

MEASURE C

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE C

Measure "C" was placed on the ballot by citizens' initiative petition and, if approved by a majority of Los Altos voters, would amend the City of Los Altos General Plan to add a voter approval requirement for significant changes to land with a General Plan land use designation of "Parks", "Other Open Space", or "Public and Institutional". If this measure is approved, majority voter approval would be required for any of the following:

- (1) Any change in the list of uses the General Plan allows on land with a "Parks", "Other Open Space" or "Public and Institutional" land use designation;
- (2) The sale or transfer of City-owned land with a "Parks", "Other Open Space" or "Public and Institutional" land use designation;
- (3) The lease or other disposition (including granting of a license or easement) of City-owned land with a "Parks", "Other Open Space" or "Public and Institutional" land use designation for longer than one hundred eighty (180) calendar days in any one calendar year; or
- (4) Changing City-owned land with a "Parks", "Other Open Space" or "Public and Institutional" land use designation to another land use designation, except that re-designation of "Public and Institutional" land to a "Parks" designation shall not require voter approval.

The measure exempts the following City-owned parcels from the voter approval requirements above:

- (1) Any City-owned parcel (or group of similar contiguous parcels) that totals 7,500 square feet in size or less with a General Plan land use designation of "Public and Institutional";
- (2) The lease or other disposition of subsurface real property interests (i.e., easements) for utility or similar purposes that do not interfere with surface use except during construction or maintenance.

The measure authorizes the City Council to grant limited exceptions to the voter approval requirements above where the City's action is necessary to comply with state or federal housing law.

A "yes" vote on Measure "C" will approve this General Plan amendment.

A "no" vote on Measure "C" will not approve this General Plan amendment.

If approved, this measure may be amended or repealed only by another vote of the people.

The above statement is an impartial analysis of Measure "C". If you desire a copy of the measure, please call the City Clerk's office at (650) 947-2720 and a copy will be mailed at no cost to you.

/s/ Christopher J. Diaz
City Attorney

COMPLETE TEXT OF MEASURE C

Initiative Measure to be Submitted Directly to the Voters

The City Attorney has prepared the following title and summary of the chief purpose and points of the proposed measure, pursuant to California Elections Code Section 9203. The title and summary must be printed across the top of each page of the petition whereon signatures are to appear as required by California Elections Code Section 9203.

BALLOT TITLE:

Initiative General Plan Amendment Measure Requiring Voter Approval of the Sale, Lease or Certain Changes in Use of Certain Land Designated as "Parks", "Other Open Space" or "Public and Institutional" in the City's General Plan.

BALLOT SUMMARY

This measure amends the City of Los Altos General Plan to add a voter approval requirement for significant changes to land with a General Plan land use designation of "Parks", "Other Open Space", or "Public and Institutional". If this measure is approved, majority voter approval would be required for any of the following:

- (1) Any change in the list of uses the General Plan allows on land with a "Parks", "Other Open Space" or "Public and Institutional" land use designation;
- (2) The sale or transfer of City-owned land with a "Parks", "Other Open Space" or "Public and Institutional" land use designation;
- (3) The lease or other disposition (including granting of a license or easement) of City-owned land with a "Parks", "Other Open Space" or "Public and Institutional" land use designation for longer than one hundred eighty (180) calendar days in any one calendar year; or
- (4) Changing City-owned land with a "Parks", "Other Open Space" or "Public and Institutional" land use designation to another land use designation, except that re-designation of "Public and Institutional" land to a "Parks" designation shall not require voter approval.

The measure exempts the following City-owned parcels from the voter approval requirements above:

- (1) Any City-owned parcel (or group of similar contiguous parcels) that totals 7,500 square feet in size or less with a General Plan land use designation of "Public and Institutional";
- (2) The lease or other disposition of subsurface real property interests (i.e., easements) for utility or similar purposes that do not interfere with surface use except during construction or maintenance.

The measure authorizes the City Council to grant limited exceptions to the voter approval requirements above where the City's action is necessary to comply with state or federal housing law.

This measure requires majority voter approval. If approved, this measure

COMPLETE TEXT OF MEASURE C-Continued

may be amended or repealed only by another vote of the people.

/s/ Christopher J. Diaz, City Attorney

April 12, 2018

To the Honorable City Clerk of the City of Los Altos: We, the undersigned, registered and qualified voters of the City of Los Altos, hereby propose an initiative measure to amend the City of Los Altos General Plan. We petition you to submit this measure to the City Council of the City of Los Altos for adoption of the measure outright, or for submission of the measure to the voters of the City of Los Altos at the earliest election for which it qualifies.

