

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

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October 16, 2024

Terrence Grindall, Interim Director  
Planning and Building Department  
Town of Portola Valley  
765 Portola Road  
Portola Valley, CA 94028

**RE: Portola Valley Rezone Implementation – Letter of Technical Assistance**

Dear Terrence Grindall:

The purpose of this letter is to provide technical assistance regarding the implementation of Programs 1-1a, 1-1b, and 1-6 to rezone sites to accommodate the Regional Housing Needs Allocation (RHNA) pursuant to Government Code section 65585, subdivision (i).

On March 26, 2024, the California Department of Housing and Community Development (HCD) sent a letter to the Town of Portola Valley (Town) revoking the Town's housing element compliance as authorized by Government Code section 65585, subdivision (i)(1)(B). On July 17, 2024, HCD received Ordinance No. 2941-24, Ordinance No. 2942-24, and Resolution No. 2926-23 and accompanying modified general plan land use maps from the Town in response to the revocation letter. The Town also submitted supplemental documents on July 26, 2024. HCD reviewed the documentation submitted by the Town and has determined that, while the ordinances and general plan amendments meet several requirements of state law, the Town must demonstrate the rezonings meet all requirements in Government Code section 65583.2, subdivisions (h) and (i).

Specifically, while it appears that more than 50 percent of the Town's identified RHNA shortfall is met on mixed-use sites, the ordinances do not state if these mixed-use sites permit 100 percent residential development and require a minimum of 50 percent of the square footage in a mixed-use development to be residential. Additionally, the submitted documentation does not clearly indicate if the Town permits owner-occupied and rental multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households on the Dorothy Ford Park Site (APN 77272010) included in Table 6-6 of the Town's adopted housing element. By-right means local government review must not require a conditional use permit, planned unit development permit, or other discretionary review or approval that that would constitute

a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.<sup>1</sup>

HCD requests that the Town revise its zoning ordinance and general plan or provide written documentation clearly demonstrating the rezones and general plan amendments meet these statutory requirements. If needed, a copy of the revised documents should be transmitted to HCD. HCD will review the documentation and issue correspondence.

HCD provides the Town until November 26, 2024 to provide a written response to these findings. If you have questions or need additional information, please contact Reid Miller at [Reid.Miller@hcd.ca.gov](mailto:Reid.Miller@hcd.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Melinda Coy", with a long horizontal stroke extending to the right.

Melinda Coy  
Proactive Housing Accountability Chief

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<sup>1</sup> Gov. Code, § 65583.2, subd. (i)