

ATTACHMENT 4

PLANNING COMMISSION RECOMMENDED REVISIONS

3.400 Housing Resources

Multifamily Rezonings

Two new multifamily **overlay** zoning districts are proposed to be adopted following Housing Element certification to provide a range of housing opportunities to the community. The RM 20 Multifamily District permits multifamily residential uses by right with a maximum density of 20 dwelling units per acre and the RM 10 Multifamily District permits multifamily residential uses by right with a maximum density of 10 dwelling units per acre.

The new multifamily zoning districts will allow heights up to 40 feet, adequate setbacks to accommodate the maximum density, parking standards and objective design standards. In addition, to support the development of multifamily housing ~~within the RM 20 Multifamily District~~, the Town will adopt a lot consolidation **incentive** program to facilitate consolidation of properties and new housing development. This incentive program will include outreach to property owners, an expedited process and waiver of planning review fees.

The ~~19-111~~ properties ~~listed below~~ **shown on the map below** were prioritized for rezoning because they meet one or more of the following criteria: 1) are close to existing commercial or multi-family residential development, 2) close to denser residential development, 3) within ½-mile of multi-modal transit, 4) along a State Highway or Town Arterial, or 5) have developer interest.

Multifamily **overlay** rezone properties:

RM-20: El Camino Real from Town limits to Town limits. Includes 88 properties.

RM-10: Valparaiso Road from El Camino Real to Camino Por Los Arboles. Includes 22 properties.

Multifamily rezone property:

RM-10: 23 Oakwood (one property approximately 1.6 acres in area)

	Address	Lot Size	Density	Development Potential
1	97 Cebale	0.37 acre	20 units per acre	3 units

2	98 Cebale	0.34 acre	20 units per acre	3 units
3	94 Cebale	0.41 acre	20 units per acre	4 units
4	75 Cebale	0.934 acre	20 units per acre	9 units
5	8 Selby Lane	0.37 acre	20 units per acre	3 units
6	2 Selby Lane	0.33 acre	20 units per acre	3 units
7	1 Gresham Lane	0.32 acre	20 units per acre	3 units
8	25 Gresham Lane	0.32 acre	20 units per acre	3 units
9	37 Gresham Lane	0.32 acre	20 units per acre	3 units
10	49 Gresham Lane	0.32 acre	20 units per acre	3 units
11	61 Gresham Lane	0.32 acre	20 units per acre	3 units
12	73 Gresham Lane	0.32 acre	20 units per acre	3 units
13	85 Gresham Lane	0.32 acre	20 units per acre	3 units
14	97 Gresham Lane	0.32 acre	20 units per acre	3 units
15	99 Gresham Lane	0.41 acre	20 units per acre	4 units

16	182 El Camino	0.34 acre	20 units per acre	3 units
17	190 El Camione	0.34 acre	20 units per acre	3 units
18	2 Stockbridge	0.24 acre	20 units per acre	2 units
19	23 Oakwood	1.62 acres	10 units per acre	16 units

The new multifamily districts are further described in Section 3.811 - Housing Programs.

3.416 Zoning Appropriate to Accommodate the Development of Housing Affordable to Lower Income Households

A second source of housing affordable to lower income households is construction of new multifamily housing on private properties. ~~110 Nineteen (19)~~ properties have been identified for rezoning to multifamily **overlay** zoning with densities of 20 units per acre and 10 units per acre **and one property has been identified with upzoning to 10 units per acre..** The Town will also adopt an Inclusionary Zoning Ordinance that would require a minimum of 20% of the multifamily units to be affordable to lower-income households. It is projected that ~~27~~ **43** new **multifamily** housing units ~~affordable~~ **available for** above moderate-income households will be constructed on these properties during the 6th RHNA cycle, and ~~8~~ **12** units would be constructed affordable to lower-income households pursuant to the Inclusionary Zoning ordinance. The Town will also adopt a lot consolidation program to work with property owners to consolidate lots within the RM 20 **and RM 10** Zoning Districts and facilitate new multifamily housing development. In addition to providing housing opportunities to lower income households, new accessible units will also be constructed to provide housing resources for disabled households.