The measure provides as follows:

LOS ALTOS PROTECT OUR PARKS AND PUBLIC LANDS INITIATIVE

The people of the City of Los Altos hereby ordain as follows:

SECTION 1: PURPOSE, EFFECT, AND FINDINGS

A. Purpose: The purpose of the *Los Altos Protect Our Parks and Public Lands Initiative* ("Initiative") is to provide Los Altos residents a voice in protecting public parks, public open space lands, and other significant City-owned properties.

B. Effect: This Initiative amends the City of Los Altos General Plan to protect land owned by the City of Los Altos with a General Plan land use designation of (1) Parks, (2) Other Open Space, or (3) Public and Institutional. It accomplishes this effect by requiring voter approval for actions that would alter the public character of these lands, including their conveyance and re-designation. The Initiative does not apply to private property and includes exceptions to allow reasonable management of City land for the public good.

C. Findings: The people of the City of Los Altos find that this Initiative promotes and protects the small-town, semi-rural character of Los Altos, the integrity of its parks, open spaces, and other public properties, and the quality of life of its residents based on the following specific findings:

- 1. Parks and Open Spaces Help Define Los Altos' Distinct Village Character:** The City of Los Altos is defined by its unique blend of attractive natural setting and small-town, semi-rural character, with the City's parks and open spaces integrating the physical beauty of its surroundings into its village-like downtown and surrounding neighborhoods. As expressed in the City's General Plan, this "distinct combination of physical setting, natural and improved open space land, creek corridors, and low density residential neighborhoods with mature vegetation provides a unique identity for Los Altos." The City's open spaces, parks, and other public properties are a critical community resource and among the City's most valuable assets: they bring residents close to nature, provide recreational and leisure opportunities, host walking and bicycle paths, and enhance the City's civic culture and community character.
- 2. Development Pressures Threaten to Erode Los Altos' Parks and Open Spaces:** The rapid expansion of commercial,

COMPLETE TEXT OF MEASURE C-Continued

economic, and residential development in surrounding communities threatens the unique character of Los Altos. These development pressures pose a particular threat to the City's already scarce parks and public open spaces, which are among the only undeveloped lands in the City, and heighten the need for residents to protect these precious public resources. As recognized in the General Plan, "[e]xisting park land in Los Altos is minimal, with a ratio of approximately 1.3 acres of dedicated park land per 1,000 residents," already among the smallest per capita ratio of any city in the San Francisco Bay Area.

- 3. Los Altos Residents Should Have the Power to Decide the Fate of Their Public Lands:** Los Altos voters visit, use, and value the City's parks, open spaces, and other public lands. The voters, whose quality of life and property interests are tied to these resources, should have the power to decide the future of the City's publicly-owned lands. They are in the best position to evaluate whether these properties should remain in public ownership and dedicated to their existing uses. The Initiative therefore imposes a voter approval requirement on actions that would jeopardize the public and civic character of City-owned parks, open spaces, and other significant public properties.
- 4. This Initiative Advances the City's Goals to Protect and Expand Its Parks and Open Spaces:** Recognizing the critical importance of these essential but threatened public resources, the General Plan sets a long-term goal of protecting and enhancing "the quality of the City's environmental, open space, and scenic resources." Indeed, it aims to expand public open spaces and maintain dedicated parkland in public ownership. The Initiative furthers these goals by empowering the voters who visit, use, and live in proximity to these resources to approve any efforts to terminate their use as parks, open spaces, or other public property.
- 5. This Initiative Applies Only to Actions that Would Significantly Impact the Public Character of Lands Owned by the City of Los Altos:** This Initiative is narrowly tailored to require voter approval for actions that would significantly impact public use and access to City-owned lands. The Initiative applies only to properties that are currently owned or which may in the future be owned by the City of Los Altos, not to private property. The General Plan encourages these public spaces to be used for civic functions, such as cultural activities, special events, and programs. The Initiative furthers this goal by requiring voter approval for actions that would effectively privatize these shared spaces, such as their sale or other method of transfer, their long-term lease, or their re-designation to other land use categories.
- 6. This Initiative Accommodates Housing Needs:** Adequate housing is essential to a thriving community. The General Plan endeavors to make a variety of residential housing opportunities available for Los Altos residents through measures such as encouraging mixed-use development, affordable housing units, and well-sited senior housing. To that end, the General Plan identifies an extensive list of sites with potential for future development. This Initiative accommodates

COMPLETE TEXT OF MEASURE C-Continued

these important housing goals. It does not apply to any of the sites identified in the General Plan for future housing development, and it authorizes the City Council to grant exceptions from its voter approval requirements where necessary to meet federal and state housing laws. This Initiative complements the City's housing goals by ensuring that all the current and future residents of Los Altos continue to enjoy the open spaces, parks, and civic spaces that make the City such a desirable and special place to live.

