designation of the Woodside Fire Protection District as the authority having jurisdiction under the Cal Fire regulations to administer and enforce their requirements within the Town's local jurisdiction.
4. Adoption and codification of a new Town ordinance amending Cal Fire's minimum fire safe development regulations, as adopted above, to require.
 - minimum property line setbacks of 30 feet for all new parcels and all new residential development within all High and Highest Hazard areas identified in the Moritz map or any successor map approved by the district and Town.
 - minimum building separation distance of 30 feet between all newly developed structures within a parcel in all High and Highest Hazard areas identified in the Moritz map or any successor map approved by the district and the Town, and
 - provisions for reduction of required setbacks and/or separation distances upon prior written district approval if (a) compliance is shown to be physically infeasible and (b) alternate means satisfactory to the district are demonstrated and implemented to achieve the same reduction of fire spread risk that the required set-back or separation distance would achieve. Such alternate means include but are not limited to the reduction of structure enthalpy through use of noncombustible wall and roof assemblies; elimination of exposed windows, doors, or apertures from closely spaced surfaces; installation of non-combustible fire walls between parcels and exposed structures.
5. Adoption and codification of a new Town ordinance to establish the procedures and standards by which the Town shall review and determine the impact of proposed development projects on public health and safety in accordance with the provisions of the following State housing law mandates:
 - Government Code §§ 65589.5(d)(2) ("a local agency shall not disapprove a housing development project ... unless it makes written findings, based upon a preponderance of the evidence in the record [that] ... [t]he housing development project ... as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate-income households"),

- Government Code § 65852.2(a)(1)(A) (relating to accessory dwelling units),
 - Government Code § 66411.7(d) (relating to SB-9 urban lot splits), and
 - Government Code §§ 65913.4(a)(6)(D) and 65915(e)(1) (relating to bonus density concessions)
6. Complete and adopt Town-wide Emergency Evacuation and Recovery Plan for wildfire, earthquake and similar town-wide emergencies, and staff and fund Town program to educate residents and implement the plan.
 7. Update and amend the General Plan Safety element to
 - Update and amend assessment of the environmental impact of planned development on wildfire risk and public safety once the Fire District's hazard and risk assessment is completed.
 - Expand and improve existing evacuation routes.
 - Enhance Zoning, Subdivision and Building Codes to mitigate risk of fire spread between and among combustible structures and vehicles that lack adequate separation.
 - Enhance safety and reliability of power and communications utilities.
 - Adopt and codify by ordinance the individuated wildfire risk assessment and abatement procedures and standards of NFPA Standard 1140 §§ 10.1 thru 26.2.6, designating the Woodside Fire Protection District as the authority having jurisdiction to administer and enforce NFPA 1140 within Town

Exhibit B

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) was formulated based on the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the **Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments** in the Town of Portola Valley. This MMRP complies with Section 15097 of the *CEQA Guidelines*, which requires that the Lead Agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.” The MMRP lists mitigation measures recommended in the IS/MND and identifies mitigation monitoring requirements.

The MMRP table below presents the mitigation measures identified in the IS/MND necessary to mitigate potentially significant impacts. Each mitigation measure is numbered according to the topical section to which it pertains in the IS/MND. As an example, Mitigation Measure AIR-1 is the first mitigation measure identified in the IS/MND in *Section III.C, Air Quality*.

The first column of the MMRP table identifies the mitigation measure. The second column identifies implementation action and responsibility, while the third column identifies the monitoring schedule or timing, and the fourth column names the party responsible for monitoring and the required monitoring action. The fifth column provides a place to record compliance with monitor dates and initials. These last columns will be used by the Town of Portola Valley to ensure that individual mitigation measures are monitored.

PORTOLA VALLEY HOUSING AND SAFETY ELEMENTS UPDATE INITIAL STUDY
MITIGATION AND MONITORING REPORTING PROGRAM

NOVEMBER 2022

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
A. AESTHETICS				
<i>Implementation of the project would not result in any significant aesthetics impacts.</i>				
B. AGRICULTURE AND FORESTRY RESOURCES				
<i>Implementation of the project would not result in any significant agriculture and forestry resources impacts.</i>				
C. AIR QUALITY				
<p>AIR-1: Dust Control Program. During project construction, the contractor shall implement a dust control program that includes the following measures recommended by the Bay Area Air Quality Management District (BAAQMD) and these measures shall be included in contract specifications for construction of the project:</p> <ul style="list-style-type: none"> ▪ All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. ▪ All haul trucks transporting soil, sand, or other loose material off-site shall be covered. ▪ All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. ▪ All vehicle speeds on unpaved roads shall be limited to 15 miles per hour. ▪ All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the AIR-1 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Fully implement all exhaust control measures required by AIR-1. 	<p>Ongoing throughout demolition, grading, trenching, and construction period.</p>	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Make regular, periodic visits to the project site to ensure that all dust control mitigation measures required by AIR-1 are being implemented. 	

NOVEMBER 2022

**PORTOLA VALLEY HOUSING AND SAFETY ELEMENTS UPDATE INITIAL STUDY
MITIGATION AND MONITORING REPORTING PROGRAM**

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
<ul style="list-style-type: none"> ▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. ▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. ▪ A publicly visible sign shall be posted with the telephone number and person to contact at the construction site regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. 	<p>AIR-2: Quantified Emissions. Proposed projects that would exceed the current BAAQMD's screening criteria for operational criteria air pollutant emissions shall retain a qualified air quality consultant to quantify criteria air pollutant emissions and identify measures, as needed, to reduce the project's average daily emissions below 54 pounds per day for ROG, NOx, and PM2.5 and 82 pounds per day for PM10, and reduce the maximum annual emissions below 10 tons per year for ROG, NOx, and PM2.5 and 15 tons per year for PM10. Quantified emissions and identified reduction measures shall be submitted to the Town for review and approval prior to the issuance of building permits.</p>	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the AIR-2 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Retain a qualified air quality consultant to quantify criteria air pollutant emissions and identify measures, as needed, to reduce the project's average daily emissions below the thresholds (as defined). 	<p>Prior to issuance of the first building permit.</p>	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Ensure an air quality consultant is retained by the contractor. ▪ Review and approve the quantified emissions and reduction measures as submitted by the qualified air quality consultant.
				3

PORROLA VALLEY HOUSING AND SAFETY ELEMENTS UPDATE INITIAL STUDY
MITIGATION AND MONITORING REPORTING PROGRAM

NOVEMBER 2022

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
	<ul style="list-style-type: none"> ▪ Have the qualified air quality consultant submit the quantified emissions and reduction measures to the Town for review and approval. 			
D. BIOLOGICAL RESOURCES				
<i>Implementation of the project would not result in any significant biological resources impacts. **Note the project is subject to the Town's standard biological restrictions contained in Tables 2-6 of Appendix D-1 (Special Status Species) attached as Exhibit A.</i>				
E. CULTURAL RESOURCES				
CULT-1: Accidental Discovery of Cultural Resources. If cultural material is discovered during ground-disturbing activities on the Ford Field housing site, all work must halt within 50 feet of the find until the qualified archaeologist can determine the significance. No soil shall be exported from within the 50-foot buffer around the find until a determination of significance is made. The qualified archaeologist will then also determine if continued archaeological monitoring, testing, or data recovery is warranted.	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the CULT-1 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Halt all construction activity within 50 feet of the project site if cultural material is discovered until appropriate action has been taken in accordance with CULT-1. 	Ongoing throughout demolition, grading, trenching, and construction period.	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Ensure that a qualified archaeologist is retained by the contractor. 	
CULT-2: Accidental Discovery of Archaeological Resources. If archaeological material is discovered during ground-disturbing activities on The Sequoias or the Glen Oaks housing sites, all work must halt within 50 feet of the find until the qualified archaeologist can determine the significance. No soil shall be exported from within the 50-foot buffer around the find until a determination of significance is made. The qualified archaeologist will then also determine if continued archaeological monitoring, testing, or data recovery is warranted.	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the CULT-2 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Halt all construction activity within 50 feet of the project site if archaeological material is discovered until appropriate action has been taken in accordance with CULT-2. 	Ongoing throughout demolition, grading, trenching, and construction period.	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Ensure that a qualified archaeologist is retained by the contractor. 	

NOVEMBER 2022

**PORTOLA VALLEY HOUSING AND SAFETY ELEMENTS UPDATE INITIAL STUDY
MITIGATION AND MONITORING REPORTING PROGRAM**

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
CULT-3a: Halt Construction Activity, Evaluate Find, and Implement Mitigation. In the event that any previously unidentified cultural resource (historic/archaeological/paleontological/Native American) are uncovered during site preparation, excavation, or other construction activity, all such activity shall cease until these resources have been evaluated by a qualified consultant and specific measures can be implemented to protect these resources in accordance with sections 21083.2 and 21084.1 of the California Public Resources Code.	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the CULT-3a requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Halt all construction activity if cultural resources (as defined) are uncovered until appropriate action has been taken in accordance with CULT-3a. 	Ongoing throughout demolition, grading, trenching, and construction period.	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Ensure that a qualified consultant is retained by the contractor. 	
CULT-3b: Halt Construction Activity, Evaluate Remains, and Take Appropriate Action in Coordination with Native American Heritage Commission. In the event that any human remains are uncovered during site preparation, excavation, or other construction activity, all such activity shall cease until these resources have been evaluated by the County Coroner, and appropriate action taken in coordination with the Native American Heritage Commission, in accordance with section 7050.5 of the California Health and Safety Code or, if the remains are Native American, section 5097.98 of the California Public Resources Code.	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the CULT-3b requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Halt all construction activity if human remains are uncovered until appropriate action has been taken in accordance with CULT-3b. 	Ongoing throughout demolition, grading, trenching, and construction period.	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Initiate coordination with the County Coroner and Native American Heritage Commission, if required. 	

F. ENERGY

Implementation of the project would not result in any significant energy impacts.

PORTOLA VALLEY HOUSING AND SAFETY ELEMENTS UPDATE INITIAL STUDY
MITIGATION AND MONITORING REPORTING PROGRAM

NOVEMBER 2022

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
G. GEOLOGY AND SOILS				
GEO-1: Paleontological Resources During Construction. Should any paleontological resources be encountered during construction activities, all ground disturbing activities within 50 feet of the find shall be stopped, the Town shall be notified by the applicant, and a qualified paleontologist shall be contacted and retained to assess the situation per Society of Vertebrate Paleontology standards. The qualified paleontologist shall consult with agencies, as appropriate, and make recommendations for the treatment of the discovery if found to be significant. If construction activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, preparation of a technical report, and providing the fossil material and technical report to a paleontological repository, such as the University of California Museum of Paleontology. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the Town for review.	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the GEO-1 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Fully implement all exhaust control measures required by GEO-1. ▪ Contact a qualified paleontologist, if required. 	Ongoing throughout demolition, grading, trenching, and construction period.	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Ensure that a qualified paleontologist is retained by the contractor. ▪ Review the technical report methods, findings, and recommendations, if required. 	
H. GREENHOUSE GAS EMISSIONS				
GHG-1: Off-Street Electric Vehicle Requirements. All developments shall demonstrate compliance with the off-street electric vehicle (EV) requirements in the most recently adopted version of CALGreen Tier 2 prior to the Town of Portola Valley issuing building occupancy permits. Alternatively, developments shall demonstrate consistency with a climate action plan adopted by the Town of Portola Valley that meets the criteria under State CEQA Guidelines Section 15183.5(b) and identifies	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Include the GHG-1 requirements in the contract and performance standards for the project contractor. <p>Project Contractor:</p> <ul style="list-style-type: none"> ▪ Comply with off-street EV requirements as outlined in the Town Building Code, which 	Prior to issuance of the first building occupancy permit.	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Ensure developments are consistent with the Town Building Code, which meets the CALGreen Tier 2 EV requirements. 	

NOVEMBER 2022

**PORTOLA VALLEY HOUSING AND SAFETY ELEMENTS UPDATE INITIAL STUDY
MITIGATION AND MONITORING REPORTING PROGRAM**

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
community-wide measures that can be implemented to achieve the statewide GHG emissions targets of 40 percent below 1990 levels by 2030 and support the State's goal of achieving carbon neutrality by 2045.	meets the CalGreen Tier 2 EV requirements.			
<u>GHG-2: Implement GHG-1.</u>				
See GHG-1.				
I. HAZARDS AND HAZARDOUS MATERIALS				
HAZ-1: Phase I Environmental Site Assessment (ESA). The following requirements related to potential hazardous materials contamination would not apply to residential renovations/additions (due to the limited soil disturbance involved with such projects) or properties where past land uses have included only residential or undeveloped open space (i.e., no previous agricultural, industrial, commercial, or transportation related use) and where placement of undocumented fill material has not occurred. Evidence of such past land use must be demonstrated to the Town through historic aerial photos, maps, and/or building department records.	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Provide aerial photos, maps, and/or building department records for past land use to the Town. ▪ Have the qualified environmental professional prepare a Phase I ESA. ▪ Have the qualified environmental professional prepare a Phase II ESA, if required. ▪ Prepare a Soil and Groundwater Management Plan, if required. ▪ Take remedial actions at the project site, if required. ▪ Implement any recommendations for additional investigation and/or remedial action planning identified in the Phase I and II ESAs and submit to the Town evidence of approvals from the appropriate federal, State, or regional oversight agency(ies) for any proposed remedial action plans. ▪ Implement the recommendations of the third-party qualified environmental professional following their review of the Phase I and II ESAs, if required. 	Prior to issuance of demolition, grading, or building permits.	<p>Town of Portola Valley Planning & Building Department:</p> <ul style="list-style-type: none"> ▪ Review the Phase I ESA. ▪ Review the Phase II ESA, if required. ▪ Select a third-party qualified environmental professional to review Phase I and II ESAs and proposed remedial action plans, if required. 	
Prior to the Town issuing demolition, grading, or building permits for a proposed redevelopment or development project that would disturb soil (except for residential renovations/additions), the project applicant shall prepare a Phase I Environmental Site Assessment (ESA) for the project site and shall submit the Phase I ESA to the Town for review. If any Recognized Environmental Conditions (RECs) or other environmental concerns are identified in the Phase I ESA, the project applicant shall prepare a Phase II ESA to evaluate the RECs or other environmental concerns and shall submit the Phase II ESA to the Town for review and approval. Phase I and II ESA reports shall be prepared by a qualified environmental				

PORTOLA VALLEY HOUSING AND SAFETY ELEMENTS UPDATE INITIAL STUDY
MITIGATION AND MONITORING REPORTING PROGRAM

NOVEMBER 2022

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
<p>professional and include recommendations for further investigation or remedial action, as appropriate, for hazardous materials contamination. Remedial actions may include, but not necessarily be limited to, the preparation and implementation of a Soil and Groundwater Management Plan, removal of hazardous materials containers/features (e.g., underground or aboveground storage tanks, drums, piping, sumps/vaults), proper destruction of water supply wells, removal and off-site disposal of contaminated soil or groundwater, in-situ treatment of contaminated soil or groundwater, or engineering/institutional controls (e.g., capping of contaminated soil, installation of vapor intrusion mitigation systems, and establishing deed restrictions).</p> <p>Prior to the Town issuing demolition, grading, or building permits, the project applicant shall implement any recommendations for additional investigation and/or remedial action planning identified in the Phase I and II ESAs and submit to the Town evidence of approvals from the appropriate federal, State, or regional oversight agency(ies) for any proposed remedial action plans.</p> <p>Prior to the Town issuing a certificate of occupancy, the project applicant shall submit to the Town evidence of approvals from the appropriate federal, State, or regional oversight agency(ies) for the completion of remedial action. If the project applicant indicates that in their view regulatory agency oversight/approval is not required for the proposed project based on the findings of the Phase II ESA and/or the proposed remedial actions, then the Phase I and II ESAs and proposed remedial action plans shall be reviewed by a third-party</p>	<p>Project Sponsor:</p> <ul style="list-style-type: none"> ▪ Submit to the Town evidence of approvals from the appropriate federal, State, or regional oversight agency(ies) for the completion of remedial action, if required. 		<p>Prior to issuance of certificate of occupancy.</p>	

NOVEMBER 2022

**PORTOLA VALLEY HOUSING AND SAFETY ELEMENTS UPDATE INITIAL STUDY
MITIGATION AND MONITORING REPORTING PROGRAM**

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
qualified environmental professional selected by the Town and funded by the project applicant. The third-party qualified environmental professional shall either approve of the proposed investigation and/or remedial actions or provide recommendations for further investigation, additional/alternative remediation actions, and/or regulatory agency oversight for the project site. The project applicant shall implement the recommendations of the third-party qualified environmental professional prior to the Town issuing demolition, grading, or building permits.				
J. HYDROLOGY/WATER QUALITY				
<i>Implementation of the project would not result in any significant hydrology/water quality impacts.</i>				
K. LAND USE/PLANNING				
<i>Implementation of the project would not result in any significant land use/planning impacts.</i>				
L. MINERAL RESOURCES				
<i>Implementation of the project would not result in any significant mineral resources impacts.</i>				
M. NOISE				
NOISE-1: Screening-Level Vibration Analysis. Where new development is proposed in the vicinity of vibration-sensitive receptors, require a screening level vibration analysis. If a screening-level analysis shows that the project has the potential to substantially disturb vibration-sensitive activities or result in damage to structures, then a qualified professional shall prepare a detailed vibration impact assessment to determine appropriate design standards and methods of construction to avoid potential vibration impacts, if feasible.	Project Sponsor: <ul style="list-style-type: none"> ▪ Include the NOISE-1 requirements in the contract and performance standards for the project contractor. Project Contractor: <ul style="list-style-type: none"> ▪ Conduct a screening-level vibration analysis. ▪ Have a qualified professional prepare a detailed vibration impact assessment and submit to the Town. 	Prior to issuance of demolition, grading, or building permits	Town of Portola Valley Planning & Building Department: <ul style="list-style-type: none"> ▪ Review the detailed vibration impact assessment, if required. 	

PORTOLA VALLEY HOUSING AND SAFETY ELEMENTS UPDATE INITIAL STUDY
MITIGATION AND MONITORING REPORTING PROGRAM

NOVEMBER 2022

Mitigation Measures	Implementation Responsibility/Action	Timing	Monitoring Responsibility/Action	Date Completed/Signature
N. PARKS AND RECREATION				
	<i>Implementation of the project would not result in any significant parks and recreation impacts.</i>			
O. POPULATION/HOUSING				
	<i>Implementation of the project would not result in any significant population/housing impacts.</i>			
P. PUBLIC SERVICES				
	<i>Implementation of the project would not result in any significant public services impacts.</i>			
Q. TRANSPORTATION				
	<i>Implementation of the project would not result in any significant transportation impacts.</i>			
R. TRIBAL CULTURAL RESOURCES				
TRIBE-4: Implement CULT-3a and CULT-3b.	See CULT-3a and CULT-3b.			
S. UTILITIES/SERVICE SYSTEMS				
	<i>Implementation of the project would not result in any significant utilities/service systems impacts.</i>			
T. WILDFIRE				
	<i>Implementation of the project would not result in any significant wildfire impacts.</i>			
U. MANDATORY FINDINGS OF SIGNIFICANCE				
	<i>Implementation of the project would not result in any mandatory findings of significance.</i>			

Addendum to MMRP

Additional Policies

(Not CEQA Mitigation Measures)

Definitions

GP = General Plan

HE = Housing Element

MMRP = Mitigation monitoring and reporting program, part of the IS/MND

PC = Planning Commission

PCCM = Planning Commission Colleagues Memo dated February 8, 2023

Post HE Plan = Post-Adoption Housing Element Plan

TC = Town Council

TC HE Subcommittee = Town Council Post HE Plan Subcommittee

Addendum to MMRP

CEQA Guidelines/Local Guidelines and Thresholds

Action	<p>1. Within 6 months after HE adoption, establish CEQA guidelines per 14 CCR Section 15022.</p> <p>2. Within 8-12 months after HE adoption, establish local thresholds where reasonably feasible, per 14 CCR Section 15064.7(b), concerning topics such as aesthetics, parks and recreation, public services, traffic and wildfire safety to guide future development, with reference, where available, to approaches taken by jurisdictions that have adopted similar measures (such as Gilroy, Los Angeles, San Diego, Oakland and Laguna Niguel).</p>
Process	<p>Planning Staff and CEQA expert to address item 1 under this topic, and submit for TC approval. Planning Staff with CEQA and other consultants to develop framework for item 2 under this topic based on references to other jurisdictions adopting similar local parameters, then submit for discussion and review by the Planning Commission to tailor to community values and the Town's General Plan. It would then be submitted for adoption by the Town Council. One or more public awareness, education and comment meetings would be conducted after the initial PC study session.</p>
Comments	<p>The intent of item 1 under this topic is to comply with state requirements in adopting local CEQA guidelines, and the intent of item 2 under this topic is to clarify and standardize analysis and decision making in the environmental review process for future development projects in Town, with the intent to enhance the measures included in the IS/MND as appropriate to reflect our Town's ethos, and increase efficiency and consistency.</p> <p>Guidelines and thresholds could be derived from existing examples taken from other jurisdictions and would serve to frame the analyses of future project-level environmental impacts and mitigation measures for projects that are not exempt from CEQA, and be informed by public input. Any required General Plan amendments that may be identified in the initial process as being required to effect these actions could be implemented in the next update of the General Plan unless legally required to be adopted earlier.</p>

Addendum to MMRP

Supplemental Safety Measures

Action	Coordinate and ensure that the Town's ongoing safety-related activities also consider the cumulative projected increase, in Town population and housing units arising out of HE adoption, and adopt mechanisms to coordinate with neighboring jurisdictions with respect to safety measures such as the evacuation plan.
Placement	Also referenced in Safety Element and HE (see policy 6)
Process	<p>Staff and consultants would reach out to committees involved in the Safety Element process to confirm that such committees assessed and made recommendations to the Planning Commission and Town Council with respect to adjustments to evacuation routes and planning, building codes, and other safety measures (to address fire, geologic, flooding and other risks), specifically arising from the cumulative increase in population and housing units in the HE, adopted fire maps, other elements of the GP, and best practices.</p> <p>These efforts would be made in conjunction with the ongoing Safety Element update, which will be completed to the extent feasible within 6-9 months after the HE adoption.</p> <p>The Post HE Plan will outline details of conducting assessments of safety measures periodically in light of actual and projected housing growth to enable methodical and proactive approach.</p>
Comments	The goal of this effort is to optimize consistency, beyond what is required by CEQA, across the Safety Element, HE, and GP with respect to safety in light of the increase in the Town's population under the new HE, complementing ongoing efforts already in process.

Attachment 6

**PLANNING COMMISSION
RESOLUTION # 2023-2**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PORTOLA VALLEY
RECOMMENDING THE TOWN COUNCIL ADOPT THE 2023-2031 HOUSING ELEMENT
UPDATE AND OTHER GENERAL PLAN AMENDMENTS
REQUIRED TO CONFORM WITH THE UPDATED HOUSING ELEMENT**

WHEREAS, the California Government Code Section 65300 et. seq. requires every city and county in California to adopt a General Plan for its long-range development, and further, to periodically update that Plan to reflect current conditions and issues;

The Current Affordability Crisis

WHEREAS, the California legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives.” (Gov. Code Section 65589.5.);

WHEREAS, the legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.” (Gov. Code Section 65589.5.);

The Town’s RHNA Allocation

WHEREAS, State Housing Element Law (Article 10.6 of Gov. Code) requires that the Town Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the Town of Portola Valley’s (Town) regional housing need allocation (RHNA) of 253 housing units, comprised of 73 very-low income units, 42 low-income units, 39 moderate-income units, and 99 above moderate-income units together with an appropriate buffer to ensure compliance with the “no net loss” requirements of Housing Element law;

Housing Element Law Requirements

WHEREAS, State law requires that the Town conduct an assessment of housing needs and prepare an inventory of resources and constraints relevant to the meeting of these needs, including analysis of population and employment trends, household characteristics, inventory of land suitable and available for residential development (Gov. Code Section 65583(a));

WHEREAS, State law requires that the Town identify a zone or zones where emergency shelters are allowed as a permitted use with sufficient capacity to accommodate the need for emergency shelter identified in the assessment of housing needs (Gov. Code Section 65583(a)(4));

WHEREAS, State law requires that the Town analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including for special housing needs and persons with disabilities, land use controls, fees, and

permit procedures, along with efforts to remove governmental constraints (Gov. Code Section 65583(a)(5));

WHEREAS, State law requires that the Town analyze potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those identified in the sites inventory, along with local efforts to remove nongovernmental constraints (Gov. Code Section 65583(a)(6));

WHEREAS, State law requires that the Town analyze special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability, large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter (Gov. Code Section 65583(a)(7));

WHEREAS, State law requires that the Town analyze opportunities for energy conservation with respect to residential development (Gov. Code Section 65583(a)(8));

WHEREAS, State law requires that the Town analyze existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years (Gov. Code Section 65583(a)(9));

WHEREAS, State law requires that the Town prepare a statement of the community's goals, quantified objectives, and policies relative to affirmatively furthering fair housing and to the maintenance, preservation, improvement, and development of housing (Gov. Code Section 65583(b));

WHEREAS, State law requires that the Town prepare a program that sets forth a schedule of actions during the planning period, each with a timeline for implementation, to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, the utilization of appropriate federal and state financing (Gov. Code Section 65583(c));

WHEREAS, State law requires that the Town identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the Town's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory without rezoning (Gov. Code Section 65583(c)(1));

WHEREAS, State law requires that, where the Town identifies inadequate sites in the inventory to accommodate the need for groups of all household income levels, that the rezoning of those sites, including adoption of minimum density and development standards, for jurisdictions with an eight-year Housing Element planning period, shall be completed no later than three years after either the date the housing element is adopted pursuant to subdivision (f) of Gov. Code Section 65585;

WHEREAS, State law requires that the Town identify programs that assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households (Gov. Code Section 65583(c)(2));

WHEREAS, State law requires that the Town identify programs that address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities (Gov. Code Section 65583(c)(3));

WHEREAS, State law requires that the Town identify programs that conserve and improve the condition of the existing affordable housing stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action (Gov. Code Section 65583(c)(4));

WHEREAS, State law requires that the Town identify programs that promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other protected characteristics, and any other state and federal fair housing and planning law (Gov. Code Section 65583(c)(5));

WHEREAS, State law requires that the Town identify programs that preserve for lower income households the assisted housing developments that are eligible to change from low-income housing uses during the next 10 years (Gov. Code Section 65583(c)(6));

WHEREAS, State law requires that the Town develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent for very low, low-, or moderate-income households (Gov. Code Section 65583(c)(7));

WHEREAS, State law requires that the Town identify the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other General Plan Elements and community goals (Gov. Code Section 65583(c)(8));

New Affirmatively Furthering Fair Housing (AFFH) Requirements

WHEREAS, State law requires that the Town make a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the Housing Element, and the program shall describe this effort (Gov. Code Section 65583(c)(9));

WHEREAS, State law requires that the Town affirmatively further fair housing in accordance with Gov. Code Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2 (Gov. Code Section 65583(c)(10));

WHEREAS, State law requires that the Town include a summary of fair housing issues in the jurisdiction and an assessment of the jurisdiction's fair housing enforcement and fair housing outreach capacity (Gov. Code Section 65583(c)(10)(A)(i));

WHEREAS, State law requires that the Town include an analysis of available federal, state, and local data and knowledge to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty and affluence, disparities in access to opportunity, and disproportionate housing needs, including displacement risk (Gov. Code Section 65583(c)(10)(A)(ii));

WHEREAS, State law requires that the Town include an assessment of the contributing factors, including the local and regional historical origins and current policies and practices, for the fair housing issues (Gov. Code Section 65583(c)(10)(A)(iii));

WHEREAS, State law requires that the Town identify the jurisdiction's fair housing priorities and goals, giving highest priority to those factors identified that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance, and identifying the metrics and milestones for determining what fair housing results will be achieved (Gov. Code Section 65583(c)(10)(A)(iv));

WHEREAS, State law requires that the Town include strategies and actions to implement those priorities and goals, which may include, but are not limited to, enhancing mobility strategies and encouraging development of new affordable housing in areas of opportunity, as well as place-based strategies to encourage community revitalization, including preservation of existing affordable housing, and protecting existing residents from displacement (Gov. Code Section 65583(c)(10)(A)(v));

WHEREAS, State law allows local government to satisfy all or part of its requirement to identify a zone or zones suitable for the development of emergency shelters by adopting and implementing a multijurisdictional agreement (Gov. Code Section 65583(d));

Public Outreach and Review Process

WHEREAS, the Town conducted extensive community outreach over 24 months and totaling approximately 126 hours, including the following public meetings to discuss various aspects of the Housing Element update (current through February 17, 2023): 7 Town Council meetings; 10 Planning Commission meetings; 1 Joint Town Council and Planning Commission meeting; 15 Ad Hoc Housing Element Committee meetings; 2 Ad Hoc Committee of Town Committees meetings; and 2 Community-Wide meetings;

WHEREAS, on August 11, 2022, the Town submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for review;

WHEREAS, on November 9, 2022, HCD provided the Town with a number of comments regarding the draft Housing Element (Exhibit A), and based upon comments, Town staff revised the draft Housing Element to include additional information and data to support the Town's position that the proposed programs and zoning changes would be adequate to accommodate the RHNA and affirmatively further fair housing as shown in Exhibit B;

Environmental Review Process

WHEREAS, the Town, as lead agency under the California Environmental Quality Act ("CEQA"), prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the Housing Element, Safety Element, conforming General Plan amendments and zoning code amendments and circulated it for public review;

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 Planning Commission and the public on November 16, 2022, the adequacy of the IS/MND, and the recommended text changes to the IS/MND. The Planning Commission then recommended approval of the IS/MND, updated Response to Comments, and further

recommended that the Town Council adopt the project design features listed in the Targ/Brothers Colleagues Memo, excluding the financial terms, through the mechanism of Council's choosing, and additionally 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;

Conforming General Plan Amendments

WHEREAS, on November 30, 2022, the Planning Commission discussed amendments to the General Plan required to conform with the Housing Element.

WHEREAS, these programs include: the creation of a new "Gateway" district that allows affordable housing, recreation, and open space; the creation of two new multi-family land use classifications allowing up to four and 20 dwelling units per acre, respectively; an "opt-in" overlay provision permitting limited single family homes to voluntarily upzone to up to 4 units (not to exceed a townwide total of 12 units), and a new mixed-use land use classification to allow for up to six dwelling units per acre. These changes will require relatively minor conforming updates to the Land Use Element, the Nathhorst Triangle Plan, and corresponding maps/diagrams;

WHEREAS, on November 30, 2022, the Planning Commission also discussed the need to update the Alpine Scenic Corridor Plan to clarify that any new development along the Alpine Scenic Corridor should be designed to respect the Plan's scenic principles and provide sufficient setback for the use of Alpine Road as a major evacuation corridor. The Planning Commission also discussed that the Land Use Element be updated to remove outdated, impermissible limits on household composition;

WHEREAS, on March 6, 2023, the Planning Commission further discussed amendments to the General Plan required to conform with the Housing Element as required for general plan consistency;

WHEREAS, on March 2, 2023, the Town published the final draft Housing Element on the Town website and requested public comment on the final draft;

WHEREAS, the Planning Commission held a public hearing on March 6, 2023, considered all public comments received, the presentation by Town staff, the staff report, and all other pertinent documents regarding the proposed request, which are incorporated by reference;

WHEREAS, the Planning Commission has reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings in Exhibit A, the Town's response to HCD's findings in Exhibit B, the staff report and all attachments, and oral and written public comments; and determined the Housing Element to be consistent with State law and the General Plan;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby makes the following findings to recommend the Town Council approve the General Plan amendment to update the Housing Element and other portions of the General Plan (collectively "General Plan amendments") for consistency with the Housing Element:

1. The above recitals set forth in this resolution are hereby incorporated.

2. Planning Commission Resolution No. 1 adopted on February 15, 2023, including Exhibit A Project Design Features and Exhibit B Key Approaches to Fire Safety is hereby incorporated. The Commission finds that on the basis of the whole record before it, there is no substantial evidence that the adoption of the Housing Element and the General Plan amendments, as mitigated in the Mitigated Negative Declaration, will have a significant impact on the environment.
3. The proposed Housing Element amendment attached to the Staff Report as Attachment 1, as amended by the Planning Commission on March 6, 2023, is necessary to implement the State housing Element law. The Housing Element will accommodate higher density multifamily housing to expand housing options and affordability.
4. The Housing Element substantially complies with Housing Element Law, as provided in Government Code 65580 et seq. and contains all provisions required by State Housing Element Law.
5. A key principle of General Plan law is that each element in the General Plan must be consistent with one another. Therefore, to ensure consistency with the Housing Element the Planning Commission recommends that the Town Council adopt the following minor conforming amendments to other General Plan elements: the Land Use Element, the Nathhorst Triangle Plan, and corresponding maps/diagrams; the Alpine Scenic Corridor Plan; and the Land Use Element to remove outdated, impermissible limits on household composition as set forth in Attachment 3 to the Staff Report.
6. The proposed General Plan amendments will not be detrimental to the public interest, convenience, and general welfare of the Town. The amendments will result in a logical placement of land uses consistent with the overall intent of the General Plan and facilitate housing development opportunities at a range of income levels and household types. The proposed General Plan amendments will facilitate the development, maintenance, and improvement of adequate and affordable housing for new and existing residents, which will be a benefit to the public.

Passed and Adopted at this special meeting of the Planning Commission of the Town of Portola Valley on March 6, 2023.