3.420 Analysis of Zoning that Encourages and Facilitates a Variety of Housing Types

Currently, multifamily rental housing and single-room occupancy units are permitted in the PFS zones when included in an approved master plan and with a use permit. **The** Town will amend the zoning code to allow development of multifamily rental housing by right at 20 units per acre or more **within the PFS Zone as well as a 40 unit per acre overlay at Menlo College;** and adopt two new multifamily **overlay** zoning districts, RM 20 and RM 10 on ~~nineteen~~ **110** private properties **and one multifamily upzone zoning district RM 10 at 23 Oakwood.** The rezoning to allow multifamily housing by right within the PFS zone will remove the private school master plan and use permit process and will streamline the review and approval process for new multifamily housing. Further, the creation of new

RM 20 and RM 10 **overlay** zoning **and upzoning** districts will permit multifamily housing by right subject to objective design guidelines. Adding ~~two~~ **three** new multifamily zoning districts **with numerous properties identified** in addition to the upzoning at the private schools will encourage and facilitate a variety of housing types available to the community including lower income and accessible units. The creation of these new zoning districts is a substantial step in affirmatively furthering fair housing in Atherton and providing a diversity of housing options for the community.

3.800 Housing Programs

3.811 New Construction of Above Moderate Income Units

B. New Single Family Housing Development from SB 9 Implementation

To further incentivize lot splits and new housing development under SB 9 and remove barriers, the Town will amend the zoning code to remove the residency restriction for lots greater than 40,000 square feet in area.

C. New Multi-family Housing Development the Town of Atherton, since its incorporation in 1923, has been a residential community with no commercial entities except public and private schools. The early Town residents favored preservation of heritage trees and abundant open space and developed larger estate lots. The current minimum density is one residence per acre with the Town encouraging development of ADUs and JADUs on single family properties. Recognizing the extreme housing shortage in California and the San Francisco Peninsula, the Town desires to do its part in meeting the assigned RHNA production through rezoning nineteen single family properties to multifamily. This is a dramatic departure from the Town's historic development pattern.

The Town will create two new multifamily **overlay** zoning districts, RM 20 and RM 10, **and one new multifamily zoning district** permitting multifamily housing development at densities of 20 dwelling units per acre and 10-units per acre with heights up to 40 feet and adequate setbacks to accommodate the maximum density. Multifamily housing will be allowed by right, provided that each project is consistent with adopted objective design standards. ~~Nineteen~~ **111** single family properties have been identified for rezoning to multifamily (~~Table HE-14~~ **Maps**).

The Town will develop objective design standards that support new multifamily housing development in an inclusive manner with existing single-family residences. The Town will also adopt an Inclusionary Housing Ordinance to restrict 20% of the new multifamily units as affordable. With the affordable housing requirement, these projects will also be able to take advantage of Density Bonus provisions that provides additional housing units, waivers and concessions to support the provision of affordable housing.

The City Council conducted numerous study session meetings, performed site visits throughout the community, received numerous feedback and suggestions through email, phone or in-person meetings with residents and analyzed numerous properties for designation in new multifamily zones. The City Council prioritized properties that are close to services, transit, jobs and with adequate access along a public right-of-way. The following ~~nineteen~~ **111** properties are identified:

