



## Town of Atherton

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June 10, 2022

Dear Resident,

All California cities and counties are required to prepare a Housing Element as part of their General Plan for approval by the State of California. Housing Elements must show how the jurisdiction will meet their allocated share of the regional housing need. The Regional Housing Needs Analysis (RHNA) allocation for the Town over the next eight-year development period is 348 new housing units. The Town, via the Housing Element, must identify exactly how the community will meet this housing production mandate. The Town's Housing Element is required to be certified by the State by January 1, 2023. Failure to adopt a Housing Element that can be certified by the State Housing and Community Development Department (HCD) can result in fiscal penalties and land use penalties that will impede the Town's ability to regulate its own local land use and permitting.

The Town's Draft Housing Element for the 2023-31 cycle is now available online. You can view the Draft Housing Element on the Town's website and submit a comment:

<https://www.ci.atherton.ca.us/627/Housing-Element-Update>

The Town has identified several programs to achieve its required RHNA production including new accessory dwelling unit construction (ADUs); lot splits and new development under State Senate Bill 9 (SB9); new housing at school sites; and a new multi-family overlay zone. The multi-family overlay zone is a conservative approach that does not change the fundamental underlying zoning of a property; but the overlay does allow for future development of a property at densities greater than a single-family home. In most cases, those densities will be upscale townhome style development surrounded by shared open space; or smaller, single-family homes. The Town would retain maximum discretion on how those properties are developed (height, setbacks, floor area, etc.). On the contrary, SB 9 allows nearly any parcel in Town to be subdivided into two parcels with a single-family home and ADU on each parcel. In the case of an SB 9 split, the Town has less discretion and control.

Because the multi-family overlay zone is a new concept for the Town, the City Council has been conservative in the identification of parcels that might provide future opportunities for development. It is not expected that any of the parcels develop using the overlay density. The Town does not and cannot force development to occur. Further, even though a parcel is developable at a higher density, such as 10 units per acre, the ultimate development that occurs may be far less. To satisfy the requirements of the State mandate, the Town must identify and to

some degree through programs and policies encourage housing production. The City Council believes that development of accessory dwelling units and school/faculty housing is likely the best approach for the Town. Such development will require that the Town drill down further on actual rental of that housing through proactive policies to regulate and monitor its use. However, HCD is unlikely to support ADUs as the Town’s primary compliance measure. Therefore, the City Council has identified a few properties to consider as part of a multi-family overlay zoning plan.

The new overlay zone would permit the existing single-family use to remain as a legal use of the property. It also provides an opportunity to develop new multi-family housing if desired by the property owner, up to the densities listed in the table below. There is no requirement for these properties to develop and it is not anticipated that every parcel within the overlay zones will develop to the maximum extent during the eight-year Housing Element cycle.

Sites identified for the multi-family housing overlay zone are listed below. This letter is being sent to both the owners of property listed below and properties within 500’ of these sites.

Address	Proposed density	Maximum development potential
23 Oakwood	16 units/acre	26 units
170 Atherton	8 units/acre	32 units
290 Polhemus	8 units/acre	40 units
97 Santiago	6 units/acre	9 units
264 Bay	6 units/acre	6 units
296 Bay	6 units/acre	6 units
318 Bay	6 units/acre	6 units
352 Bay	6 units/acre	6 units
999 Ringwood	6 units/acre	6 units

As noted above, the Draft Housing Element is available on the Town’s website for review and comment through **July 11, 2022**. At the close of the comment period, the City Council will review the Draft Housing Element and any submitted comments at their **July 20, 2022** Regular Meeting. Once the Draft is approved by the Council it will be transmitted to HCD for its preliminary review. Staff will then revise the document to address HCD’s comments for consideration by the Planning Commission and City Council by the end of this year. It is anticipated that this will be an iterative process of draft, comment, review and revise before the Town is ultimately successful in achieving a compliant Housing Element from the State.

If you have any questions or comments on the Housing Element update process or the multi-family overlay zones, please contact Ralph Robinson, Associate Planner, at [rrobinson@ci.atherton.ca.us](mailto:rrobinson@ci.atherton.ca.us) or 650-752-0544.

ATHERTON CITY COUNCIL

*/s/ George Rodericks*  
George Rodericks, City Manager