By: Anne Kopf-Sill
Anne Kopf-Sill, Chair

ATTEST:

Laura Russell
Laura Russell, Planning and Building Director

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT****DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
 Sacramento, CA 95833
 (916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

Exhibit A - HCD Letter

November 9, 2022

Laura Russel, Planning & Building Director
 Town of Portola Valley
 765 Portola Road,
 Portola Valley, CA 94028

Dear Laura Russell:

RE: The Town of Portola Valley's 6th Cycle (2023-2031) Draft Housing Element

Thank you for submitting the Town of Portola Valley's (Town) draft housing element received for review on August 11, 2022. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation November 7, 2022 with you, Jeremy Dennis, Adrienne Smith, and consultants Cara Silver, Arly Dolbakian, Carla Violet, and Curtis Banks. In addition, HCD considered comments from Greenbelt Alliance and YIMBY LAW, pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes these, and other revisions needed to comply with State Housing Element Law.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), then any rezoning to accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i). Please be aware, if the Town fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until rezones to accommodate a shortfall of sites pursuant to Government Code section 65583, subdivision (c), paragraph (1), subparagraph (A) and Government Code section 65583.2, subdivision (c) are completed.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element

process, the Town should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the Town to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at:
<https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the Town meets housing element requirements for these and other funding sources.

HCD is committed to assisting the Town in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Molivann Phlong, of our staff, at Molivann.Phlong@hcd.ca.gov.

Sincerely,



Melinda Coy
Proactive Housing Accountability Chief

Enclosure

APPENDIX TOWN OF PORTOLA VALLEY

The following changes are necessary to bring the Town's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <https://www.hcd.ca.gov/hcd-memos>. Among other resources, the housing element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at <https://www.hcd.ca.gov/building-blocks> and includes the Government Code addressing State Housing Element Law and other resources.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)

The review requirement is one of the most important features of the element update. The review of past programs should analyze the Town's accomplishments over the previous planning period. This information provides the basis for developing a more effective housing program.

As part of the evaluation of programs in the past cycle, the element must provide an explanation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female-headed households, farmworkers, and persons experiencing homelessness).

B. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction (Gov. Code, § 65583, subd. (c)(10)(A))*

Integration and Segregation: The element includes some data on integration and segregation at the regional and local level; however, the element must also analyze segregation and integration of familial status and persons with disabilities, including a discussion of patterns and trends over time.

Racial/Ethnic Areas of Concentration of Areas of Affluence (RCAA): The element includes information relative to Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) but should also address concentrated areas of affluence. The combination of the R/ECAP and areas of affluence analyses will help guide goals and actions to address fair housing issues. The analysis should evaluate the patterns and changes

over time at a local (e.g., neighborhood to neighborhood) and regional level (e.g., Town to region).

Disproportionate housing needs and Displacement Risk: The element does include data on overcrowded households, substandard housing conditions, but it must also analyze the cost burdened and extreme cost burdened rates for owner households.

Site Inventory: The Town is predominantly a highest resource category according to TCAC/HCD Opportunity Maps and is predominantly higher income. Sites should be analyzed in relationships to any RCAA identified. The element should also include specific analysis of the Town compared to the region and should formulate policies and programs to promote an inclusive community. For example, the Town should consider additional actions (not limited to the Regional Housing Needs Allocation (RHNA) to promote housing mobility and improve new housing opportunities throughout the Town.

Contributing Factors: The element must prioritize contributing factors to fair housing issues, giving highest priority to those factors that most limit or deny fair housing choice or access to opportunity or negatively impact fair housing or civil rights compliance. Contributing factors create, contribute to, perpetuate, or increase the severity of fair housing issues and are fundamental to adequate goals and actions. Examples include community opposition to affordable housing, housing discrimination, land use and zoning laws, lack of regional cooperation, location and type or lack of affordable housing and lack of public or private investment in areas of opportunity or affordable housing choices. The analysis shall result in strategic approaches to inform and connect goals and actions to mitigate contributing factors to affordable housing.

2. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

While the element identifies the total number of overpaying households, it must quantify and analyze the number of overpaying lower-income households by tenure (i.e., renter and owner). For additional information and sample analysis, see the Building Blocks at <https://www.hcd.ca.gov/hcd-memos>.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

The Town has a RHNA of 253 housing units, of which 115 are for lower-income households. To address this need, the element relies on pipeline projects, Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), an Opt-in-Single-Family Rezoning Program and adopting three new zoning districts to allow multifamily dwellings. To demonstrate the adequacy of these sites and strategies to accommodate the Town's RHNA, the element must include complete analyses:

Pipeline Projects: The Town's RHNA may be reduced by the number of new units built since July 1, 2022. The element indicates 17 units affordable to low-income households are pending in the Willow Commons and Standford Wedge projects but must also demonstrate the affordability of the units. Specifically, the element must assign these units to the various income groups based on actual or anticipated sales price or rent level of the units or other mechanisms ensuring affordability (e.g., deed-restrictions) and demonstrate their availability in the planning period. For units in the pipeline, the element should describe the status of the application, required entitlements, and anticipated date of approval.

Realistic Capacity: While the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls and site improvements, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities.

Opt-In-Single-Family Rezoning Program: In order to accommodate the remaining need for the above moderate-income RHNA, the town is proposing to develop a program where property owners can opt-in to rezone their parcel to allow for 4 units per acre and a maximum of four dwelling units per lot. The Town is expecting to increase capacity by 12 units. In order to count these proposed unit towards the RHNA, the element must further describe the potential for additional capacity using the Opt-In-Single-Family Rezoning Program within the planning period. This must include reviewing program guidelines and processes, include a description of existing uses, the number of parcels that could apply for the rezone including a sample parcel inventory, a survey or other methodology to show how many parcels would potentially rezone in the planning period, and incentives for property owners to opt into the program. Please be aware, pursuant to Government Code section 65583 (c)(1)(A), rezones to accommodate RHNA must occur within three years from date of adoption of the element. The element should include a program to monitor application of the program to ensure that rezonings have been completed within that timeframe and commit to rezone or amend the housing element to identify additional sites.

Affiliated Housing Sites: The element identifies two sites that will not be rezoned but are anticipated to be developed under the Affiliated Housing Site Program including the 42 Acre Sequoia Housing Site and the Christ Church Affiliated Housing site. The element must include information that demonstrates the potential for development within the planning period including, but not limited to, information on proposed projects within the planning period, analysis on existing uses and whether those existing uses could impede development, and approval procedures (see next section). The element could also include programs that commit to facilitating the development of these properties and commit to monitor production throughout the planning period and if necessary additional actions to identify additional capacity.

ADUs: The element relies on 92 ADUs to accommodate a portion of the Town's RHNA. For your information, HCD records indicate permitted ADUs of 7 in 2018, 7 in 2019 and 3 in 2020. The element should reconcile these numbers and adjust assumptions as appropriate. The element must clarify these ADUs numbers in relationship to the projections, reconcile these numbers and adjust assumptions as appropriate.

Depending on the analysis, the element must commit to monitor ADU production and affordability throughout the planning period and implement additional actions if not meeting target numbers within a specified time period (e.g., within six months). Finally, if necessary, the degree of additional actions should be in stride with the degree of the gap in production and affordability. For example, if actual production and affordability of ADUs is far from anticipated trends, then rezoning or something similar would be an appropriate action. If actual production and affordability is near anticipated trends, then measures like outreach and marketing might be more appropriate.

Environmental Constraints: While the element generally describes a few environmental conditions within the Town (page 68), it must describe any known environmental constraints within the Town that could impact housing development in the planning period. (Gov. Code, § 65583.2, subd. (b).) For additional information and sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/analysis-of-sites-and-zoning.shtml#environmental>.

Sites with Zoning for a Variety of Housing Types:

- Emergency Shelters: The element should describe the development standards of the zone that allows emergency shelters by-right and should provide an analysis of proximity to transportation and services for these sites, hazardous conditions, and any conditions in appropriate for human habitability. Specifically, the element. In addition, the element should describe how emergency shelter parking requirements are in line with AB139/Government Code section 65583, subdivision (a)(4)(A) or include a program to comply with this requirement.
 - ADUs: The element indicates the Town modified its zoning code to ease barriers to the development of ADU's. However, after a cursory review of the Town's ordinance, HCD discovered several areas which were not consistent with State ADU Law. HCD will provide a complete listing of ADU non-compliance issues under a separate cover. As a result, the element should add a program to update the Town's ADU ordinance in order to comply with state law.
4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Government Code section 65584 and from meeting the need for housing for persons*

with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7). (Gov. Code, § 65583, subd. (a)(5).)

Multi-Family Zoning and Mixed-Use Zoning Districts: As stated above, to accommodate the town's RHNA, three new multifamily zoning districts will be created to accommodate 4 units, 6 units, and 20 units per acre respectively. While HCD recognizes that zoning has not yet been created to implement the new zones, the element should generally describe and commit to expectations for development standards in these zones. For example, the element should describe expected height limits, parking, and other standards that will facilitate development at the densities proposed. This is particularly critical because the Town currently does not have any zoning districts that specifically allow for multifamily.

Minimum Density Equals Maximum Density: The element states that the density for the new multifamily district allows 20 dwelling units an acre. However, the element must clarify if the minimum density for the rezone is also the maximum density. The element must analyze this narrow range of density (20 units per acre) as a potential governmental constraint on housing development including potential impacts resulting from site constraints, financial considerations, and other development factors.

Zoning, Development Standards and Fees: The element must clarify compliance with new transparency requirements for posting all zoning, development standards and fees on the Town's website and add a program to address these requirements, if necessary.

Design Review (D-R) Combining District: The element must further describe and analyze the Design Review Combining District and Architectural and Site Control Commission (ASCC). The element must include a description of any guidelines and design criteria, approval procedures, and decision-making criteria, for their impact as potential constraints on housing supply and affordability. For example, the analysis should consider processing and approval procedures and timeframes, level of review, subjectivity of approval findings and any discretionary approval procedures. The element should also indicate if housing under the new multifamily zoning districts will be subject to this procedure. The element must demonstrate these processes are not a constraint or it must include a program(s) to address this permitting requirement, as appropriate.

Affiliated Housing Program: The element identifies two sites within the inventory for potential for development through the Affiliated Housing Program. While the element provides a brief description (page 82), it must include further information and analysis on how projects proposed under this program are approved. For example, what development standards apply to the project, what types of finding are necessary to approve the conditional use permit, standards that are required to opt-in to the program, and other requirements that impact the feasibility of development on sites within the overlay.

Streamlining Provisions: The element must clarify whether there are written procedures for the SB 35 (Chapter 366, Statutes of 2017) Streamlined Ministerial Approval Process and add a program to address these requirements as appropriate.

Building Codes and Enforcement: While the element states that it has adopted the 2019 building code, it must also describe any local amendments to the building code and enforcement of the codes for impacts on housing supply and affordability.

Constraints on Housing for Persons with Disabilities: The element briefly describes its reasonable accommodation measures (page 51). However, the element should describe the process and decision-making criteria such as approval findings and analyze any potential constraints on housing for persons with disabilities.

The element must also address how non-licensed group home facilities that serve seven or more residences is permitted. Zoning and standards should simply implement a barrier-free definition of family instead of subjecting, potentially persons with disabilities, to special regulations. Zoning code regulations that isolate and regulate various types of housing for persons with disabilities based on the number of people and other factors may pose a constraint on housing choice for persons with disabilities. The element should include specific analysis of these and any other constraints for impacts on housing for persons with disabilities and add or modify programs as appropriate.

Water Sewer Priority: For your information, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are required to immediately deliver the housing element to water and sewer service providers. HCD recommends including a cover memo describing the Town's housing element, including the Town's housing needs and regional housing need. For additional information and sample cover memo, see the Building Blocks at <https://www.hcd.ca.gov/priority-for-water-and-sewer>.

5. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584. (Gov. Code, § 65583, subd. (a)(6).)*

Developed Densities and Permit Times: The element must be revised to include analysis of requests to develop housing at densities below those anticipated, and the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially hinder the construction of a locality's share of the regional housing need.

6. *Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, §*

65583, subd. (a)(7).)

While the element quantifies some of the Town's special needs populations, it must also analyze their special housing needs. The element must also quantify the number of the elderly and large households. For a complete analysis of each population group, the element should discuss challenges faced by the population, the existing resources to meet those needs (availability senior housing units, # of large units, # of deed restricted units, etc.), an assessment of any gaps in resources, and proposed policies, programs, and funding to help address those gaps.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)*

Programs must demonstrate that they will have a beneficial impact within the planning period. Beneficial impact means specific commitment to deliverables, measurable metrics or objectives, definitive deadlines, dates, or benchmarks for implementation. Deliverables should occur early in the planning period to ensure actual housing outcomes. To address the program requirements of Gov. Code section 65583, subd. (c)(1-6), and to facilitate implementation, programs must include: (1) specific actions the local government will take during the planning period; (2) timelines that result in beneficial impacts within the planning period; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials.

Additionally, all programs should be evaluated to ensure meaningful and specific actions and objectives. Programs containing unclear language (e.g., "Evaluate"; "Consider"; "Encourage"; etc.) should be amended to include more specific and measurable actions. Programs to be revised include, but are not limited to, Programs 1-1-4, 2-1, 3-2, 4-1, 4-2, 4-3, 4-4, and 6-3.

Transitional Housing and Supportive Housing: The element must include a program to amend the zoning ordinance to permit transitional and supportive housing as a residential use in all zones allowing residential uses and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. (Gov. Code, § 65583, subd. (c)(3).) For additional information, see the Building Blocks' at <https://www.hcd.ca.gov/zoning-for-a-variety-of-housing-types> and HCD's SB 2 memo at http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb2_memo050708.pdf.

Developmental Disabilities: The element must include a program to assist in the development of housing for persons with developmental disabilities (SB 812). Program actions could include proactive outreach and assistance to non-profit service providers and developers, prioritizing some funding for housing developments affordable to special needs households and offering financial incentives or regulatory concessions to encourage a variety of housing types.

2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the town's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.*
(Gov. Code, § 65583, subd. (c)(1).)

As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the Town may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

Programs 1-1, 1-2, 1-3: These programs currently have a timeframe for completion of January 2031. Because these programs are required to accommodate the RHNA, pursuant to Government Code section 65583 (c)(1)(A) rezones must be completed within three years from the date of adoption.

For your information, if rezones are completed after January 31, 2023, the element must also demonstrate Program 1-1 complies with the requirements of Government Code section 65583.2, subdivisions (h) and (i). For example, while the element indicates the residential capacity of the rezoned sites, it must also demonstrate the rezoned sites have a site capacity of at least 16 units, permit rental and owner multifamily development without discretionary review at minimum densities of at least 16 or 20 dwelling units per acre, and that at least at least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for exclusive residential uses or on sites zoned for mixed uses that accommodate all of the very low and low-income housing need, if those sites allow 100 percent residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project. For additional information, go to <https://www.hcd.ca.gov/hcd-memos>.

Program 1-4: The program should be revised to describe incentives for the Affiliated Housing Program and as stated above, include a program to monitor development of sites within the Affiliated Housing Program. In addition, the municipal code update should occur sooner in the planning period to have a beneficial impact.

3. *The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

Extremely Low-Income Program (ELI): While the element includes programs to assist in the development of very low-, low-, and moderate-income households, it must also include a program(s) to assist in the development of housing affordable households. Programs must be revised or added to the element to assist in the development of housing for ELI households. Program actions could include prioritizing some funding for housing developments affordable to ELI households and offering financial incentives or regulatory concessions to encourage the development of housing types, such as multifamily, single-room occupancy (SRO) units, to address the identified housing needs for ELI households. For additional information, see the Building Blocks at <https://www.hcd.ca.gov/extremely-low-income-housing-needs>.

4. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Finding B4 and B-5, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the Town may need to revise or add programs and address and remove or mitigate any identified constraints.

Program 4-1: This program should be revised to include specific details of the new parking requirements for affordable housing.

Program 4-4: This program should be revised to clarify that the zoning regulations and objective standards will facilitate the development of residential units at the densities proposed.

Pursuant to conversations with staff, the Town's density bonus may be out of date with state law. The element should include a program to update the ordinance accordingly.

5. *The Housing Element shall include programs to conserve and improve the condition of the existing affordable housing stock. (Gov. Code, § 65583, subd. (c)(4).)*

Conserve and Improve: The element must include a program(s) to conserve and improve the condition of the existing stock, which may include addressing the loss of dwelling units. A program could provide grants for substantial rehabilitation, provide matching grants for homeowner improvements, or implement proactive code enforcement program.

6. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

Goals and actions must significantly seek to overcome contributing factors to fair housing issues. Currently, the element identifies programs to encourage and promote affordable housing; however, most of these programs do not appear to facilitate any meaningful change nor address affirmatively furthering fair housing requirements. Furthermore, the element must include metrics and milestones for evaluating progress on programs, actions, and fair housing results and include geographic targeting as appropriate. Given that most of the Town is considered a highest resource community, the element could focus on programs that center on place-based strategies for economic and community revitalization, protecting residents from disaster-driven and investment-driven displacement, and enhancing housing mobility to encourage the development of more housing choices and affordable housing. Programs also should be based on identified contributing factors, be significant and meaningful. The element must add, and revise programs based on a complete analysis and listing and prioritization of contributing factors to fair housing issues. For example, the Town could consider is tying Program 8-7 towards actions to improve nongovernmental constraints such as mortgage acceptance rates. For more information, please see HCD's guidance at <https://www.hcd.ca.gov/community-development/affh/index.shtml>.

Exhibit B - Response to HCD Letter

Town Comment Number	HCD Comment	Town Response
1	<p>A. Review and Revision</p> <p><i>Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)</i></p> <p>The review requirement is one of the most important features of the element update. The review of past programs should analyze the Town's accomplishments over the previous planning period. This information provides the basis for developing a more effective housing program.</p> <p>As part of the evaluation of programs in the past cycle, the element must provide an explanation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female-headed households, farmworkers, and persons experiencing homelessness).</p>	<p>Added a list of key accomplishments during the 5th Cycle and additional evaluation on the of past programs in meeting the needs of special needs populations to <i>Appendix D, Revised 2015-2023 Housing Element Performance</i>.</p>
2	<p>B. Housing Needs, Resources, and Constraints</p> <p><i>1. Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction (Gov. Code, § 65583, subd. (c)(10)(A))</i></p> <p>Integration and Segregation: The element includes some data on integration and segregation at the regional and local level; however, the element must also analyze segregation and integration of familial status and persons with disabilities, including a discussion of patterns and trends over time.</p>	<p>Added data on familial status under <i>Section 3, AFFH, Primary Findings</i> (fifteenth bullet). Data on persons with disabilities can be found in the text under <i>Section 3, AFFH, Primary Findings</i>, (third and second to last bullets) and <i>Appendix C, AFFH, 4.3.3 Disability Status</i>.</p>
3	<p>Racial/Ethnic Areas of Concentration of Areas of Affluence (RCAA): The element includes information relative to Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) but should also address concentrated areas of affluence. The combination of the R/ECAP and areas of affluence analyses will help guide goals and actions to address fair housing issues. The analysis should evaluate the patterns and changes over time at a local (e.g., neighborhood to neighborhood) and regional level (e.g., Town to region).</p>	<p>Added RCAA text in <i>Appendix C, AFFH, 4.3.3 Racially or Ethnically Concentrated Areas of Poverty and Affluence</i> and <i>Section 3, AFFH, Primary Findings</i>.</p>
4	<p>Disproportionate housing needs and Displacement Risk: The element does include data on overcrowded households, substandard housing conditions, but it must also analyze the cost burdened and extreme cost burdened rates for owner households.</p>	<p>Added Figures 3-2: Overpayment by AMI and 3-3: Overpayment by Tenure and additional text to <i>Section 3, AFFH</i> under subheading Primary Findings, and to <i>Appendix C, AFFH, Section 6.2 Cost Burden and Sever Cost Burden</i>.</p>
5	<p>Site Inventory: The Town is predominantly a highest resource category according to TCAC/HCD Opportunity Maps and is predominantly higher income. Sites should be analyzed in relationships to any RCAA identified. The element should also include specific analysis of the Town compared to the region and should formulate policies and programs to promote an inclusive community. For example, the Town should consider additional actions (not limited to the Regional Housing Needs Allocation (RHNA) to promote housing mobility and improve new housing opportunities throughout the Town.</p>	<p>Added text under <i>Appendix C, AFFH, 7.2 Distribution of sites in the Site Inventory</i> and <i>Section 3, AFFH, Primary Findings</i>.</p> <p>Added language to <i>Section 6, Adequate Sites</i> discussing how Sites locations will help address concerns described in <i>Section 3, AFFH</i>.</p>
6	<p>Contributing Factors: The element must prioritize contributing factors to fair housing issues, giving highest priority to those factors that most limit or deny fair housing choice or access to opportunity</p>	<p>Added text in <i>Section 3, AFFH, Table 3-1</i> to denote "low, medium, and high" prioritization of Contributing Factors.</p>

	<p>or negatively impact fair housing or civil rights compliance. Contributing factors create, contribute to, perpetuate, or increase the severity of fair housing issues and are fundamental to adequate goals and actions. Examples include community opposition to affordable housing, housing discrimination, land use and zoning laws, lack of regional cooperation, location and type or lack of affordable housing and lack of public or private investment in areas of opportunity or affordable housing choices. The analysis shall result in strategic approaches to inform and connect goals and actions to mitigate contributing factors to affordable housing.</p>	
7	<p><i>2. Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)</i></p> <p>While the element identifies the total number of overpaying households, it must quantify and analyze the number of overpaying lower-income households by tenure (i.e., renter and owner). For additional information and sample analysis, see the Building Blocks at https://www.hcd.ca.gov/hcd-memos.</p>	<p>Added Figures 3-4 and 3-5 Cost Burden by Income for Owners, and for Renters, respectively, showing overpayment by tenure by income level to <i>Section 3, AFFH</i> under subsection Primary Findings. Added analysis of data.</p>
8	<p><i>3. An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)</i></p> <p>The Town has a RHNA of 253 housing units, of which 115 are for lower-income households. To address this need, the element relies on pipeline projects, Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs), an Opt-in-Single-Family Rezoning Program and adopting three new zoning districts to allow multifamily dwellings. To demonstrate the adequacy of these sites and strategies to accommodate the Town's RHNA, the element must include complete analyses:</p> <p>Pipeline Projects: The Town's RHNA may be reduced by the number of new units built since July 1, 2022. The element indicates 17 units affordable to low-income households are pending in the Willow Commons and Stanford Wedge projects but must also demonstrate the affordability of the units. Specifically, the element must assign these units to the various income groups based on actual or anticipated sales price or rent level of the units or other mechanisms ensuring affordability (e.g., deed-restrictions) and demonstrate their availability in the planning period. For units in the pipeline, the element should describe the status of the application, required entitlements, and anticipated date of approval.</p>	<p>Added language to <i>Section 6, Adequate Sites</i> under subheading Pipeline and Pending Projects, with additional details on the Willow Commons and Stanford Wedge projects.</p>
9	<p>Realistic Capacity: While the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls and site improvements, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities.</p>	<p>Added language to <i>Section 6, Adequate Sites</i> under subheading Realistic Capacity, describing local setting (no multifamily zones, limited multifamily development), site quality, and the rezonings.</p>
10	<p>Opt-In-Single-Family Rezoning Program: In order to accommodate the remaining need for the above moderate-income RHNA, the town is proposing to develop a program where property owners can opt-in to rezone their parcel to allow for 4 units per acre and a maximum of four dwelling units per lot. The Town is expecting to increase capacity by 12 units. In order to count these proposed unit towards the RHNA, the element must further describe the potential for additional capacity using</p>	<p>Added language to <i>Section 6, Adequate Sites</i> under Subheading Opt-In Housing Program, providing additional detail on how the program would function, program incentives the review process for applicants. Revised Opt-In program language in <i>Section 7, Programs</i> (Program 1-3) to reflect additional program details.</p>

	<p>the Opt-In-Single-Family Rezoning Program within the planning period. This must include reviewing program guidelines and processes, include a description of existing uses, the number of parcels that could apply for the rezone including a sample parcel inventory, a survey or other methodology to show how many parcels would potentially rezone in the planning period, and incentives for property owners to opt into the program. Please be aware, pursuant to Government Code section 65583 (c)(1)(A), rezones to accommodate RHNA must occur within three years from date of adoption of the element. The element should include a program to monitor application of the program to ensure that rezonings have been completed within that timeframe and commit to rezone or amend the housing element to identify additional sites.</p>	
11	<p>Affiliated Housing Sites: The element identifies two sites that will not be rezoned but are anticipated to be developed under the Affiliated Housing Site Program including the 42 Acre Sequoia Housing Site and the Christ Church Affiliated Housing site. The element must include information that demonstrates the potential for development within the planning period including, but not limited to, information on proposed projects within the planning period, analysis on existing uses and whether those existing uses could impede development, and approval procedures (see next section). The element could also include programs that commit to facilitating the development of these properties and commit to monitor production throughout the planning period and if necessary additional actions to identify additional capacity.</p>	<p>Added language to <i>Section 6, Adequate Sites</i>, under subheading Affiliated Housing Sites to describe the codification of the Affiliated Housing Program and more information about the Sequoias and Christ Church sites.</p>
12	<p>ADUs: The element relies on 92 ADUs to accommodate a portion of the Town's RHNA. For your information, HCD records indicate permitted ADUs of 7 in 2018, 7 in 2019 and 3 in 2020. The element should reconcile these numbers and adjust assumptions as appropriate. The element must clarify these ADUs numbers in relationship to the projections, reconcile these numbers and adjust assumptions as appropriate. Depending on the analysis, the element must commit to monitor ADU production and affordability throughout the planning period and implement additional actions if not meeting target numbers within a specified time period (e.g., within six months). Finally, if necessary, the degree of additional actions should be in stride with the degree of the gap in production and affordability. For example, if actual production and affordability of ADUs is far from anticipated trends, then rezoning or something similar would be an appropriate action. If actual production and affordability is near anticipated trends, then measures like outreach and marketing might be more appropriate.</p>	<p>Added languages to <i>Section 6, Adequate Sites</i>, under subheading Accessory Dwelling Units and Junior Accessory Dwelling Units to strengthen assumptions about ADU production.</p> <p>HCD, Thank you for noting the discrepancy between the Town's records and HCD records. The Town is aware of past reporting errors that need to be corrected with HCD. Unfortunately, the report form was completed incorrectly so the numbers do not align.</p> <p>(Town may need to add a program to resolve the past reporting problems.)</p>
13	<p>Environmental Constraints: While the element generally describes a few environmental conditions within the Town (page 68), it must describe any known environmental constraints within the Town that could impact housing development in the planning period. (Gov. Code, § 65583.2, subd. (b).) For additional information and sample analysis, see the Building Blocks at http://www.hcd.ca.gov/community-development/building-blocks/site-inventory-analysis/analysis-of-sites-and-zoning.shtml#environmental.</p>	<p>Added discussion of biological and hazardous materials to <i>Section 4, Constraints</i> under the Environmental Constraints subheading.</p>
14	<p>Sites with Zoning for a Variety of Housing Types:</p> <ul style="list-style-type: none"> ▪ Emergency Shelters: The element should describe the development standards of the zone that allows emergency shelters by-right and should provide an analysis of proximity to transportation and services for these sites, hazardous conditions, and any conditions in appropriate for human habitability. Specifically, the element. In addition, the element should describe how emergency shelter parking requirements are in line with AB139/Government Code section 65583, subdivision (a)(4)(A) or include a program to comply with this requirement. 	<p>Added language to <i>Section 4, Constraints</i> under subheading Zoning Code describing addition of Emergency Shelters to new code for Multi-Family zones, and shelter regulations as permitted by Government Code section 65583 (a)(4)(A).</p> <p>Added language to <i>Section 2, Housing Needs</i>, referring to Emergency Shelter updates in new Multi-Family zones, as described in <i>Section 4, Constraints</i>.</p>
15	<ul style="list-style-type: none"> ▪ ADUs: The element indicates the Town modified its zoning code to ease barriers to the development of ADU's. However, after a cursory review of the Town's ordinance, HCD discovered 	<p>Added Program 7-8, Update Town's ADU ordinance regularly to comply with state law, to <i>Section 7, Goals, Policies, and Programs</i>. A description of Program 7-8 was</p>

	<p>several areas which were not consistent with State ADU Law. HCD will provide a complete listing of ADU non-compliance issues under a separate cover. As a result, the element should add a program to update the Town's ADU ordinance in order to comply with state law.</p>	<p>also added to <i>Section 6, Adequate Sites</i>, where the proposed ADU programs are described, under subheading Proposed ADU and JADU Policies and Programs.</p>
16	<p><i>4. An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Government Code section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7). (Gov. Code, § 65583, subd. (a)(5).)</i></p> <p><u>Multi-Family Zoning and Mixed-Use Zoning Districts:</u> As stated above, to accommodate the town's RHNA, three new multifamily zoning districts will be created to accommodate 4 units, 6 units, and 20 units per acre respectively. While HCD recognizes that zoning has not yet been created to implement the new zones, the element should generally describe and commit to expectations for development standards in these zones. For example, the element should describe expected height limits, parking, and other standards that will facilitate development at the densities proposed. This is particularly critical because the Town currently does not have any zoning districts that specifically allow for multifamily.</p>	<p>Updated <i>Section 6, Adequate Sites</i> to add basic development standards. Corresponding zoning code amendments are underway and expected to be completed by July 2023.</p>
17	<p><u>Minimum Density Equals Maximum Density:</u> The element states that the density for the new multifamily district allows 20 dwelling units an acre. However, the element must clarify if the minimum density for the rezone is also the maximum density. The element must analyze this narrow range of density (20 units per acre) as a potential governmental constraint on housing development including potential impacts resulting from site constraints, financial considerations, and other development factors.</p>	<p>Updated <i>Section 6, Adequate Sites</i>, to clarify minimum and maximum densities for the new Multi-Family and Mixed Use Districts. The R-MF-20 allows between 10 to 20 dwelling units per acre and the R-MF-4 allows between 2 to 4 dwelling units per acre. The MU allows between 4 to 6 dwelling units per acre.</p>
18	<p><u>Zoning, Development Standards and Fees:</u> The element must clarify compliance with new transparency requirements for posting all zoning, development standards and fees on the Town's website and add a program to address these requirements, if necessary.</p>	
19	<p><u>Design Review (D-R) Combining District:</u> The element must further describe and analyze the Design Review Combining District and Architectural and Site Control Commission (ASCC). The element must include a description of any guidelines and design criteria, approval procedures, and decision-making criteria, for their impact as potential constraints on housing supply and affordability. For example, the analysis should consider processing and approval procedures and timeframes, level of review, subjectivity of approval findings and any discretionary approval procedures. The element should also indicate if housing under the new multifamily zoning districts will be subject to this procedure. The element must demonstrate these processes are not a constraint or it must include a program(s) to address this permitting requirement, as appropriate.</p>	<p>Updated <i>Section 4, Constraints</i>, to clarify limited scope of D-R Combining District and add information about ASCC review process.</p>
20	<p><u>Affiliated Housing Program:</u> The element identifies two sites within the inventory for potential for development through the Affiliated Housing Program. While the element provides a brief description (page 82), it must include further information and analysis on how projects proposed under this program are approved. For example, what development standards apply to the project, what types of finding are necessary to approve the conditional use permit, standards that are</p>	<p><i>Section 7, Goals Policies and Programs</i> (Programs 1-4 and 4-2) updated with detail on the Affiliated Housing Program.</p> <p>in <i>Section 4, Constraints</i>, subsection Conditional Use Permit and Planned Unit Development Permit Processes updated to explain why the permit process does not</p>

	required to opt-in to the program, and other requirements that impact the feasibility of development on sites within the overlay.	impact the feasibility of development. Additionally, each Affiliated site is discussed in detail in <i>Section 6, Adequate sites</i> .
21	<u>Streamlining Provisions:</u> The element must clarify whether there are written procedures for the SB 35 (Chapter 366, Statutes of 2017) Streamlined Ministerial Approval Process and add a program to address these requirements as appropriate.	Added language in <i>Section 4, Constraints</i> , clarifying that, while the Town has not adopted its own procedure, it will follow State law when processing SB 35 applications.
22	<u>Building Codes and Enforcement:</u> While the element states that it has adopted the 2019 building code, it must also describe any local amendments to the building code and enforcement of the codes for impacts on housing supply and affordability.	Added language in <i>Section 4, Constraints</i> , to specify the local amendments related to sustainability and fire safety.
23	<p><u>Constraints on Housing for Persons with Disabilities:</u> The element briefly describes its reasonable accommodation measures (page 51). However, the element should describe the process and decision-making criteria such as approval findings and analyze any potential constraints on housing for persons with disabilities.</p> <p>The element must also address how non-licensed group home facilities that serve seven or more residences is permitted. Zoning and standards should simply implement a barrier-free definition of family instead of subjecting, potentially persons with disabilities, to special regulations. Zoning code regulations that isolate and regulate various types of housing for persons with disabilities based on the number of people and other factors may pose a constraint on housing choice for persons with disabilities. The element should include specific analysis of these and any other constraints for impacts on housing for persons with disabilities and add or modify programs as appropriate.</p>	Updated subsection Zoning for a Variety of Housing Types in <i>Section 4, Constraints</i> to indicate plan to modernize the Municipal Code definition of "household" and added action 8-9 to TABLE 3-1 in <i>Section 3, Affirmatively Furthering Fair Housing</i> .
24	<u>Water Sewer Priority:</u> For your information, water and sewer service providers must establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) Local governments are required to immediately deliver the housing element to water and sewer service providers. HCD recommends including a cover memo describing the Town's housing element , including the Town's housing needs and regional housing need. For additional information and sample cover memo, see the Building Blocks at https://www.hcd.ca.gov/priority-for-water-and-sewer .	Thanks HCD – Town will distribute Housing Element to water provider.
25	<p><i>5. An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584. (Gov. Code, § 65583, subd. (a)(6).)</i></p> <p><u>Developed Densities and Permit Times:</u> The element must be revised to include analysis of requests to develop housing at densities below those anticipated, and the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially hinder the construction of a locality's share of the regional housing need.</p>	(Explanation will be provided to HCD)