SECTION 2: CITY OF LOS ALTOS GENERAL PLAN AMENDMENTS

This Initiative hereby amends the Open Space, Conservation & Community Facilities Element of the City of Los Altos General Plan 2002-2020 ("General Plan"), as amended through March 28, 2018 ("submittal date"), to add the following Goal 1.A and Policies 1.A1 and 1.A2 immediately following Goal 1 on page 10 of the Open Space, Conservation & Community Facilities Element. Text to be inserted in the General Plan is indicated in **bold** type. The language adopted in the following amendments may be repealed or amended only by a vote of the people.

Goal 1.A: Require Voter Approval for Significant Changes to Parks, Open Space, and Other Public Properties owned by the City of Los Altos.

Policy 1.A1 Voter Approval

- a. Approval by a vote of the people shall be required for any change in the list of uses the General Plan permits within the following land use designations: (1) Parks, (2) Other Open Space, or (3) Public and Institutional.
- b. Approval by a vote of the people shall be required for any of the following actions with respect to any property owned by the City with a General Plan land use designation of (1) Parks, (2) Other Open Space, or (3) Public and Institutional:
 - (i) The sale or transfer of that property.
 - (ii) The lease or other disposition of that property (including but not limited to a license or easement) for a period of more than one hundred eighty (180) calendar days in any one calendar year. This provision is intended to include situations where a lease or other disposition whose term, when added to the term(s) of one or more other leases or other dispositions of the same property for the same or a similar purpose by persons or entities acting in concert, would exceed 180 days in any one calendar year.
 - (iii) The re-designation of that property to a different land use designation, except for the re-designation of any property designated Public and Institutional to Parks.

Policy 1.A2: Definitions, Exclusions, and Exceptions

- (a) For purposes of Policy 1.A1, approval by a vote of the people is accomplished when an action covered by that Policy is placed on the ballot through any procedure provided for in the Elections Code, and a majority of the voters voting on the

COMPLETE TEXT OF MEASURE C-Continued

measure vote in favor of it.

- (b) The voter approval requirements of Policy 1.A1 shall not apply to:
 - (i) Any parcel owned by the City that is 7,500 square feet in size or smaller with a General Plan land use designation of Public and Institutional. For purposes of this subsection, contiguous parcels owned by the City with a General Plan land use designation of Public and Institutional shall be regarded as a single "parcel" so that if the aggregate square footage of the contiguous parcels exceeds 7,500 square feet in size, the voter approval requirements of Policy 1.A1 shall apply.
 - (ii) The lease or other disposition of a subsurface interest in real property for utility or similar purposes that does not interfere with the surface use of the property other than initial construction or subsequent maintenance.
- (c) The City Council is authorized to grant exceptions to the voter approval requirements in Policy 1.A1 where necessary to comply with state or federal law governing the provision of housing, including but not limited to affordable housing requirements. This exception applies only if the City Council first makes each of the following findings based on substantial evidence in the record: (A) a specific provision of state or federal law requires the City to accommodate the housing that will be permitted by the exception; (B) the exception permits no greater intensity than that necessary to accommodate the required housing; and (C) an alternative site that is not subject to the voter approval requirement in Policy 1.A1 is not available to satisfy the specific state or federal law.

SECTION 3: CONFORMING AMENDMENTS

In order to promote internal consistency among the various sections of the General Plan amended by this Initiative, this Initiative makes the following conforming amendments. Text to be inserted in the General Plan is indicated in **bold** type. Non-bolded text currently appears in the General Plan and is not changed or readopted by this Initiative. The language adopted in the following amendments may be further amended as appropriate without a vote of the people, during the course of further updates and revisions to the General Plan.

- A. Policy 3.6 on page 12 of the General Plan Community Design & Historic Resources Element is amended as follows:

Evaluate the public benefit of City-owned parking plazas and the best use thereof, while preserving or increasing public parking Downtown, **consistent with the voter approval requirements in Policy 1.A1 of the Open Space, Conservation & Community Facilities Element.**

- B. The Open Space and Conservation Plan on page 3 of the Open Space, Conservation & Community Facilities Element is amended as follows:

In order to preserve and enhance community open space resources, and **consistent with the voter approval requirements in Policy 1.A1**, the

COMPLETE TEXT OF MEASURE C-Continued

City will implement a program that supports the joint-venture use of open space areas to reduce City maintenance costs and increase City revenues for maintaining open space resources. Joint ventures could involve other local government agencies, non-profits, and private development of commercial recreation facilities. The City will also coordinate with public and private organizations to provide revenue generating open space uses to protect important open space resources, **consistent with the voter approval requirements in Policy 1.A1.**

- C.** Goal 11 on page 14 of the Open Space, Conservation & Community Facilities Element is amended as follows:

Maximize opportunities for joint public and private utilization of City, private sector, private school land and facilities, and public school district land, facilities, programs and resources to provide the most cost efficient and effective services for present and future Los Altos residents, **consistent with the voter approval requirements in Policy 1.A1.**

- D.** Policy 11.4 on page 14 of the Open Space, Conservation & Community Facilities Element is amended as follows:

Encourage private sector provision of facilities and/or services, **consistent with the voter approval requirements in Policy 1.A1.**

SECTION 4: EXEMPTIONS FOR CERTAIN PROJECTS

- A.** This Initiative shall not apply to prohibit any development project or ongoing activity that has obtained, as of the Effective Date of this Initiative, a vested right pursuant to State law.
- B.** The provisions of this Initiative shall not apply to the extent, but only to the extent, that they would violate the Constitution or laws of the United States or the State of California.

SECTION 5: IMPLEMENTATION

- A. Effective Date:** "Effective Date" means the date that the *Los Altos Protect Our Parks and Public Lands Initiative* became effective pursuant to State law. Upon the Effective Date of this Initiative, the provisions of Sections 2 and 3 are hereby inserted in the Los Altos General Plan, as an amendment thereof; except that if the four amendments of the mandatory elements of the General Plan permitted by State law for any given calendar year have already been utilized in the year in which the Initiative becomes effective, this General Plan amendment shall be the first amendment inserted in the City of Los Altos General Plan on January 1 of the following year. Upon the Effective Date of this Initiative, any provisions of the City of Los Altos Zoning Code or any other City of Los Altos ordinance or resolution that are inconsistent with the General Plan amendments adopted by this Initiative shall not be enforced in a manner inconsistent with this Initiative.
- B. Interim Amendments:** The City of Los Altos General Plan in effect on the submittal date and the General Plan as amended by this Initiative comprise an integrated, internally consistent, and compatible statement of policies for the City of Los Altos. To ensure that nothing in this Initiative would prevent the General Plan from being an integrated, internally consistent, and compatible statement of the policies of the City, as required by State law, and to ensure

COMPLETE TEXT OF MEASURE C-Continued

that the actions of the voters in enacting this Initiative are given effect, any amendment to the General Plan that is adopted between the Submittal Date and the date that the General Plan is amended by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provision adopted and readopted by this Initiative, be amended as soon as possible to ensure consistency between the provision adopted and readopted by this Initiative and other provisions of the General Plan.

- C. Other City Plan, Ordinances, and Policies:** The City of Los Altos is hereby authorized and directed to amend the City of Los Altos General Plan, all specific plans, the City of Los Altos Zoning Code, Land Use Map, and Zoning Map, and other ordinances and policies affected by this Initiative as soon as possible as necessary to ensure consistency between the provisions adopted in this Initiative and other sections of the General Plan, all specific plans, the Zoning Code, the Zoning Map, and other City ordinances and policies.
- D. Reorganization:** The General Plan may be reorganized or readopted in different format, and individual provisions may be renumbered or reordered, in the course of ongoing updates of the General Plan, provided that the provisions of this Initiative shall remain in the General Plan unless earlier repealed or amended by the voters of the City.
- E. Implementing Ordinances:** The City Council is authorized, after a duly noticed public hearing, to adopt implementing ordinances, guidelines, rules, and/or regulations, as necessary, to further the purposes of this Initiative.
- F. Enforcement and Defense of Initiative:** The City Council shall take all steps reasonably necessary to enforce this Initiative and to defend it against any challenge to its validity.

SECTION 6: EFFECT OF COMPETING OR ALTERNATIVE MEASURE ON THE SAME BALLOT

This Initiative imposes a voter approval requirement, with certain exceptions, on the conveyance or re-designation to another land use of City-owned property with a General Plan land use designation of Parks, Other Open Space, or Public and Institutional, as well as changes in the list of uses allowed for these land use designations. By voting for this Initiative, the voters expressly declare their intent that any other measure that appears on the same ballot as this Initiative and addresses voter approval for the conveyance or re-designation of City-owned properties with a General Plan land use designation of Parks, Other Open Space, or Public and Institutional, or a change in the list of uses permitted for these land use designations, shall be deemed to conflict with this Initiative. Because of this conflict, if this Initiative and any such other City of Los Altos measure receive a majority of votes by the voters voting thereon at the same election, then the measure receiving the most votes in favor shall prevail and no provision of the other measure shall take effect. For the purposes of this Section 6, any other measure that appears on the same ballot as this Initiative and purports to amend any provision of this Initiative shall be deemed to directly conflict with this entire Initiative.

SECTION 7: SEVERABILITY AND INTERPRETATION

This Initiative shall be broadly construed in order to achieve its purpose.

COMPLETE TEXT OF MEASURE C-Continued

This Initiative shall be interpreted so as to be consistent with all applicable Federal, State, and City laws, rules, and regulations. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative and each section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, parts, or portions were declared invalid or unconstitutional. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the invalid application.