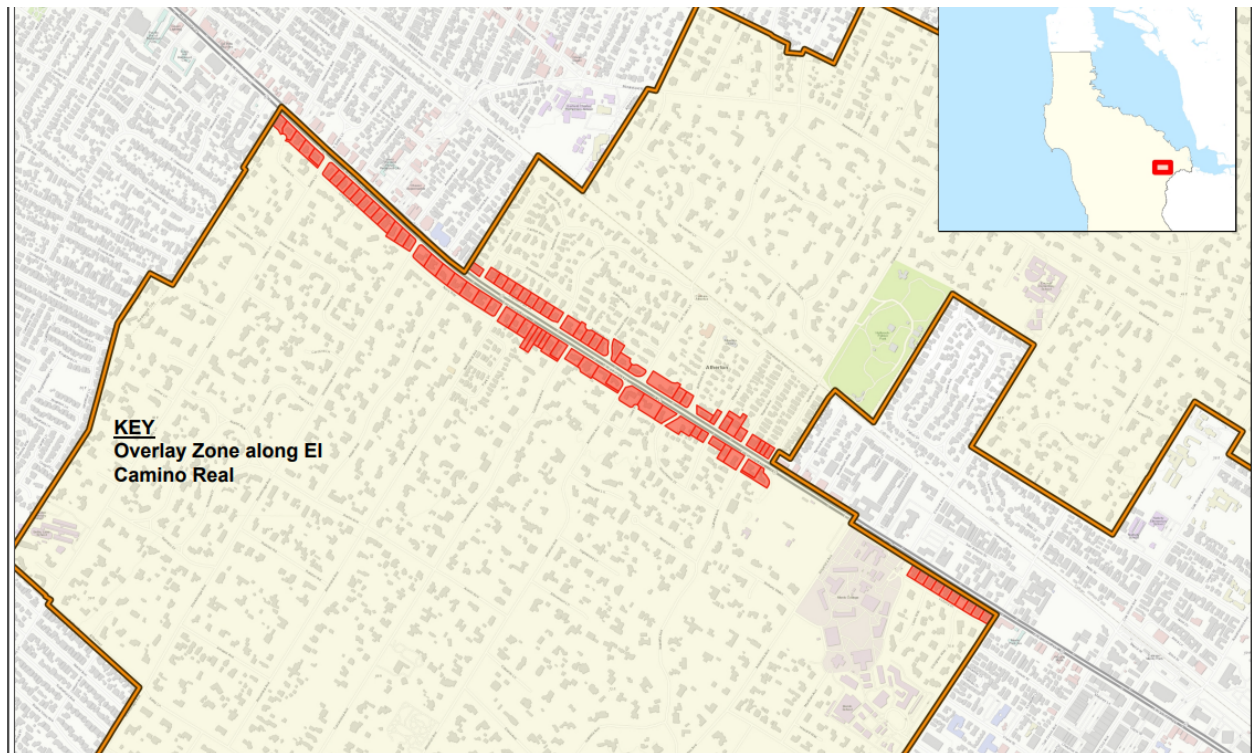
RM-20 overlay: El Camino Real from city limits to city limits (88 properties)

RM-10 overlay: Valparaiso Road from El Camino Real to Camino Por Los Arboles (22 properties)