26	<p><i>6. Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)</i></p> <p>While the element quantifies some of the Town's special needs populations, it must also analyze their special housing needs. The element must also quantify the number of the elderly and large households. For a complete analysis of each population group, the element should discuss challenges faced by the population, the existing resources to meet those needs (availability senior housing units, # of large units, # of deed restricted units, etc.), an assessment of any gaps in resources, and proposed policies, programs, and funding to help address those gaps.</p>	<p>Further analysis added to Section 2, Housing Needs, subsection Large Households</p> <p>In looking at the data again, only 2.1% of the housing stock is small multi-family (48 units), while 29% of the pop is over 65 (1,336 ppl). This shows we don't have the small units to meet the possible demand of our older population. Do we need to say more about this?</p>
27	<p>C. Housing Programs</p> <p><i>1. Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)</i></p> <p>Programs must demonstrate that they will have a beneficial impact within the planning period. Beneficial impact means specific commitment to deliverables, measurable metrics or objectives, definitive deadlines, dates, or benchmarks for implementation. Deliverables should occur early in the planning period to ensure actual housing outcomes. To address the program requirements of Gov. Code section 65583, subd. (c)(1-6), and to facilitate implementation, programs must include: (1) specific actions the local government will take during the planning period; (2) timelines that result in beneficial impacts within the planning period; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials.</p>	<p>Added language to <i>Section 7, Goals, Policies and Programs</i> clarify and solidify objectives and timeframes for programs throughout. Deliverables are generally early in the planning period in order to allow time for outcomes to occur.</p>
28	<p>Additionally, all programs should be evaluated to ensure meaningful and specific actions and objectives. Programs containing unclear language (e.g., "Evaluate"; "Consider"; "Encourage"; etc.) should be amended to include more specific and measurable actions. Programs to be revised include, but are not limited to, Programs 1-1-4, 2-1. 3-2, 4-1, 4-2, 4-3, 4-4, and 6-3.</p>	<p>Programs have been updated to provide more clarity and specificity.</p>
29	<p>Transitional Housing and Supportive Housing: The element must include a program to amend the zoning ordinance to permit transitional and supportive housing as a residential use in all zones allowing residential uses and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. (Gov. Code, § 65583, subd. (c)(3).) For additional information, see the Building Blocks' at https://www.hcd.ca.gov/zoning-for-a-variety-of-housing-types and HCD's SB 2 memo at http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb2_memo050708.pdf.</p>	<p>This code amendment has already been completed so no program is necessary.</p>
30	<p>Developmental Disabilities: The element must include a program to assist in the development of housing for persons with developmental disabilities (SB 812). Program actions could include proactive outreach and assistance to non-profit service providers and developers, prioritizing some funding for housing developments affordable to special needs households and offering financial incentives or regulatory concessions to encourage a variety of housing types.</p>	<p>Added new Policy 9 and program 9-1 to <i>Section 7, Goals, Policies and Programs</i> to assist in the development of housing for persons with developmental disabilities.</p>
31	<p><i>2. Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate</i></p>	<p>Language has been added to <i>Section 6, Sites</i> describing the Opt-In Housing Program in more detail, to <i>Section 7, Goals, Policies and Programs</i> describing various ADU</p>

	<p><i>that portion of the town's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.</i> (Gov. Code, § 65583, subd. (c)(1).)</p> <p>As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the Town may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.</p>	<p>programs, and to <i>Section 4, Constraints</i>, describing the inclusion of updated Emergency Shelter language in the new Multi-family zoning standards.</p>
32	<p><u>Programs 1-1, 1-2, 1-3:</u> These programs currently have a timeframe for completion of January 2031. Because these programs are required to accommodate the RHNA, pursuant to Government Code section 65583 (c)(1)(A) rezones must be completed within three years from the date of adoption.</p> <p>For your information, if rezones are completed after January 31, 2023, the element must also demonstrate Program 1-1 complies with the requirements of Government Code section 65583.2, subdivisions (h) and (i). For example, while the element indicates the residential capacity of the rezoned sites, it must also demonstrate the rezoned sites have a site capacity of at least 16 units, permit rental and owner multifamily development without discretionary review at minimum densities of at least 16 or 20 dwelling units per acre, and that at least at least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for exclusive residential uses or on sites zoned for mixed uses that accommodate all of the very low and low-income housing need, if those sites allow 100 percent residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project. For additional information, go to https://www.hcd.ca.gov/hcd-memos.</p>	<p><i>Section 7, Goals, Policies and Programs</i> updated to reflect completion timeframe for programs 1-1, 1-2 and 1-3.</p>
33	<p><u>Program 1-4:</u> The program should be revised to describe incentives for the Affiliated Housing Program and as stated above, include a program to monitor development of sites within the Affiliated Housing Program. In addition, the municipal code update should occur sooner in the planning period to have a beneficial impact.</p>	<p>Updated Program 1-4 to increase monitoring and clarify when code amendments will be done.</p>
34	<p><i>3. The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households.</i> (Gov. Code, § 65583, subd. (c)(2).)</p> <p><u>Extremely Low-Income Program (ELI):</u> While the element includes programs to assist in the development of very low-, low-, and moderate-income households, it must also include a program(s) to assist in the development of housing affordable households. Programs must be revised or added to the element to assist in the development of housing for ELI households. Program actions could include prioritizing some funding for housing developments affordable to ELI households and offering financial incentives or regulatory concessions to encourage the development of housing types, such as multifamily, single-room occupancy (SRO) units, to address the identified housing needs for ELI households. For additional information, see the Building Blocks at https://www.hcd.ca.gov/extremely-low-income-housing-needs.</p>	<p>Added language to <i>Section 4, Adequate Sites</i> under subheading Non-Vacant Underutilized Sites describing RFP process for Ford Field site and Town's control over number and type of low income and/or special needs units to be developed. The Town will require that 50 low income units be developed, with 5% set aside for extremely low income and/or special needs. If supportive housing is proposed, the Town will waive fees and expedite permit review, as was done with Willow Commons.</p> <p>Program 1-1, New Gateway Land Use Classification, describes how the site will allow for affordable housing. Program 3-1, Initiate Site Planning Process in Gateway, provides for pursuing an affordable housing project on the site.</p>

35	<p><i>4. Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. ©(3).)</i></p> <p>As noted in Finding B4 and B-5, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the Town may need to revise or add programs and address and remove or mitigate any identified constraints.</p>	<p>Language in <i>Section 7, Goals, Policies and Programs</i> has been updated to reflect responses to comments on constraints. See responses to Comments 16-24.</p>
36	<u>Program 4-1:</u> This program should be revised to include specific details of the new parking requirements for affordable housing.	
37	<u>Program 4-4:</u> This program should be revised to clarify that the zoning regulations and objective standards will facilitate the development of residential units at the densities proposed.	Program 4-4 removed and language integrated into other programs.
38	Pursuant to conversations with staff, the Town's density bonus may be out of date with state law. The element should include a program to update the ordinance accordingly.	Updated Program 4-2 in <i>Section 7, Goals, Policies and Programs</i> to include annual assessment of Density Bonus Law and regular reviews of Affiliated Housing Program
39	<p><i>5. The Housing Element shall include programs to conserve and improve the condition of the existing affordable housing stock. (Gov. Code, § 65583, subd. ©(4).)</i></p> <p><u>Conserve and Improve:</u> The element must include a program(s) to conserve and improve the condition of the existing stock, which may include addressing the loss of dwelling units. A program could provide grants for substantial rehabilitation, provide matching grants for homeowner improvements, or implement proactive code enforcement program.</p>	<p>The Housing Element includes multiple programs which support the conservation and improvement of housing units within Portola Valley (described in <i>Section 7, Goals, Policies, and Programs</i>):</p> <ul style="list-style-type: none"> • 7.2 ADU Amnesty program. Added language clarifying that, once legalized, previously unpermitted ADUs could then be improved via building permits from the Town. The Town's existing ADU Ambassador program can help spread the word about the Amnesty program. The Town estimates that 15 ADUs will be rehabilitated through the Amnesty Program (Table 7-2). • 7.3 Building Division support for JADU construction. The Town will provide property owners with direct assistance in making minor changes to accommodate a JADU. If rented, a new JADU would provide an income stream to the homeowner, which could be used for home improvements to their existing home. <p>In addition, Portola Valley's Home Hardening Ordinance, which is already in effect, incorporates specific building requirements into the Town municipal code that improves the fire safety of buildings by "hardening" them against fire. Where implemented, these home hardening elements will help preserve the home, by improving the likelihood that a home will survive a wildfire.</p> <p>Finally, it is worth noting that Portola Valley's high land values and high-income levels make it extremely unlikely that a home will fall into disrepair, become uninhabitable, or sit vacant. Further discussion on this topic can be found in <i>Section 2, Housing Needs</i>, under subsection Housing Condition.</p>
40	<i>6. Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of</i>	Added language to relevant policies in <i>Section 7, Goals, Policies, and Programs</i> describing which contributing factors from Table 3-1: Summary Matrix of Fair Housing Issues and Actions would be addressed by any given policy, in order to more

<p><i>Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. ©(5).)</i></p> <p>Goals and actions must significantly seek to overcome contributing factors to fair housing issues. Currently, the element identifies programs to encourage and promote affordable housing; however, most of these programs do not appear to facilitate any meaningful change nor address affirmatively furthering fair housing requirements. Furthermore, the element must include metrics and milestones for evaluating progress on programs, actions, and fair housing results and include geographic targeting as appropriate. Given that most of the Town is considered a highest resource community, the element could focus on programs that center on place-based strategies for economic and community revitalization, protecting residents from disaster-driven and investment-driven displacement, and enhancing housing mobility to encourage the development of more housing choices and affordable housing. Programs also should be based on identified contributing factors, be significant and meaningful. The element must add, and revise programs based on a complete analysis and listing and prioritization of contributing factors to fair housing issues. For example, the Town could consider is tying Program 8-7 towards actions to improve nongovernmental constraints such as mortgage acceptance rates. For more information, please see HCD's guidance at https://www.hcd.ca.gov/community-development/affh/index.shtml.</p>	<p>clearly draw a through line from fair housing contributing factors to the Town's Policies and Programs.</p>
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Housing Element Programs (program language as of 3-22-23)	Approach	Direct Expense or Consultant Cost	Staff Time (High, Medium, Low)
Program 1-1a: Create a new “Gateway” land use classification in the General Plan that allows affordable housing, recreation and open space. Include the Dorothy Ford Field and Open Space site as well as the Ladera Church site in the new “Gateway” land use classification.	Included with HE budget.		
Program 1-1b: Create two new zoning districts that allow for multi-family housing at four du/acre and 20 du/acre to provide for development of housing at lower-income levels.	Included with HE budget		
Program 1-1c: Create Objective Design Standards for the new multi-family zoning districts to regulate building form and architectural details to create greater certainty in the design review process.	Included with HE budget		
Program 1-2a: Create a new zoning district that allows for mixed-use residential development with up to six du/ac and would allow for up to 100% of building floor area to be dedicated to residential uses. Create mixed-use development standards in the new zoning district to allow for greater intensity, including floor area, height limits, minimum lot or unit sizes, and allowable dwelling units per acre.	Included with HE budget		
Program 1-2b: Create Design Standards for the new mixed-use zoning district to regulate building form and architectural details to create greater certainty in the design review process.	Included with HE budget		
Program 1-3: Create a new opt-in housing program that allows property owners with sites one acre or greater to develop up to four dwelling units per acre, with a maximum of four dwelling units per lot, if they meet the safety criteria. Develop objective standards and issue call for projects.	Staff to work with Planning Commission to develop call for projects and criteria		High during active periods
Program 1-4: Currently the Affiliated Housing program is implemented through the Housing Element. With this update, the Municipal Code will be updated to further incentivize use of this program to provide affordable workforce housing	Included with HE budget		

<p>and to establish the parameters and process for the Affiliated Housing program, including development standards and affordability requirements.</p> <p>Maintain at least quarterly communication with program members to assess their progress and provide technical assistance.</p>	<p>Regular communication</p>		<p>Low</p>
<p>Program 1-5: Explore co-housing as a means to encourage a broader range of residents to the community. Identify organizations that support co-housing. Meet with them every two years to assess co-housing options or other programs to promote development of housing for lower incomes.</p>	<p>Research to identify organizations, outreach every two years.</p>		<p>Low</p>
<p>Program 2-1: Amend the Municipal Code to establish inclusionary housing requirements for new multi-family housing developments to complement existing inclusionary requirements for projects with subdivisions.</p>	<p>Anticipate partnering with other jurisdictions via 21 Elements</p>	<p>\$20,000 for study</p>	<p>Medium. Town staff plus Shared Housing Staff</p>
<p>Program 2-2: Develop a program to manage new affordable housing units in the town. Consider including the following:</p> <ul style="list-style-type: none"> ▪ Maintain affordability restrictions for 99 years or in perpetuity. ▪ Prioritize affordable housing for residents, former residents or those who work, or used to work in the town. ▪ Use a small percentage of a future housing trust fund to pay for housing staffing. ▪ Join with other cities in San Mateo County to share qualified housing staff to support the housing program. 	<p>Shared Housing staff through 21 Elements and HEART. Use portion of Affordable Housing Trust Fund if needed.</p>	<p>Estimate \$30,000 per year for shared staff</p>	<p>Medium</p>

<p>Program 3-1: Initiate a site planning process for the sites in the new “Gateway” land use classification to make the most efficient use of the property and preserve open space. Pursue an affordable housing project on the Dorothy Ford Field and Open Space site in partnership with an affordable housing developer.</p>	<p>Community planning process Technical feasibility studies</p>	<p>\$25,000 consultant \$100,000 (order of magnitude)</p>	<p>High</p>
<p>Program 3-2: Provide technical assistance to nonprofits/religious institutions to develop their sites with affordable housing.</p> <ul style="list-style-type: none"> ▪ Establish monthly office hours with Town staff and/or consultants for technical assistance. Include Planning, Building and Town Geologist when the program starts. On a quarterly basis, evaluate the effectiveness of the office hours and adjust format and staffing as necessary. ▪ When meeting with non-profits and religious institutions, encourage participation in the Affiliated Housing Program. 	<p>Monthly office hours. Assume 1.5 hours per month.</p>	<p>\$10,000 per year for consultant costs</p>	<p>Medium</p>
<p>Program 4-1: Create new parking requirements for affordable housing based on best practices and local conditions.</p>	<p>TBD – may be able to complete with other zoning code amendments</p>		

<p>Program 4-2: Provide additional flexibility on development standards for affordable housing through State Density Bonus Law or the Affiliated Housing program.</p> <ul style="list-style-type: none"> ▪ Review changes to State Density Bonus Law annually and adopt Municipal Code Amendments as necessary. ▪ Include the Affiliated Housing Program in the Zoning Code in the form of a combining district (overlay zone). Provide a process for applicants to request flexibility on development standards without requiring a variance. ▪ If Affiliated Housing sites are not producing the expected number of units, review the process to further facilitate projects, alter development standards, or provide incentives. Incentives may include additional technical assistance or waiver of permit fees. The Town may consider other assistance requested from applicants in the Affiliated Housing Program. 	<p>Town Attorney in collaboration with Planning staff</p> <p>Included with HE budget</p> <p>Monitor and consider incentives. May waive permit fees, resulting in cost to Affordable Housing Trust fund.</p>		Medium
<p>Program 4-3: Ensure the permitting process for modular and manufactured homes is clear and does not include any disincentives to using these building methods. Evaluate existing zoning code language and building permit process and make any necessary modifications Develop informational materials to assist applicants with zoning and building requirements.</p>	<p>Staff research and code review. Propose change as needed.</p>		Medium when active
<p>Program 5-1: Review Municipal Code standards and procedure documents and update as necessary so that they are more concise and understandable.</p> <ul style="list-style-type: none"> ▪ For applications that require review by Woodside Fire Protection District ▪ For applications that require Site Development Permits (Town term for grading permits) ▪ Create handouts in plain language for property owners and technical language for design professionals 	<p>Staff research and code review. Propose change as needed.</p>		Medium when active

Program 5-2: Review use of consultants, staffing pattern, and fee schedules for ways to improve efficiency.	Evaluate annually as part of budget process		Low
Program 6-1: As part of the regular three-year cycle to update the building code, evaluate the code and include latest best practices for fire resiliency in collaboration with Woodside Fire Protection District.	Building Official draft in collaboration with WFPD	\$7,000 every three years	Low
Program 6-2: Evaluate the Town's landscaping regulations and guidelines and update with science-based best practices with respect to fire safety and water usage in collaboration with the Town's Wildfire Preparedness Committee, Sustainability Committee and Conservation Committee	Committee led process	Unknown	Medium
Program 6-3: Vegetation management is a priority for wildfire resilience and additional programs will be developed in collaboration with Woodside Fire Protection District. (These programs cannot be included in detail because the best practices are evolving.) <ul style="list-style-type: none"> ▪ Continue regular meetings between the Fire Chief, Fire Marshal, Town Manager, and Planning and Building Director ▪ Ask the Fire Marshal to make an annual report to the Town Council on vegetation management efforts and make recommendations on how to improve effectiveness. Include discussion about supportive programs to assist households. 	Coordination with WFPD		Medium
Program 6-4: Review and adopt, as appropriate, fire hazard maps developed by the Woodside Fire Protection District and/or CalFire once they are available. In light of new fire maps, reevaluate housing sites with the Fire Marshal or other qualified professional to determine if any new/replacement sites are needed or if additional fire prevention measures are needed.		Consultant may be necessary	High
Program 6-5: Once new fire hazard maps are available from Woodside Fire Protection District and/or CalFire and adopted by the Town, evaluate ADU and	Staff review in consultation with WFPD		High

Senate Bill 9 ordinances to determine if any new fire prevention measures are needed.			
Program 6-6: Work with local fire officials to educate homeowners and landlords through community meetings, mailers, and participation in community events on how to reduce fire risk to structures and landscaping as wildfire risk continues to increase due to climate change.	Wildfire Preparedness Committee is lead		Low
Program 6-7: The Town has had a number of regulations that encourage energy conservation for years. These include permitting solar installations, utilizing subdivision regulations that protect solar access, and supporting energy efficient design. In addition, most new development is clustered, which reduces impacts on the land. The Town also requires native landscaping, which reduces the need for both water and energy. All of these policies and regulations will continue. Continue existing green and energy conservation measures, revise them when necessary, and implement new programs in accordance with the Sustainability Element and the town's future Climate Action Plan.	Sustainability Committee is lead		Low
Program 7-1: Improve public information on the ADU application and permit process so it is clear and comprehensive. Create new informational materials on JADUs, recognizing their benefits related to affordability, use of existing building areas, and environmental benefits. Track ADUs and JADUs separately to help analyze how well each program is working.	May be possible to collaborate with ADU Ambassadors for some of this work		High
Program 7-2: Create an amnesty program for existing, unpermitted ADUs to obtain permits to legalize the ADUs during the 2023-2031 planning period. The amnesty program would provide property owners the opportunity to formally legalize existing unpermitted ADUs and thereafter draw building permits for improvements to legalized ADUs.	May be possible to collaborate with ADU Ambassadors for some of this work		High when active
Program 7-3: Provide direct assistance from the Building Division for property owners interested in making minor changes to accommodate a JADU. This program helps to address fair housing contributing factors relating to a lack of affordable housing.	Provide individual meetings with Building Official	\$3,000 per year	Low

Program 7-4: Establish staff and consultant ADU office hours so that applicants can ask questions of subject matter experts.	Use same office hours as in Program 3-2.	Additional \$4,000 beyond number for Program 3-2	Medium
Program 7-5: Develop and run a survey of ADU owners in Portola Valley to determine how ADUs are being used in the community and how much they are contributing to the housing stock and affordable housing.			Medium
Program 7-6: Develop an affordable ADU rental program that matches low-income tenants who have experienced displacement from areas outside of Portola Valley due to increasing rents with Portola Valley ADU owners willing to rent ADUs at below market rates. Assess every two years if the number of very low- and low-income ADUs is meeting the Town's 6 th cycle RHNA goals. If not, provide the following incentives: <ul style="list-style-type: none">▪ Provide incentives to homeowners to rent to Housing Choice Voucher Program (previously Section 8) and low-income households (like waiving fees or offering another financial incentive).	Use of Affordable Housing Trust Funds may be necessary for incentives.		Medium
Program 7-7: Prepare pre-approved preliminary floor plans for ADUs and JADUs that are made available to property owners. These pre-approved floor plans would only require minimal additional engineering to account for the unique topography of sites and would significantly decrease the level of effort required of property owners in designing and permitting a JADU or ADU. Assess every two years if ADU and JADU production is meeting the Town's 6 th cycle RHNA goals. If not, offer expedited plan check for ADU and JADU applications and organize a meeting with property owners that have constructed ADUs and interested property owners to understand the challenges and provide additional resources, as feasible to encourage ADU/JADU applications.	May be opportunity to collaborate with other cities/towns in San Mateo County on ADU Center	\$25,000 per year if Countywide Collaboration	Low or Medium, depending on County effort
Program 7-8: Update Town's ADU ordinance regularly to comply with State law.	Town Attorney in collaboration with Planning Staff		Medium, expect almost annual update

<p>Program 8-1: To comply with State law (SB 520), the Town adopted written Reasonable Accommodation Procedures within Chapter 18.11 of the Town's Code of Ordinances. The Town will continue to analyze existing land use controls, building codes, and permit and processing procedures to determine constraints they impose on the development, maintenance, and improvement of housing for persons with disabilities. The Town hands out informational brochures and includes information on the Towns website to inform residents of the Reasonable Accommodation Procedures.</p>	<p>Evaluate regulations every three years and update as needed</p>		<p>Low</p>
<p>Program 8-2: Due to clarifications of California law relative to transitional and supportive housing, the Town's municipal code needs to be amended so that it is fully compliant. In order to comply, the new multi-family and mixed-use zoning districts need to allow supportive housing by-right in zones where multi-family and mixed uses are permitted, pursuant to Government Code Section 65651 (SB 745 and AB 2162).</p>	<p>Completed, no action needed</p>		
<p>Program 8-3: Update the Municipal Code to comply with State law to allow a Low Barrier Navigation Center by-right in zones where mixed uses are permitted, pursuant to Government Code Section 65660 (SB 48 (2019)).</p>	<p>Included with HE budget</p>		
<p>Program 8-4: Incentivize developers through development standards concessions or fee waivers/reductions to increase the number of accessible units beyond the federal requirement of 5% for subsidized developments.</p>	<p>Research and implement best practices</p>		<p>Low</p>
<p>Program 8-5: Rezone properties in Town to allow multi-family housing with a range of affordability levels and deed restrictions to ensure affordability over time. Affirmatively market the housing to households that are under-represented in Town including Black and Hispanic households. Address fair housing contributing factors relating to a lack of affordable housing, and a lack of moderate- and high-density development.</p>	<p>Rezoning underway. Work with project applicants on their marketing. Impose conditions of approval on projects to implement.</p>		<p>Low</p>
<p>Program 8-6: Through collaboration with local service providers, convene a discussion of populations that are experiencing comparatively high rates of cost burden to discuss solutions for relief. Consider a rental assistance program tailored</p>	<p>Coordinate with Race &Equity Committee.</p>	<p>Shared Housing Staff</p>	<p>Low</p>

to extremely high cost-burdened residents. This may be in coordination with ADU/JADU programs. Include Black, Indigenous and people of color in these conversations. Address fair housing contributing factors relating to a lack of affordable housing.	Potential to coordinate with other cities/towns		
Program 8-7: Collaborate with other cities/towns and Project Sentinel, or another similar organization, to perform fair housing training for property owners, real estate agents, and tenants across the region. The training would include information on reasonable accommodation and source of income discrimination, as well as other fair housing information with emphasis on certain topics driven by housing complaint data and information from stakeholders. Participation in fair housing training will be required for approval of landlords' business licenses. Focus enforcement efforts on race-based discrimination and reasonable accommodations, with the goal of improving knowledge about how to recognize and challenge discrimination in order to increase loans to people of color and persons with disabilities. Address fair housing contributing factors related to existing patterns of higher loan denial rates for people of color, and a lack of knowledge of fair housing laws and rights in tenants and owners.	Coordinate with Race &Equity Committee. Potential to coordinate with other cities/towns	Shared Housing Staff	Low
Program 8-8: Create a webpage specific to fair housing including resources for residents who feel they have experienced discrimination, information about filing fair housing complaints with HCD or HUD, and information about protected classes under the Fair Housing Act. Address fair housing contributing factors related to a lack of knowledge of fair housing laws and rights in tenants and owners.	One time effort		Low
Program 8-9: Conduct a comprehensive analysis of the Municipal Code to ensure there are no regulatory constraints (actual or perceived) to reasonable accommodation and providing housing for persons with disabilities. Address fair housing contributing factors related to a lack of knowledge of fair housing laws and rights in tenants and owners.	Research, code review, and amendments as needed.		Medium
Program 8-10: Update the Municipal Code to comply with State law and the HCD Group Home Technical Advisory (December 2022) to allow Group Homes of 1-6 persons by-right in single-family residential zones, and Group Homes of 7 or more persons with a use permit with objective findings.	Included with HE scope and budget		

<p>Program 9-1: Work with owners of 4394 Alpine or supportive housing nonprofits to support the development of housing that serves developmentally disabled persons.</p> <ul style="list-style-type: none"> ▪ The owner of the 4394 Alpine Housing Inventory Site has requested greater certainty for applicants of private affordable housing projects seeking to secure grants under the Affordable Housing Fund. This could include, but not be limited to, specific qualifying criteria, applications and application checklists, and benchmarks for allocation of funds based on unit size and/or affordability level. The owner requests that criteria is in place within 180 days of Housing Element adoption. The Town will seek to meet this timeline to the extent feasible. ▪ Create a policy for fee waivers that expressly supports Supportive Housing Projects. ▪ Explore assistance in facilitating infrastructure permitting, including coordination with external agencies (including PGE, WestBay Sanitation, and CalWater) for supportive housing projects. ▪ Consider rezoning 4388 Alpine as multifamily so long as the Willow Commons entitlements are considered vested and/or exempted from any conflicting provisions. 	<p>Council Subcommittee formed</p> <p>TBD</p>		Low
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Table of Meetings and Documents Related to the Housing Element Update

Body	Date	Document Title & Topics	Link(s)	Approximate Discussion Length
Town Council	2/10/21	Discussion of Regional Housing Needs Allocation (RHNA); staff report on p. 70 of packet	Meeting Recording, Summary, Agenda and Minutes	0:24:00 0:26:00 – 0:50:00
Town Council	4/28/21	Town Council direction on proposed Housing Element update work program including formation of Ad Hoc Housing Element Committee, community engagement strategy and appointment of Council subcommittee; staff report on p. 96 of packet	Meeting Recording, Summary, Agenda and Minutes	1:35:00 1:24:00 – 2:59:00
Planning Commission	5/5/21	3. Housing Element Update – Update from Town Council Meeting. p. 23 of packet	Meeting Recording, Summary, Agenda and Minutes	1:00:00 00:49:00 – 1:49:00
Ad Hoc Housing Element Committee	8/16/21	What is a Housing Element and Why is it Important? Why this Committee's work matters, Local and Historical Context. Legal Background. Town Strategic Plan.	Meeting Recording, Summary, Agenda and Minutes	3:08:00
Ad Hoc Housing Element Committee	9/20/21	Values, Decorum and Public Comment	Values Decorum and Public Comment Presentation from September 20 2021	2:51:00

		<p>Organization and Evaluation of Existing Housing Element</p> <p>Portola Valley Demographic and Housing Trends</p> <p>Housing Affordability Income Categories – Deeper Dive</p>	<u>Existing Housing Element Organization Presentation September 20 2021</u> <u>Portola Valley Demographic and Housing Trends (Draft Data) Presentation from September 20 2021</u> <u>Housing Affordability Income Categories Presentation from September 20 2021</u> <u>Meeting Agenda</u> <u>Meeting Minutes</u> <u>Meeting Recording</u>	
Community-Wide Meeting	10/14/21	<p>Presentation: Background and context for the Housing Element update</p> <p>Breakout room discussion: Feedback on Portola Valley's key housing needs and potential solutions through the housing</p>	<u>Recording</u> <u>Meeting Summary</u> <u>Presentation</u>	52:00

		sites inventory and new policies and programs.		
Ad Hoc Housing Element Committee	10/18/21	1. Values, Decorum and Public Comment – Published 2. Introduction to Housing Sites Inventory 3. Housing Sites Inventory Selection – Possible Scenarios 4. Regional Housing Needs Allocation (RHNA) Zoning Target Concept	Housing Sites Scenarios presentation from October 18, 2021 Housing Sites Scenarios detail from October 18, 2021 Meeting Recording Meeting Agenda Meeting Minutes	3:24:00
Joint Town Council and Planning Commission	10/27/21	Discussion of progress on community engagement strategy and feedback to guide the work of the Ad Hoc Housing Element Committee; staff report. p. 75 of packet.	Meeting Recording, Summary, Agenda and Minutes	1:51:00 1:09:00 – 3:00:00
Ad Hoc Housing Element Committee	11/15/21	1. Accessory Dwelling Unit (ADU) Discussion <ul style="list-style-type: none"> • Background, Terminology, History, Income Category Assignment • Recent Town Code amendments • Income Categories and Projections for Cycle 6 2. Feedback from Community Meeting and Town Council/Planning Commission Study Session	ADU Presentation from November 15 2021 Feedback from Community and TC-PC Meetings Presentation from November 15 2021 Meeting Summary for November 15, 2021	3:20:00

		<p>3. Committee Outreach to Community</p> <p>4. Staff Updates/Announcements</p> <ul style="list-style-type: none"> • Topics look ahead • Department of Housing and Community Development (HCD) Staff Visit • SB9 Update • Department of Justice Housing Strike Force • Administrative updates 	Meeting Recording Meeting Agenda Meeting Minutes	
Ad Hoc Committee of Town Committees	1/11/22	Housing Element update discussion; staff memo in meeting packet.	Meeting packet Staff Presentation Recording	1:35:00
Ad Hoc Housing Element Committee	1/18/22	<p>1. Wildfire Resiliency and Recovery – Susan Hartman, Community Development Director, Town of Paradise</p> <p>2. Review Housing Element Update Timeline and Forthcoming Topics</p> <p>a. Interaction between Safety Element and Housing Element Updates</p> <p>3. Fire Safety and the Housing Element</p> <p>a. Fire Risk Mapping Exercise – Zeke Lunder, Pyrogeographer, Deer Creek Resources</p>	Wildfire Resilience and Recovery – Susan Hartman (Town of Paradise) Presentation from January 18 2022 Housing Element and Safety Element Timeline Presentation from January 18, 2022	4:30:00

		b. Fire District Process and Key Considerations - Don Bullard, Fire Marshal, Woodside Fire Protection District	<u>Fire District Process and Key Considerations – Don Bullard (WFPD) Presentation from January 18, 2022</u> <u>Meeting Summary for January 18</u> <u>Meeting Agenda</u> <u>Meeting Recording</u> <u>Meeting Minutes</u>	
Ad Hoc Housing Element Committee	1/31/22	1. Summary of Ad Hoc Committee of Town Committees Meeting #1 – Judith Murphy, Chair 2. Affiliated Housing Program <ul style="list-style-type: none"> a. Current program, partners and next steps 3. Update on SB 9 <ul style="list-style-type: none"> a. Update on December Town Council meeting and contents of SB 9 urgency ordinance 	<u>Affiliated Housing Discussion from January 31 2022</u> <u>SB9 Ordinance from January 31 2022</u> <u>Meeting Summary for January 31</u> <u>Meeting Agenda</u> <u>Meeting Recording</u> <u>Meeting Minutes</u>	3:51:00
Ad Hoc Housing Element Committee	2/22/22	1. Woodside Fire Protection District Update 2. Housing Sites Inventory Part II of III <ul style="list-style-type: none"> a. Process for Committee 	<u>Woodside Fire Protection District Presentation</u>	3:52:00

		<p>recommendations</p> <p>b. Review Part I discussion and key takeaways from 10/18/2021 meeting</p> <p>c. Presentation of updated constraints maps</p> <p>d. Review overall Regional Housing Needs Allocation according to income category</p> <p>e. Preliminary discussion on specific sites to include in the Sites Inventory</p>	Housing Sites Inventory Part II Discussion Meeting Summary for February 22 Meeting Agenda Meeting Recording Meeting Minutes	
Ad Hoc Housing Element Committee	2/28/22	<p>1. Housing Sites Inventory Part III</p> <p>a. Review community housing survey results</p> <p>b. Visual presentation of representative varying multi family projects</p> <p>c. Continue discussion from 2/22 Committee meeting to select sites to be included in the Housing Sites Inventory</p> <p>2. Staff to provide updates to Committee</p> <p>a. Review forthcoming Committee meeting topics and schedule</p>	Housing Sites Inventory Part III Discussion from February 28 2022 Potential Housing Sites Potential Housing Sites - Land Use Constraints Maps Parcels 2 Acres or more Housing Element Survey Summary and Detailed Results Visualizing Density from February 28 2022	6:24:00

