



Item No. 10 Town of Atherton

CITY COUNCIL STAFF REPORT – CONSENT AGENDA

**TO: THE HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

**FROM: LISA COSTA SANDERS, TOWN PLANNER
NEAL MARTIN, PLANNING CONSULTANT**

DATE: MARCH 18, 2020

**SUBJECT: 2019 ANNUAL REPORT TO THE CITY COUNCIL ON THE ATHERTON
GENERAL PLAN IMPLEMENTATION**

RECOMMENDATION

Accept the Annual Report and authorize its transmittal to the California Governor's Office of Planning and Research and the California Department of Housing and Community Development pursuant to Section 65400 of the California Government Code (CGC).

BACKGROUND

The State of California Government Code 65400 et seq requires the preparation of an annual report to the local legislative body, the California Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD) describing the following:

1. The status of the local general plan and progress in its implementation.
2. The progress in meeting its share of regional housing needs.
3. The degree to which the local general plan complies with the adopted OPR guidelines.
4. The date of the last revision to the local general plan.

2020 ANNUAL REPORT

Status of the Atherton General Plan and Progress in its Implementation

The Land Use, Circulation, Open Space and Conservation, Noise, and Community Safety Elements of the Atherton General Plan were updated between 2017 and 2020 and adopted by the City Council on January 15, 2020. The Housing Element Update 2014-22, which is the only element required to

be reviewed by HCD, has been found to be “In compliance” with the HCD review criteria. The Atherton City Council adopted the 2014-2022 Housing Element Update on March 18, 2015.

Atherton is essentially built out in accordance with the policies stated in the General Plan. The Sphere of Influence as adopted by the San Mateo Local Agency Formation Commission is coterminous with the current City Limits. Essentially all of the existing parcels of land have been developed with land uses consistent with the General Plan. All of the streets and highways described in the General Plan are developed to their planned capacity. The entire infrastructure needed to serve the planned land uses and population is in place with sufficient capacity to accommodate the planned land uses and population.

Progress in meeting Atherton’s Share of Regional Housing Needs

CGC Section 65400(a)(2)B provides: “The housing element portion of the annual report ... shall be prepared through the use of forms and definitions adopted by the Department of Housing and Community Development ...” The tables provided in Attachment 1 describe the progress made in meeting Atherton’s share of regional housing needs.

Degree to which the Atherton General Plan complies with the Adopted OPR Guidelines

OPR adopted General Plan Guidelines in 2003 for use by local jurisdictions in the preparation of their general plans. The Guidelines were updated in 2017. The Guidelines are permissive, not mandatory and are quite extensive. According to Staff analysis, the 2019 Atherton General Plan is in compliance with the adopted OPR Guidelines.

Date of the Last Revision to the Atherton General Plan

The last revision to all elements except the Housing Element of the Atherton General Plan was adopted by the City Council on January 15, 2020. The 2014-2022 Housing Element Update was adopted on March 18, 2015.

POLICY FOCUS

The State of California Government Code Section 65300 requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city. Government Code 65400 et seq requires the preparation of an annual report to the local legislative body, the California Governor’s Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD) describing the status of the plan and progress in its implementation, the progress in meeting its share of regional housing needs, the degree to which the local plan complies with the adopted OPR guidelines, and the date of the last revision to the plan. This report is intended to comply with the requirement. There are no other outstanding policy issues related to this report.

PUBLIC NOTICE

| | | |
|----------------|----------|--------------------|
| Jurisdiction | Atherton | |
| Reporting Year | 2019 | (Jan. 1 - Dec. 31) |