Any singular term shall include the plural and any plural term shall include the singular. The title and captions of the various sections in this Initiative are for convenience and organization only, and are not intended to be referred to in construing the provisions of this Initiative.

SECTION 8: AMENDMENT OR REPEAL

Except as otherwise provided herein, this Initiative may be amended or repealed only by the voters of the City of Los Altos.

SECTION 9: EXHIBITS

Certain documents are attached to this Initiative for informational purposes only. These include the General Plan's land use classification system table and description of relevant land use designations as well as the version of the City of Los Altos Land Use Policy Map currently available on the City's official website, which was last updated on June 17, 2010. The exhibits are as follows:

- (1) Table LU-1 Land Use Classification System in the General Plan's Land Use Element.
- (2) Descriptions of the Public and Institutional, Parks, and Other Open Space land use designations from the General Plan's Land Use Element.
- (3) City of Los Altos Land Use Policy Map, last updated on June 17, 2010.

COMPLETE TEXT OF MEASURE C-Continued

Exhibit 1. Attached, for illustrative purposes, is the most recent publicly available version of Table LU-1 Land Use Classification System from the Los Altos General Plan Land Use Element. Proponents obtained this table from the City website on March 28, 2018. The Initiative does not adopt or amend this table.

LAND USE ELEMENT _____



**Table LU-1
Land Use Classification System**

Land Use	DUs or FAR/Net Acre		Summary Description of Land Use Designation
	Maximum	Anticipated	
Residential Land Uses			
Single Family Large Lot	2.0	1.8	Detached single-family homes on large lots.
Single Family Med. Lot	4.0	3.5	Detached single-family homes.
Single Family Small Lot	10.0	5.6	Detached single-family homes on smaller lots.
Low Density Multi-Family	15.0	11.0–15.0 ⁽¹⁾	Detached and attached single-family homes, condominiums, duplexes, and apartments.
Senior Housing	28.0	21.0–28.0 ⁽¹⁾	Detached and attached single-family homes, condominiums, duplexes, and apartments for seniors.
Medium density Multi-Family	38.0	28.0–38.0 ⁽¹⁾	Detached and attached single-family homes, condominiums, and apartments.
Commercial Land Uses			
Neighborhood Commercial			Retail uses serving the needs of nearby neighborhoods. Specified areas may also include general business, medical, or professional office uses. Residential development is allowed by right at Foothill Plaza.
Foothill Plaza	1.5:1 (2.0:1 w/residential) ⁽²⁾	0.35:1	
All other locations	0.5:1	0.35:1	
Downtown Commercial			General retail uses and service, commercial recreational, cultural, and office uses that serve local residents. Higher density residential uses that enhance the village character of the Downtown are also allowed by right in the Core and Periphery areas. Such uses may be allowed elsewhere, subject to Use Permit approval.
Downtown Core	1.0:1 (2.0:1 w/residential) ⁽²⁾	1.0:1	
Downtown Periphery	1.0:1 (2.0:1 w/residential) ⁽²⁾	0.8:1	
Thoroughfare Commercial			Retail, service, and small office uses that typically rely on vehicle traffic and serve the city and/or regional market. Permits mixed use development and affordable residential opportunities along El Camino Real Corridor.
El Camino Real Corridor	0.5:1 office (1.5:1 w/mixed use) ⁽²⁾	0.8:1	
Public/Quasi-Public Facilities Land Uses			
Public School Land	0.6:1	0.3:1	Land owned by public school districts and used for education, recreation, administration, or other non-commercial, non-residential, or non-industrial purposes.
Private School Land	1.0:1	0.3:1	Land owned by private or parochial schools and used for education, recreation, administration, or other non-commercial, non-commercial, non-residential, or non-industrial purposes.
Public and Institutional	0.6:1	0.35:1	Governmental, institutional, academic, group residence, church, community service uses, easements, rights-of-way, facilities of public and private utilities, and parking.
Open Space Land Uses			
Parks	0.4:1	0.1:1	Publicly owned and dedicated parkland.
Other Open Space	0.6:1	NA	Open space for the preservation of natural resources, managed production of resources, outdoor recreation, and protection of health and public safety.

COMPLETE TEXT OF MEASURE C-Continued

Planned Community Uses			
Planned Community	varies	varies	Various single-family and senior residential densities and housing types, as well as community facilities, private schools, recreational areas, religious facilities, educational or philanthropic institutions, public utilities and services, hospitals, and open space areas.
(1) The average density for multi-family categories is 75% to 100% of the maximum density since projects are required to construct between 75% and 100% of the maximum density unless the project will negatively impact the community.			
(2) See qualifications and special provisions in the Special Planning Areas section of the Land Use Plan.			