			<u>Housing Element</u> <u>Update - General Intro</u> <u>from February 28 2022</u> <u>Meeting Summary for</u> <u>February 28</u> <u>Meeting Agenda</u> <u>Meeting Recording Part</u> <u>1</u> <u>Meeting Recording Par</u> <u>2</u> <u>Meeting Minutes</u>	
Ad Hoc Housing Element Committee	3/21/22	1. Housing Element Policies and Programs (2 Hours 15 Minutes) a. Review and discuss existing policies and programs from current RHNAC Cycle 5 and new proposed policies and programs for RHNAC Cycle 6	<u>Policies and Programs</u> <u>Discussion from March 21 2022</u> <u>Meeting Summary for March 21</u> <u>Additional Public Comment (see meeting agenda for initial comments)</u> <u>Meeting Agenda</u> <u>Meeting Recording</u> <u>Meeting Minutes</u>	4:05:00

Town Council	3/23/22	Housing Element update discussion – work program, timeline, resources and budget; staff report on p. 126 of packet	Meeting Recording , Summary, Agenda and Minutes	3:14:00 1:46:00 – 5:00:00
Ad Hoc Housing Element Committee	4/18/22	Affirmatively Furthering Fair Housing (AFFH) Policies and Programs; housing sites inventory update and discussion; staff reports in meeting packet	Housing Sites Inventory , Part VI - Presentation El Mirador and Neely Properties Constraints Map Ford Field Constraints Map Policies and Programs - AFFH Presentation Staff Memo - Affirmatively Fair Housing Staff Memo - Housing Sites Inventory Town-Owned Parcels Hazards Composite Map Meeting Packet Meeting Summary Meeting Recording Meeting Minutes	5:42:00

Ad Hoc Housing Element Committee	5/2/22	<p>1. Housing Sites Inventory Update and Discussion</p> <p>a. New work product generated by staff and consultants since April 18th meeting in response to Committee feedback</p> <p>i. Maps and Analysis</p> <p>ii. Update on ADU Focus Group and “Opt In” to Upzoning Meeting</p> <p>b. Committee Discussion and Recommendation On Sites Inventory</p>	Presentation slides Meeting Summary Meeting Agenda Meeting Recording Meeting Minutes	5:06:00
Community-Wide Meeting	5/9/22	<p>Presentation: Previous community outreach and housing sites inventory</p> <p>Breakout Room Discussion: feedback on the site selection, design features of the Opt-In Program, zoning standards for new multifamily development along Alpine Road, and improvements for the ADU/JADU process</p>	Main Room Presentation Breakout Room Presentation Meeting Summary Meeting flyer Recording	1:16:00
Ad Hoc Committee of Town Committees	5/16/22	Housing development application checklist and forthcoming objective design standards; staff memo in meeting packet	Presentation Meeting packet Recording Minutes Summary	2:40:00

Ad Hoc Housing Element Committee	5/24/22	<p>1. Overview of May 16th Committee of Committees Meeting by Chair Judith Murphy</p> <p>2. Partial Draft Housing Element</p> <p>a. Update on ADU/JADU and Opt-in Programs</p> <p>b. Committee Discussion and Recommendations</p> <p>STAFF UPDATE</p> <p>1. Staff updates to Committee</p>	Review Partial Housing Element Update - Presentation Staff Memo (with Attachments) Meeting Summary Meeting Agenda Meeting Recording Meeting Minutes	4:52:00
Planning Commission	6/15/22	Public Review Draft Housing Element	Meeting Recording, Summary, and Agenda	3:52:00
Ad Hoc Housing Element Committee	6/20/22	<p>1. Public Review Draft Housing Element</p> <p>a. Update on Planning Commission review</p> <p>b. Discussion and feedback</p>	Staff Presentation Staff Memo Meeting Summary Meeting Agenda Meeting Recording Meeting Minutes	5:14:00
Planning Commission	6/29/22	Draft Housing Element Discussion	Meeting Recording, Summary, and Agenda	5:18:00
Town Council	7/13/22	7a. Review the Draft Housing Element. p. 31 of packet	Meeting Recording, Summary, Agenda, Minutes and Public Comments	4:46:00 <i>0:34:00 – 5:20:00</i>

Ad Hoc Housing Element Committee	8/15/22	1. Draft Housing Element Update a. Town Council Review - Outcomes b. HCD Submittal Timeline and Expectations c. Next Steps After HCD Submittal and Role of the Committee	Staff Memo Staff Presentation Draft Minutes Ad Hoc Housing Element Committee Agenda 08-15-22 Meeting Recording	2:00:00
Planning Commission	10/19/22	3. Proposed Zoning Code Amendments to Implement the Housing Element. p. 95 of packet	Meeting Recording, Summary, and Agenda	3:09:00 1:14:00 – 4:23:00
Planning Commission	11/2/22	2.. Zoning Code Amendment to Implement the Housing Element – Part 2 p. 14 of packet	Meeting Recording, Summary, and Agenda	3:18:00 1:22:00 – 4:40:00
Ad Hoc Housing Element Committee	11/10/22	1. Draft Housing Element a. Feedback from Housing & Community Development (HCD)- Discussion and Input on Comments b. Next Steps and Role of the Committee 1. Staff updates to Committee a. Environmental Review (IS/MND) Draft Document	Staff Presentation Staff Memo Ad Hoc Housing Element Special Committee Agenda 11-04-22 Meeting Recording Meeting Minutes	2:34:00
Planning Commission	11/16/22	Receive Comments on the Draft Initial Study/Mitigated Negative Declaration	Meeting Recording, Summary, Public	3:08:00

		(IS/NMD) fort the proposed Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments	<u>Comments, Agenda and Minutes</u>	
Planning Commission	11/30/22	1. Housing Element Update and Implementing Actions—General Plan Conformance, Voluntary Upzoning Program, Housing Element Programs, Density Bonus Law 2. Implementation of the Housing Element—Draft Zoning Code Amendments Part 3	<u>Meeting Recording, Summary, Agenda and Public Comments</u>	4:02:00
Planning Commission	12/7/22	Housing Element Update and Implementing Actions – General Plan Conformance, Zoning Code Amendments Part 4 and Informational item on Fire Mapping	<u>Meeting Recording, Summary, Agenda and Public Comments</u>	4:10:00
Town Council	12/14/22	6a. Housing Element Update and Discussion. p. 40 of packet	<u>Meeting Recording, Summary, and Agenda</u>	2:06:00 2:39:00 – 4:45:00
Planning Commission	1/24/23	Housing Element Update and Associated Actions: Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments Initial Study/Mitigated Negative Declaration; Housing Element Update (2023-2031); Conforming General Plan Amendments; Implementing Zoning Amendments. This	<u>Meeting Recording, Minutes and Agenda</u>	3:39:00

		meeting will focus on the Initial Study/Mitigated Negative Declaration and Response to Comments.		
Town Council	1/25/23	B. Receive Report and Provide Direction on the Housing Element Update and Schedule of Associated Zoning Code Amendments and Other Related Documents	<u>Meeting Recording,</u> <u>Agenda and Summary</u>	1:50:00 2:39:00 – 4:29:00
Town Council	2/8/23	6a. Discuss Colleagues Memo from Councilmembers Hasko and Taylor Entitled “Proposed Process for Implementation of Sunrise Provision of Housing Element”	<u>Meeting Recording,</u> <u>Agenda and Summary</u>	1:36:00 58:00 – 2:34:00
Planning Commission	2/15/23	Adoption of a Resolution Providing a Recommendation that the Town Council Adopt the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the proposed Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Amendments; Discussion of Colleagues Memo from Commissioners Targ and Brothers; and Review of Additional Information Requested by Planning Commission	<u>Meeting Recording</u> <u>Agenda and Fire Safety Approaches Slides</u>	4:41:15

Planning Commission	3/6/23	Adoption of a Resolution Providing a Recommendation that the Town Council Adopt the proposed Portola Valley Housing Element and Conforming General Plan Amendments	<u>Meeting Recording and Agenda</u>	4:36:00
Town Council	3/15/23	Study Session on Housing Element Draft #3, Conforming General Plan Amendments, Associated Initial Study/Mitigated Negative Declaration, and Recommendations from the Planning Commission	<u>Meeting Recording and Agenda</u>	3:06:00
Town Council	3/22/23	6a. Hold a Public Hearing and Adopt a Resolution Adopting the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the proposed Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Amendments 7a. Housing Element Post Approval Process	<u>Meeting Recording, Agenda, Summary, Public Comments and Subcommittee Presentation</u>	4:44:00
Town Council	3/29/23	3a. Adoption of Resolutions Adopting 1) the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Housing and Safety Elements Update and Conforming General Plan and Zoning	<u>Meeting Agenda, and Public Comments</u>	6:00:00

		Amendments; and 2) Proposed Housing Element and Conforming General Plan Amendments and Final Direction on Post Adoption Housing Element Plan		
All Housing Element Related Meetings				~143 hours 41 Public Meetings

Updated 3-30-23

From: webmaster@portolavalley.net
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 4:57:16 PM

A new entry to a form/survey has been submitted.

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 4:57 PM
Response #: 230
Submitter ID: 7000
IP address: [REDACTED]
Time to complete: 2 min. , 57 sec.

Survey Details

Page 1

1. First and Last Name

Nancy Freire

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.

05/10/2023

[REDACTED]

9. Agenda Item number or name

Housing Element Adoption

10. Comment

I strongly urge the town council to adopt the housing element as soon as possible. Waiting to be sued or worse is not worth it. I have faith that our town elected officials together with staff can determine the right balance of housing in our community.

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

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 1:06:49 PM

A new entry to a form/survey has been submitted.

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 1:06 PM
Response #: 229
Submitter ID: 6999
IP address: [REDACTED]
Time to complete: 9 min. , 11 sec.

Survey Details

Page 1

1. First and Last Name

Susan Adams

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.

05/10/2023

[REDACTED]

9. Agenda Item number or name

Housing Element

10. Comment

I urge the Town Council to approve the Housing Element as it stands and submit it to the state for approval. To paraphrase P.T. Barnum or Abraham Lincoln (take your pick!), you can please some of the people all of the time and all of the people some of the time, but you cannot please all of the people all of the time. The Ad Hoc committee, the Planning Commission, and the Town Council went to extraordinary lengths to develop a plan that, while not pleasing all of the people all of the time, represents a reasonable compromise in the midst of daunting obstacles. Let's move forward!

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

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 12:04:55 PM

A new entry to a form/survey has been submitted.

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 12:04 PM
Response #: 227
Submitter ID: 6997
IP address: [REDACTED]
Time to complete: 5 min. , 51 sec.

Survey Details

Page 1

1. First and Last Name

Mark Fletcher

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.

05/10/2023

[REDACTED]

9. Agenda Item number or name

Housing Element Vote

10. Comment

To the members of the council,

I urge you to pass the housing element. I have been following the debate for over a year now, and it is well past time to pass it. I do not want the town to risk having the state come in and mandate development. I do not want our town mired in budget sapping lawsuits. Please, pass the housing element now.

Mark Fletcher

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

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Wednesday, May 3, 2023 4:47:58 PM

A new entry to a form/survey has been submitted.

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/03/2023 4:47 PM
Response #: 224
Submitter ID: 6994
IP address: [REDACTED]
Time to complete: 6 min. , 51 sec.

Survey Details

Page 1

1. First and Last Name

Lorrie Duval

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.

05/10/2023

[REDACTED]

9. Agenda Item number or name

Housing Element Approval

10. Comment

Dear Council Members:

I am stunned and deeply concerned that after 18 months of hard work prior to December, 2022, and now another three months in 2023, our Town has not submitted an HCD-compliant Housing Element plan to the State. We risk losing the two things we all hold most dear: our rural character and our autonomy as a self-governing municipality. Please submit the current plan to the state.

Further, with the departures of Town Manager Dennis, Assistant Town Manager Gaines, and Town Clerk Thurman during the first three months of 2023, and the resignation of our Town Attorney in April, our already tiny staff is further challenged to carry out even the most basic functions. Recruiting – and retaining – experienced professionals to fill these key roles is increasingly challenging as our Town’s progress toward submitting a compliant Housing Element stalls. Remaining staff, now in part saddled with some of the work of their departed colleagues and with briefing interim staff, while also working to meet the ongoing demands of our as-yet unfiled Housing Element on top of their regular duties of their roles, is stretched very thin indeed. I fear the departure of more key staff members as a result. I implore you to improve staff conditions.

Please approval the Housing Element and send it to State HCD. Thank you.

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

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 12:36:21 PM

A new entry to a form/survey has been submitted.

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 12:36 PM
Response #: 228
Submitter ID: 6998
IP address: 2 [REDACTED]
Time to complete: 15 min. , 44 sec.

Survey Details

Page 1

1. First and Last Name

Jerry Selvitella

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.

05/10/2023

[REDACTED]

9. Agenda Item number or name

Housing Element

10. Comment

Dear Council Members.

Thank you for your service to the town of Portola Valley. You have a complicated and difficult job that must take a tremendous amount of your time and energy. You deserve our gratitude and respect.

I believe we have reached the end of the line for approving the Housing Element as required by the state of California. A plan was due on January 31st and you decided you were not ready to vote on approval of the plan developed by the previous Council and Staff.

We have had over 18 months of public debate over this issue and it is clear that not everyone will be pleased with any proposal. If each member of the Council votes to please some portion of the community they will alienate another portion of the community.

But you still must vote and vote now to approve a plan for submission. It's what you were elected to do.

Please get the job done at the May 10th meeting so we can move on to the other critical issues facing Portola Valley. I and many others are losing faith that the Council can act as an effective governing body.

Respectfully,

Jerry Shefren

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

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 9:26:14 AM

A new entry to a form/survey has been submitted.

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 9:26 AM
Response #: 225
Submitter ID: 6995
IP address: [REDACTED]
Time to complete: 51 min., 11 sec.

Survey Details

Page 1

1. First and Last Name

Steve Toben

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.

05/10/2023

[REDACTED]

9. Agenda Item number or name

Housing Element

10. Comment

Mayor Aalfs and Members of the Town Council,

I write to urge your approval of the draft Housing Element for submission to HCD at the May 10 meeting. From my 12 years of experience on the Planning Commission and Town Council, I am well acquainted with the protracted nature of deliberations in our town on controversial subjects. However, in this instance, the process has now become so warped that it has exposed the Town to enormous legal vulnerabilities and resulted in the loss of skilled staff. This is unprecedented. You are soon to find out how difficult it is to hire capable professionals who are willing to come into an environment in which they are subject to overbearing demands and caustic disdain from private citizens and public officials.

Like most residents of Portola Valley, I am deeply unhappy with the RHNA numbers that have been imposed upon us. However, I do not agree with those who urge the Council to continue delaying submission of the Housing Element in violation of state deadlines. The risks of fines and actions by builders rise with each day that the Housing Element is not submitted. Through this long, exhausting process, the contents of the draft Housing Element have been whittled down to a document that relies to a great extent on dubious provisions that are unlikely to pass muster at HCD. We simply must get on with attending to these problems in order to avoid yet more negative consequences. The sooner we engage with HCD, the better.

Thank you for considering these comments. Unfortunately I will be traveling overseas next week and unable to attend the May 10 meeting. I hope to hear news of the Council's approval of the Housing Element.

Respectfully,

Steve Toben

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

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

From: [Webmaster](#)
To: [Town Center](#)
Subject: New Entry on Town Council Comments Survey
Date: Thursday, May 4, 2023 11:14:17 AM

A new entry to a form/survey has been submitted.

Form Name: Comment on an Agenda Item for Town Council Meeting
Date & Time: 05/04/2023 11:14 AM
Response #: 226
Submitter ID: 6996
IP address: [REDACTED]
Time to complete: 1 min. , 32 sec.

Survey Details

Page 1

1. First and Last Name

Daniel Cornew

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.

05/10/2023

[REDACTED]

9. Agenda Item number or name

Housing element

10. Comment

Dear Councilmemebers:

Please vote to submit our Housing Element on the 10th.

It is also important to not think we can maneuver Stanford into solving our problems, or adapting to our wishes. Stanford has its own priorities and needs that it considers existential threats. Two folks I know in Sr. Sr. positions there reiterate in private that they can't and won't slow their construction of Faculty housing. It is fundamental to their existence to be able to attract faculty - and they are losing this competition to many lower ranked institutions because promising young academics can't afford to move here. This issue is FAR FAR more important to them than an equestrian center, or a wealthy enclave near their campus... even if they might give a diplomatic answer to calm us down.

It is time for those of us who don't want to waste town resources on lawsuits to be heard.

It is time for those of us who don't want to risk forced and uncontrolled development on Alpine to be heard.

It is time for our council to present our Housing Element, and then do the hard work of defending it, and improving it... instead of betting on "all or nothing" by flaunting state law.

I get we don't like the law, just like I don't like the 65mph limit on 280. But that is no excuse to ignore the law. The democratic answer is to work to change the law, not to violate just because we don't like it.

Finally, ignoring this law isn't even a bet... because we know we are going to lose our money, and the case against the state. There is no honor in fighting a fight you know you can't win. We should use our passion to work to change the law!

With hope our council can get this done!

Thank you for your work on this, but now please do the hardest part and get this over the goal line, and get this point of contention off the table in our town.

Regards,

Dan

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

Thank you,
Portola Valley, CA

This is an automated message generated by Granicus. Please do not reply directly to this email.

Dylan Parker

From: Bill Kelly
Sent: Sunday, April 2, 2023 1:53 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: It's time to finalize the housing element

Council members,

I'm writing to urge you to finalize and submit the housing element in its current form. I was a member of the ad hoc committee that helped to create the housing element. Beginning about 18 months ago, the Town has conducted what may well be the most exhaustive, exhausting and open process of any town in our state.

The result is of course imperfect, and each of us would no doubt make changes according to our own preferences. But as we have seen, each change begets more changes, and the time drags on, and citizens (and Town employees) drop from the process, and the hard core of those remaining are less and less representative of actual public opinion yet more and more convinced of their own self-educated righteousness. Indeed it's hard to avoid the conclusion that delay in and of itself has become a conscious tactic.

Let's finalize the housing element now, get ourselves into compliance with the law, avoid the risk of state enforcement action and developers' remedies, and get on to the business of administering the program in a way that will contribute to solving our regional housing crisis.

In a situation like this it's good to recall Benjamin Franklin, who had this to say at the conclusion of the constitutional convention in 1787:

"Thus I consent, Sir, to this Constitution because I expect no better, and because I am not sure that it is not the best. The opinions I have had of its errors, I sacrifice to the public good. I have never whispered a syllable of them abroad. Within these walls they were born, and here they shall die. If every one of us in returning to our Constituents were to report the objections he has had to it, and endeavor to gain partizans in support of them, we might prevent its being generally received, and thereby lose all the salutary effects & great advantages resulting naturally in our favor among foreign Nations as well as among ourselves, from our real or apparent unanimity. Much of the strength & efficiency of any Government in procuring and securing happiness to the people, depends, on opinion, on the general opinion of the goodness of the Government, as well as of the wisdom and integrity of its Governors. I hope therefore that for our own sakes as a part of the people, and for the sake of posterity, we shall act heartily and unanimously in recommending this Constitution (if approved by Congress & confirmed by the Conventions) wherever our influence may extend, and turn our future thoughts & endeavors to the means of having it well administered.

On the whole, Sir, I can not help expressing a wish that every member of the Convention who may still have objections to it, would with me, on this occasion doubt a little of his own infallibility, and to make manifest our unanimity, put his name to this instrument."

--
Bill Kelly

10 Peak Lane

kellydpw@gmail.com

650-722-1135

Dylan Parker

From: sarah dorahy
Sent: Sunday, April 2, 2023 2:41 PM
To: Craig Taylor; Mary Hufty; Judith Hasko
Cc: Sarah Wernikoff; Jeff Aalfs; housing
Subject: What's the plan?

My apologies for the re-sending but I want to add this email to the record for the next meeting.

Thank you,
Sarah Dorahy

From: sarah dorahy
Sent: Sunday, April 2, 2023 8:50 AM
To: Ctaylor@portolavalley.net <Ctaylor@portolavalley.net>; Mhufty@portolavalley.net <Mhufty@portolavalley.net>; JHasko@portolavalley.net <JHasko@portolavalley.net>
Subject: What's the plan?

Dear Craig, Mary and Judith,

First of all, thank you for your volunteer service to the Town.

Secondly, what's your plan?

I worked on the AHHEC for two years. As you know, our mandate was to pull together a feasible Housing Element. I joined the committee because I wanted to be part of something we could all be proud of. My thinking was that Portola Valley might even do some ground-breaking stuff and serve as an example of how a community might successfully boost and diversify its housing stock while still remaining true to its rural character.

The HE we have is far from perfect. And there is plenty that I don't love about it. But I believe it should be submitted. Not doing so is dangerous.

If we fall out of compliance and end up with apartment buildings in Portola Valley, it will be because you three council members voted against submission while providing NO ALTERNATIVE!!! This is nuts. Are you really willing to take that risk?

Time is running out. Our town staff is exhausted and people are quitting their jobs. With whom will you work on your alternative plan? And where is the budget for the thousands of hours of work this will require?

I am worried because I think your plan is to stall. This is irresponsible and it's not good governance.

So, what is your plan? Have you found other building sites? If so, tell us. Where are they?

Sarah Dorahy
468 Westridge Dr

Get [Outlook for iOS](#)

Dylan Parker

From: Katherine Gilpin
Sent: Monday, April 3, 2023 12:20 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: Thoughts from a concerned citizen...

Dear Town Leaders - Mr. Taylor, Ms. Hufty, Ms. Hasko, Ms. Wernikoff, and Mr. Aalfs,

I am extremely impressed with the quality and duration of research by the Affordable Housing Committee. It has been a thoughtful, well researched effort. I also respect the final recommendations that were the output of the effort. I would like to see us:

- submit the plan that was developed by the committee immediately and without delay
- do our part to build affordable housing so that society can better thrive
- comply with state guidelines because it the ethical and lawful thing to do

I am sad and, honestly, baffled that we are still in this place without a submitted plan.

There is no silver bullet that solves this issue and, no matter what, we all will need to give a little to house the members of our society. Society is at a natural tipping point where the population, jobs and housing no longer match. It just is what it is! I have been living in the Bay Area on and off since 1993 and the conditions here have just changed - high job growth, high economic growth, and little housing growth. There are many well-researched articles written about how job growth and economic stability is contingent upon adequate housing. They need to come together or societies will wilt as homelessness grows and services decline. If we do nothing, then we will slowly have fewer services and, of-course, the state will come in and take over our decision making. Not to mention that not housing people seems unkind at best.

Filling our jobs requires having housing for people to live in. I personally find it depressing that:

1. The Village Square Vet has so few vets and such high doctor turnover that it takes four days to get an emergency appointment for a lethargic kitten who is not eating and cannot walk.
2. Open PVSD and SUHSD positions get only a handful (or fewer) of resumes for positions paying \$100,000-\$200,000. Additionally, teachers have to be independently wealthy or married to a tech executive to work in education here. This really limits the talent pool.
3. Portola Kitchen sometimes has only three waiters working on a busy Thursday when the bar is two deep with customers.
4. Robert's meat counter is closed by 6 or 7pm due to staffing shortage and that, in general, the smoothie bar is just no longer open.
5. Many clinical psychologists (PhDs) who used to work in the area have moved away and now only see patients via zoom. My son has been on a waitlist for an in-person therapist with Pacific Anxiety Group for 18 months. PAG is owned by someone in Portola Valley.

So, I ask you all how we will move forward now without more deliberation. We have done good work - very good work. We have already had a methodical and exhaustive process

that involved many people, many smart people, and lots of research and listening. There is not more work to do at this point, only delays and division.

- PV has already undertaken the most diligent expansive public process on the Peninsula at a cost of \$500K, over 6% of the Town's General Fund budget (despite being one of the smallest Towns on the Peninsula). It has been the most expansive on the Peninsula, if not the entire 9-county Bay Area: 140+ hours of public meetings over an 18-month period starting in Aug 2021 that has leveraged the input of 100s of community members, the 15-member Ad Hoc Housing Element Committee, 7 current/former Planning Commissioners, and input from geologic and wildfire experts, including WFPD.
- We approved an extensive post-approval process on 3/22 that gives the community 2 years to refine the plan for Ford Park & Open Space.
- As of 3/31, we are at increased risk of builder's remedy projects and lawsuits for being beyond the 60-day submission deadline. JH/CT/MH have all known Glen Oaks was on the list for 8 months (the site was approved by the Council last summer), including during their campaigns. Why did their concern with this site just get surfaced Thurs 3/30?

Warmly! I hope you all can move forward. Feeling sad.

Katherine Gilpin

- Current President, Woodside High School Foundation (3rd year in this role, 4th year as Board Member)
- Former Board Member, Portola Valley School Foundation (5 years)
- Former Chair of Alpine Hills Youth Committee (3 years)

Dylan Parker

From: Josh Knowles
Sent: Monday, April 3, 2023 4:23 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: PVTC Housing

PV Council Members,

We love PV! We have only lived in town for 2 years but could not be happier with the town, the schools and the activism. We voted in the last election and really like the current board. We support a measured plan towards the RHNA mandate doing all we can to preserve the rural nature of the town **short of doing something that might endanger the ability of the town to control its destiny**. We worry that by not submitting a housing plan by the state mandated deadline (albeit a little late) we may get a catastrophic outcome. The PVTC and citizens have collectively dedicated thousands of hours of analyses to this issue. Please, at this late date, do what you can to make sure we will both continue to be proud of our town as a whole and remain in control of our destiny as much as possible. Don't delay submission of a compliant plan.

Thanks

Josh Knowles

Dylan Parker

From: Trish Heald
Sent: Tuesday, April 4, 2023 8:56 AM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: Please finalize and submit the HE

Council members,

I served on the ADU team and participated as an engaged resident in the HE process for nearly a year. I have heard nothing new in the last forty hours of 140 hours of public engagement. The same objections, concerns, approaches, suggestions, ideas, and emotions (with slight nuances to account for personality) have been raised repeatedly. And they are valid ones. Valid ones the town committees and council have done their best to resolve.

Now, as a community and a town government, we are at a point of diminishing returns.

Each of us, given an hour or two to digest what RHNA is and what's in the Housing Element, will feel uncomfortable with one or more aspects of the plan. Will disagree with one or more aspects of the plan. And any resident that reads the Housing Element (let alone *PV Forum*) out of context from the 18 months of work and 140 hours of public engagement in this decision-making process is likely to say, "STOP! There must be a better way!" As far as I'm aware, the majority of you on the Town Council has actively sought to find a better way for *18 months!*

And you *have* found a better way. It will never be the best way. Perfect is the enemy of done. Further delays and refinements risk consequences nobody wants to be accountable for. I would like you to consider diminished civic engagement among those consequences. We're dropping like flies here, and what a shame because so many vital issues need our time and energy. Need your time and energy.

Please finalize and submit the HE without further deliberation.

Kind regards,

Trish Heald
160 Sausal Drive

Dylan Parker

From: KB
Sent: Tuesday, April 4, 2023 11:23 AM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: HE element

Dear Town Council members,

I am writing to ask you to please, please, please approve the HE and submit to the state before we lose control over any development in PV.

You know all the arguments of what could happen when a tiny town fights a big state government, so I'll just plead with you to approve the HE and send it in before it's too late. Let's not be arrogant and assume we can bully Sacramento into our preferences. It's been 140 hours of public discussion and 18 months of development and procrastination and already late to meet the deadlines before we become an example. Please help us to recover and file the HE now.

We can always file suit as a separate action but we need to ensure the State does not take control of our town on this specific issue.

Thank you for your consideration,
Kerry Brown,
70 Palmer Lane
Portola Valley, Ca

Dylan Parker

From: Jerry Shefren
Sent: Tuesday, April 4, 2023 11:36 AM
To: housing
Subject: Please get this done

I would like to echo the thoughts of those who are extremely disappointed that the Council does not seem to be able to make the tough decisions necessary on submitting the housing element. The probability of Stanford approving the housing proposal for Glen Oaks especially anytime in the next 12 months seems like 0. Do we think they owe us a favor? It would seem like there is no real motivation to get this done after 2 years of work and countless hours of Council and public discussions. It would seem that the Council is still looking for some solution that makes everyone happy that has not been found so far. How long is that search going to go on? Months? Years?

I appeal to those members of the Council that have failed to approve the HE and allow Portola Valley to be out of compliance to ask themselves why anyone in PV should follow the town ordinances. You are setting the example for how this town operates and therefore how its citizens should operate.

Please get this done. When you finally vote to approve the HE you will definitely make some people unhappy. That's the job you took, that's what the voters who elected you really expect from you.

Jerry Shefren

Dylan Parker

From: Susan McLaughlin
Sent: Wednesday, April 5, 2023 7:47 AM
To: Mary Hufty; Craig Taylor; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: Please pass the plan

Dear Craig, Mary and Judith,

How discouraging to read that after all the work done by the previous Council and the AHHEC, you are standing in the way of getting our HE plan submitted to the state.

While there are elements in the plan that I am not happy about, I am more worried about being out of compliance and being subject to builders remedy.

Please do your part to protect the rural quality of our town — that's part of what you were elected to do.

Thank you all for your volunteer work.

Susan

Susan McLaughlin
Susanlarned@gmail.com

Dylan Parker

From:
Sent: Wednesday, April 5, 2023 8:53 AM
To: housing
Subject: FW: Submit HE to State; Deep Concerns

For the record.

From: lorrie@cardinalfamily.com <lorrie@cardinalfamily.com>
Sent: Tuesday, April 4, 2023 4:18 AM
To: 'jhasko@portolavalley.net' <jhasko@portolavalley.net>; 'Jeff Aalfs' <JAalfs@portolavalley.net>; 'Mary Hufty' <mhufthy@portolavalley.net>; 'swernikoff@portolavalley.net' <swernikoff@portolavalley.net>; 'ctaylor@portolavalley.net' <ctaylor@portolavalley.net>
Cc: 'Lorrie Duval' <lorrie@saticoy.com>
Subject: Submit HE to State; Deep Concerns

Dear Council Members:

I am stunned and deeply concerned that after 18 months of hard work prior to December, 2022, and now another three months in 2023, our Town has not submitted an HCD-compliant Housing Element plan to the State. We risk losing the two things we *all* hold most dear: our rural character and our autonomy as a self-governing municipality. Please submit the current plan to the state.

Further, with the departures of Town Manager Dennis, Assistant Town Manager Gaines, and Town Clerk Thurman during the first three months of 2023, our already tiny staff is further challenged to carry out even the most basic functions. Recruiting – and retaining – experienced professionals to fill these key roles is increasingly challenging as our Town's progress toward submitting a compliant Housing Element stalls. Remaining staff, now in part saddled with some of the work of their departed colleagues and with briefing interim staff, while also working to meet the ongoing demands of our as-yet unfiled Housing Element on top of their regular duties of their roles, is stretched very thin indeed. I fear the departure of more key staff members as a result. I implore you to improve staff conditions.

Thank you very much,
Lorrie Duval
Golden Oak Drive
lorrie@saticoy.com

Dylan Parker

From: Elizabeth Gillbrand
Sent: Wednesday, April 5, 2023 9:13 AM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Cc: Tore Gillbrand
Subject: Please approve the Portola Valley Housing Element

Hello Council Members-
Thank you all for your service to Portola Valley.

Tore and I urge you to pass the Housing Element ASAP. We are impressed by the care, diligence and inclusiveness with which this work has been undertaken over the past two years by the Council, Staff, the AHHEC and other town committees.

There is no perfect solution to meeting our obligation under the law. Difficult tradeoffs need to be made. The extensive planning process has produced a PV Housing Element that is feasible and sensible. It's reckless not to approve it given that we are 60+ days beyond the deadline and completely exposed to the draconian Builder's Remedy.

We were pleased with the results of the recent town council election, believing that our family had helped elect council members that would responsibly bring this work to fruition. Please do not let us down.
-beth

Dylan Parker

From: Joyce Shefren
Sent: Wednesday, April 5, 2023 9:15 AM
To: PV Forum; housing; ctaylor@protolavalley.net; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs
Subject: #ISO Housing Element

So many wonderful statements from so many neighbors who are far more eloquent than I on a very important topic for PV and I strongly believe they are correct.

To our present town council; stop wasting time and risking a major penalty against your constituents; approve the housing element asap! There have been countless meetings and input from our neighbors; a process started in 2021! Enough of this --approve the HE presented and join the lawsuit against CA.

Of course none of this is perfect; just step up and get PV into compliance with a CA law.

Joyce Shefren

Dylan Parker

From: Wilson Farrar
Sent: Wednesday, April 5, 2023 10:25 AM
To: joyce shefren
Cc: PV Forum; housing; Sarah Wernikoff; Jeff Aalfs; Craig Taylor; Mary Hufty; Judith Hasko
Subject: Re: [PVForum] #ISO

They are not “wasting time” they are diligently working with heart and conscious. And their precious time!! We better be “careful what we wish for...” a few more weeks at this juncture could SAVE OUR TOWN down the road and prevent us rolling over and giving up things we need not.

Please TRUST the town council and appreciate how much they care about getting this right.

We are doing this the right way!

In love and with peace to all 

Wilson “Win” Farrar
+1-415-860-2552

On Apr 5, 2023, at 9:20 AM, joyce shefren <jwshefren@gmail.com> wrote:

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Joyce Shefren

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Dylan Parker

From: Ronny Krashinsky
Sent: Wednesday, April 5, 2023 11:56 AM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing; pvforum
Subject: regarding housing element and Glen Oaks site #PV

Dear Council Members,

Thank you for your time, care, and diligent effort in navigating a difficult Housing Element process.

I join with others in encouraging you to submit a Housing Element expediently to bring our Town into compliance with State law.

Specifically regarding Glen Oaks I would like to call a few things to your attention.

First, we were in the same situation 9 months ago, and already pursued a compromise at that time. Recorded actions from [Town Council Meeting Summary – July 13, 2022](#):

- o Formed a Subcommittee of the Mayor and Vice Mayor to work with staff on finalizing the buffer and units allocated to the Glen Oaks site.
- o Requested staff to follow up with the property owner and tenant at Glen Oaks and Isola Riding Academy to evaluate options for maintaining horse operations.