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Note: "*" indicates an optional field
 Cells in grey contain auto-calculation formulas

| Table A2 Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units | | | | | | | | | | | | | | | | | | | | | | | |
|---|-------------|-----------------|---------------|---------------------------------|--|-------------------------|--|-------------------------------------|----------------------------|--------------------------------|---------------------------------|-------------------------------------|-----------------------|---------------------------|---|---------------------------------|-------------------------------------|----------------------------|--------------------------------|---------------------------------|-------------------------------------|-----------------------|--|
| Project Identifier | | | | | Unit Types | | Affordability by Household Incomes - Completed Entitlement | | | | | | | | Affordability by Household Incomes - Building Permits | | | | | | | | |
| 1 | | | | | 2 | 3 | 4 | | | | | | | | 5 | 6 | 7 | | | | | | |
| Prior APN* | Current APN | Street Address | Project Name* | Local Jurisdiction Tracking ID* | Unit Category (SFA,SFD,2 to 4,5H,ADU,MH) | Tenure R=Renter O=Owner | Very Low-Income Deed Restricted | Very Low-Income Non Deed Restricted | Low-Income Deed Restricted | Low-Income Non Deed Restricted | Moderate-Income Deed Restricted | Moderate-Income Non Deed Restricted | Above Moderate-Income | Entitlement Date Approved | # of Units issued Entitlements | Very Low-Income Deed Restricted | Very Low-Income Non Deed Restricted | Low-Income Deed Restricted | Low-Income Non Deed Restricted | Moderate-Income Deed Restricted | Moderate-Income Non Deed Restricted | Above Moderate-Income | |
| Summary Row: Start Data Entry Below | | | | | | | 0 | 8 | 0 | 2 | 0 | 0 | 0 | | 10 | 0 | 8 | 0 | 2 | 0 | 0 | 19 | |
| | 061-103-090 | 2 Rosewood | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 061-103-090 | 2 Rosewood | | | ADU | R | | | | | | | | | | | | | | | | | |
| | 070-539-030 | 216 Park Ln | | | ADU | R | | 1 | | | | | | 8/13/2019 | | 1 | | | | | | | |
| | 074-012-330 | 307 Walsh | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 061-032-120 | 250 Catalpa | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 061-340-170 | 4 Surrey | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 061-340-170 | 4 Surrey | | | ADU | R | | | | | | | | | | | | 1 | | | | | |
| | 070-142-100 | 83 Linda Vista | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 060-323-070 | 41 Maple | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 060-323-070 | 41 Maple | | | ADU | R | | | | | | | | | | | | | | | | | |
| | 070-040-120 | 2 Fleur | | | SFD | O | | | | | | | | | | 1 | | | | | | | |
| | 069-304-060 | 18 Louden | | | ADU | R | | 1 | | | | | | 1/4/2019 | | | | | | | | 1 | |
| | 074-040-190 | 89 Tallwood | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 070-050-010 | 395 Selby | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 070-230-100 | 40 Isabella | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 070-230-100 | 40 Isabella | | | ADU | R | | | | | | | | | | | | | | | | 1 | |
| | 061-260-040 | 73 Parkwood | | | SFD | O | | | | | | | | | | 1 | | | | | | 1 | |
| | 061-260-040 | 73 Parkwood | | | ADU | R | | | | | | | | | | 1 | | | | | | 1 | |
| | 070-371-090 | 2 Douglass | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 070-371-090 | 2 Douglass | | | ADU | R | | | | | | | | | | | | | | | | | |
| | 070-270-400 | 11 Cowell | | | ADU | R | | | 1 | | | | | 6/18/2019 | | 1 | | | | | | | |
| | 070-060-070 | 111 Almondral | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 070-060-070 | 111 Almondral | | | ADU | R | | | | | | | | | | | | 1 | | | | | |
| | 059-311-110 | 29 Stockbridge | | | ADU | R | | 1 | | | | | | 6/11/2019 | | 1 | | | | | | | |
| | 070-180-110 | 83 Faxon | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 070-151-050 | 46 Linda Vista | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 070-151-050 | 46 Linda Vista | | | ADU | R | | | | | | | | | | | | | | | | | |
| | 070-270-360 | 30 Cowell | | | SFD | O | | | | | | | | | | 1 | | | | | | 1 | |
| | 070-090-410 | 59 Almondral | | | SFD | O | | 1 | | | | | | 8/13/2019 | | | | | | | | | |
| | 060-172-290 | 77 Marsh | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 060-172-290 | 77 Marsh | | | ADU | R | | | | | | | | | | 1 | | | | | | | |
| | 070-040-640 | 239 Polhemus | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 070-032-400 | 265 Polhemus | | | SFD | O | | | | | | | | | | | | | | | | 1 | |
| | 070-032-400 | 265 Polhemus | | | ADU | R | | | | | | | | | | 1 | | | | | | | |
| | 060-210-020 | 74 Middlefield | | | SFD | O | | | | | | | | | | | | | | | | | |
| | 061-092-030 | 189 Greenoaks | | | SFD | O | | | | | | | | | | | | | | | | | |
| | 073-212-050 | 54 Reservoir | | | SFD | O | | | | | | | | | | | | | | | | | |
| | 059-292-180 | 166 Almondral | | | ADU | R | | 1 | | | | | | 3/5/2019 | | 1 | | | | | | | |
| | 073-213-140 | 6 Knoll Vista | | | ADU | R | | | 1 | | | | | 9/27/2019 | | | | | | | | 1 | |
| | 073-360-090 | 98 Leon | | | ADU | R | | | 1 | | | | | 10/17/2019 | | | | | | | | 1 | |
| | 059-293-010 | 101 Stockbridge | | | ADU | R | | | | 1 | | | | 12/4/2019 | | | | | | | | 1 | |
| | 070-031-010 | 349 Fletcher | | | ADU | R | | | 1 | | | | | 12/17/2019 | | | | | | | | 1 | |

