



DISCUSSION ITEM

Agenda Item # 8

AGENDA REPORT SUMMARY

Meeting Date: August 25, 2020

Subject: Change the Zoning and/or General Plan Land Use Designation for Civic Center Lands

Prepared by: Jon Biggs, Community Development Director & Jolie Houston, City Attorney

Approved by: Chris Jordan, City Manager

Attachment(s):
None

Initiated by:
City Council

Previous Council Consideration:

The City Council has considered this at its priority setting meetings for calendar year 2020

Fiscal Impact:

Cost for Option 1 is estimated at between \$75,000 and \$100,00

Cost for Option 2 would be substantially less as it would entail the use of existing staff and resources

Environmental Review:

The City Council hereby finds and determines that Amendments to the Zoning Ordinance have been assessed in accordance with the California Environmental Quality Act (Cal. Pub. Res. Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 et seq.) and are categorically exempt from CEQA under CEQA Guidelines, § 15061(b)(3), which exempts from CEQA any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The City council further finds that the adoption of Amendments to the Zoning Ordinance would not be an activity with potential to cause significant adverse effect on the environment because the changes made to the Zoning Ordinance relate to organizational or administrative activities of the City that will not result in direct or indirect physical changes in the environment, and therefore is exempt from CEQA.

Policy Question(s) for Council Consideration:

- Does the City Council want to direct staff to start processing an amendment to the zoning or General Plan Land Use designation that would limit the City's ability to sell, transfer fee ownership, or re-designate lands of the Los Altos Civic Center with the goal of preserving as park and open space areas within the Civic Center Complex.



Subject: Change the Zoning and/or General Plan Land Use Designation for Civic Center Lands

Summary:

If so directed, staff will begin processing an amendment to the zoning or General Plan Land Use designation that would limit the City's ability to sell, transfer fee ownership, or re-designate lands of the Los Altos Civic Center with the goal of preserving as park and open space areas within the Civic Center Complex.

Staff Recommendation:

Direct staff to proceed with developing a zoning or General Plan land use designation change for civic center lands with the goal of preserving park and open space.



Subject: Change the Zoning and/or General Plan Land Use Designation for Civic Center Lands



Purpose

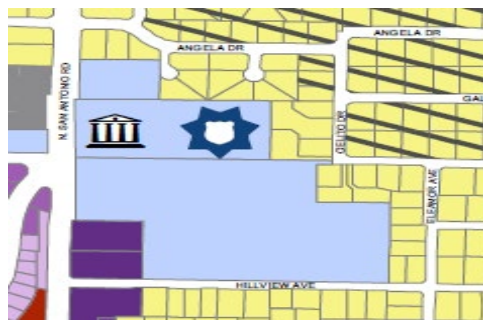
The City Council has expressed an interest in enacting general plan goals and policies and zoning regulations that would limit the City’s ability to sell, transfer fee ownership, or re-designate lands of the Los Altos Civic Center. This report provides two options and a recommendation on how this can be accomplished.

Background

The Civic Center Complex – identified in blue on the map below, has a zoning designation of Public and Community Facilities on the Los Altos Zoning Map and a land use designation of Public and Institutional on the General Plan map.

Public/Community Facilities

-  *Public & Community Facilities (PCF)*
-  *Public & Community Facilities/
Single-Family (PCF/R1-10)*



By Ordinance No. 2018-450, adopted on October 9, 2018, City-owned land with a “Parks” or “Other Open Space” General Plan land use designation, require voter approval to sell or transfer the land and also require voter approval to designate these lands to a different land use category. City owned lands with the Public and Institutional General Plan land use designation do not have these same restrictions and an amendment to the zoning code or general plan would be needed to accomplish this.

Staff understands the principal goal is preserving the portions of the Civic Center complex where the soccer field, adjacent to Hillview Avenue, and the baseball field, adjacent to the new Community Center, are located, although the Community may want other portions of the Civic Center complex preserved as well.



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Discussion/Analysis

In order to accomplish this Council priority, staff believes there are two principal options, there may be others, that would allow a zoning or General Plan land use designation change for civic center lands with the goal of preserving park and open space.

The first option, providing protections to just the soccer and baseball fields would require a subdivision of the Civic Center complex to establish these areas of the Civic Center complex as their own lots. This is because it is a best practice to have the land use or zoning boundaries follow distinct and certain property lines (accurate legal descriptions), which provide for a recorded and established line from which measurements and boundaries can be confirmed and verified. This would require a survey of the Civic Center complex to identify the location of existing structures and location of where the new property lines would be located. This is accomplished through the State Map Act procedures, which require the preparation of a subdivision map that would be subject to review by the Planning Commission and final approval by the City Council. Staff has two concerns with this approach. The first is the cost, which staff estimates would be between \$75,000 and \$100,000. The second concern is that the subdivision may result in some existing structures not meeting setbacks called for in the zoning code. For example, if the baseball field, which is adjacent to the History Museum complex, were to become its own parcel, there is the potential that buildings of the History Museum could have a setback that does not meet that noted in the code. Only when a survey of the Civic Center Complex is complete will staff be able to completely evaluate the potential implications of subdividing the Civic Center complex.

The second option is to apply a new zoning or land use designation and/or possibly an overlay district to the entire Civic Center complex, which would include the following provisions:

- Prohibits the sale or transfer of City-owned land in fee with a “Parks” or “Other Open Space” General Plan Land Use Designation without voter approval; and
- Prohibits the re-designation of City-owned land with a “Parks” or “Other Open Space” General Plan Land Use Designation to another General Plan Land Use Designation without voter approval.

This second option would provide protections to the entire Civic center complex and could be accomplished with existing staff resources, from the Planning Division and City Attorney’s office. Like a subdivision, this too would require review and recommendation by the Planning Commission and approval by the City Council. And it could be accomplished in a shorter period of time at a lower cost to the City.

Options

- 1) Direct Staff to proceed with preparations to subdivide civic center lands in preparation for changes to the zoning code that would allow for changes to zoning of land use designations.



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Advantages: Would not require a change to zoning or land use designation to the entire Civic Center complex.

Disadvantages: May be expensive, staff estimates between \$75,000 and \$100,000, take time to accomplish, result in non-conforming aspects of existing structures, and limit future ability to improve those structures.

2) Direct Staff to develop a change to the zoning or land use designation for the Civic Center Complex

Advantages: Provides uniform protection to the entire Civic Center Complex and is less costly to accomplish.

Disadvantages: May limit future uses of Civic Center Complex

Recommendation

Staff recommends Option 2.