Second, the current Housing Element draft is already compatible with the compromise that Council Member Taylor said he would like to pursue: a smaller number of affordable units built in conjunction with the equestrian business. The proposed rezoning (Multi-Family 2-4 du/ac) would allow for a range of 8-16 units on a 4 acre site. And this is the exchange where I asked about the possibility of retaining the equestrian business in the 3/6/2023 Planning Commission Meeting: <https://youtu.be/fzwZxHAX0n4?t=6247>

Commissioner Krashinsky: *The Glen Oaks site – so, there's 4 developable acres and it's up to 4 dwelling units per acre for 16 units total, and then meanwhile there is the horse operation on the site. And so my question is, would it be compatible with this zoning to keep the horse operation, if the property owner wanted to, and cluster the 16 units on a smaller portion of the property, say 1 acre, instead of spread across all 4 acres?*

Planning Director Russell: *Ok, so it's a little bit of a complicated answer. We understand the Council and the community's intent around this is to preserve the horse operation if possible and to not write any regulations that would preclude that from happening. So, we don't want to accidentally force the horse operation out. More, we leave it to the property owner and that lessee in their private arrangements. So, the way that I see this is that we have planned unit development regulations where you're allowed to cluster projects together, and so it would be possible to cluster this project on a portion of the site. The whole site is actually quite a bit larger and we were just estimating the developable portion, with the creek setback and the scenic corridor setback. And so without a detailed site planning analysis it is hard to know exactly for sure, but we tried to write it so that we wouldn't be limiting the future potential for that. So I don't know if you could cluster all of the units onto 1 acre, using your example, but you could certainly cluster those units together enough to have options for the site. I just don't know if that could actually include keeping the equestrian use, or if that would be the decision of the property owner to do that.*

Thank you for your consideration.

Regards,

Ronny Krashinsky

Dylan Parker

From: Joerg Zimmermann
Sent: Wednesday, April 5, 2023 12:42 PM
To: pvfoodlover
Cc: Joyce Shefren; PV Forum; housing; ctaylor@protolavalley.net; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs
Subject: Re: [PVForum] #ISO Housing Element

Same here.
Get it approved
Joerg

Sent from my iPad

On Apr 5, 2023, at 12:03 PM, pvfoodlover <donskyjd@gmail.com> wrote:

Hear! Hear!

Agreed!

Joanne

On Apr 5, 2023, at 9:15 AM, joyce shefren <jwshefren@gmail.com> wrote:

So many wonderful statements from so many neighbors who are far more eloquent than I on a very important topic for PV and I strongly believe they are correct.

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Of course none of this is perfect; just step up and get PV into compliance with a CA law.

Joyce Shefren

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Dylan Parker

From: Sarah Wernikoff
Sent: Wednesday, April 5, 2023 3:16 PM
To: Laura Russell
Subject: Fw: Portola Valley's Future

Sarah Wernikoff
Portola Valley Town Council
swernikoff@portolavalley.net

From: Felicity Barringer
Sent: Tuesday, April 4, 2023 2:52 PM
To: Mary Hufty <mhufthy@portolavalley.net>; Judith Hasko <jhasko@portolavalley.net>; Sarah Wernikoff <swernikoff@portolavalley.net>; Jeff Aalfs <JAalfs@portolavalley.net>
Subject: Portola Valley's Future

Dear Council Members:

I've written a separate note to one member already. But I thought all council members needed to see my questions.

I've been a Portola Valley resident since 2007, except for a two-year stint in Menlo Park. Like many residents, I paid little attention to governance issues until a rash of burglaries in 2015 or 2016, when I became the co-block captain for the Hillbrook neighborhood watch group. Paying attention to some issues facing the town made me aware of others. I was impressed at the formation of the ad hoc -- now permanent -- wildfire committee set up after the Paradise fire.

That's by way of introduction. Not everything is perfect about my status in commenting on the housing element vote. The sticking point seems to be the Glen Oaks property, which is on Stanford land. I am a half-time employee working at Stanford's Bill Lane Center for the American West. I don't think that is a disqualifying conflict of interest, but you should know of my Stanford affiliation.

I write because I don't understand why the Glen Oaks issue came up for the first time at last week's council meeting. That housing proposal was made public months ago. Wasn't there an earlier point in the process to raise any concerns? Why did it come at the penultimate minute?

You don't need to be reminded that the town is more than two months past the state deadline for turning in a housing element. No one knows if or how builder's remedy housing might happen, but it's clear that if it did, the town would have no control over its future. Do you think that's a gamble worth taking? Why?

People I know are puzzled at my desire to comment. "What you say won't make any difference. You've got better things to do with your time," I'm told. But looking at the town's threadbare staffing right now, I'd ask a parallel question: don't the town's employees have better things to do than unstitch and re-sew a piece of a legal quilt that was 18 months in the making? Aren't many people clamoring to have them work on making the town safer from fire?

I know from my own work -- I got my first professional reporting job in 1973, when I covered local government in New Jersey suburbs -- that there is an overwhelming temptation to delay and double-check and ensure nothing is wrong with an article. It seems that the same temptation exists when producing a housing element. If I didn't resist the temptation, the newspapers I worked for would have been printed too late for home delivery. So I had to resist it. If you can't resist the temptation, you're putting the town's future in outsiders' hands.

The council has approved a new two-year "sunshine" window for review of projects in the housing element. In newspaper terms, you have ensured that PV's housing element can have second and third editions. In the old days of all-print newspapers, fixes could be made between editions. That should be enough. Please vote to accept the housing element without further delay.

Respectfully,

Felicity Barringer Taubman

Dylan Parker

From: Janet Briggs
Sent: Wednesday, April 5, 2023 5:41 PM
To: Craig Taylor; Mary Hufty; Judith Hasko
Cc: Sarah Wernikoff; Jeff Aalfs; housing
Subject: Approve and Submit the Housing Element -- NOW!

All,
I was taken aback to learn that the HE was not approved and furthermore would not be voted on again until May 10. May 10?? Really??

The time for action is **now**. No plan can be perfect, but we've had months and months and hours and hours to gather input, consider options, and try to reconcile difficult choices. Everyone has had ample time to weigh in.

So - The time has come, indeed is overdue, for a "yes" vote and to submit the Housing Element in its current state. Inaction on your part puts our entire community at grave risk of unwanted development. Please represent us all and do the right thing, immediately. Vote yes and submit.

If we want to pursue other options, challenge the existing law, do whatever we can to mitigate the negative impacts of the state law, then we should pursue those in parallel (subject to the same public input process as this HE has been).

Thank you for working tirelessly for Portola Valley citizens and community.
Janet Briggs

Dylan Parker

From: McLaughlin Michael
Sent: Wednesday, April 5, 2023 9:15 PM
To: Mary Hufty; Craig Taylor; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: PV Housing Element Plan

Members of the PV Town Council,

I understand the Town Council is deadlocked on the approval of the proposed housing plan. I feel strongly that the Town Council should approve the proposed plan, or promptly propose a workable alternative. The apparent strategy of certain of the town council members to “just say no” is costly and dangerous for our town.

Sincerely,

Mike McLaughlin

Michael McLaughlin
mike@susan-mike.com

Dylan Parker

From: Sue Ten
Sent: Wednesday, April 5, 2023 9:26 PM
To: housing; Mary Hufty; Craig Taylor; Judith Hasko; Sarah Wernikoff
Cc: Jeff Aalfs
Subject: Housing Element

All,

I would like to add my voice to the increasingly urgent calls to **submit Portola Valley's Housing Element**. As I understand it, we are out of compliance by over 60 days. Surely this intransigence does more harm than good to the town we all care for so much. I am sure I do not understand all the nuances but as a resident of this town for 10 years I despair at the damage this delay is causing.

Sincerely,
Sue Ten
Former PVSF Board member

Sue Ten | m: 650.847.8510 | sue.h.ten@gmail.com

Dylan Parker

From: Geoff Crouse
Sent: Friday, April 7, 2023 3:36 PM
To: Mary Hufty; Craig Taylor; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: Housing

Dear Portola Valley Town Council,

It's time to submit the Housing Element. Not doing so is risky, inefficient, costly to us the taxpayers, and a waste of the Town Staff's time and yours.

To the three newly elected councilmembers: stop dragging this process out and vote to submit.

Enough already.

Geoff Crouse

468 Westridge Dr

Dylan Parker

From: Karen Askey
Sent: Monday, April 10, 2023 1:18 PM
To: housing
Subject: Fwd: Kudos to Hasko, Hufty & Taylor

Resending as I made a typo in the address the first time. thanks.

----- Forwarded message -----

From: **Karen Askey** <askeykaren@gmail.com>
Date: Mon, Apr 10, 2023 at 1:15 PM
Subject: Kudos to Hasko, Hufty & Taylor
To: <Ctaylor@portolavalley.net>, <Mhufty@portolavalley.net>, <Jhasko@portolavalley.net>, Sarah Wernikoff <swernikoff@portolavalley.net>, Jeff Aalfs <jaalfs@portolavalley.net>, <housing@portolavalley.net>

Dear Town Council:

I am in favor of the decision made on 3/29/23 to take one last look at the Stanford-owned site on which the Glenoaks Equestrian Center is located. I commend Council Members Hasko, Hufty and Taylor for wanting more due diligence on a decision that runs contrary to our Housing Element principles and our Town ethos.

It was a very difficult, prudent choice to ensure we cover every base before making a decision that so greatly impacts the future of our town. Given some recent forum posts, I imagine these Council members feel bullied and pressured into a "Just Do It Now" mentality.

The Glenoaks site conflicts with several major principles of our Housing Element.

1. Housing development at Glenoaks will cause a thriving small business to discontinue, and eliminate jobs for low-income employees.
2. Adding Glenoaks to the site inventory does NOT contribute to dispersing the housing across Town, but adds to the majority of development along Alpine Road.
3. The planned site does NOT include any very low or low-income housing.

The Glenoaks site was the last site to be considered, so the public did not have as much time to weigh in. In addition, it is my opinion that the Ad Hoc Housing Element Committee did not fully understand the business operation housed there, nor that all new units would be moderate or above-moderate housing.

Perhaps after one more conversation, Stanford will be amenable to a development plan that allows Glenoaks to remain or house some of its lower-income employees.

We should also be considering how we can replace the 16 high-end units at Glenoaks. First, let's start with the 6 units at the Town Center (where the police substation currently is) that got the nod several years ago. Given we now have SB9 units, we have established a track record of at least 1 per year, which gives us 8 over 8 years. The remaining two could be included in our ADU numbers, as our recent resident survey indicated a high-interest level in converting or building ADUs/JADUs.

As the buffer is intended primarily for very-low and low-income housing, we may be able to shave a couple of units off. We should strongly consider this as well.

Let's do everything we can to stay true to our Housing Element principles AND our Town's General Plan.

Thank you,
Karen Askey

Dylan Parker

From: Mark Leslie <
Sent: Tuesday, April 11, 2023 2:22 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing

Dear Town Council:

I am in favor of the decision made on 3/29/23 to take one last look at the Stanford-owned site on which the Glenoaks Equestrian Center is located. I commend Council Members Hasko, Hufty and Taylor for wanting more due diligence on a decision that runs contrary to our Housing Element principles and our Town ethos.

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Let's do everything we can to stay true to our Housing Element principles AND our Town's General Plan.

Thank you,
Karen Askey

Kind Regards,

--mark

650 619 8668 (m)

Dylan Parker

From: Aimee Armsby
Sent: Thursday, April 13, 2023 8:56 AM
To: Craig Taylor; Jeff Aalfs; Judith Hasko; Mary Hufty; Sarah Wernikoff; housing
Subject: Please finalize and submit the Housing Element

Dear Council Members,

Thank you for your commitment to service, and your willingness to hold public office. I'm writing to urge you to finalize and submit the Portola Valley Housing Element. Development of the HE was a lengthy, thoughtful and democratic process. It was robust and well resourced, and decisions were made with hours of input from many voices in the community, consultations with experts, and with careful consideration of our legal obligations.

The result was a rationale plan to comply with legal mandates in order to maintain local control while also accommodating and addressing resident concerns. As many have observed, not perfect, but balancing competing interests never is. Town staff has spent countless hours supporting the process, which as you know has cost the town more than \$500,000.

As a member of the (volunteer) ad hoc committee, I can attest to the robust debate that underlies the draft Housing Element resulting from that process. We all love our Town, and the plan reflects a commitment to preserving its beauty and charm while also supporting the idea that our community of residents can better reflect those that make our town so special but can't afford to live here.

As you all know, delay and obstruction in finalizing and submitting the plan has dire legal and financial consequences, including state enforcement action and developers' remedies. It also has practical consequences. We are at risk of losing even more of our experienced and highly skilled Town staff.

Every hour and dollar spent engaging in delay and obstruction is time and money NOT spent on safety, which the vast majority of residents would identify as their top priority.

Please move forward with submission of the Housing Element. Let's maintain local control so we can be part of the solution to the affordable housing crisis the Portola Valley way, with integrity and commitment to shared values.

Sincerely,

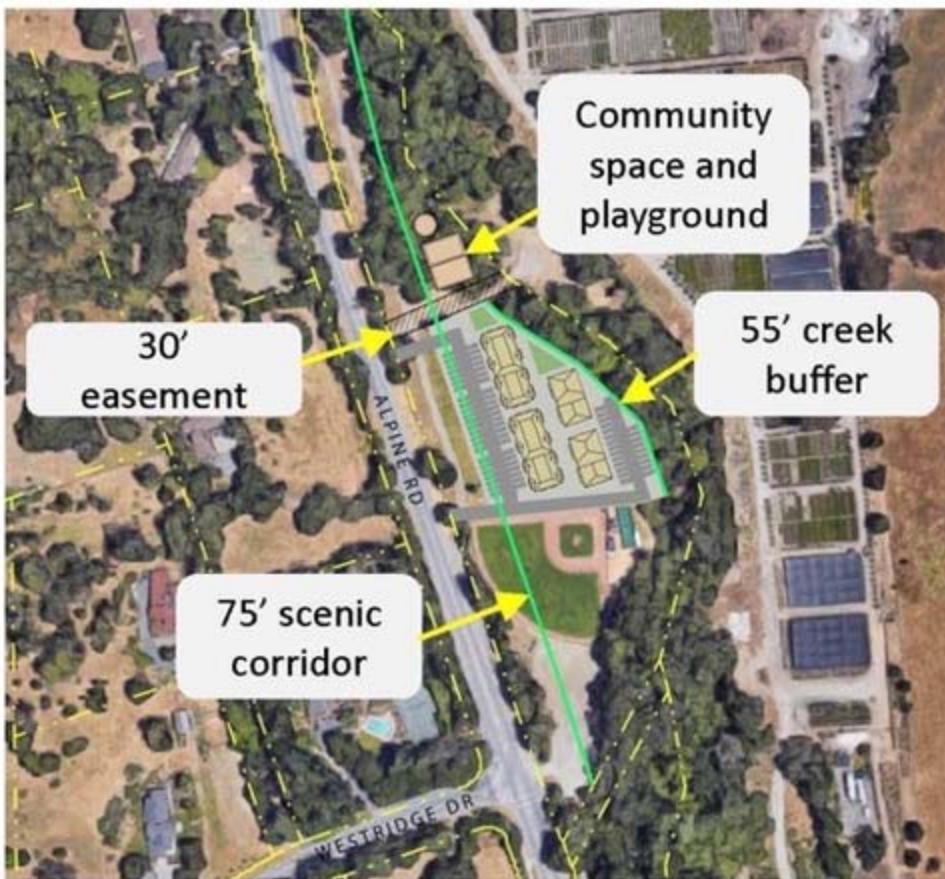
Aimee Armsby
Armsbyfamily@gmail.com

Dylan Parker

From: Peter Lipman
Sent: Friday, April 14, 2023 10:13 AM
To: Jeff Aalfs; <Judith.Hasko@lw.com>; Sarah Wernikoff; Mary Page Hufty; Craig Taylor
Cc: Town Center; Town Center; housing; Town Center
Subject: Erroneous feasibility study/conceptual plan for Dorothy Ford Park in draft HE

I've written previously with multiple concerns about Dorothy Ford Park as an inappropriate site for high-density multi-family housing (letters of 6/21/22, 6/26/22, 12/7/22, 3/5/23). Now, a further issue has emerged: adequacy of the creek-side "buffer" proposed for this site. Please consider impacts of the regulatory and geologic issues summarized below, along with others such as at Glen Oaks, that would adversely impact guidelines for the Alpine Scenic Corridor in the PV General Plan.

As a geologist, I had (mistakenly) long assumed that the 55-ft creek buffer portrayed on the conceptual site plan for housing at Dorothy Ford Park (Housing Element, March 2023, p. 117) was a setback from the unstable cutback rim of the irregular arroyo in which Los Trancos Creek is contained (see diagram). However, the conceptual plan diagrams the setback as measured from the creek centerline (dashed yellow line). As such, most to all of the proposed 55-ft setback lies entirely within the arroyo depression or extends at most only a few feet beyond in a few places.



*Feasibility analysis and conceptual site plan
prepared by Lisa Wise Consulting*

L

Cutba
rin

Cutbank,
prone
slu

The width of the arroyo occupied by is variable, of course, and difficult to estimate without detailed instrumental surveying. Views from the foot trail along the creek-side edge of Dorothy Ford Park that closely follows much of the southwest cutback rim suggest that the arroyo width is mostly in the range of 90 to 150 feet wide.

At the existing road easement and bridge within the northern part of the park, the bridge that spans the two cutback rims is 85 ft long (measured on Google Earth), resting on concrete piers that project short distances into the arroyo. This is likely an especially narrow segment, selected for ease of bridge construction; visual estimates suggest that the arroyo rims are much farther apart along most of the Ford Park boundary.



Bridge across Los Trancos Creek, from Dorothy Ford Park (4/05/2023)

Because of inherent geologic instability in the Portola Valley area, with proximity to active faults, locations of the creek centerline and adjacent cutback rims evolve with time. Cutback rims are especially unstable, subject to slumping into the creek bottom and arroyo-wall enlargement, especially during times of high rainfall as we have experienced this winter. Thus, any construction would necessarily require substantial setbacks from the arroyo rim, unless the arroyo wall were artificially buttressed with structurally-reinforced retaining walls (incompatible with the town's General Plan and Alpine Scenic Corridor?). Such needed setbacks would further reduce the already-marginal site area available for housing construction.

I fully concur that the town urgently needs to complete and submit our housing element to HCD in order to avoid potential legal penalties and other adverse effects, but don't we also need to be honest and factual (with ourselves at least) about what might be technically feasible while also conformable with the guidelines of the General Plan?

Thank you (and town staff) for all the hard work on this “mission impossible” that the California HCD has imposed.

Peter Lipman, USGS Senior Research Geologist, Emeritus

PS: After writing the above, found Chapter 18.59 in the PV Muni Code that specifically requires a 55 ft setback (not “buffer”) from “Top of Creek Bank.” This requirement, if applied to the conceptual plan for DF Park in the draft HE, would exclude half or more of the two northern building sites as depicted. This conceptual plan was either ineptly prepared or intentionally disingenuous.

Peter Lipman
188 Favonio Road
Portola Valley, CA 94028
650-269-5295

Dylan Parker

From: West, Debra
Sent: Friday, April 14, 2023 8:14 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: thank you

Dear Mary, Judith, Craig and council members, We want to thank you for all your efforts to keep moving towards fire safety in this time of uncertainty. As newly elected members we appreciate all that your trying to accomplish. It is not easy receiving negative comments, but please stay true to the original housing elements and the towns general plan. Again thank you for your service.

Debra and Tom West

Dylan Parker

From: Joanne Donsky
Sent: Saturday, April 15, 2023 3:59 PM
To: Craig Taylor; Mary Hufty; Judith Hasko; Sarah Wernikoff; Jeff Aalfs; housing
Subject: Please say "Yes" to the Housing Element

Please say yes to the current Housing Element. This is important to avoid very negative consequences.

Then I also think we should join the suit against the State.

Sincerely,

Joanne Donsky
160 Meadowood Drive
PV

Dylan Parker

From: sarah dorahy
Sent: Wednesday, April 26, 2023 4:39 PM
To: Mary Hufty
Cc: Jeff Aalfs; Sarah Wernikoff; Judith Hasko; Craig Taylor; housing
Subject: PVNU

Dear Ms. Hufty,

I have some concerns for the future of our town and the role PVNU is playing in the unravelling of our town governance.

As Founder and Secretary of PVNU, do you stand by the accuracy of the information put forth in the PVNU newsletters, specifically the most recent?

Will you confirm publicly that everything in those newsletters is factual i.e., that there is no misinformation in any of the newsletters? And could you please tell your fellow Portola Valley residents who is the author of these newsletters?

My worry is that PVNU's agenda is to stall, delay and exhaust Town Staff to the extreme that they all quit. Just yesterday, we lost Cara Silver, our Town Attorney of six years.

Safety is PVNU's hot topic but with empty offices at Town Hall, how will we ever get the work done to submit a safe and compliant Housing Element? Will you assure your neighbours that PVNU is not actively working to undermine the successful submission of a compliant Housing Element and that PVNU is not trying to discredit Town Staff by spreading misinformation about the Housing Element process?

Yours faithfully,
Sarah Dorahy

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To: Craig Taylor ctaylor@portolavalley.net
Judith Hasko jhasko@portolavalley.net
Mary Page Hufty mhufty@portolavalley.net

Cc: Jeff Aalfs jaalfs@portolavalley.net
Sarah Wernikoff swernikoff@portolavalley.net
housing housing@portolavalley.net

April 30, 2023

Dear Craig, Judith and Mary,

I know it is difficult to make a decision when there are people on both sides of an issue. However, at this time, the Town needs you to muster your courage and to make a decision. Please vote for the Housing Element currently on the table - and submit it to the state. As you know, I served on the Ad Hoc Housing Element Committee for the Town. The set of sites in the current Housing Element draft are the best ones possible for the Town, given the many constraints and varied opinions in Town. All the ideas that I have heard you three propose in the last few months were already discussed by that Committee. I urge you to listen to those recorded meetings to understand the issues.

As a taxpayer, I am offended that you are spending time and money to re-hash the work and ideas already explored earlier with no strategic vision as to why the answers would be different when the work gets repeated. Also, I beg you to imagine how discouraging it would be to be a staff member and to work for people that cannot make a decision and that direct you to repeat work that you already did earlier. You'd feel like a hamster on a wheel.

Sincerely,

Anne Kopf-Sill

Dylan Parker

From: Dan & Rosalie PV
Sent: Thursday, May 4, 2023 11:14 AM
To: Jeff Aalfs; swerkinoff@portolavalley.net; Judith Hasko; Mary Hufty; Craig Taylor; housing
Subject: Please submit the Housing Element

Dear Councilmemebers:

Please vote to submit our Housing Element on the 10th.

It is also important to not think we can maneuver Stanford into solving our problems, or adapting to our wishes. Stanford has its own priorities and needs that it considers existential threats. Two folks I know in Sr. Sr. positions there reiterate in private that they can't and won't slow their construction of Faculty housing. It is fundamental to their existence to be able to attract faculty - and they are losing this competition to many lower ranked institutions because promising young academics can't afford to move here. This issue is FAR FAR more important to them than an equestrian center, or a wealthy enclave near their campus... even if they might give a diplomatic answer to calm us down.

It is time for those of us who don't want to waste town resources on lawsuits to be heard.

It is time for those of us who don't want to risk forced and uncontrolled development on Alpine to be heard.

It is time for our council to present our Housing Element, and then do the hard work of defending it, and improving it... instead of betting on "all or nothing" by flaunting state law.

I get we don't like the law, just like I don't like the 65mph limit on 280. But that is no excuse to ignore the law. The democratic answer is to work to change the law, not to violate just because we don't like it.

Finally, ignoring this law isn't even a bet... because we know we are going to lose our money, and the case against the state. There is no honor in fighting a fight you know you can't win. We should use our passion to work to change the law!

With hope our council can get this done!

Thank you for your work on this, but now please do the hardest part and get this over the goal line, and get this point of contention off the table in our town.

Regards,

Dan

Dylan Parker

From: Steve Toben
Sent: Thursday, May 4, 2023 11:32 AM
To: Jeff Aalfs; Sarah Wernikoff; Judith Hasko; Mary Hufty; Craig Taylor; housing
Subject: Approval of the Housing Element

Mayor Aalfs and Members of the Town Council,

I write to urge your approval of the draft Housing Element for submission to HCD at the May 10 meeting. From my 12 years of experience on the Planning Commission and Town Council, I am well acquainted with the protracted nature of deliberations in our town on controversial subjects. However, in this instance, the process has now become so warped that it has exposed the Town to enormous legal vulnerabilities and resulted in the loss of skilled staff. This is unprecedented. You are soon to find out how difficult it is to hire capable professionals who are willing to come into an environment in which they are subject to overbearing demands and caustic disdain from private citizens and public officials.

Like most residents of Portola Valley, I am deeply unhappy with the RHNA numbers that have been imposed upon us. However, I do not agree with those who urge the Council to continue delaying submission of the Housing Element in violation of state deadlines. The risks of fines and actions by builders rise with each day that the Housing Element is not submitted. Through this long, exhausting process, the contents of the draft Housing Element have been whittled down to a document that relies to a great extent on dubious provisions that are unlikely to pass muster at HCD. We simply must get on with attending to these problems in order to avoid yet more negative consequences. The sooner we engage with HCD, the better.

Thank you for considering these comments. Unfortunately I will be traveling overseas next week and unable to attend the May 10 meeting. I hope to hear news of the Council's approval of the Housing Element.

Respectfully,

Steve Toben

Dylan Parker

From: Susan Kritzik
Sent: Thursday, May 4, 2023 9:18 PM
To: housing; Jeff Aalfs
Cc: Craig Taylor; Judith Hasko; Mary Hufty; Sarah Wernikoff
Subject: Please submit Housing Element to State

Dear Town Council,

I join with others residents of Portola Valley in encouraging you to submit a Housing Element to the State of California expeditiously in order to bring our Town into compliance with State law.

Thank you,

Susan Kritzik

Dylan Parker

From: Susan Kritzik
Sent: Thursday, May 4, 2023 9:18 PM
To: housing; Jeff Aalfs
Cc: Craig Taylor; Judith Hasko; Mary Hufty; Sarah Wernikoff
Subject: Please submit Housing Element to State

Dear Town Council,

I join with others residents of Portola Valley in encouraging you to submit a Housing Element to the State of California expeditiously in order to bring our Town into compliance with State law.

Thank you,

Susan Kritzik

Dylan Parker

From: Crystal Ciancutti <
Sent: Friday, May 5, 2023 10:09 AM
To: Jeff Aalfs; swernikoff@portolavalley.net; Judith Hasko; Mary Hufty; Craig Taylor
Cc: housing
Subject: Please approve the Housing Element

I have been dismayed at the ongoing delays and the willingness to allow a small, vocal part of the town community to block us from doing our required duty of submitting our Housing Element to the State. By missing the deadline we risk material consequences, and I do not want to take on more of that risk than we already have.

Please approve the Housing Element at the next opportunity.

-Crystal Ciancutti
3 Grove Court
Resident since 2006, visitor since 1975

Dylan Parker

From: Jonathan Goulden
Sent: Friday, May 5, 2023 11:53 AM
To: housing
Subject: Input to Town Council regarding Housing Element May 2023

Input to Town Council regarding Housing Element May 2023

I have three comments regarding the Housing element that I'd like you consider for the May 10th Town Council meeting.

- 1) Please approve and submit a draft housing element to HCD. We have spent too much time on this discussion, all sides have had more than adequate time to weigh-in, and there have been no substantive changes to the plan for months. Delaying and stretching out the process will not result in anyone changing their position but it does allow for more animosity to fester. Note that we are still likely to have to spend more time on the element because HCD is unlikely to accept it in this pass. It is time to get moving so we can eventually put this behind us.
- 2) Please don't let a vocal minority make you ignore the silent majority. The silent majority is the group that actually trusts you to make the right decisions without them having to get involved in the fray.
- 3) I'd like to change the narrative surrounding this housing element. Instead of focusing on fighting it and trying to stop/prevent what we don't like, we should focus on what we would like to see. I believe that most people would like to see housing in town for teachers, town staff, police, firemen and other local service workers. Let's see if we can do something we all agree upon and use that to meet state requirements.

Thanks for listening.

Jon Goulden

Dylan Parker

From: Lynda Brothers
Sent: Friday, May 5, 2023 11:13 AM
To: housing
Cc: Sarah Wernikoff; Mary Page Hufty; Judith.Hasko@lw.com
Subject: For Council Packet, May 10, 2023

Dear Council Members,

At your last meeting and late at night you choose to NOT approve the Housing Element on the basis, as I understand it, that one or two or your members will look for additional, or changed affordable housing options. **I WRITE TO URGE YOU TO NOT MAKE ANY SUBSTANTIVE CHANGES TO THE HOUSING ELEMENT BECAUSE TO DO SO WILL INVALIDATE THE CEQA REVIEW APPROVED BY YOU AND THE PLANNING COMMISSION AS SET FORTH IN THE IS/MND.** That you even bothered to adjourn for this purpose is offensive to CEQA and evidences a very poor understanding of the limits of your power as the Town Council. Sure, if you want to create legal chaos, feel free to make changes to the HE and then attempt to submit an Housing Element to HCD that did NOT have adequate CEQA review.
PLEASE APPROVE THE HOUSING ELEMENT AS APPROVED BY THE PLANNING COMMISSION, SUBMITTED BY TOWN STAFF AND DO NOT ATTEMPT TO MAKE CHANGES, UNLESS YOU ALSO PROVIDE A DETAILED EXPLANATION OF HOW YOU WILL COMPLY WITH CEQA.

Regards, Lynda L. Brothers, Resident

show others how to thread the needle and make the tough decisions and trade-offs that are essential to good governance.

In sum, I would like to see Portola Valley be a shining example of respect, collaboration, and pragmatic government. And in this particular case, I would like to see the council take into account the hard work that has already been done and move forward with approving the Housing Element at the May 10 meeting.

With respect and great hope for the future,

Serra B. Simbeck

Serra B. Simbeck
650-862-5785

Dylan Parker

From: Serra Simbeck
Sent: Friday, May 5, 2023 11:59 AM
To: housing
Subject: Letter to Support Approval of Housing Element

Dear Portola Valley Town Council members,

I am writing to urge you to approve the Housing Element as soon as possible. I understand that the next opportunity to do so will be at your meeting on May 10, and I sincerely hope that the Housing Element will be approved at that time.

As a long-time resident of Portola Valley (my husband and I moved here to raise our family in 2005) and as someone who has spent most of their career working in public service, one of the things that always impressed me was how our volunteer Town Council was able to get things done in a civil, fair and efficient manner. I know there have been ups and downs but basically our town government has worked, and we have had a lot of highly qualified citizens engaged and represented in the process. I can imagine how difficult and time-consuming this can be, and I am grateful to everyone who has served and continues to serve our town in this capacity.

However, I am beginning to see a new trend towards divisive politics, catering to minority interests and a lack of timely decision-making in our town government which concerns me. I think the current delay and endless debate about the Housing Element is a prime example of this. I understand that the new council members are trying to come up with the best possible plan that negatively impacts the fewest number of people and businesses. However, at some point, the search for perfection becomes the enemy of the good, and I think that is where we are now.

An enormous amount of time, money and effort has already gone into this process. We have a solid plan, and given the very real legal and economic risks of non-compliance, we should not be re-doing what has already been done. It is time to act. This is especially true since we have the ability to make changes and improve upon the plan during the post-approval process that was already approved.

I also think it is important to point out that there is a price to pay for this constant re-hashing and political grandstanding that goes beyond the risks of non-compliance. For starters, we are seeing an alarming increase in the turnover of town staff and I don't think this is a coincidence. We have had four staff members resign in rapid succession over the last few months, and I assume this is because they no longer want to work for a town that cannot make decisions and asks them to redo what was already done well the first time around. I can only imagine the time, money and effort it will take to replace them, not to mention the loss of institutional knowledge and inefficiencies this will create that will impact all of us that live in Portola Valley. Moreover, we need to think about the message this is sending to our community, and to qualified citizens that might be considering running for Town Council in the future. Who wants to work in government if they are constantly attacked and cannot get things done? Finally, do we really want to join the ranks of the other affluent towns that have come up with all sorts of creative ways to resist accepting the state's low-income housing mandate?

Instead of all of this, why not choose to be a leader here? This is a great opportunity for Portola Valley to demonstrate what a local government can achieve when faced with a daunting task. We can

Laura Russell

From: Kelly Kline <khkline@stanford.edu>
Sent: Monday, April 3, 2023 10:36 PM
To: Judith Hasko; Laura Russell
Cc: Shweta Bhatnagar; John D. Donahoe; Diana O'Dell
Subject: Re: Connecting Town Council with Stanford
Attachments: Portola Valley Housing Element Stanford response 7.8.22.pdf

Thank you for the introduction Laura, and nice to meet you Councilmember Hasko.

Our team is happy to meet with you and can coordinate schedules to find times next week that work for all.

As you know, Stanford University supports the Town's efforts to address the housing crisis by pursuing opportunities in appropriate locations that are supported by the community. The best current opportunity to achieve this goal is on the Portola Terrace site, which has been in process with the Town for 6 years. While the Glenoaks site could further support the university's academic mission by providing more affordable housing for university affiliates near their place of employment, we feel that this conversation would be premature until after the Portola Terrace project decision is reached.