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| Jurisdiction | Atherton | |
| Reporting Year | 2019 | (Jan. 1 - Dec. 31) |

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
 Please contact HCD if your data is different than the material supplied here

| Table B | | | | | | | | | | | | | |
|--|---------------------|---------------------------------|------|------|------|------|------|------|------|------|------|---------------------------------|--------------------------------------|
| Regional Housing Needs Allocation Progress | | | | | | | | | | | | | |
| Permitted Units Issued by Affordability | | | | | | | | | | | | | |
| | | 1 | 2 | | | | | | | | 3 | 4 | |
| Income Level | | RHNA Allocation by Income Level | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | Total Units to Date (all years) | Total Remaining RHNA by Income Level |
| Very Low | Deed Restricted | 35 | 12 | | | | | | | | | 34 | 1 |
| | Non-Deed Restricted | | | 5 | 6 | 3 | 8 | | | | | | |
| Low | Deed Restricted | 26 | | | | | | | | | | 12 | 14 |
| | Non-Deed Restricted | | | 3 | 5 | 2 | 2 | | | | | | |
| Moderate | Deed Restricted | 29 | | | | | | | | | | 3 | 26 |
| | Non-Deed Restricted | | | 2 | | 1 | | | | | | | |
| Above Moderate | | 3 | | 5 | 25 | 28 | 19 | | | | | 77 | |
| Total RHNA | | 93 | | | | | | | | | | | |
| Total Units | | | 12 | 15 | 36 | 34 | 29 | | | | | 126 | 41 |

Note: units serving extremely low-income households are included in the very low-income permitted units totals
 Cells in grey contain auto-calculation formulas

Table D**Program Implementation Status pursuant to GC Section 65583****Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

| 1 | 2 | 3 | 4 |
|--|---|-------------------------|---|
| Name of Program | Objective | Timeframe in H.E | Status of Program Implementation |
| Sec. 3.612 Market Rate Housing Construction | 3 new Above Market units | 2015-22 | Five net new units constructed this year. Objective met and exceeded. |
| Sec. 3.621 Second Dwelling Unit (ADU) Program | 40 new Moderate to Extremely Low Income Units | 2015-22 | Ten ADU's constructed and an additional 10 ADU's entitled in 2019. A total of 49 ADU's have been constructed and an additional 10 ADU's entitled from 2019. Objective met and exceeded. |
| Sec. 3.631 Faculty and Student Housing Program | 27 new faculty units and 63 new student housing units in extremely low to moderated income ranges | 2015-22 | Market failed to construct any faculty or student units during this year. |
| Sec. 3.641 Continue to facilitate and expedite the rehabilitation and conservation of existing units | On-going permit issuance | 2015-22 | Over 100 permits issued this year for improvement, rehabilitation and conservation of existing units. |
| Sec. 3.651 Housing Opportunities for handicapped and low and moderate income and homeless | Enforce UBC regulations for handicapped access | 2015-22 | On-going program |
| Sec. 3.661 Meeting the needs of seniors | Enforce UBC regulations for handicapped access, support conservation of senior housing | 2015-22 | On-going program |
| Sec. 3.671 Non-discrimination in housing | Eliminate discrimination in housing to the extent feasible through Town actions | 2015-22 | On-going program |