Los Altos General Plan 2002-2020

6

November 2002

Exhibit 2. Attached, for illustrative purposes, is the most recent publicly available version of page 10 of the Los Altos General Plan Land Use Element, which describes the Public and Institutional, Parks, and Other Open Space land use designations. Proponents obtained this document from the City website on March 28, 2018. The Initiative does not adopt or amend this text.

LAND USE ELEMENT



Public/Quasi Public Land Use Designations: There are five public and quasi-public land use designations to accommodate land owned and/or operated by or for the community of Los Altos for the public good. Uses allowed in these land use designations are also permitted uses in several other general plan land use designations and corresponding zoning districts.

- 10) **Public School Land.** The Public School Land designation applies to land owned by public school districts and used or proposed for education, recreation, administration, or other non-commercial, non-residential, or non-industrial purposes. The maximum intensity of development is a floor area ratio of 0.6:1. The anticipated development intensity for this land use designation is a floor area ratio of 0.3:1.
- 11) **Private School Land.** The Private School Land designation applies to land owned by private or parochial schools and used or proposed for education, recreation, administration, or other non-commercial, non-residential, or non-industrial purposes. The maximum intensity of development is a floor area ratio of 1.0:1. The anticipated development intensity for this land use designation is a floor area ratio of 0.3:1.
- 12) **Public and Institutional.** The Public and Institutional land use designation provides for governmental, institutional, academic, group residence, church, community service uses and lands, utilities, easements, rights-of-way, and City-owned parking facilities. Public and Institutional facilities are intended to be compatible with the surrounding neighborhood. Where applicable, the maximum intensity of development is a floor area ratio of 0.6:1. The anticipated development intensity for this land use designation is a floor area ratio of 0.35:1.

Open Space Designations: There are two land use designations (Parks and Other Open Space), which provide for open space and recreational uses.

- 13) **Parks.** The Parks designation provides for publicly owned and dedicated parkland. Activities that may be developed include areas for active sports play, large multipurpose fields for community events and informal recreation, tot lots, picnic areas, multipurpose sports fields and courts, concessions, community event space, outdoor amphitheaters, maintenance/support facilities and caretaker facilities. The maximum intensity of development is a floor area ratio of 0.4:1. The anticipated development intensity for this land use designation is a floor area ratio of 0.1:1.
- 14) **Other Open Space.** The Other Open Space designation provides open space for the preservation of natural resources, managed production of resources, outdoor recreation, and protection of health and public safety. Areas designated for Other Open Space include: waterways, open space easements, private and public open space, as well as golf courses and other private recreational uses.

Planned Community Land Use Designation: The Planned Community designation allows for detailed analysis and flexibility of land uses for larger areas, or areas with special needs.

- 15) **Planned Community.** The Planned Community designation provides for the long-term development of large areas of land under single or common ownership or control. The Planned Community designation ensures compatibility with surrounding neighborhoods; protects the public health, safety, and welfare; provides for the long-term development of large properties; protects and preserves open space as a limited and valuable