Prior to engaging in any Glenoaks discussion, Stanford wishes to clearly convey the conditions under which it would pursue a project at this location. As we have stated in our July 2022 letter (attached), and continue to emphasize in subsequent correspondence with Town staff, Stanford does not support a project that blends a horse operation with housing at the Glenoaks site, and would not pursue such a development within the next eight-year RHNA cycle.

With that said, we are happy to meet with you and Town staff to explore future housing-only opportunities at Glenoaks.

Thank you,
Kelly Kline

Associate Vice President, Local Government Affairs
Office of Government Affairs, Stanford University
408-313-4311 (cell)
khkline@stanford.edu

From: Judith Hasko <jhasko@portolavalley.net>
Date: Monday, April 3, 2023 at 3:45 PM
To: Laura Russell <l russell@portolavalley.net>, Kelly Kline <khkline@stanford.edu>
Cc: Shweta Bhatnagar <shwetab@stanford.edu>, John D. Donahoe <jdonahoe@stanford.edu>, Diana O'Dell <dodell@stanford.edu>
Subject: Re: Connecting Town Council with Stanford

Thank you Laura. I look forward to hearing back from Kelly. Thanks in advance.

From: Laura Russell <l russell@portolavalley.net>
Sent: Monday, April 3, 2023 11:39 AM
To: Judith Hasko <jhasko@portolavalley.net>; khkline@stanford.edu <khkline@stanford.edu>
Cc: Shweta Bhatnagar <shwetab@stanford.edu>; John D. Donahoe <jdonahoe@stanford.edu>; Diana O'Dell

<dodell@stanford.edu>

Subject: Connecting Town Council with Stanford

Good Morning,

I'm connecting Kelly Kline, Associate VP for Local Government Affairs, with Judith Hasko, one of our Council Members. (Copying Shweta, Diana and John as the Stanford folks that have been most involved with our process.)

Judith would like to communicate with the Stanford team related to the Glenoaks housing inventory site and the potential to maintain the existing equestrian operation. Please assist in getting her in touch with the right people.

Thanks,

Laura

Laura C. Russell, AICP (she/her)
Planning & Building Director



Town of Portola Valley

650-851-1700 Ext. 218

www.portolavalley.net

Please visit www.portolavalley.net/virtualappointment for information on how to make an appointment for Planning and Building services.



Stanford University

July 8, 2022

VIA E-MAIL

Laura C. Russell, AICP
Planning & Building Director
Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

Re: DRAFT: Portola Valley Housing Element

Dear Ms. Russell:

Thank you for the opportunity to comment on the draft Housing Element for the Town of Portola Valley that is currently under review. Stanford University supports the Town's efforts to provide more opportunities for new housing by identifying feasible housing sites for affordable housing and/or market rate housing with an inclusionary component.

As addressed in the draft Housing Element released for public comment, Stanford University owns two properties identified in "Section 6. Adequate Sites." We would like to provide our comments related to these two sites.

Portola Terrace Faculty Housing ("Stanford Wedge")

Stanford concurs that the Portola Terrace Faculty Housing project status is a "pipeline" project. This property has been zoned by the Town as a residential site for many years and specifically addressed in previous Town Housing Elements since 1990. In 2019, Stanford applied for a 39-unit residential development and has been actively pursuing approval of our application. The Town of Portola Valley recently released a draft environmental impact report for the proposed development earlier this year, and the DEIR did not find any adverse environmental impacts of the project that could not be mitigated to a level of insignificance, which supports the original decision by the Town to zone this property as a housing site.

Glenoaks

As stated previously, the university supports the Town's efforts to address the housing crisis and the university is on record as stating that we are open to exploring ideas of how to increase housing opportunities in appropriate locations supported by the community. However, the university does have concerns on the actual development potential of the Glenoaks site, and until we were contacted by the Town this past April, the university had not considered housing on the property. The existing site has neither a

residential General Plan designation nor residential zoning, and it has environmental constraints that will likely reduce the amount of area available for development.

In Table 6-6, the draft Housing Element suggests developable acreage of Glenoaks as four acres and a “realistic capacity” of 29-units for the site. There are three factors that we see as affecting the potential yield of the Glenoaks site to something significantly less than four acres:

a) The irregular shape of the adjacent Los Trancos creek

When dealing with a relatively small development footprint, it must be noted that the creek meanders in the vicinity of the Glenoaks site, creating “nooks and crannies” that serve to make the site area less efficient to develop.

b) The need to establish an adequate setback from Los Trancos Creek

While section 18.59.030 of the Portola Valley Zoning Ordinance allows development as close as 55 feet from top of bank or 60 feet from the ordinary high-water mark of Los Trancos creek, Stanford’s recent experience in other projects has shown that a setback of 100 feet from the creek is now deemed the minimal acceptable distance. Stanford assumes that further environmental review would be required as part of any development application for this site, which would provide the necessary analysis to identify the proper setback. A larger creek setback will reduce the developable acreage of the property.

c) Feasibility and compatibility of horse operations with new residential on the site

While not addressed within the draft Housing Element, there has been some public discussion about attempting to retain horse operations on the site while at the same time incorporating housing on the site. Stanford does not support this concept and would not pursue such a development within the next eight-year RHNA cycle.

Stanford manages all its lands in a manner consistent with our long-term mission of education and research, and we believe the potential use of the Glenoaks site as **only** a residential site is a land use that would support the overall mission of the university by providing more affordable housing for university affiliates near their place of employment.

We do not believe it is feasible to both maintain a very small horse operation and build housing on the site. After adopting best conservation practices, the developable area of the Glenoaks site is relatively small at less than 4 acres. The developable area of the site is too small to accommodate a viable horse operation and a housing development with 29-units of housing.

Thank you for your time and consideration.

Sincerely,



Jessica von Borck
Executive Director, Land Use Planning



May 4, 2023

Via Fed Ex and Email: jaalfs@portolavalley.net; swernikoff@portolavalley.net; jhasko@portolavalley.net; mhufty@portolavalley.net; ctaylor@portolavalley.net; ces@jsmf.com;

Mayor Aalfs
Vice Mayor Wernikoff
Town Attorney Cara Silver
Portola Valley Town Council
765 Portola Road
Portola Valley, CA 94028

RE: Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments Initial Study and Mitigated Negative Declaration

Dear Mayor Aalfs, Vice Mayor Wernikoff, Council Members and Ms. Silver:

This firm represents PublicSafety4PVNow, Inc., a non-profit organization, which has deep concerns regarding the Town of Portola Valley's approval of the Portola Valley Housing and Safety Elements Update and Conforming General Plan and Zoning Code Amendments Initial Study and Mitigated Negative Declaration (IS/MND).

The IS/MND is deficient in numerous important ways, including in particular its failure to properly assess the significant adverse environmental impacts that the Town's proposed Housing and Safety Elements and Municipal Code amendments would have on several vital interests including, but not limited to, wildfire hazards and public safety, aesthetics, geology and transportation. This letter focuses on the deficiencies of the IS/MND's assessment of impacts on wildfire hazard and public safety because that failure is the most egregious example of the IS/MND's many deficiencies. Given the catastrophic impact in recent years of the fires on the Coffey Park, Paradise, and Marshall communities, as well as countless others, it is essential that the wildfire impacts be thoroughly studied in accordance with CEQA to avoid a similar disaster.

The purpose of this letter is to request that the Town Council reevaluate the IS/MND and CEQA review of its proposed General Plan Housing element and Municipal Code amendments in light of the issues raised by the Woodside Fire Protection District and other considerations set forth below.

We believe that it would be beneficial if the parties had the opportunity to further discuss the issues raised in this letter to avoid any need for litigation to enforce the applicable CEQA requirements. It appears the Town filed a notice of determination for its approval of the IS/MND with the San Mateo County Clerk on April 12, 2023, thereby triggering a 30-day period within which litigation may be brought to challenge the Town's determination under CEQA. Accordingly, we request that the statute of limitations for filing a Petition for Writ of Mandate be tolled for a period of thirty (30) days. This would extend the deadline for filing any petition to June 11, 2023. I have attached a tolling agreement for your signature. If we do not enter into a tolling agreement, we will file a petition for a Writ of Mandate by May 12, 2023.

1. An EIR is Required Under the Fair Argument Standard

The IS/MND concluded that the project would have “less than significant” impacts on wildfire hazards and therefore did not include any mitigation measures relating to wildfire risk. This was incorrect. The “fair argument” test governs a lead agency’s decision of whether to adopt a negative declaration or prepare an environmental impact report (EIR). Under the fair argument test, an agency may forgo preparation of an EIR only if it finds no substantial evidence in the record sufficient to support a fair argument that the project may have a significant effect on the environment. (See *Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714; *Practice Under the California Environmental Quality Act*, § 6.76)

There are significant environmental impacts that were not addressed in the IS/MND. The failure to properly assess the wildfire risk is one of the most glaring deficiencies, but there are other issues that were not properly analyzed. The Town’s CEQA analysis was flawed. As set forth below, the Town failed to appropriately consider the substantial impact to wildfire hazards despite the substantial evidence that such an analysis was required. The Town has failed to properly analyze and frame the wildfire risks. As the Woodside Fire Protection District has warned the Town, a correctly performed analysis would make it clear that the impact of the project on wildfire risk is substantial and mitigation measures are required.

As set forth below, there was substantial evidence that the project will impact the wildfire risks. The Town must properly evaluate these impacts and the other inadequately evaluated environmental factors in an EIR.

2. The IS/MND’s Wildfire Analysis is Deficient

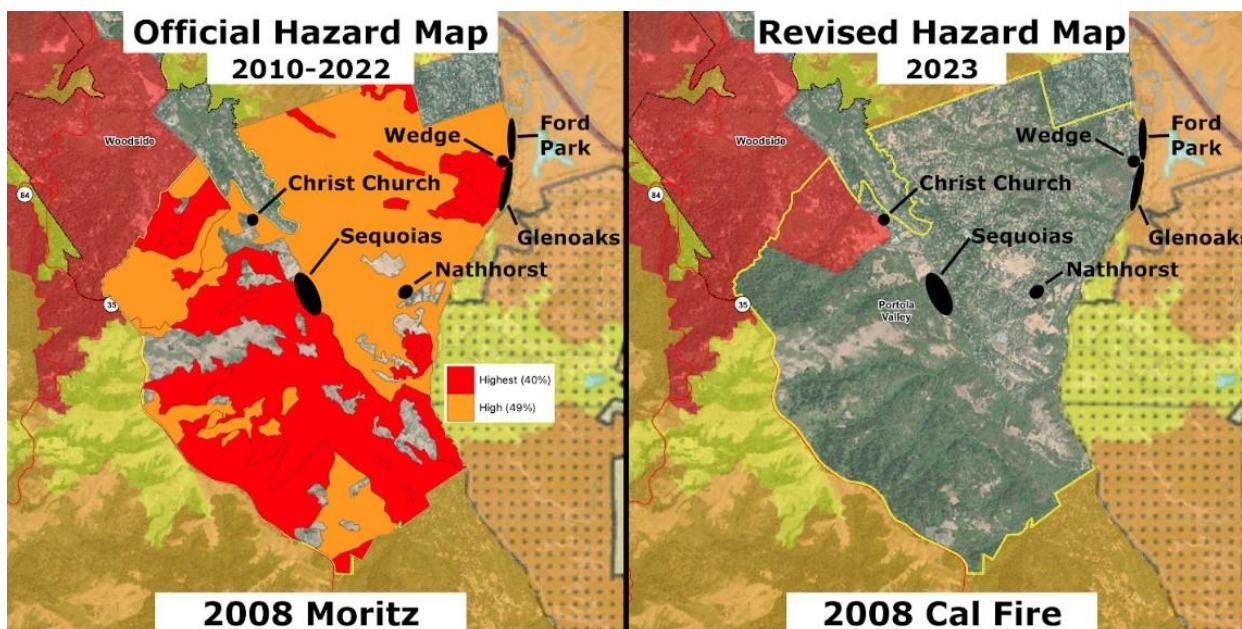
The IS/MND concluded that the proposed project will not have a significant impact on wildfire hazards. This is simply not the case. For some inexplicable reason, the IS/MND relies on a discredited analysis of the risk of wildfires.

There are two maps that characterize fire hazards in Portola Valley. The first is the 2008 Cal Fire Map (Cal Fire Map). Cal Fire’s analysis was recognized at the time by the Town and by Woodside Fire Protection District (WFPD) as being grossly inaccurate. The Fire District has repeatedly articulated this view. For example, in a letter dated September 13, 2022, from the Fire Marshall to Planning Director Russel, the Fire Marshall explains that the Fire District rejected the Cal Fire Map and stressed the need for an accurate and updated analysis of the wildfire hazard.

Because of the widely recognized gross inaccuracies of Cal Fire’s analysis, the Town commissioned Moritz Arboricultural Consulting to prepare a more detailed fire hazard map in 2008 (Moritz Map). Since it is based on a more rigorous and precise methodology, the Moritz Map should form the basis of any CEQA assessment.

The Moritz Map presents a vastly different and increased risk of fires. The Moritz analysis concluded that 40% of the Town has the “highest” fire safety hazard and 49% has a “high” fire hazard. By contrast, the Cal Fire Map only characterized 6% as a very high fire safety risk. Both the Fire District and Ray Moritz identify Moritz’s “highest hazard” areas as equivalent to Cal Fire’s definition of Very High Fire Hazard Severity Zone.

Below are the two maps side by side and the difference is striking.



The 2008 Moritz Fire Map (left) has appeared in Portola Valley's General Plan since 2010 as the official reference for fire hazard severity and basis for fire safety policies. In General Plan revisions, the Moritz Map was inexplicably replaced by the discredited 2008 Cal Fire Map (right) as reference for fire hazard, basis of fire safety policies, and the basis of CEQA analysis. Proposed high-density development sites are shown in black.

In 2010, the Town incorporated the Moritz Map into the General Plan Housing and Safety Elements. For the last 13 years, the Moritz Map has served as the centerpiece and foundation on which the Town's public wildfire prevention and land use policies and regulations are based. The Moritz Map was selected and adopted in 2010 to serve as the basis for the General Plan's fire prevention policies precisely because it provides a far more accurate assessment and depiction of the severity and extent of the wildfire hazards than the discredited 2008 Cal Fire map. Nothing authorizes or allows Town staff or consultants to ignore or unilaterally change the General Plan's express policies and mandates.

Despite the mandates of the General Plan, the IS/MND relies on the 2008 Cal Fire map to determine there is a less than significant impact. Throughout the CEQA process, the fire experts responsible for protecting the Town, including Woodside Fire Marshall Don Bullard, have stated that the Moritz Map is the most accurate depiction of Fire Risk:

- At the Housing Element Committee on January 18, 2022, Fire Marshal Don Bullard indicated that **the Moritz map is the most accurate depiction of our wildfire hazard and, if anything, understates rather than overstates the hazards.**

- Also at the January 18, 2022, meeting, Portola Valley's current fire safety consultant agreed. In reference to the Moritz Map Zeke Lunder said: "It's a good map... But it's 13 years old. ... **If I were to draw the red circles on the map, my map would have more red on it.**"
- In a memo dated September 13, 2022, Fire Marshall Bullard raised several concerns:
 - Commenting on the proposed draft Safety element, he rejected its reliance on the 2008 Cal Fire Map and called for the Planning Department to consider the comments of Matt Miller (WFPD Board President) from January 20, 2022, where Mr. Miller said:

"The district does not approve of or support the use of the limited CalFire map from 2008 as it is too old and too limited based on our assessments. **You may recall that the district rejected this map as too limited even back in 2008. It is not a safe and accurate map to approve in 2022 either.**" (Emphasis added.)
 - Fire Marshall Bullard said the district does not agree with the FEMA Hazard and Risk Ranking given for Wildfire for the 2021 MJLHMP for Portola Valley. The district feels that the Town should update the wildfire ranking to be more in alignment with the Fire District and the Town of Woodside. **Both the Fire District and the Town of Woodside have ranked wildfire of the highest hazard where Portola Valley has it ranked as medium to almost low hazard. The Town of Portola Valley should update their MJLHMP as soon as possible to reflect the true wildfire hazards faced by the Town.** (Emphasis added.)

After the Town had announced in December 2022 that it planned to hold a series of Planning Commission and Town Council meetings so it could approve its new Housing element by January 31, 2023, on January 4, 2023, the Fire District wrote the Town to warn the Town that the IS/MND's assessment of wildfire impacts had several critically important deficiencies – including its mistaken and inexplicable substitution of the Cal Fire map for the Moritz Map as the baseline assessment of wildfire hazard for the town – and that the IS/MND also omitted important additional mitigations that are needed to protect public safety. In the email to the Town transmitting the Fire District's January 4, 2023 letter to the Town, Fire Marshall Bullard specifically requested the Town Council to add a public presentation of the Fire District's concerns to the agenda for its next public meeting, include a copy of the District's January 4 letter in the public digest and agenda packet for the meeting, and provide the letter to each member of the Town Council, Planning Commissioners and Town Manager Jeremy Dennis and Planning Director Laura Russell. Since the Planning Commissioners and Town Council members were the Town officials who would ultimately decide whether to approve the IS/MND, the District's email sought to ensure that all involved officials as well as the public were fully informed of its concerns, the IS/MND's deficiencies, and the need for extensive mitigation before any decision was reached.

Shortly thereafter, the January 31 deadline to approve the new Housing element was cancelled, and the Fire District withdrew its request for a hearing at the next Council meeting "for now." Notably, however, the District did not withdraw its letter or the request to provide its letter to all Town Council members and Planning Commissioners.

Did the Town ever provide the Fire District's letter to all Planning Commissioners, or all Town Council members, before asking them to vote on approval of the IS/MND? Apparently not.

Prior to adopting the IS/MND, the Town never publicly disclosed the Fire District's January 4 letter, the fact that it was received, or the nature of its concerns. In March, a resident served a Public Record's Request on the Town Manager seeking access to the January 4 letter. It is our understanding that the Town Manager stated he was not familiar with the letter and referred the resident to Town Attorney Cara Silver. In an email responding to this request, Ms. Silver stated that she was not sure which letter the resident was referring to. The resident then asked the Fire District via a Public Records Request for the Fire District's January 4 letter on April 13, 2023. When the Fire District informed the Town that it was planning to produce the letter, the Town contacted the Fire District attorney urging it not to produce the letter. Nonetheless, on April 24, 2023, the Fire District produced its January 4th letter to the Town.

The Fire District's January 4 letter should have been made public and distributed by the Town to every Town Council member and to every Planning Commissioner when it was received. It also should have been produced by the Town when it was requested under the Public Records Act. The Town's actions to withhold and conceal the concerns expressed and mitigations requested in the Fire District's January 4 letter renders void the Town's subsequent approval of the IS/MND and any adoption of it is improper and invalid. Furthermore, the IS/MND's conclusion that the impact of the Town's proposed Housing element and Municipal Code amendments on wildfire hazard will be "less than significant" and does not require mitigation are clearly erroneous and cannot be sustained.

There is substantial evidence in the record sufficient to support a fair argument that the project may have a significant effect on the environment. This is true even without the Fire District's January 4 letter. But the Fire District's January 4 letter shows that there is far more than substantial evidence in the record. Indeed, there is conclusive evidence that the Town's IS/MND cannot be sustained and the approval must be rescinded.

3. The March 29, 2023, Resolution adopting the IS/MND is Flawed

The Resolution adopting the IS/MND contains several flaws:

- (i) The Resolution states that it constitutes a complete analysis addressing all issues relevant to the approval and that it identified all potentially significant adverse environmental impacts and feasible mitigation measures. A complete analysis of the fire hazards was not completed.
- (ii) The Resolution confirms and reiterates the pre-IS/MND determination "that the Project would have no impact or less-than-significant impact on ... Aesthetics ... Biological Resources ... Land Use/Planning ... Parks and Recreation ... Public Services, Transportation, Utilities/Service Systems, Wildfire." Again, complete analysis of the fire hazards and other issues was not completed.
- (iii) The Resolution does not explicitly give any legal effect to the appended Mitigation and Monitoring Reporting Program (MMRP), making its significance and enforceability ambiguous and undefined.

- (iv) As written, the MMRP explicitly states as to “wildfire” and each of the other “non-significant” items set forth in Finding 5, “Implementation of the project would not result in any significant wildfire impacts.”
- (v) The Resolution includes no resolution regarding the Bullard Letter and requested mitigations. Instead, its recitals merely state that “the Town is in the process of updating its Safety Element and during that process commits to address the actions requested by Fire Marshall 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.” (Eighth Recital) This Eighth Recital also states that the Town will adopt the Moritz Map and/or any successor map as a basis for evaluating the fire risk associated with specific sites in the Town. The Town should have used the Moritz Map as the basis for its decision which it did not do, and it should adopt the mitigation measures in the Bullard Letter.

4. Additional Deficiencies of the IS/MND

As noted, we have provided extensive detail of the deficiencies related to wildfire hazards for two reasons. One, because it is critically important, and secondly, because it demonstrates the general character of the deficiencies that suffuse the entire IS/MND. This has resulted in a document that is grossly inadequate as it fails to properly evaluate the environmental factors required by CEQA to support the proposed amendments to the Housing Element, the Safety Element and the General Plan and Zoning Amendments. This could result in numerous follow-on projects attempting to rely on the inadequate analysis of the IS/MND. In addition to the inadequate analysis of wildfire risks, there are numerous other deficiencies within the IS/MND. There are multiple unresolved significant environmental impacts that were not properly addressed including the failure to properly define the project and scope as required under CEQA and the failure to mitigate these impacts. These deficiencies include, but are not limited to, the following:

- The IS/MND is improperly structured and presented as a “project” review when it should instead properly be structured and performed under CEQA as a “program” review or a “master environmental assessment.”
- The “project” defined for assessment in the IS/MND is overly broad and indeterminate in scope and content, making the required CEQA assessment of direct, indirect and cumulative effects impossible to perform in an informed and competent manner.
- The IS/MND is premature because many of the policies, programs and ordinances ostensibly assessed in the IS/MND have not been defined or disclosed in time to permit an informed, competent assessment of their impact.
- The opportunity provided for public review and comment of the IS/MND is legally deficient and inadequate.
- The draft Housing element and the IS/MND are based on an incomplete and inadequate administrative record.
- The IS/MND’s assessment of impacts on geologic hazards and risks is deficient and materially misleading.
- The IS/MND’s assessment of impacts on wildlife habitat is deficient and inadequate.
- The IS/MND’s assessment of impacts on indigenous artifacts and previously inhabited lands is deficient.
- The analysis of the IS/MND is inadequate because it is based on a nonexistent “Evacuation Plan” and the traffic analysis is incomplete as the project anticipates increase density.

- The analysis of the IS/MND is inadequate because it fails to analyze the increased risk on the surrounding community imposed by the Project due to topography.

In addition, the Notice of Determination was not timely filed, and it should have been filed with the Office of Planning and Research because the project required discretionary review from a state agency.

Based on the above, the Resolution approving the IS/MND must be immediately rescinded. Alternatively, as stated above, if you wish to discuss with us how we can possibly resolve this dispute without immediate recission of the IS/MND or resort to litigation, the Town Council must agree by May 10, 2023, to toll - for a period of thirty (30) days ending June 11, 2023 – the statute of limitations for filing a Petition for Writ of Mandate. During that time the parties and their counsel would meet and confer in good faith – if possible in a privileged and confidential settlement discussion – in an effort to reach an expeditious and mutually agreeable solution which addresses the deficiencies of the IS/MND and the attendant Resolution approving it, thereby hopefully avoiding all need for any litigation challenging the Town's approval of the IS/MND.

I look forward to hearing from you.

Very truly yours,

SILICON VALLEY LAW GROUP
A Law Corporation



Laurie Berger



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Laura C. Russell, Planning & Building Director
Adrienne Smith, Senior Planner 

DATE: May 10, 2023

RE: Town Participation in Multi-Jurisdictional Shared Housing Team – Authorize Interim Town Manager to execute Letter of Intent

RECOMMENDATION

Staff recommends that the Town Council receive a staff report and public comments; provide direction on proposed Town participation in the multi-jurisdictional Shared Housing Team to assist the Town with the implementation of Housing Element programs; and authorize the Interim Town Manager to execute the Letter of Intent (Attachment 1).

BACKGROUND

The Housing Element update process has been a substantial undertaking for the Town both in time and required financial resources. However, once the Housing Element has been adopted, the Town needs to turn immediately to implementation of the Housing Element itself as well as the Post-Adoption Implementation Plan being developed by Council Members Hasko and Taylor. In light of this, staff is seeking direction from Council to assist in preparation of the budget for Fiscal Year 2023-2024.

Section 7: Goals, Policies and Programs of the Housing Element lays out the Town's goals stating desired outcomes, and associated policies to guide decision makers, and specific programs to ensure their effective implementation. The Town will be accountable for this section for when providing its Annual Progress Report to the Department of Housing and Community Development (HCD).

To implement the Housing Element and comply with State laws, the Town needs to develop a more formal Housing program. Since the Town has never had any affordable housing units to administer, it does not currently have the dedicated housing staff required to administer these programs. Further, affordable housing program administration requires a degree of expertise and familiarity with state legislation, grants and funding and

relationships with affordable housing developers and fair housing organizations. Related tasks are expected to vary in complexity from routine administrative duties to highly specialized professional analyses. It can be difficult to recruit for housing positions generally, especially where a jurisdiction does not have existing procedures/resources in place. A factor that further complicates the Town's potential need for affordable housing staff, is the insufficient (and often inconsistent) workload accompanying the administration of affordable housing programs. At this pre-Housing Element adoption stage of resource analysis, staff anticipates that the workload will be too much for current staff to absorb, but not enough to justify a new full-time staff position. This was contemplated in the Draft Housing Element, where Program 2-2 calls for collaboration with other cities/towns in San Mateo County to share qualified housing staff to support the housing program.

DISCUSSION

Throughout the Housing Element update process, staff have continued to work with one of its housing element consultants, 21 Elements, which has provided all 21 jurisdictions of San Mateo County an ability to collectively address the region's housing needs through shared learning, collaboration and coordinated action. At varying points during the housing element update process, Town staff and staff from smaller peer jurisdictions have shared concerns regarding the implementation of affordable housing program work. In response, 21 Elements put forth a Shared Housing Team program concept.

21 Elements has engaged the [Housing Endowment and Regional Trust \(HEART\) of San Mateo County](#) to create a Shared Housing Team across the jurisdictions in San Mateo County. The Shared Housing Team is expected to include at least three people, including an experienced supervisor (see Attachment 3 for draft job description). They will provide as-needed services across a wide range of housing program tasks. HEART staff have expertise and resources to manage and train staff and the ability to provide coordinated knowledge-sharing to offer consistency across participating jurisdictions and adoption of best practices countywide. Other benefits include efficiencies in scale, access to less than full-time staff and flexibility if a jurisdiction has intermittent staffing needs.

Although HEART will provide overall management of the Team, each jurisdiction determines job duties and tasks, and directly supervises the assigned staff person. This would ensure the shared staff would implement programs consistent with Town policies and community values.

Jurisdictions can opt into the Team for whatever fraction of a full time equivalent (FTE) meets their needs, with a minimum of 0.2 FTE. If needed, a jurisdiction may increase the level of FTE over time. Staff have analyzed the Town's anticipated affordable housing workload based on the programs in the Housing Element and recommend a 0.2 FTE/eight hours per week commitment. The Town will be allowed to use those hours as needed, within reason. Annualized, the program participation cost is estimated at \$37,440-\$39,500 (see table below). Staff believe this estimate represents excellent value for the Town. If the Town were to obtain staffing from a traditional consulting firm, staff estimate an equivalent cost of at least \$150 per hour, totaling approximately \$62,400 per year. Startup costs such as laptops, HEART workstations and program design is being financially

supported by the County of San Mateo. So the Town does not have to pay for its share of these start us costs, representing another savings.

Cost per Fraction of a Full Time Equivalent

Hours per week	FTE	Low – Cost Based on \$90 an hour	High
8	0.2	\$37,440	\$39,500
16	0.4	\$74,880	\$79,000
24	0.6	\$112,320	\$118,500
32	0.8	\$149,760	\$158,000
40	1.0	\$187,200	\$197,500

The work plan for the Shared Housing Team would prioritize implementation of programs that require affordable housing expertise. For example, many members of the community have expressed an interest in developing stronger programs to ensure affordability of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). From the Housing Element itself, the Housing Team is expected to work on at least the following programs:

- Program 2-1: Amend the Municipal Code to establish inclusionary housing requirements for new multi-family housing developments
- Program 2-2: Develop a program to manage new affordable housing units in the town
- Program 8-6: Convene a discussion of populations that are experiencing comparatively high rates of cost burden to discuss solutions for relief and consider a rental assistance program tailored to extremely high cost-burdened residents
- Program 8-7: Collaborate with other cities/towns and Project Sentinel, or another similar organization, to perform fair housing training for property owners

The program is scheduled to commence in summer 2023. In order to establish the Team, provide stability, and manage risk for HEART, the collaboration is asking for a three-year commitment from participating jurisdictions. If Town Council supports the request, staff will submit to HEART a letter of intent followed by a future service agreement between HEART and the Town detailing the terms and conditions of program participation, including final costs. This agreement will need to be reviewed and approved by Town Council at an upcoming meeting.

FISCAL IMPACT

The expected cost of participating in the Shared Housing Team is \$39,500 for the first year, with similar expenses for the two following years. HEART is asking for a three year commitment to establish the program. The Town should expect a reasonable increase in the second and third years, such as CPI.

ATTACHMENTS

1. Shared Housing Team Letter of Intent
2. FAQ on Shared Housing Team
3. Draft Job Description for Team Supervisor

San Mateo County Shared Housing Team Program

Letter of Intent to Participate

The Housing Endowment and Regional Trust (HEART) of San Mateo County has tentatively agreed to administer the Shared Housing Team program. Under this program, a small team of staff will be trained and managed to provide housing program related services for participating jurisdictions, who will all share in the cost of the Shared Housing Team. Benefits of the Shared Housing Team include increased efficiencies in scale and the option of less than full time staff. It also provides flexibility if a jurisdiction has intermittent needs.

Although HEART will provide overall management of the Team, each jurisdiction will determine the job duties and tasks, and directly supervise the assigned staff person. In recognition of the unique nature of the project and to mitigate risk for everyone, cities will be asked to commit to the program for 3 years to provide stability for the Team. That said, the level of FTE can be adjusted each year if other jurisdictions are interested in picking up more or less hours. The hours worked by a Team member can, but do not need to, be on a regular schedule. In practice, the requested FTE hours are expected to average out over each program year. A minimum request of .2 FTE is required for participation in this program.

This is a letter of intent (Letter of Intent) to establish that the following jurisdiction intends to participate in this Program starting Summer of 2023.

Jurisdiction Name: Town of Portola Valley

Primary Contact Name and Position: Laura Russell, Planning and Building Director and Adrienne Smith, Senior Planner

Primary Contact Email Address: lrussell@portolavalley.net and asmith@portolavalley.net

Primary Contact Phone Number: 650-871-1700

FTE Portion Request: 0.2

This Letter of Intent is non-binding and not enforceable by either party. After this Letter of Intent has been made, a future service agreement between HEART and Jurisdiction will be executed detailing the terms and conditions, including final costs.

Signed: _____
Howard Young, Interim Town Manager

Date: _____



SHARED HOUSING TEAM PROGRAM

Frequently Asked Questions

Can you provide position descriptions for the Housing Staff Team? A draft job description is available for the Shared Housing Staff Program director.

What would be the scope of work per FTE (example – what would be the FTE required for a certain size BMR portfolio?) Cities will need to do their best to determine how much work they need based on desired tasks. That said, for inclusionary rental unit management, one can use the City of San Mateo's experience as a guesstimate— a portfolio of about 300 rental units on scattered sites has required about 1/2 FTE. Once you identify your priority needs/tasks, the HEART team will work with you to finalize the estimated FTE needed.

Is there a minimum FTE that we can sign up for? At this point we are looking for a commitment of at least .2 FTE per jurisdiction. If you anticipate you need significantly less than that, let us know. If, after totaling all the requests, there is a very small fraction of FTE available, we can contact you and see if it is a fit. There also may be other resources that would better suit your situation.

Who determines the staffing schedule and work priorities among jurisdictions? HEART will work with each city to accommodate specific schedule requests and priority work assignments. This will require some flexibility and good communication on everyone's part. It is also assumed that staff will be available for night meetings as needed.

Where will the Housing Team Staff have desks? Heart will provide workspace for staff, but cities are encouraged to provide space for staff onsite as well. This will help integrate staff into your team. It is anticipated based on current practices, staff will work both remotely and onsite.

Could you provide support for Affordable Housing Agreement negotiation? Yes.

Could you provide support for State Density Bonus request analysis? Yes.

Who is buying staff computers? HEART will provide staff with laptops, paid for by the County of San Mateo.



Whose servers are the staff using? HEART has its own internal system for email and document storage. Cities should use the same protocols as they would for a consultant as to emails, phone numbers, and document access and storage.

Who handles disciplinary issues? The Program Director will have ultimate responsibility for staff training, evaluation, and disciplinary issues. However, it is expected that the City staff person responsible for overseeing this work provide feedback to Program Director and the staff person as issues occur.

How is Risk Management handled? HEART will enter into individual agreements for each City. The typical practice is that parties indemnify each other for negligence incurred. Also, HEART will carry Liability and Errors and Omissions insurance.

What is the start date of the Program? HEART will need to hire and train staff in spring and early summer of 2023. It is anticipated that services for cities will be phased over the first several months of the program/fiscal year. The agreements will include language to describe milestones so that jurisdictions are clear when services will begin and the associated costs. Cities will not be charged until the assigned staff person begins work.

What happens if a city is unhappy with the Program? As with any service agreement, cities are expected to communicate issues to HEART so that we can work together on solutions. This pilot program is meant to be a service to cities so we are committed to work together so it benefits everyone.