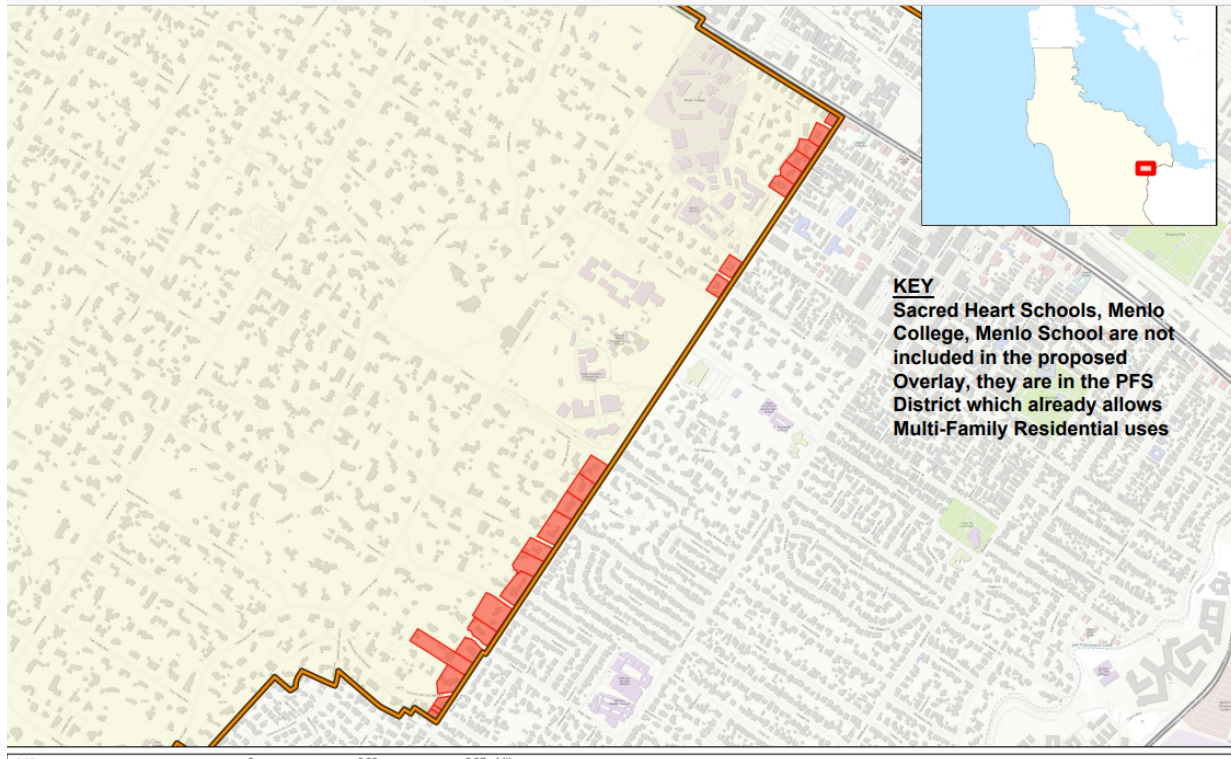
RM-10: 23 Oakwood (1.62 acres)

Multifamily Zoning Site Maps

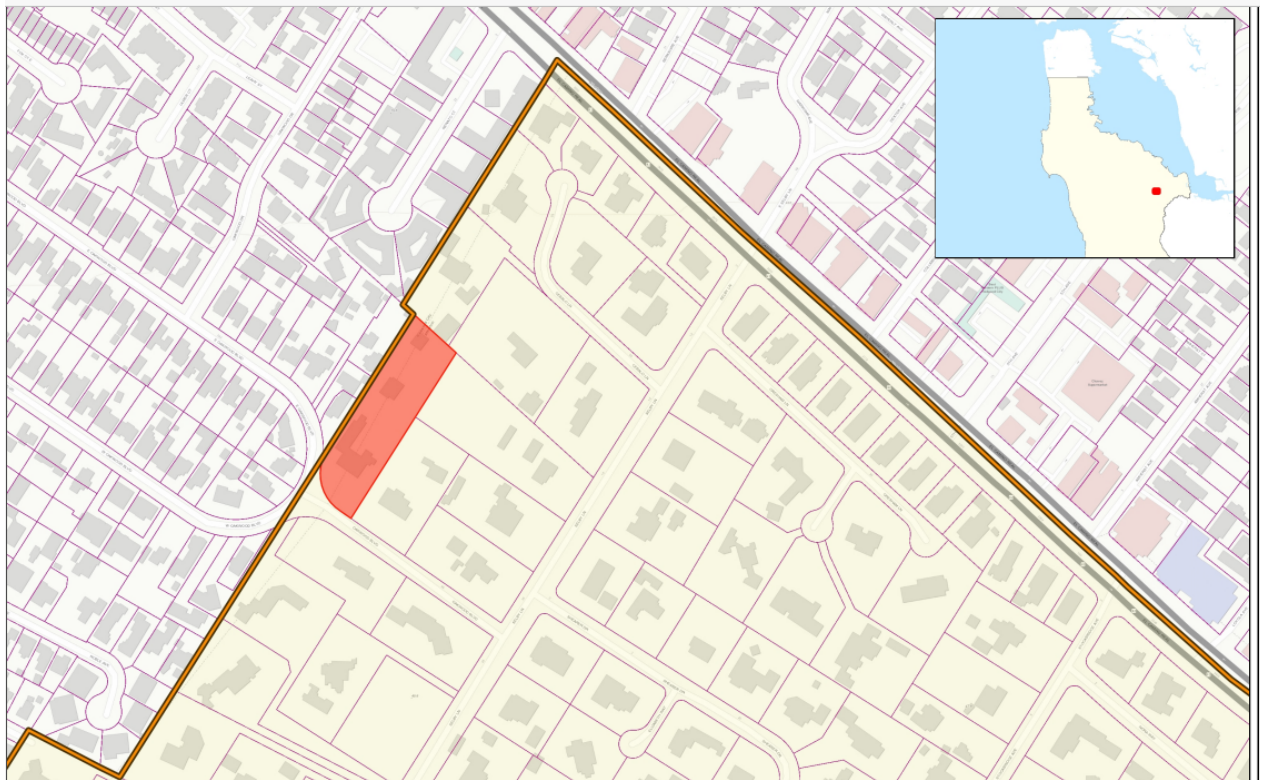
RM-20 Overlay sites Map (El Camino Real from City limits to City limits)



