

November 1, 2023

Town of Atherton
City Council and Planning Commission
80 Fair Oaks Lane
Atherton, CA 94027

Re: Comments on Multifamily Housing Objective Design and Development Standards

Dear Mayor Widmer and Honorable Council Members and Commissioners:

My name is David Arata, and my family and I own the 23 Oakwood property located in the Town of Atherton (“Town”). We write to express our continued interest in supporting the Town’s housing production goals by developing a residential project on their property. We have been following with interest the Town’s 2023-2031 Housing Element update process and the associated efforts to develop objective design and development standards. We commend the Town on taking the first steps towards achieving its housing goals, and we look forward to working with the Town to advance plans that will facilitate delivery of much needed housing during the planning period.

Based on community feedback received on the Town’s process to date, we understand there is a general desire for new development to conform to existing standards to the greatest extent possible and for new development to visually blend in with existing single family homes. Mr. Arata shares these goals, and supports the Town’s efforts to adopt objective development standards that will add predictability to the development process going forward.

However, as recognized on page 7 of the staff report, “greater flexibility from [adopted standards] may be required to facilitate future development.” It is important that the effort to codify objective development standards does not become so prescriptive that it eliminates a future developer’s flexibility to design and deliver a feasible product type. While we do not specifically object to the large house typology that was presented in the October 23, 2023 Community Workshop, we have concerns that this development style may ultimately not be financeable or meet the market demand for higher-density homes in the Town.

As the Council and the Planning Commission consider the questions raised by staff on page 11 of the staff report, we encourage you to provide direction to examine other typologies that consider feasibility to ensure that new standards do not rule out future development. In particular, we think the Town should allow both multifamily dwellings and detached homes in the RM-10 zone, provided that a proposed project meets the minimum density standard of 10 dwelling units per acre.

We note that the State Legislature has recently taken steps to encourage small lot subdivisions in an effort to create more accessible ownership opportunities for residents. (*See, e.g.,* Senate Bill 9 (Atkins, 2021); Assembly Bill 803 (Boerner Horvath, 2021)). This reflects the

understanding that both rental and ownership opportunities are needed to address the state's housing demands, and that a lack of accessible ownership opportunities is preventing some potential residents from accessing housing. Provided that minimum density standards are maintained, allowing a developer the option of providing attached or detached homes will help result in a product type that is more aesthetically similar to existing development within the Town while still creating new homes that comply with local and state requirements for density, affordability, and housing choices that affirmatively further the Town's fair housing obligations.

Finally, we ask that you provide direction to staff to continue coordinating with us to ensure that when it comes time to present you with more refined options to adopt, the resulting objective development standards will be informed by what we actually can develop, ensuring that you see homes being produced, not simply plans that sit on a shelf.

We hope that as the Town works to achieve a fully certified Housing Element and adopt development standards to implement its plan, it enhances the feasibility of development with standards that reduce – rather than create – constraints on property owners that are interested in helping the Town successfully meet its housing obligations.

Thank you for your consideration, and we look forward to working with you and Town staff as this process continues.

Sincerely,

David Arata