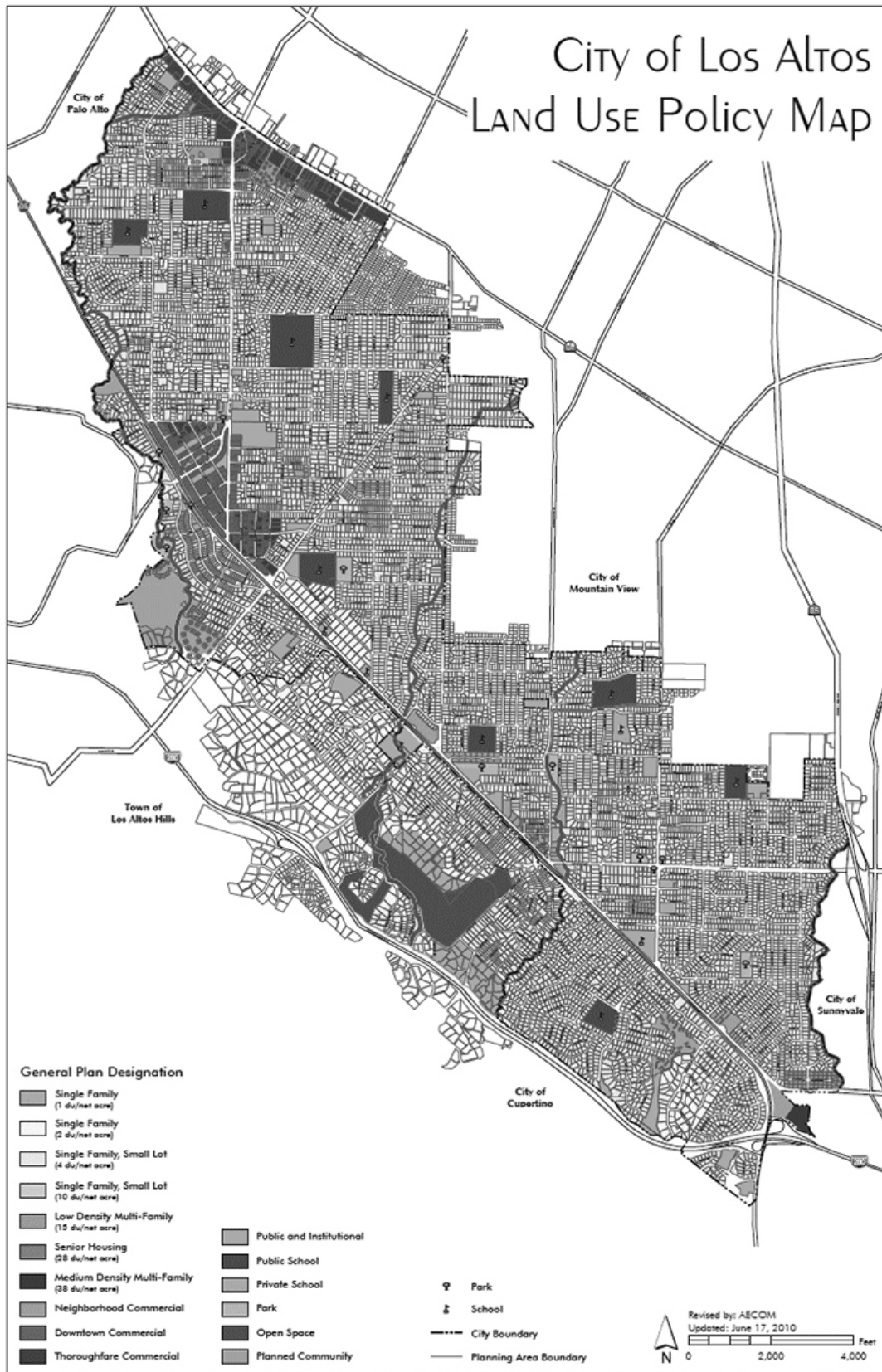
Los Altos General Plan 2002-2020

10

November 2002

COMPLETE TEXT OF MEASURE C-Continued

Exhibit 3. Attached, for illustrative purposes, is the most recent publicly available version of the City of Los Altos Land Use Map. Proponents obtained this map from the City website on March 28, 2018. The Initiative does not adopt or amend this map.



ARGUMENT IN FAVOR OF MEASURE C

Los Altos is a unique city, but subject to the same development pressures as the rest of Silicon Valley. Our public lands are scarce.

So why would the City Council consider selling or leasing them for private use?

It's happened before. In 2010, the Council sold a city-owned parking lot to a developer for \$3.1 million. It's now the site of a private commercial building at 400 Main Street. There have been proposals to develop McKenzie Park, Village Park, Rosita Park, and part of Civic Center.

But Measure C isn't about the past. It's about our future.

We can't assume the Council, whose members change every two years, will protect our lands. That's up to us. In the face of intense overdevelopment, we must be stewards of our lands, protecting their integrity and ensuring their survival for future generations.

Measure C is simple. It gives us, the residents, final say on disposition of our most valuable and irreplaceable assets: parks, open space, and "public and institutional lands." This includes Civic Center, Woodland Library land, most parking plazas, the maintenance yard, plus other parcels.

The Council can grant an exception if land is needed for state-mandated low-income housing. Parcels under 7500 square feet and leases less than 180 days are automatically exempt. Measure C is not retroactive, so it doesn't apply to existing leases or contracts for current use (Bus Barn, libraries, fire stations, History Museum).

Measure C will not create obstacles for city improvements or needed housing. If the Council identifies opportunities for public land uses, the voters should decide whether their proposal will benefit Los Altos.

Passing this initiative means we, the residents, must approve any sale, transfer or lease of our scarce land resources. Our lands, our decision.

Vote YES on Measure C. www.yesonlosaltosmeasurec.com

/s/ James Jolly
Los Altos resident

/s/ Elizabeth Reeves
Los Altos resident

/s/ Thomas Ferry
Los Altos resident

/s/ Michael Ellerin
Treasurer, Committee for Yes on C

/s/ Nancy G. Phillips
Los Altos resident

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE C

The argument in favor of Measure C is every bit as misleading as the proposal itself.

Proponents declare Measure C "doesn't apply to existing leases," such as libraries, fire stations, or History Museum. But it WILL apply as soon as these, or other city leases, expire and are renegotiated. It costs taxpayers \$50-500K each time leases are put on a ballot. *A waste of public funds.*

Proponents imply that the sale of 400 Main would have gone before voters if this measure had been in place. FALSE. As a commercially zoned property, this measure would have had no bearing on that sale.