RM-10 Multifamily Overlay Map (Valparaiso from El Camino Real to Camino Por Los Arboles)



RM-10 Multifamily Upzoning Map (23 Oakwood)



	Address	Lot Size	Density	Development Potential*
1	97 Cebalo	0.37 acre	20 units per acre	3 units
2	98 Cebalo	0.34 acre	20 units per acre	3 units
3	94 Cebalo	0.41 acre	20 units per acre	4 units
4	75 Cebalo	0.934 acre	20 units per acre	9 units
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* not including Density Bonus units

The property owner at 23 Oakwood indicated his interest in developing the property with multifamily units and has been in discussions with developers and builders. The property is **approximately** 1.6 acres in area, a level lot with no known site constraints. The property has access to an improved public right-of-way and is currently served with utilities. Given the property owner's interest, it is anticipated that this property will develop with 16 multifamily housing units under the new base zoning of RM 10 and not taking into consideration density bonus units.

As listed above, ~~eighteen (18)~~ **88** properties have been identified for inclusion in a new RM 20 multifamily **overlay** zoning district. As **several of** these properties are less than ½ an acre, the Town will also implement a program to encourage Lot Consolidation and facilitate new multifamily housing development. It is anticipated that several lots would be combined during this planning period for the development of 19 new multifamily housing units.

A developer has ~~approached~~ **expressed** the Town with interest in **assisting in the acquisition and consolidation** acquiring and consolidating **of** properties identified for

rezoning to RM 20 for construction of new multifamily housing. Based on this ~~developer~~ interest, it is conservatively assumed that 19 new multifamily units will be built during the 6th cycle with 4 units designated for lower income households.

In addition, the Town has identified 22 properties along Valparaiso Avenue for rezoning to RM 10 multifamily overlay zone. It is estimated that 20new multifamily units will be built during the 6th cycle with 4 units designated for lower income households.

The Town will adopt an Inclusionary Housing Ordinance that will require a minimum of 20% of the multifamily dwelling units be constructed as affordable to lower income households.

The Town will take the steps listed below to facilitate new multifamily construction for market rate and lower income households:

- A. Amend the Zoning Map and create two new Zoning Districts, RM 20 and RM 10 permitting 20 units per acre and 10 units per acre by right with **up to a** 40 feet height limit and setbacks reasonable to accommodate the new development. Adopt objective design standards. Prepare CEQA analysis and complete the rezoning within one year of Housing Element certification.
- B. Adopt an Inclusionary Housing Ordinance requiring a minimum of 20% multifamily housing units be affordable to lower income households. Adopt the Ordinance within one year of Housing Element certification.