Analysis of Atherton General Plan (AGP) with Adopted Office of Planning and Research (OPR) Guidelines
 February 17, 2020

| OPR Guideline Requirement (to the extent that it is relevant)¹ | Reference or Comment | Degree of Compliance |
|--|---|-----------------------------|
| Contains all 7 mandatory elements | AGP contains Land Use, Circulation, Housing, Open Space and Conservation, Noise and Community Safety Elements. | Full |
| Plan is integrated and internally consistent | All elements include a section entitled “Relation to Other Elements” describing how each is integrated and internally consistent. | Full |
| Land Use Element | | |
| Contains a Land Use Diagram in sufficient detail to describe land use proposals | AGP contains a Land Use Diagram with sufficient detail to describe land use proposals. Pg. LU-17 | Full |
| Shows distribution of housing, business and industry | AGP Land Use Diagram shows proposed residential, parks, open spaces, public facilities and schools uses. Business and industry are not permitted in Atherton. Pg. LU-17 | Full |
| Distribution of open space including agriculture | AGP Land Use Diagram shows proposed open space uses. There is no agricultural land in Atherton, however, the topic is addressed. Pg. LU-17 | Full |
| Distribution of mineral resources | There are no mineral resources in Atherton, however, the topic is addressed. | Full |
| Distribution of recreation facilities and opportunities | AGP Land Use Diagram, pg. LU-17, the Land Use Element text, pg. LU-9-10, and the Open Space and Conservation Element, pg. OSC-52-56 describe the distribution of recreation facilities and opportunities. | Full |

¹ Language from the OPR Guidelines.

| | | |
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| Location of education facilities | AGP Land Use Diagram, pg. LU-17, the Land Use Element text, pg. LU-11, and the Open Space and Conservation Element text pg. OSC-56 describe the location of education facilities. | Full |
| Location of public buildings and grounds | AGP Land Use Diagram, pg. LU-17, the Land Use Element text, pg. LU-10-11 describe the location of public buildings and grounds. | Full |
| Location of solid and liquid waste facilities | The Land Use Element text, pg. LU-12-13 describes the location of solid and liquid waste facilities. | Full |
| Identification of areas subject to flooding | The Land Use Element text, pg. LU-13 identifies areas subject to flooding. | Full |
| Identification of Timber Preserve Zone lands | There are no Timber Preserve Zone lands in Atherton. | N/A |
| Contains standards for population intensity and building intensity | The Land Use Element text and table, pg. LU-9 contains standards for population intensity and building intensity. | Full |
| Circulation Element | | |
| Contains definitions and descriptions of: | | |
| Major thoroughfares | The Circulation Plan Diagram, pg. CIR-36 and the Circulation Element text, pg. CIR-20, 27-29 define and describe major thoroughfares; freeways, highways, minor arterials, collectors, local streets and street standards. | Full |
| Transportation routes | The Circulation Plan Diagram, pg. CIR-36 and the Circulation Element text, pg. CIR-20-26 defines and describes transportation routes. | Full |
| Terminals | The Circulation Element text, pg. CIR-25, defines and describes the local rail terminals. | Full |