Proponents suggest parklands are at risk because "there have been proposals to develop." In fact, proposals were initiated by residents, not developers. Through deliberative, public processes, Councils have respectfully considered and rejected all of them. *This is how government should operate.*

Proponents state council "members change every two years." In fact, elections occur every two years and since 1952 the average tenure of council members has been 5.5 years.

Proponents claim "Measure C is simple" ... in fact, it is *far from simple*. Its ambiguous language has already generated differing interpretations such as those regarding renegotiated leases. Such misunderstandings frequently lead to lawsuits, which add significantly to the already outrageous expense of holding special elections to approve routine city business.

Don't be fooled. Measure C is not about saving parks and open space. Measure C is expensive, cumbersome, and unnecessary.

Vote "NO" on Measure C.

www.nolosaltosmeasurec.com

/s/ Cathy Remson-Lazarus
Los Altos-Mountain View League of Women Voters-Past President

/s/ Phil Rose
Retired Los Altos City Manager

/s/ Jonathan D. Weinberg
Chair, Parks and Recreation Commission

/s/ Kuljeet Kalkat
Chair, Financial Commission

/s/ Sherie Dodsworth
Emergency Preparedness Volunteer

ARGUMENT AGAINST MEASURE C

Measure C is a misguided waste of taxpayer time and money. Proponents want you to believe it is needed to protect open space. Yet, in its 66 year history, Los Altos has never disposed of parkland. Instead, history demonstrates a clear track record of adding and protecting these assets. Lincoln Park was purchased in 2016. All Los Altos public land is used for public benefit.

Don't be misled. Measure C is bad governance.

Measure C would force a public vote virtually every time Los Altos undertakes a land use transaction. Passage of this measure puts at risk the extension of existing leases, as well as the execution of routine new leases, even those with indisputable benefit to our community.

Measure C is poorly written and legally ambiguous. Unintended consequences of this measure will not only block beneficial opportunities but, more importantly, put at risk the execution of even routine leases. Imagine having to expend taxpayer dollars on an election to modify the lease of fire stations essential for public safety. Imagine delaying the lease extension of our libraries or History Museum, jeopardizing continued access. The vagueness of the measure does not ensure that existing leases can be extended without going to the ballot box thereby exposing taxpayers to the real possibility of costly litigation.

Measure C threatens our representative democracy, creates significant election costs and subjects Los Altos to uncontrolled legal fees whenever someone challenges whether a transaction is covered by the measure's vague language.

In our representative democracy we elect City Council to govern. Councilmembers weigh the collective wisdom and perspectives of professional staff, of residents serving as advisors on City Commissions, and of the public at large. Measure C increases bureaucracy and costs you the taxpayer without providing any true public benefit.

Join us and VOTE NO on Measure C.

/s/ Marge Bruno
Former Mayor

/s/ Dennis Young
CPA and 47 Year Los Altos Resident

/s/ Claudia Coleman
Community Volunteer

/s/ Gary Hedden
Board, Los Altos History Museum

/s/ Vicki Reeder
Producer-Creator, Los Altos Stage Company Follies

REBUTTAL TO ARGUMENT AGAINST MEASURE C

Don't be deceived by some politicians' and power brokers' misleading claims. Measure C is a straightforward and narrowly drafted tool to ensure public control over Los Altos' most valuable public assets.

It is essential to preserve and protect the community's unique blend of natural setting and small-town character. Any decision that would privatize City-owned parks, open spaces, or other public properties should be on the ballot for Los Altos voters to decide.

Some politicians and power brokers claim added protection is unnecessary for public lands. But in the past, private groups have targeted acquisition of City parks for their private purposes. Additional protection is needed.

Opponents claim Measure C would require a public vote to extend existing leases. But City Staff determined Measure C exempts existing contracts, automatic lease extensions, and options to renew at the lessee's discretion. This includes leases for organizations like the History Museum and Bus Barn Stage Company, which can continue or be renewed automatically.

Opponents claim Measure C applies to leases for public use. But Measure C states that it "applies only to actions that would significantly impact the public character" of City lands by "effectively privatizing these shared spaces."

Measure C represents sound public governance. Without it, politicians and power brokers would allow private development on public lands with only the three-vote majority of term-limited City Councilmembers. We believe local voters should make such significant and permanent decisions.

Vote YES on Measure C.

/s/ George H. Estill, Jr.
66 Yr. Los Altos Resident

/s/ Stuart F. Eckmann
Member, Parks and Recreation Commission

/s/ Katy A. Disney
Former Member, Planning Commission

/s/ Douglas M. Baney
Los Altos Resident, Community Activist

/s/ Anita Enander
Planning Commissioner