Shared Housing Team

Supervisor Job Description

ABOUT HEART OF SAN MATEO COUNTY:

HEART is a nonprofit public/private partnership among the county, the cities, and business communities dedicated to increasing the supply of affordable housing in San Mateo County. HEART's principal mission is to provide financing for the acquisition, construction and rehabilitation of affordable housing. HEART's newest venture is to provide staffing services for housing program management for smaller, less-resourced cities in San Mateo County.

DESCRIPTION:

This is a managerial position under the direction of the Executive Director responsible for HEART's Multi-City Services Program. The incumbent will provide and direct HEART staff with the planning, development, organization, negotiation and management of housing activities for several cities in San Mateo County. The incumbent and staff will manage the work program of city housing divisions; recommend policies and serve as project managers for affordable housing developments funded by cities; create and implement affordable housing programs; engage city and other public agencies in the implementation of housing activities and programs; support and team with other city staff working on related issues and perform related duties as required for cities. This position involves training, recruitment and supervision of professional staff.

As an employee of HEART, this is an "at-will" position. The incumbent serves at the discretion of the Executive Director. The incumbent in this position demonstrates strong ethical, professional, and service-oriented leadership and interpersonal skills; and sets a good example.

TYPICAL DUTIES:

This description may not include all the duties listed below, nor do the examples cover all duties that may be performed.

PROGRAM MANAGEMENT

In consultation with peers, supervisors and cities, establishes objectives, priorities and schedules for affordable housing programs and activities.

Assigns new projects, monitors/manages staff workload and creates procedures/guidelines to improve operations.

Maintains monitoring and reporting systems to ensure the adequacy, quality and timeliness of program work.

Manages, trains, and evaluates the work of staff.

PROJECT MANAGEMENT

Plans, organizes, and implements cities' efforts to develop new affordable housing.

- Manages housing programs and projects including project budgets.
- Manages housing programs and projects, including administration and monitoring of affordable housing units including those produced through Inclusionary Zoning.
- Develops specifications and prepares requests for proposals for City housing fund.
- Reviews and evaluates affordable housing proposals and makes recommendations regarding project selection to the City Council.
- Prepares and negotiates contracts and participates in making recommendations for the use of housing funds.
- Meets and negotiates with housing developers, investors and business people to determine project scope and provide technical assistance, as well as promote development in the City.
- Manages the plan approval process for City housing development projects, including coordinating affordable housing projects with the Planning Division Staff.
- Monitors the development, construction and implementation phases of affordable housing projects to ensure contract compliance.
- Develop an awareness of current trends in housing financing methods and seek out financing sources and public/private partnerships for the construction of affordable housing.
- Works with governmental and private agencies at all levels to secure funding for development programs.
- Maintains effective working relationship with public and private lending sources and prepare loan applications when appropriate.
- Reviews and prepare draft comments on proposed Federal, State and local regulations and their prospective impact on department programs. Suggest alternative courses of actions as applicable.
- Advises city staff on necessary actions, problems or requirements.
- Represents the City's Housing Department at various meetings and negotiations.
- Attends meetings and make presentations to City staff, City Councils, administrators and various private and community organizations to discuss project status.
- Prepares reports involving research, analysis, writing, and presentations.
- Manages ongoing compliance activities, including monitoring of regulatory agreements and administration of the City's affordable housing loan portfolio.
- Solicits, selects, contracts with, and manages consultants.
- Uses computer applications, prepares memos and procedural documentation.

Performs other related duties as assigned.

MINIMUM QUALIFICATIONS:

EDUCATION AND EXPERIENCE

- Graduation from an accredited college or university with a Bachelor's Degree in Urban Planning, Public Administration, Environmental Studies, or a related field
- At least five (4) years of progressively responsible public or private experience in urban planning, business administration, public administration, housing finance and development, or redevelopment; with some supervisory experience
- A Master's degree from an accredited college or university in one of the above fields may be substituted for one year of the required experience
- Familiarity with computer software programs commonly used by cities, such as Windows Office
- Experience working in the Housing Division of a public sector Community Development or Planning Department is desirable.

LICENSE

Possession of a valid Class C California driver's license is required at the time of application and for the duration of employment.

OTHER REQUIREMENTS

Must be able to perform the essential functions of the job assignment.

KNOWLEDGE, SKILLS, AND ABILITIES:

Knowledge of:

- Principles, practices and methods as applied to city planning, and development;
- Federal, State and local regulations dealing with land use and development;
- Real estate financing, development, marketing and administration of affordable housing;
- Research methods and statistical analysis;
- Negotiation techniques and strategies;
- Problem solving and conflict resolution practices and techniques;
- Project and workload planning;
- Principles and practices of management including fundamentals of budgeting and accounting systems;
- Principles, practices and methods of grant administration, federal grant entitlement programs, housing, redevelopment programs and rehabilitation programs;
- Environmental and safety principles, practices, procedures and standards; and
- Office safety practices, procedures and standards.

Ability to:

- Identify, research and evaluate relevant information and statistical data from variety of sources;
- Draw conclusions and project consequences of decisions and recommendations; Develop creative and practical solutions to complex and difficult problems;
- Identify policy issues and work with staff to develop options and recommend solutions;
- Prepare and present clear, concise and complex written and oral reports;

- Communicate logically and clearly, both orally and in writing;
- Make presentations before commissions and committees;
- Review housing development and redevelopment proposals;
- Negotiate agreements with developers and consultants;
- Read building plans;
- Establish and maintain effective working relationships with those contacted in the course of work including staff, developers and consultants and the general public;
- Exercise independent judgment and initiative with minimal supervision;
- Work effectively in time-sensitive situations and meet deadlines;
- Coordinate multiple projects and complex tasks simultaneously;
- Supervise and review the work of employees engaged in the administration of projects and projects; and
- Use computer software such as Excel, Word, Power Point, etc.

SUPPLEMENTAL INFORMATION:

SUPERVISION RECEIVED

Works under the general direction of the Executive Director and the supervisory staff at cities or other managers as assigned.

SUPERVISION EXERCISED

Manages HEART staff and contractors engaged by cities as assigned.

OTHER REQUIREMENTS:

CONFLICT OF INTEREST

Incumbents in this position are required to file a Conflict of Interest statement upon assuming office, annually, and upon leaving office.



TOWN OF PORTOLA VALLEY

STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Howard Young, Interim Town Manager
Cindy Rodas, Finance Director *H. Young* ✓

DATE: May 10, 2023

RE: Not-for-Profit Agency Funding Requests

RECOMMENDATION

Staff recommends that the Town Council approve funding for not-for-profit agencies providing services benefiting the Town, its residents, or the larger Peninsula community, in an amount not to exceed \$21,621.

BACKGROUND

Annually, the Town receives requests from a number of not-for-profit agencies. The Town Council reviews these funding requests and determines the allocation amount that each agency will receive. For fiscal year 2022-23, the Council made the following allocations:

Citizens Emergency Response Preparedness Program (CERPP)	\$5,000
HIP Housing	\$3,000
Housing Endowment and Regional Trust (HEART)	\$1,432
Joint Venture Silicon Valley	\$1,000
Meals on Wheels - Peninsula Volunteers Inc.	\$3,000
Peninsula Conflict Resolution	\$2,727
Sustainable San Mateo County	\$2,500
Sustainable Silicon Valley	\$1,000
Total	\$19,659

DISCUSSION

The Town has received the following requests for fiscal year 2023-24. The most notable change requested was that of Peninsula Volunteers Inc. (Meals on Wheels), with an increase of 66% over last year. Over the past 4 years, on average, a \$2,875 contribution has been granted for the Meals on Wheels program. The organization cited the projected increase of the County's population of age 60 and over as the cause of the increase.

resulting in a greater need for assistance. The request received for the Citizens Emergency Response Preparedness Program (CERPP) did not specify an amount of funding. Historically Town Council has approved a contribution of \$5,000 to CERPP. Staff recommends awarding \$21,621 in the coming budget as follows:

Agency	Amount Requested	Recomm-ended	Difference from FY 2022-23	Percent Change
Citizens Emergency Response Preparedness Program (CERPP)	Open	\$5,000	\$ -	0%
HIP Housing	\$3,000	\$3,000	\$ -	0%
Housing Endowment and Regional Trust (HEART)	\$1,361	\$1,361	\$ -71	-5.1%
Joint Venture Silicon Valley	\$1,000	\$1,000	\$ -	0%
Meals on Wheels- Peninsula Volunteers Inc.	\$5,000	\$5,000	\$ 2,000	66%
Peninsula Conflict	\$2,760	\$2,760	\$ 33	1.2%
Sustainable San Mateo County	\$5,000	\$2,500 ¹	\$ -	0%
Sustainable Silicon Valley	\$1,000	\$1,000	\$ -	0%
Total	\$19,121	\$21,621		

FISCAL IMPACT

The total amount of contributions approved by the Council will be included in the 2023-24 proposed budget document, which is to be presented to the Council at its meeting on June 14, 2023.

ATTACHMENT

Attached Proposals:

1. Citizens Emergency Response Preparedness Program (CERPP)
2. HIP Housing
3. Housing Endowment & Regional Trust (HEART of San Mateo County)
4. Joint Venture Silicon Valley
5. Meals on Wheels – Peninsula Volunteers Inc.
6. Peninsula Conflict Resolution
7. Sustainable San Mateo County
8. Sustainable Silicon Valley

¹ Historically, Town staff has recommended and the council has approved \$2,500 for SSMC

Nicole Tanori

From: Joe Coleman [REDACTED]
Sent: Thursday, April 20, 2023 1:00 PM
To: pvfinance
Subject: RE: Annual Contribution Letter 2023-2024

Hi Nicole,

I am the treasurer of EPiC, formally Citizens Emergency Response Preparedness Program for the towns of Portola Valley and Woodside and the entire Woodside Fire Protection District.

I am on the road and want this email to act as our official request of a donation from the Town of Portola Valley. If you wat more info, I will check my email.

Thanks, Joe Coleman [REDACTED].

-----Original Message-----

From: pvfinance <pvfinance@portolavalley.net>
Sent: Apr 17, 2023 4:22 PM
To: sbrown@woodsidefire.org <sbrown@woodsidefire.org>, joe.coleman@earthlink.net
<joe.coleman@earthlink.net>
Cc: Cindy Rodas <crodas@portolavalley.net>
Subject: RE: Annual Contribution Letter 2023-2024

Hello,

If you are receiving this email The Town of Portola Valley has not yet received your annual contribution letter. I'd like to extend a friendly reminder that all contribution letters are due to The Town by end of day Friday, **April 4/21**. Please let me know if you have any questions.

Best regards,

Nicole



March 15, 2023

Home. Heart. Hope.

Jeremy Dennis
Town Manager
Town of Portola Valley
765 Portola Rd,
Portola Valley, CA 94028

Dear Jeremy,

We've seen some dramatic economic and social changes over the last few years. In San Mateo County – a region that for so long has grappled with immense income inequality and an extreme shortage of affordable housing – the pandemic has only underscored long-standing racial and economic inequities in employment, housing, health, and income.

Despite innovation, housing in the region remains much pricier than anywhere else in the US. Due to a combination of limited housing stock, stringent land use policies, and sky-high construction costs, the demand for housing continues to drastically outpace the supply. In Towns like Portola Valley, we've seen our neighbors struggle to keep up with the costs, especially as safety net programs taper off. The result is grim: crowded and unsafe living conditions, homelessness, and displacement.

HIP Housing requests a grant of \$3,000 from the Town of Portola Valley which, if awarded, will be directed towards the organization's Home Sharing Program during FY 2023-2024. Through the use of existing housing stock, the program develops readily available, affordable housing opportunities, benefitting low-income workers, older adults, and individuals with special needs who are seeking a safe and stable place to live. Home Sharing is an extremely cost effective housing program and included in the Housing Elements of all 21 municipalities in San Mateo County as a way to provide fair housing choice. Equally important, it is the only housing program Countywide whose waitlist never closes.

The best way to make headway towards a diverse, healthy, and resilient San Mateo County is working in partnership. On behalf of our Board of Directors, staff, and clients, we thank you for your past generosity and support of our Home Sharing Program, and for your consideration of this funding request.

Sincerely,

A handwritten signature in black ink that reads "Kate".

Kate Comfort Harr
Executive Director

Board of Directors

Meris Ota
President

Joshua Amoroso
Vice President

Nancy Bush
Treasurer

Kalah Espinosa
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Aaron Aknin
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Mary Leahy

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Rob Zirkle

Honorary Board

Lois Almen Everett
Founder

Congresswoman
Anna Eshoo

Honorable Helen Fisicaro

T. Jack Foster, Jr.

Senator Jerry Hill

Dennis Lanterman

Honorable Jack Matthews

Memo Morantes

Helen Hilton Raiser

David Schemel

Honorable

Jackie Speier

Administration

Kate Comfort Harr
Executive Director

Laura Fanucchi
Director of Programs

Ghion Dessie
Vice President of Finance

Katherine Goodman
*Fund Development
Director*

HIP Housing
800 S. Claremont, #210
San Mateo, CA 94402
650-348-6660
www.HIPhousing.org



800 S. Claremont Street, #210
San Mateo, CA 94402

Funding Proposal – Town of Portola Valley
Fiscal Year 2023-2024

Affordable Housing Today

San Mateo County is ranked as one of the wealthiest regions in the US. Yet in 2021, eight households in Silicon Valley held more wealth than the bottom 50%; at the same time, 23% of Silicon Valley residents lived below the poverty threshold (Silicon Valley Index, 2021).

For low-income individuals, housing costs are typically the greatest source of financial burden. The County's dramatic income inequality, coupled with some of the most prohibitive conditions for affordable housing development in the country, left 25,000 low-income renters without access to an affordable home in 2021. Meanwhile 72% of extremely low-income households spent over 50% of their income on housing (Sustainable San Mateo County, 2021).

In 2020 and 2021, the Bay Area saw a mass exodus of high-paid workers due to the pandemic. In 2022, rental prices declined noticeably. From 2020 to 2022, a number of government agencies developed housing relief programs in response to growing economic uncertainty. That included the construction of 122 units of teacher's workforce housing in Daly City, the multi-billion dollar state-wide Homekey Project, and the successful piloting of multiple guaranteed income / rental subsidy initiatives. In November 2022, voters across the state collectively considered 52 local ballot measures related to housing – including land use policy, funding sources for affordable housing initiatives, and strengthening tenant protection policies.

However, in early 2023, despite the slow rebound of asking rents, housing costs in the region remain much pricier than anywhere else in the US. Due to a combination of limited housing stock, stringent land use policies, and sky-high construction costs, the demand for housing continues to drastically outpace the supply.

At the state level, California's Department of Housing and Community Development mandates that cities submit Housing Elements (a blueprint for how cities will develop and grow) every 8 years. The agency determined that the nine-county Bay Area will need 441,000 additional homes by 2031 to account for the current housing shortage and a growing population, of which 180,000 homes are designated to be affordable to low- and very-low income individuals and families. Of the 109 cities in the 9-county Bay Area, 69 cities missed the January 31, 2023 deadline to submit their plans.

This tardiness illustrates just how arduous the housing development process has been and will continue to be. Meanwhile, in order to afford the average rent for a 1-bedroom apartment in the

area – over \$2,400 – an individual in the Town of Portola Valley would need to earn \$46.15 per hour, over 3 times Portola Valley’s minimum wage. As a result, Portola Valley and the wider San Mateo County remain completely unaffordable for low-income, and many moderate-income, individuals and families.

Populations particularly at risk for homelessness and displacement include Black and Hispanic/Latino individuals, older adults, individuals with disabilities, students, and essential workers – including home health and personal care aides, childcare workers, and janitors. The Terner Center at UC Berkeley reports that, based on displacement patterns, low-income residents, particularly low-income Black and Hispanic/Latino residents, are becoming more and more “confined to the state’s economic margins” (2018).

The only way to make any headway towards a diverse, healthy, and resilient San Mateo County is to work collectively. Affordable housing solutions are more critical than ever.

HIP Housing’s Mission and Goals

In San Mateo County’s pressured housing landscape, HIP Housing’s mission is to invest in human potential by improving the housing and lives of people in our community. Through our Home Sharing Program, Self Sufficiency Program, and Property Management Division, we make use of existing housing stock to ensure that there is a broad spectrum of affordable housing solutions for low-income individuals and families facing displacement and homelessness in San Mateo County.

As a result of our work, HIP Housing enables more than 1,300 low-income individuals to find, or remain in, stable and affordable housing each year. We recognize that housing is a key determinant of health and economic wellbeing, and are committed to expanding and deepening affordable housing solutions throughout the County.

Description of the Program to Be Funded – Home Sharing Program

HIP Housing respectfully requests a grant of \$3,000 from the Town of Portola Valley. If our request is approved, this grant will be used to support the activities of our innovative Home Sharing Program during FY 2023-2024.

HIP Housing’s Home Sharing Program matches people who have space in their home to share with people who are searching for an affordable place to live. By making more efficient use of the existing housing in the Town of Portola Valley, the Home Sharing Program provides a dynamic and affordable solution to the lack of affordable housing in Portola Valley, and throughout San Mateo County.

The components that make this program so successful are:

1. *The creation of new affordable housing through the use of existing housing stock.* By making more efficient use of existing housing inventory, the Home Sharing Program

creates new affordable housing opportunities for low-income individuals, families, and older adults in the Town of Portola Valley.

2. *Our thorough and in-depth matching process.* Clients begin the home sharing process by completing a detailed application, which increases their chances of being matched in appropriate and compatible living arrangements. After completing the application, program staff follow up by interviewing the client and establishing their specific needs, after which staff carry out reference and local background checks. Once clients are matched, staff bring both parties together to help them outline their expectations and agree on rights and responsibilities. This information is then documented in a Living Together Agreement, which is signed by both the Home Provider and the Home Seeker.
3. *Creative and unique solutions for clients.* The Home Sharing Program additionally offers a Reduced Rent Exchange. For reduced rent, the Home Seeker completes light household chores such as cooking, cleaning, and providing companionship for an older adult Home Provider or persons with special needs.
4. *Ongoing client services and support.* One of the special features of HIP Housing's Home Sharing Program is that the process does not end once clients have been matched. Each and every client that we work with is unique, and so are their individual needs. With this in mind, our program staff provide ongoing support to all clients, including technical support and client mediation to matches in need of these services. By way of this thorough and in-depth process, the average home sharing match lasts more than four years (a statistic which has held steady through the pandemic), while others last between five and twenty years.

HIP Housing's Home Sharing Program is the only one of its kind in San Mateo County and one of the few sources of readily available affordable housing in the County today. Over the years, HIP Housing's Home Sharing Program has evolved into a vital resource for people of all ages and backgrounds. At its core, the Home Sharing Program assists those who are struggling to find a decent, stable, and affordable home, or who are trying to remain in their existing home.

Directly Addressing the Needs of Residents in the Town of Portola Valley

Access to stable and affordable housing is a critical determinant of success in life, affecting health, access to education, and the opportunity for economic mobility. The Home Sharing Program's use of existing housing inventory in the Town of Portola Valley not only increases affordable housing opportunities, but also:

- Preserves Portola Valley's thriving and diverse community.
- Enables struggling renters to avoid displacement and remain in their existing affordable housing.
- Helps low-income individuals find a stable and affordable place to live that is close to work, their children's school, and their family support network.

- Enables the Town of Portola Valley's workforce to find sustainable residency in and around Portola Valley.
- Allows older adults and people with special needs to remain living independently in their own home.

HIP Housing's Home Sharing Program reduces housing costs significantly, for both the Home Provider and the Home Seeker, while also promoting independence and providing security and companionship for those with special needs.

Below, you will find the FY 2021-2022 statistics for the Home Sharing Program in the Town of Portola Valley.

In FY 21-22, Our Home Sharing Staff...

- Provided housing information and referrals to 2 individuals who live in Portola Valley.
- Interviewed, screened, and provided housing assistance to 2 individuals who live and/or work in Portola Valley.

Every day, HIP Housing's Home Sharing Program strives to make the Town of Portola Valley a great place for everyone to live, work, and thrive, regardless of their income. We would like to introduce you to a San Mateo County resident whose life has been impacted by our Home Sharing Program. Meet Linda:

Linda is an older adult who heard about the Home Sharing program from a friend of hers. Linda works in Menlo Park for a family as their nanny. When her housemate of 2 years was accepted to a BMR unit, Linda had to find a new place to live. Within a few weeks, Linda found a new housemate through HIP Housing and moved to her home in East Palo Alto. She is very happy with the arrangement and is also paying \$300 less than what she had been paying.

In addition to serving the Town of Portola Valley through our Home Sharing Program, HIP Housing's Self Sufficiency Program and Property Management Division also provide vital housing opportunities to residents.

The Self Sufficiency Program provides housing scholarships and intensive trauma-informed case management to low-income parents and emancipated foster youth who are in school. The program specifically works with individuals pursuing continued education to help increase their earning power and become financially independent within one to five years. In FY 21-22, 49 families (60 adults and 77 children) participated in the program.

The Property Management Division expands the affordable housing stock available throughout the County. By partnering with local municipalities, private funders, banks, and other institutions, we are able to purchase and rehabilitate multi-family residential properties and then rent them at below-market rate rental prices to our income qualified clients. HIP Housing currently owns and/or manages 33 properties in the County, which provide stable and affordable housing to roughly 700 low-income individuals each year.

Number of Individuals to Be Served by FY 23-24 Funding

Thousands of low-income individuals and families in San Mateo County face displacement each year. HIP Housing's Home Sharing Program directly addresses housing insecurity in the Town of Portola Valley by creating affordable housing solutions. With your support during FY 2023-2024, our dedicated Home Sharing staff will:

- Offer housing information and referrals to 5-10 individuals living in Portola Valley who contact our agency for help.
- Interview, screen, and provide housing assistance to 2-3 individuals who live and/or work in Portola Valley.
- Match 1-2 individuals who live and/or work in Portola Valley in new, affordable home sharing arrangements.
- Provide follow-up and support services to 1-2 Portola Valley residents matched in previous years.

It is our hope that the Town of Portola Valley will continue to support our Home Sharing Program in FY 2023-2024. With your partnership, we envision an inclusive and thriving region.

Evaluating the Home Sharing Program

The Home Sharing Program is evaluated based on the following criteria:

- Number of intake calls received and resources provided
- Number of clients and households served
- Number of clients placed in a home sharing arrangement
- Number of clients in home sharing matches made in previous years

Demographic information collected and evaluated includes:

- Income level of clients
- Age, gender, disability, race and ethnicity
- Housing costs at the time of application to the program and after being matched in a home sharing arrangement
- Housing affordability measured by the percentage of income spent on housing costs
- Length of time a client stays in a home sharing arrangement

HIP Housing maintains a database of all clients served and placed in shared housing. This database includes demographic information, income levels, and other relevant data. The Home Sharing team also monitors available housing resources, affordable housing waitlists, and other housing opportunities. Home sharing matched clients are contacted every three months after being placed in a home sharing arrangement for follow-up and to determine if any additional support is needed.

Home Sharing Program Community Outreach Activities Targeting the Town of Portola Valley

- We placed Home Sharing Program ads throughout local newspapers, magazines, partner organizations' websites, community-based social media pages like Nextdoor, radio stations, SamTrans bus ads, a billboard, and online newsletters
- We sent Home Sharing Program flyers and e-blasts to businesses, faith-based organizations, community calendars, schools, centers for older adults, and community associations
- We spread information through meeting and networking with community-based organizations, city councils, city staff, schools, farmers markets, government agencies, healthcare providers, and nonprofits throughout the County
- We presented on the Home Sharing Program to various 65+ centers, County employees, schools, nonprofits, associations, and podcasts

HIP Housing will continue to focus on expanding our in-person and virtual outreach activities in the Town of Portola Valley during FY 2023-2024. By increasing the accessibility of the information in circulation about our programs, we hope to provide direct assistance to as many individuals and families as possible.

Home Sharing Program Community Partnerships and Collaborations

HIP Housing maintains strong community partnerships in order to connect clients with resources that fit their unique needs. Below are some of the organizations that we partner with:

Home Sharing Program community partnerships:

- **Cal State East Bay and Eastside Prep School** - interns assist with Home Sharing Program marketing and outreach efforts.
- **Community College District** - Home Sharing staff met with the District's International Student Housing Program Coordinator to share resources and to recruit Home Providers near the three community colleges.
- **CORE Community Centers** - clients are referred to CORE for rent assistance and shelter referral.
- **Haven Connect** - the Home Sharing Program reaches out to individuals on our Property Interest list to provide information about our Home Sharing and Self-Sufficiency Programs.
- **Legal Aid and Project Sentinel** - clients are referred for any legal advice regarding notices to move, rent disputes, and other legal landlord/tenant matters.
- **One Life Counseling Center** - collaborating on a mental health wellness program for staff, interns, and volunteers at HIP Housing.
- **Peninsula Conflict Resolution Center** - Conflict Resolution Certification training and bi-annual fair housing training for Home Sharing Coordinators.
- **Safe Harbor Shelter, Samaritan House** - the Home Sharing team conducted presentations at the Shelter (pre-pandemic).
- **Sam Trans** - ongoing collaboration to market programs to potential Sam Trans employees who are struggling to locate housing.

- **The Housing Industry Foundation, Job Train, Samaritan House, San Mateo County's Aging and Adult Services, San Mateo County's Oasis Program** - inservice with HIP Housing program teams.
- **San Mateo County's Office of Education** - ongoing outreach for school district employees and collaboration with Superintendent Nancy Magee.
- **The County of San Mateo** - ongoing outreach for County employees and retirees.

Home Sharing Program client referral partners:

- Abode
- Caminar
- CIDA
- CORA
- CORE Community Centers
- EPACANDO
- Golden Gate Regional Center
- Housing Choices
- Kaiser
- Life Moves
- Maple Street Shelter
- Social Security Administration
- Safe Harbor Shelter
- San Mateo County Aging and Adult Services
- San Mateo County Community Colleges
- San Mateo County City Departments
- San Mateo County Housing Authority
- San Mateo County Human Resource Department
- San Mateo County Libraries
- San Mateo County School Districts
- San Mateo Medical Center
- San Mateo County Mental Health
- SparkPoint centers
- Sutter Health

While our Home Sharing Program is thoroughly connected throughout San Mateo County, the program also actively ensures that other organizations and jurisdictions have the tools and resources they need to implement local home sharing programs. Laura Fanucchi, HIP Housing's Director of Programs, serves as the Vice President of the National Shared Housing Resource Center's Board of Directors and has provided technical assistance to emerging home sharing programs throughout the country for over 20 years. HIP Housing is also a part of the West Coast Home Sharing Collaborative. Ultimately, HIP Housing's efforts have helped to launch 11 new home sharing programs in California, which has increased the capacity of 7 neighboring jurisdictions to provide affordable housing opportunities to their communities.

With the support of partnerships and collaborations, our dedicated Home Sharing staff develops crucial referral networks and supports home sharing programs in neighboring jurisdictions.

HIP Housing's Capacity and Experience

In order to support low-income individuals and families meaningfully, HIP Housing is dedicated to expanding and deepening the services that we provide. Our cross-sector partnerships and wrap-around social services enable the streamlining of more efficient and sustainable affordable housing throughout the region. Below, we list a few ways that we're making strides towards a more equitable, healthy, and housed County.

1. *Collaborations on Housing Elements.* Since 1969, each city's Housing Elements has been updated every 8 years and serves as the blueprint for how the region will develop and grow. The most recent round of Housing Elements was due in January 2023. On the Town of Portola Valley's Housing Elements, HIP Housing was cited on pages 81, 87, 99, and 112 as a longstanding and sustainable affordable housing solution.
2. *Realigning on city funding.* Many of our clients are homeless or on the brink of homelessness, with limited or no access to income verification documentation at the level required by CDBG. As a result, we decided to retract our CDBG applications for FY 2021-2022 (from 5 jurisdictions), resulting in a \$90,000 shortfall for our Home Sharing Program. In 2022 we worked with each jurisdiction to re-establish funding from alternate sources that are better fits for the services we provide. Recognizing the value and importance of the Home Sharing Program, of the five CDGB jurisdictions which collectively had provided \$90,000 in support annually (including the County of San Mateo and the Cities of South San Francisco, Redwood City, Daly City and San Mateo,) all but one have replaced their previous CDBG funding with funding from other sources.
3. *Capacity building through new programs.* We were recently awarded a two-year, \$200,000 Neighborhood Builders grant from Bank of America, which will support the launch of our new Information & Referral (I&R) Program in FY 2022-2023 and 2023-2024. By transforming our information and referral services into a full-fledged program, we will substantively support the 2,000+ callers who contact our agency for housing assistance each year. Ultimately, the funding will allow us to (1) better track the progress of callers in attaining stable and affordable housing, (2) monitor referrals, and (3) deliver services through a trauma-informed lens.
4. *Integrating trauma-informed care into service delivery.* Safe, stable, and affordable housing is intrinsic to health. One distinct way that housing insecurity impacts health is the way it can impede a person's sense of safety and increase individuals' odds of having Adverse Childhood Experiences (ACEs) (Source: National Health Care for the Homeless Council, 2019). Nearly 70% of our Self Sufficiency Program clients report a history of trauma, and we aim to provide integrated care that improves our clients' hope and resilience. A core strategy in our Five-Year Strategic Plan is to implement trauma-informed care throughout our agency. Some of the program's strategies to

achieve this goal include trauma-informed training for program staff, trauma-focused client case management, and trauma-informed parenting resources.

Along with these developments, we recently secured a \$25,000 grant from Kaiser Permanente to help launch the Nurturing Fathers Initiative, a subprogram of the Self Sufficiency Program. The initiative aims to combine housing assistance and specialized social services to fill a national gap in father-centered programming, ultimately linking stable housing with positive mental and physical health outcomes.

5. *Striving for diversity, equity, and inclusion.* Diversity, equity, and inclusion require consistent learning and policy implementation. With enhanced program capacity and connectivity, we've also turned inward to reflect on our workplace culture. We've sustained our DEI strategies to ensure that staff and board members feel supported through resources, critical conversations, and policies. Throughout 2022, we've conducted policy equity revisions (standardized 40-hour work week for all employees and employee reclassification), developed Mid-Level Manager monthly trainings, and convened a DEI Council that facilitates staff engagement via monthly workshops centered around DEI concepts, including unconscious bias, bystander intervention, and trauma-informed care.

Conclusion

The affordable housing crisis requires collaboration at every level. With the partnership and support of each municipality, HIP Housing aims to expand affordable housing solutions throughout San Mateo County.

HIP Housing respectfully requests a grant of \$3,000 from the Town of Portola Valley to support the Home Sharing Program. With your support during FY 2023-2024, our Home Sharing staff will work directly with 6-12 individuals who live and/or work in the Town of Portola Valley. On behalf of the entire HIP Housing team, our Board of Directors, and our clients, thank you for your past support and for your consideration of this funding request.

April 19, 2023

Town of Portola Valley
 765 Portola Rd
 Portola Valley, CA 94028

RE: Invoice for 2023-24 HEART Membership Dues

Dear Town Manager,

Housing affordability continues to be a tremendous challenge for residents of San Mateo County. CoStar forecasts that over the next four quarters, year-to-year rents will increase more than 10% before decreasing to about 5%. As the chart below shows, in five years rents will be 20% higher across San Mateo County. These rent increases will have a devastating effect on low- and moderate-income households. But, with your support, HEART will continue to make a difference in the lives of many low- and middle-income residents in San Mateo County.

One of our significant achievements this past year was securing a new \$1,000,000 grant from the State of California under the Local Housing Trust Fund (LHTF) Program. HEART plans to use these funds to help nonprofit organizations acquire and preserve existing affordable housing.

We are looking forward to 23-24 as our work on housing preservation accelerates. In addition to the \$1,000,000 LHTF grant, HEART's Board of Directors approved a new program allowing HEART to use its bonding capacity to purchase existing buildings and convert them to affordable housing. We will be reaching out to cities in the coming weeks to present the program and describe how we can work together to create and preserve affordable housing in San Mateo County.

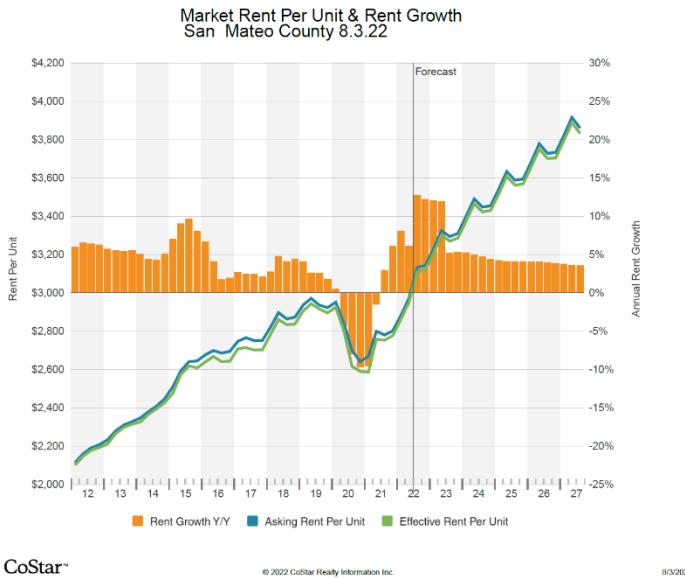
In addition to our housing preservation groundwork, we are pleased to have provided a \$3,800,000 loan to Kiku Crossing in San Mateo. The project broke ground in early 2022 and will provide 225 affordable homes for extremely low, very low, and low-income residents.

If you have any questions about our programs or need additional information, please don't hesitate to contact me. Thank you again for your continued support; enclosed is an invoice for the fiscal year 2023-24 HEART membership dues.