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| Other local public utilities and facilities including railroads, airports and parking. | The Circulation Element text, pg. CIR-20-26 defines and describes scenic roadways, transit and rail traffic, bicycle and pedestrian facilities. There are no airports close to Atherton. | Full |
| Housing Element | | |
| See Attachment 1 | | |
| Open Space and Conservation Element | | |
| The Conservation Element should address water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals and other natural resources. | There are no rivers, harbors, fisheries or commercial mineral resources in Atherton. The AGP Open Space and Conservation Element text, pg. OSC-53-56 addresses protection of scenic resources, significant stands of natural vegetation, wildlife habitat, sensitive environmental resources (e.g. streambeds), and archaeological resources. | Full |
| The Open Space Element should address open space for the preservation of natural resources, for the managed production of resources, for outdoor recreation, for public health and safety, for military support and for tribal resources. | AGP Open Space and Conservation Element text, pg. OSC-53-56, the Land Use Diagram, pg. LU-17 and the Land Use Element text, pg. LU-9-10 address open space for the preservation of natural resources, for the managed production of resources, for outdoor recreation, for public health and safety, for military support and for tribal resources. | Full |
| The Open Space Element should contain an open space action program | AGP Open Space and Conservation Element text, pg. OSC-66-67 contains an Open Space Action Program. | Full |
| Noise Element | | |
| Issues to be addressed include: | | |
| Major noise sources, both mobile and stationary | AGP Noise Element text, pg. NOI-40-42 describes the major community noise sources. | Full |

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|--|---|------|
| Existing and projected levels of noise and noise contours for major noise sources | AGP Noise Element Existing and Future Noise Contours diagrams, pg. NOI-47 & 48 provide existing and projected noise contours for major noise sources. | Full |
| Existing and projected land uses and locational relationship to existing and projected noise sources | AGP Noise Element text, pg. NOI-42-43 describes the existing and projected land uses and locational relationship to existing and projected noise sources | Full |
| Existing and proposed sensitive receptors, including hospitals, convalescent homes, schools, churches and sensitive wildlife habitat | AGP Noise Element Table N-2, pg. NOI-42 describes standards for sensitive receptors, including hospitals, convalescent homes, schools, churches and sensitive wildlife habitat | Full |
| The extent of “noise problems in the community” | AGP Noise Element text, pg. NOI-43-44 describes the extent of “noise problems in the community” | Full |
| Method of noise attenuation | AGP Noise Element text, pg. NOI-45-46 describes noise mitigation measures. | Full |
| Implementation measures and possible solutions that address existing and foreseeable noise problems | AGP Noise Element text, pg. NOI-45-46 describes implementation measures and possible solutions that address existing and foreseeable noise problems | Full |
| Community Safety | | |
| Issues to be addressed include: | | |
| Seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure | AGP Community Safety Element text, pg. CS-72-74 addresses seismically induced surface faulting, ground shaking, ground failure, tsunami, water waves (seiche), and dam failure. | Full |
| Slope instability leading to mudslides and landslides | AGP Community Safety Element text, pg. CS-75 addresses slope instability leading to mudslides and landslides. | Full |

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|---|---|------|
| Subsidence, liquefaction, and other seismic hazards identified on seismic hazard maps | AGP Community Safety Element text, pg. CS-75 addresses subsidence, liquefaction, and other seismic hazards identified on seismic hazard maps. | Full |
| Flooding | AGP Community Safety Element text, pg. CS-75-76 addresses flooding. | Full |
| Wildland and urban fires | AGP Community Safety Element text, pg. CS-76-77 addresses major fire incidents. | Full |
| Evacuation routes | AGP Community Safety Element text, pg. CS-78 & 80 addresses evacuation routes. | Full |
| Peak load water supply requirements | AGP Community Safety Element text, pg. CS-78 addresses peak load water supply requirements. | Full |
| Minimum road widths and turnouts | AGP Circulation Element text, pg. CIR-29 addresses minimum road widths. | Full |
| Clearances around structures | AGP Community Safety Element text, pg. CS-76-77 addresses clearances around structures including defensible spaces, home ignition zones and weed abatement. | Full |