Sincerely,



Armando F. Sanchez
 Executive Director



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 San Mateo County

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 Mayor
 City of Half Moon Bay

Elan Scheinman
 Primavera Partners



Housing Endowment and Regional Trust

2905 S El Camino Real
San Mateo, CA 94403

Invoice

Date	Invoice #
4/19/2023	793

Bill To
Jeremy Dennis Town of Portola Valley 765 Portola Road Portola Valley, CA 94028

P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
	Membership Dues July 1, 2023 - June 30, 2024	1,361.00	1,361.00
			Total \$1,361.00

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Santa Clara Valley Water District
Sutcliffe, LLP

COREY VERWAY
LendLease

April 21, 2023

Town of Portola Valley
Attn: Howard Young
Interim Town Manager
765 Portola Valley Road,
Portola Valley, CA

To Our Partners in Local Government:

I'm writing to ask you to renew your investment in Joint Venture Silicon Valley. We're an organization providing both analysis and action, and we do it in partnership with the region's major sectors—government, business and labor. Because of that support, we're fielding a variety of programs and activities that bring rationality and coherence to the region, and root our decisionmakers in data.

For example:

- Our climate initiatives are pushing the state legislature for more aggressive targets for reducing greenhouse gases, for hastening our conversion to zero-emission vehicles, envisioning two-way charging for those vehicles when parked at home, and more.
- Our Food Recovery initiative is leading our region's implementation of Senate Bill 1383, which diverts surplus food from landfills to worthy organizations. The program has been tasked with the responsibility to educate, inspect, and monitor compliance of all regulated entities. We also convene the Silicon Valley Food Recovery Council.
- Our transportation work includes sponsoring legislation to (such as Senate Bill 917) to integrate and unify the region's transit providers and help them capture the efficiencies they will need to survive in a post-pandemic world.
- Our Civic Technologies program is working with stakeholders in the internet and telecommunications ecosystem to bring broadband to underserved communities. We're also working with cities and carriers to facilitate the expansion of our networks, and to provide research addressing community concerns.
- Our Silicon Valley Economic Development Alliance, comprised of economic development professionals from more than 25 agencies, provides professional development and support to the members through monthly meetings and programs with partner organizations.

On the research side of the house, we have expanded our output of white papers, data sets, and public opinion polling. Our flagship product continues to be the Silicon Valley Index, a comprehensive report monitoring the region's health and vitality across hundreds of indicators. In addition to providing the information in report form, we curate an online dashboard that provides thousands of data points (including live indicators) in a highly accessible format, and we provide this freely to the community. For an extra fee, our research team is also offering specialized data sets to Joint Venture member agencies seeking more in-depth information tailored to their city. You can contact me directly should that be of interest.

None of this is possible without continuing support, and we're grateful for yours. Even in a difficult economy our corporate and labor members are still standing by us. Our public sector investors complete the circle, making this a genuine "joint venture."

I'm attaching an invoice, and it reflects a small inflation-based increase over last year's amount.

With thanks for your partnership,



Russell Hancock
President & Chief Executive Officer

Joint Venture Silicon Valley
84 W. Santa Clara Street
Suite 800
San Jose, CA 95113
(669) 223-1331

INVOICE

Invoice #:	1065NETportola
Invoice Date:	04/20/23
Amount Due:	\$1,000.00

Bill To: _____

Town of Portola Valley
Attn: Howard Young
Interim Town Manager
765 Portola Road
Portola Valley, CA 94028
United States

Ship To: _____

Attn: Howard Young
Interim Town Manager
765 Portola Road
Portola Valley, CA 94028
United States

Due Date	Terms
05/20/23	Net 30

Item	Description	Quantity	Price	Amount
Revenue-City	Joint Venture Silicon Valley Public Investment, Fiscal Year 2023-24	1	\$1,000.00	\$1,000.00

Subtotal:	\$1,000.00
Sales Tax:	\$0.00
Total:	\$1,000.00
Payments:	\$0.00
Amount Due:	\$1,000.00

Make checks payable to:

Joint Venture Silicon Valley
84 W Santa Clara Street, Suite 800
San Jose, California 95113

Thank you for your prompt payment

501(c)3 Tax ID: 77-0389802

To pay online, go to <https://app01.us.bill.com/p/jointventuresiliconvalleynetwork>



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Services

Meals on Wheels
Nutrition Services
650-323-2022

Little House
Roslyn G. Morris
Activity Center
650-326-2025

Rosener House
Adult Day Services
650-322-0126

April 13, 2023

Mr. Howard Young
Interim Town Manager
Town of Portola Valley

Dear Mr. Young,

Thank you for the opportunity to request a contribution for the Peninsula Volunteers, Inc. (PVI) Meals on Wheels program for the coming year. PVI is a tax-exempt charitable organization (501 (c)(3) #94-1294939) serving seniors and adults with disabilities in San Mateo County including Portola Valley. Meals on Wheels is a safety net service providing nutritious meals, daily human contact and safety checks, regular functional assessments and referrals to other needed community services with the goal of preventing premature hospitalization or institutional placement. Meals on Wheels helps older adults remain in their own homes and communities as long as it is safely possible.

According to Meals on Wheels America, more than 10 million (1 in 6) older adults struggle with hunger nationally. In California, that equates to more than 1.1 million, and in San Mateo County, 16,000 seniors face food insecurity. San Mateo County has an older population compared to many other California counties, and seniors continue to desire to age in place. Often seniors and adults with disabilities must choose among paying for housing, medication or food. Meals on Wheels alleviates the concern around nutrition, and the check-in by staff members and volunteers provides a measure of security. San Mateo County's population of age 60 and over is projected to increase 143% from 2010-2060, and 390% for 85 years and over. With increasing age comes the greater possibility of disability and need for assistance, so the demand for PVI services is certain to increase significantly. Last year, PVI delivered 180,000 meals to 1,200 San Mateo County seniors and adults with disabilities.

Meals on Wheels is partially funded by San Mateo County Aging and Adult Services with funds from the Older Americans Act and must adhere to the criteria set forth in the Act; therefore, meal recipients can only be requested to make a voluntary donation towards the cost of the program. San Mateo County funding does not cover the full cost of providing the meals. **A \$5,000 donation from the Town of Portola Valley will be used to help cover the unfunded portion of providing nutritious meals to homebound older adults.** Many of the meal recipients have a monthly income of \$1,200 or less and are unable to contribute to the program. Funding is needed to bridge the gap in support for this successful and vital program.

Sincerely,

Barbara Kalt
Grant Specialist
Peninsula Volunteers, Inc.
www.1pvi.org



PCRC

PENINSULA CONFLICT RESOLUTION CENTER

April 18, 2023

Town Manager
765 Portola Road
Portola Valley, CA
94028

Attention Town Manager,

Agreement for the Provision of Community Mediation Services

The Peninsula Conflict Resolution Center (PCRC), a 501(c)(3) public benefit corporation, wishes to provide conflict resolution services for the Town of Portola Valley.

The Peninsula Conflict Resolution Center is an independent contractor, organized in accordance with the laws of California, and is capable of performing the conflict resolution services described in this agreement.

PCRC and the Town of Portola Valley agree as follows:

SERVICES. The PCRC shall provide the services described in Exhibit A, attached to and made a part of this agreement.

FUNDING. Funding by the Town of Portola Valley shall be in advance and shall be \$2760.00 PCRC shall provide documentation to specify how the funds requested shall be spent, including such details as the Town of Portola Valley deems appropriate. Additional documentation may be requested by the Town.

CONTRACT TERM. This contract shall commence on July 1, 2023, and shall terminate on June 30, 2024, unless terminated before that time, as described in Paragraph 6 of this agreement.

PROGRAM REPORTS. A performance report shall be submitted annually (at year-end). This report shall include a description of all program activity related to this contract for the particular period.

BREACH OF CONTRACT. The Town of Portola Valley reserves the right to waive any and all breaches of this contract, any such waiver shall not be deemed a waiver of all previous or subsequent breaches. In the event the Town of Portola Valley chooses to waive a particular breach of this contract, it may condition said waiver on payment by PCRC of actual damages occasioned by such breach of contract. PCRC shall make every effort to resolve the breach quickly and amicably.



PCRC

PENINSULA CONFLICT RESOLUTION CENTER

TERMINATION. In the event the PCRC is unable to fulfill its responsibilities under this contract for any reason whatsoever, including circumstances beyond its control, the Town of Portola Valley may terminate this contract. Either party to this agreement may terminate this contract without cause by giving 10 days written notice to the other party. If the contract is terminated, PCRC shall return a prorated amount of funding to the Town of Portola Valley.

INTEREST OF PUBLIC OFFICIALS. No members, officers or employees, or agents of the Town of Portola Valley, no member of the City Council, and no other public official exercising any function or responsibility with respect to this program during his/her tenure, shall have any interest, direct or indirect, in this contract or a related subcontractor the proceeds thereof.

RELATIONSHIP OF PARTIES. It is expressly understood that PCRC is an independent contractor and that no agency, employee, or other relationship is intended to be or is established by this contract.

INSPECTION OF PROGRAM. It is understood that periodic review of PCRC's program may be necessary and the right to do so is reserved by the Town of Portola Valley.

ASSIGNABILITY. PCRC shall not assign in this agreement and shall not transfer any interest in the same, without the prior written consent of the

HOLD HARMLESS AND INSURANCE. PCRC agrees (1) to hold harmless and indemnify the Town of Portola Valley and its officers and employees from and against any and all claims, loss, liability, damage, and expense arising from the performance of this contract, including claims, loss, liability, damage, and expense caused or claimed to be caused by passive negligence of the City or its officers or employees. (2) to defend (Town of Portola Valley), its officers or employees there-against; provided however that this provision does not apply to claims, loss, liability, damage, or expense arising from (a) the sole negligence or willful misconduct of (Town of Portola Valley) or (b) the active negligence of (Town of Portola Valley). General liability and automobile liability insurance shall provide the following minimum benefits: (1) general liability, including comprehensive form, personal injury, broad form property damage, contractual and premises/ operation in limits of \$1,000,000, aggregate, bodily injury, and property damage combined; (2) automobile liability in limits of \$1,000,000, bodily injury and property damage combined. Additionally, workers' compensation insurance in at least the minimum statutory amounts shall be maintained. All liability insurance policies shall specify (Town of Portola Valley), its elective and appointed boards, commissions, officers, agents, and employees as additional insured. A certificate of insurance shall be provided to (Town of Portola Valley) prior to performance pursuant to this contract. It shall include policy endorsement verifying Town's additional insured status. Further, any changes in insurance, required herein must be approved in writing by the City Attorney's Office



PCRC

PENINSULA CONFLICT RESOLUTION CENTER

NONDISCRIMINATION. General: No person shall, on the basis of race, color, national origin, religious affiliation or non-affiliation, marital status, medical condition, sex, age, handicap, sexual orientation, or political affiliation be excluded from participation in, be denied the benefits or be subjected to discrimination, under this agreement.

Employment: PCRC shall ensure equal employment opportunity based on objective standards of recruitment, selection, promotion, classification, compensation, performance evaluation, and management relations, for all employees under this agreement. PCRC's personnel policies shall be made available to the Town of Portola Valley upon request.

PROJECT REPRESENTATION. PCRC and the Town of Portola Valley hereby designate the following agents to act as project representatives and receive all notices in the matters dealing with the performance of work, under this agreement.

DISPUTE RESOLUTION. If differences relating to this contract or the relationship between the contracting parties should arise during the term of this agreement, both parties will pursue resolution using an interest-based, non-adversarial coach and utilize the services of a neutral third-party mediator if direct negotiations are not successful.

ADDITIONAL PROVISIONS. Additional provisions, if any, are contained in Exhibit A, attached to this document.

In witness thereof, this agreement has been duly executed by the parties named above.

PENINSULA CONFLICT RESOLUTION CENTER
1670 S. Amphlett Blvd., Suite 115
San Mateo, California 94402
650.513.0330

By: _____ Date
Malissa Netane-Jones, Executive Director

By: _____ Date
Town Manager, Town of Portola Valley



Sustainable San Mateo County

Economy. Equity. Environment.

3182 CAMPUS DRIVE, #153, SAN MATEO, CA 94403

CHRISTINE@SUSTAINABLESANMATEO.ORG

WWW.SUSTAINABLESANMATEO.ORG

BOARD OF DIRECTORS

April 20, 2023

CHAIR

Terry Nagel
Town of Portola Valley

765 Portola Road

Portola Valley, CA 94028

VICE CHAIR

Kirsten Keith

SECRETARY

Seamus Murphy

TREASURER

Barbara McHugh

MEMBERS

John Crowell

Verónica Escámez

Valerie Fox Carlos

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Russ Miller

Mark Olbert

William Schulte

ADVISORY BOARD

Bryan Beck

Kaia Eakin

Chris Garrett

George Kreitem

Ricki McGlashan

Mark Moulton

Kan Parthiban

Sarah Prescott

EXECUTIVE DIRECTOR

Christine Kohl-Zaugg

STAFF

Executive Assistant

Jill Reed

IR Program Manager

Sarah Cassanego

Town of Portola Valley

765 Portola Road

Portola Valley, CA 94028

Dear Mayor Aalfs, City Manager Dennis, City Council Members and Sustainability Manager,

On behalf of Sustainable San Mateo County, thank you very much for your past contributions, which have enabled us to work toward our vision of a sustainable future for everyone in our county. Attached, please find our 2023-2024 funding request package, which includes:

- Introduction Letter
- Overview
- Funding Request
- Invoice
- Our most recent Indicators Report, on the topic of Building Electrification in San Mateo County, can be accessed on our website: www.sustainablesanmateo.org or you can [click here for direct access](#) (with both the full version of the report and a summary brochure available for download).

We would like to take this opportunity to cordially invite you and your staff to attend our first ever "Youth for Climate Policy" event, this coming Friday, April 21st. The event will feature State Senator Becker, former local mayors and student leaders. This free webinar, meant to empower our youth, is cosponsored by 350 Silicon Valley, Silicon Valley Youth Climate Action, Acterra, Citizens' Climate Lobby and Peninsula Clean Energy. The program will offer practical tips on how to connect with leaders at the city, county and state levels, advocate for policies at local government meetings and organize groups to propel positive climate action. For more information and to register, go to: tinyurl.com/Youth4ClimatePolicy.

For any questions, please do not hesitate to contact me.

Thank you for considering this request.

In Partnership,

FOUNDERS

Marcia Pagels

Ruth Peterson

Christine Kohl-Zaugg

Executive Director



**Sustainable
San Mateo County**
Economy. Equity. Environment.

<p>Request for Support Town of Portola Valley Sustainable San Mateo County FY 2023-24 Amount Requested: \$5,000</p>	<p>Sustainable San Mateo County 3182 Campus Drive, #153 San Mateo, CA 94403 Contact: Christine Kohl-Zaugg, Executive Director p: 650-918-1992 christine@sustainablesanmateo.org</p>
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Sustainable San Mateo County (SSMC) is requesting support for its programs for Fiscal Year 2023-24. Our goal is to have 100 percent participation from our cities and towns in financially supporting our programs – and we are very close to reaching this! Our programs are aimed at making San Mateo County vibrant and healthy for generations to come. Please note that we depend upon our cities and towns' financial contributions to allow us to continue to serve you and your residents. We very much appreciate all previous financial support and hope you are able to fund us at the full requested level to allow us to continue to deliver and expand our programs and positive impact on the ground.

Your support will allow us to continue to share best-in-class solutions of sustainability programs, practices and ordinances that will help guide your city toward a sustainable future that values a healthy environment, social equity and a green, thriving economy. SSMC promotes greater understanding that we are all part of a giant, interdependent and complex web of relationships that ensure a healthy and thriving world for us and for generations to come. We believe in the power of systems-thinking and a longer-range approach to solving issues facing our county.

Organizational Overview

Founded in 1992, over thirty years ago, SSMC is an independent nonprofit organization that is not affiliated with the San Mateo County Office of Sustainability. We are dedicated to stimulating positive community action on economic, environmental and social equity issues (the three “E’s” of sustainability) for our county. SSMC is well respected for providing accurate, timely, empowering, and accessible data and information as well as impactful sustainability solutions that your city can easily adopt.

SSMC's core programs, our Indicators Report and our annual Sustainability and Green Building Awards, provide information and inspiration to drive sustainability in San Mateo County at the local level. Both programs have been in place for over 20 years and provide each city and town in San Mateo County with metrics, data and local trends impacting our economy, environment, and society. Our recent 24th Awards event, on March 30th, was the first time we were able to return to an in-person event since 2019 and was a resounding success with close to 300 sustainability leaders attending. In keeping with the theme of the event, “*A hopeful future for our youth,*” SSMC honored three local high school students who have volunteered their time to make the county more sustainable. SSMC also partners closely with local government and a wide range of community organizations to promote sustainable policies, practices and programs, such as the RICAPS program, Peninsula Clean Energy, like-minded leading nonprofits, local Chambers of Commerce, the American Institute of Architects' local San Mateo chapter and the County's Office of Sustainability to cite a few.

We continue to update and expand the Sustainability Ideas Bank, which shares impactful, scalable, cost-effective and easy-to-replicate sustainability measures, ordinances and policies that local jurisdictions and businesses can adopt to accelerate sustainability. Our regular virtual Happy Hours series, which was launched when the pandemic hit, allows residents to stay connected and explore sustainability topics in a collaborative setting. Experts kick-start discussions on different subjects every month, with an average of 50+ people attending each Happy Hour. Our new Sustainability Dashboard helps cities measure their progress. Please check-out our website at: www.sustainablesanmateo.org to learn more. Last but not least: we take our responsibility to train and mentor the next generation of local sustainability leaders seriously, notably via our Summer Interns program. You can read more about this [here](#) or by going to: <https://sustainablesanmateo.org/2023/04/12/ssmc-seeks-summer-interns/>



Staffing

SSMC is growing! Currently, we have a part-time Program Manager who supports the Indicators Report, which helps cities shape and implement their sustainability goals. SSMC's Executive Director, which works full time, is involved in the strategic direction of the Indicators Report, as well as in editing, design consultation, website, and events development, planning, and outreach for the report. SSMC also has a part-time Executive Assistant who assists with administrative duties. We are currently actively looking for an additional FTE to help manage our Sustainability Dashboard and Sustainability Ideas Bank programs. In addition, approximately 30 individuals regularly volunteer for SSMC in various capacities. Our committees help with our Indicators Report, the Sustainability Dashboard Project, Communications, Fundraising and our annual Sustainability Awards Celebration and Auctions. Many of these volunteers have been continuously involved with the organization for years. In fact, some have even volunteered with our organization since its inception, more than thirty years ago! We also continue to work with and guide students from local schools and universities, including Nueva High School and Stanford University (Sustainable Cities course, with Professor Rick Kos).

Who We Serve

Sustainable San Mateo County serves the entire population of San Mateo County, close to 730,000 individuals (July 2022 census data). The information we provide is used by residents, researchers and leaders in government, business, and the nonprofit community. We make our Indicators Report available for free to all, including all elected leaders in local cities and towns, their staffs and sustainability coordinators; Chambers of Commerce; local nonprofit agencies and more. We estimate that we reach at least 5,000 people annually through the distribution of Executive Summaries, our online report and events, including our virtual Awards Celebration and Indicators Report Launch. Our website receives more than 30,000 hits per year, and we reach thousands of local participants through our newsletter, mailing list, social media sites, recorded events posted on our YouTube channel and virtual as well as in-person presentations and events. To ensure that SSMC stays relevant and continues to offer high-quality, useful programs to the cities it serves, we seek frequent feedback from key stakeholders.

How SSMC Will Use These Funds

SSMC will continue to track key sustainability metrics for cities in San Mateo County and examine one sustainability topic in depth each year. For 2023, our topic is "And How Are the Children? Evaluating the Wellbeing of Children, Youth, and Their Families in San Mateo County." Instead of asking one another "how are you?", the Masai people traditionally greet one another with a phrase that translates to "And how are the children?" This phrase underscores the idea that the health and sustainability of a community are dependent on the wellbeing of its children. This is what we'll look at closer for this year's Indicator Report.

Our vision going forward is to keep accelerating sustainability by continuing to share best-in-class examples of easy-to-replicate sustainability practices and policies by other cities, towns, counties, and businesses. In addition, we envision hosting a series of round tables with subject matter experts and interested parties to examine sustainability solutions at a deeper level and uncover additional solutions we can then share broadly via our Sustainability Ideas Bank. SSMC will continue to help local cities, towns, and the county assess their progress and craft sustainability goals based on input from community forums and interviews with local leaders. We publicize local stories of sustainability success in the media and at public events to amplify their impact and make them more visible. Funds received will help support a Program Manager who coordinates meetings with local cities and towns, volunteer researchers, writers, graphic designers, printing and dissemination of reports. In addition, these funds will help cover the costs of community meeting venues and materials, publicity, and outreach.

Our Primary Sources of Funding

San Mateo County and local cities and towns are the primary sources of funding for our research. Additional organizational support comes from foundations, corporate grants and generous individual donors.

Benefits to Your Organization

Many elected and appointed officials, as well as nonprofit and business leaders have told us they greatly value SSMC's contributions in helping them do their job. We've received lots of positive feedback about our Sustainability Ideas Bank, which is designed to help you implement new policies and programs easily. City leaders tell us they use our Indicators Report and



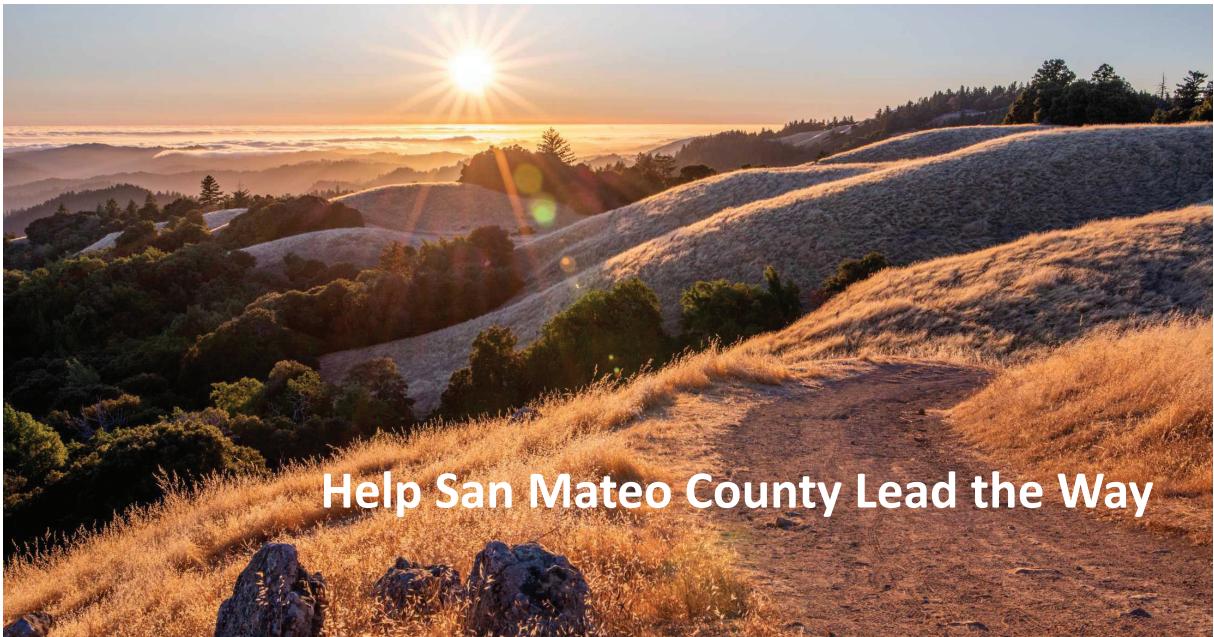
results from our Sustainability Dashboard to understand local conditions and trends, learn about successful policies and programs, and to provide data to demonstrate the need for new or expanded programs, services and/or policies to successfully address issues. You are encouraged to reference findings from our reports in your own presentations to highlight an area of need or make a case for a program or initiative. Charts and graphs are downloadable from our website, and our staff can assist you with interpreting the underlying data or questions. Our 2022 Indicators Report focused on the state of Building Electrification in our County. Both the full report as well as the summary brochure can be viewed [here](#) or at: <https://bit.ly/IR2022FullReportAndSummary>. Please note that we are happy to provide educational presentations to city and community groups upon request, as well as letters of support for programs whose goals align with ours. We also feature local cities' achievements at our Happy Hours. We are continually working to improve our programs and welcome your suggestions.

We are grateful for the ongoing financial support from local cities and towns like yours. Your 2023-24 contribution will enable us to continue to deliver high-quality, timely and relevant programs that foster and accelerate a sustainable future for your residents, organizations, and businesses, and continue to train our engaged youth, tomorrow's leaders. We hope you will approve our requested level to allow us to broaden and deepen our programs and give sustainability the voice and attention it truly deserves – now even more than ever!

Thank you for your time and consideration.

Yours sincerely,

Christine Kohl-Zaugg
Executive Director
Sustainable San Mateo County



IG: @mila_hofman; web: miladidit.com

Help San Mateo County Lead the Way

At this critical time for our planet, your contribution will help achieve the vision we share of a sustainable future for San Mateo County. With the pandemic, wildfires and extreme weather threatening our future, there's no time to lose in helping local cities, businesses and residents adopt sustainable practices. We believe our county can demonstrate to the rest of the country that it's possible to become environmentally sustainable while being socially responsible and also achieving economic prosperity.

We Are Making an Impact with 5 Key Initiatives

- Our popular **Awards Celebration** has honored sustainability champions and Green Building Award recipients each spring since 1999
- Our monthly **Happy Hours** offer participants a chance to chat with experts on a variety of topics in a fun online way
- Our new **Sustainability Dashboard** tracks sustainability in local cities and the county
- Our **Indicators Report**, produced annually since 1997, takes a deep dive into one critical sustainability issue each year
- Our **Sustainability Ideas Bank** compiles successful policies and programs implemented by cities and businesses that others can replicate without having to reinvent the wheel

What Others Say About SSMC



"SSMC is helping to catapult the county through research and metrics toward a greener, more inclusive future for all."

Leane Eberhart, Volunteer



"They are true stewards of our community."
Chris Garrett, Devil's Canyon Brewing Company Owner and SSMC Advisory Council Member



"SSMC strengthens our communities by making the transition to sustainable practices and policies easier."

Kai Kato, Stanford student and 2020 SSMC summer intern



"I really admire the work that they do because they draw in the equity piece that's so important, and they always strive for solutions that make economic sense."

Diane Bailey, Cofounder, Fossil Free Buildings in Silicon Valley



**Sustainable
San Mateo County**
Economy. Equity. Environment.

Learn more at <https://sustainablesanmateo.org>
advocacy@sustainablesanmateo.org or (650) 918-1992



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INVOICE

Sustainable San Mateo County
3182 Campus Drive, #153
San Mateo, CA 94403
Phone: 650-918-1992

INVOICE #	DATE
2023-132	4/19/23
FY 2023-2024	TERMS
Contribution	Net 30

BILL TO

Town of Portola Valley
765 Portola Road
Portola Valley, CA 94028

SHIP TO

DESCRIPTION	QTY	UNIT PRICE	AMOUNT
FY 2023-2024 Contribution to: Sustainable San Mateo County	1	5,000.00	5,000.00
<i>Thank you for your support!</i>		TOTAL	5,000.00

Please make all checks payable to: Sustainable San Mateo County
***PLEASE NOTE OUR UPDATED ADDRESS ABOVE**

For payment by Credit Card - please visit:
<https://sustainablesanmateo.org/donatevolunteer/>

Sustainable San Mateo County (SSMC) is a 501(c)(3) California public benefit corporation.
Contributions are tax deductible. SSCM's federal tax identification number is 48-1265207.

If you have any questions concerning this invoice, please use the following contact information:
Christine Kohl-Zaugg | christine@sustainablesanmateo.org | 650-918-1992



SUSTAINABLE
SILICON VALLEY

Box 2218
Sunnyvale, CA 94087

Invoice

Date	Invoice #
7/1/2023	1839

Bill To:
Town of Portola Valley 765 Portola Road Portola Valley, CA 94028 Town Manager Jeremy Dennis

P.O. No.	Terms	Due Date
	Due on Receipt	7/1/2023

Description	Amount
Government Membership Fee	1,000.00

Sustainable Silicon Valley is a non-profit organization pursuant to Section 501(c)(3) of the United States Internal Revenue Code and our tax ID is 56-2464045. Your donation to SSV may qualify for an income tax deduction in accordance with Federal and/or State income tax laws. Please consult with your tax advisor to determine whether your donation is tax deductible in whole or in part. Nothing in this communication is intended to constitute legal or tax advice.

Please make all checks payable to Sustainable Silicon Valley

Wire/ACH Information:
Wells Fargo Bank
Routing # 121042882
Account # 1005941917

Total \$1,000.00



TOWN OF PORTOLA VALLEY Committee / Commission Liaison Report

TO: Mayor and Members of the Town Council

FROM: Mary Hufty

DATE: April 25,2023

RE: Conservation Committee

Agenda and comments in red:

Discussion with Kim Giuliacci of WFPD (for Don Bullard who is at the district meeting) reviewed Ordinances 23-02 and 23-03 (as opposed to 22-02 and 22-03) Conservation alignment on clearing brush and other related issues, seeking guidance.

Discussed vegetation islands and corridors to be included in the ordinances.

Fire break- all vegetation has been removed. Feedback within the month. Next Board meeting is May 25th at the next Fire district Board meeting.

Fuel break- lower fuel volume grass to 3 inches every year before June 1st.

Zone 0- all native and all non-native must have 1 foot clearance

Recommended outreach to Sequoia Landscape Committee. Fire Code (buildings- needs to be Oked by TC) vs Fire Ordinances (vegetation- goes to the Fire District Board)

Subcommittee to review 880 Westridge formed.

OLD BUSINESS:

1. Oversight of Town-owned properties - Updates (Committee)
 - i. Frog pond – proposal for work-day prior to chipping, due week of 5/1
(Zimmerman)
 - ii. Springdown (Murphy),
 - iii. Town Center (Richards)

2. Budget requests for upcoming fiscal year – final review, Appendix A
3. Committee / Town Cooperation
 - i. Wildfire Prep Faire 4/22 – follow-up
 - ii. Public Works (Magill)
 - iii. Open Space Committee (Chiariello)

Town of Portola Valley – Conservation Committee Agenda April 25, 2023
Page **2** of **2**

- iv. Wildfire Preparedness Committee (Chiariello)
 - v. Trails and Paths (Coleman)
4. CC Routine Town Communications
 - i. Kudos (Plunder)
 - ii. Tip of the Month (Magill)
 - iii. What's Blooming Now? (Magill)
 - iv. Backyard Habitat
 5. Consolidated plants lists – final discussion of new Town Approved Plant List (Richards)

8. ADJOURNMENT

The next regularly scheduled meeting date is May 23, 2023, 7:00PM.



TOWN OF PORTOLA VALLEY Committee / Commission Liaison Report

TO: Mayor and Members of the Town Council

FROM: Mary Hufty - through discussion with Ed Holland and Howard Young

DATE: May 3,2023

RE: BPTS Committee

Comments in red:

4. SHERIFF'S REPORT:

- a. Traffic Citations, Accidents and other items of note from the Attached traffic Report b. Requests for Sheriff's Office attention pertaining to traffic and public safety
- c. Previous Sheriff's reports are attached, to serve the public record. **No sheriff present.**

5. PUBLIC WORKS UPDATE: Westridge Road- Cervantes to Alpine resurfacing is going to bid and Howard is working with a grant.

6. Discussion of Budget items for consideration. Discuss and propose amounts for categories including: \$1000 budget figure put in place for events

- a. Communication and outreach interested in reviewing their part of the General Plan and involvement in the Safety Element. Interested in reaching out to other committees for safe routes to school, etc.**

a. Reconnection with Safe Routes (Trails and Paths Committee, School District). Proposal to designate an active BPTS member for this effort

a. Bike to Wherever Day 18 May. Discussion of possible event.



TOWN OF PORTOLA VALLEY Committee / Commission Liaison Report

TO: Mayor and Members of the Town Council

FROM: Mary Hufty

DATE: May 3, 2023

RE: Planning Commission

Present Laura Russell, Jake Garcia, Nicholas Targ, Linda Brothers, Ronny Krashinsky, Anne Kopf-Sill, Jon Golden

1. Rotation of Chair and Vice Chair

Jon Golden was elected as Chair with Nicholas Targ elected as Vice Chair (Nicholas Targ abstained).

Jon Golden is recused from the Priory Project and Nicholas Targ and Anne Kopf-Sill are recused from the Stanford Project.

2. Preliminary review of an application for a new gym, new fitness center, an addition/remodel to the existing locker room (Gambetta Gym), an addition/remodel to an existing chapel and to discuss plans for a forthcoming Conditional Use Permit Amendment at Woodside Priory School. File # PLN_USE01-2023 (J. Garcia)

Revised plan has not been fully reviewed by staff due to time and the applicants presented their updated plan. ASCC has reviewed a previous iteration- as advised, the light spill from new building has been reduced in the newly presented plans. Conceptual plans from some of the building but not all of them. ASCC will review the final designs. In the CUP from 2001 a noise and traffic management plans was requested, which Targ was not sure has been completed. This will be deferred to the next hearing. Planning Commission did a field trip today. Building is 16 feet below t Joint use of facilities and town use of the educational facilities was discussed.

Headmaster grateful for their CUP and the celebration of the mission of the sPortola Road. hool. Exemplars in the town. Looking for early guidance in creating their vision for the next 20 years. The Commission has interest in giving the Priory an opportunity to get going on the road piece behind the new building site, which helps with traffic circulation and safety as well as the smaller remodel projects expeditiously depending on CEQA issues.

**There are no written materials for
this item**