

TOWN OF WOODSIDE

Town Council Meeting August 9, 1988

The Joint Study Session with the Planning Commission was called to order at 7:38 p.m. in Guild Hall, Woodside Village Church, 3154 Woodside Road. The Pledge of Allegiance was recited.

ROLL CALL

Present: Councilmembers Dickey, Michos, Reed, Stiff, Mayor Seitle.
Commissioners Braunstein, de Sibert, Hodges, Knapp, Wolper.

Absent: Councilmembers Alexander, Golden.
Commissioner Gunn, Chairman Tagg.

Staff Present: Leslie Doolittle, Town Manager
Robert Lanzone, Town Attorney
Donald Woolfe, Planning Director
Ciddy Wordell, Assistant Planning Director
Robert Eppler, Town Engineer
Dolores Babich, Town Clerk

PUBLIC HEARING

1. Joint Study Session with Planning Commission. Public Discussion of Town Center Planning Issues and Proposals for Specific Town Center Plan.

Mayor Seitle provided history of the planning process, noting that the first plan was done in 1970, others in 1980 and 1987. She reported that a study was done by Hughes-Heise in 1985 to study the economic viability of a Town Center and alternatives to parking and circulation problems. Mayor Seitle reviewed steps leading to the current state of the Town Center Plan. She explained the necessity of relocating Town Hall because the school wants its classrooms back due to increased enrollment.

Mr. Woolfe reviewed the Town Center Plan of 1980 and pointed out property ownership patterns in Town Center. He also talked about the current parking problems.

Mr. Doolittle provided historical background of planning in the Town Center, beginning with the 1970 plan. He discussed changes in uses in Town Center over the years.

Olive Mayer indicated that one plan was done before the 1970 plan but it was rejected by residents because it would have attracted people to shop in Woodside, similar to Carmel. She indicated that the guiding philosophy has been to serve the needs of the residents of Woodside.

Ralph Oswald commented it was better to have controlled development that invites citizen participation in the decisions.

Christopher Dunn, 320 Kings Mountain, stated that further commercialization is inappropriate. He feels that services in Town are adequate. He commented that the initiatives are to limit commercial development and to save Village Hill. He did express concern about exclusions in the initiatives.

Arjay Miller, Mt. Home Road, referred to goals listed in the ordinance, exhibit A, to preserve and enhance the rustic community, and to protect and enhance the unique character of the Town. He thinks those are reasons why people have come to live in Woodside. He stated he did not want to see residential land rezoned to commercial.

Mayor Seitle indicated that there is no proposal to rezone any residential properties to commercial.

Jim McCahon, Tripp Road, indicated he was impressed with the amount of study that has taken place over the years, but he was also disappointed that the studies show new buildings. He suggested studying the PGE site for adding parking, landscaping and walking trails, without new buildings.

Ron Romines, Otis Avenue, explained that the intent of the commercial limitation initiative is to place limitations on the process of considering what should be done with Town Center. He hopes to see residents express that they want some specific limitations imposed on the planning process. He summarized what the initiative does: prevent existing residential parcels from being rezoned commercial, and prevents use of residential parcels for parking.

There were some questions raised about the Planned Commercial Combining District. Councilmember Michos explained that the intent of the Town Council, in passing the ordinance, was to give emergency means to stop development, and it presents a more significant barrier to change than the initiative does. He explained that the ordinance would allow for many hearings at the Planning Commission and Town Council levels and any change is subject to referendum. He urged everyone to look at the PC ordinance as the most effective tool for stopping development.

Floann Molls commented that no one wants more commercial development in Woodside. She feels if it was on the ballot, it would be a less emotional issue.

Bill Jackson commented that the Town has to make up its mind with what it is going to do with the PGE site and Village Hill. He felt the Town should not buy property for a Town Hall if there is already Town-owned property.

Bob Page, Woodside Road, suggested the Council address leaving Village Hill as open space. He noted that almost 20% of the voters signed the petition for the initiative to save Village Hill.

A resident of 187 Mt. Home stated she would like to see no more commercial development at the Town Center other than Town Hall.

Martha Dunn, Kings Mountain, referred to the 1970 plan for traffic circulation. She suggested that parking be placed on one side behind the buildings with one-way drivethrough and a horse trail, and possible bike trail, could be put in. She added that the PGE site could be used for Town Hall and parking.

Cliff Molls, 390 Whiskey Hill, indicated he believes the lack of a plan perpetrated the initiatives. He commented that one of the biggest problems with the Town Center is traffic and circulation. He added he would like to see commercial development limited and parking not allowed on adjacent residential property. He feels that Town Hall should be in the center of Town, in a place to be proud of, and PGE is not a desirable site. He added that Village Hill is the prettiest site and could be a lovely site for a Town Hall.

Mr. Doolittle addressed the issue of a parking district and explained the process of acquiring land.

Bill Gilbert, Olive Hill, opposed initiative 2 because it totally eliminates all flexibility.

Abby Klein indicated that the reason the Town bought the PGE site was to provide flexibility for all owners of Woodside stores to improve circulation. She is against Initiative 2 because it does not allow flexibility. She added that she would like to see Town Hall on Village Hill.

Commissioner Wolper commented he believes people would like to see a plan that does not involve residential property, that would show what could be done without any additional commercial buildings, and a circulation plan that will not affect presently zoned residential properties.

Councilmember Dickey indicated she would like to see one-way vehicular circulation behind the buildings.

Commissioner Braunstein commented that if Village Hill is set aside as open space, that would leave the PGE or school site for location of Town Hall. She indicated she has not seen anything on what costs would be or where money would come from to build a new Town Hall. She feels all residents should consider the options the Town has to keep in mind in order to move.

Commissioner Knapp indicated he would have difficulty making major recommendations to staff at this time because the two initiatives have qualified for the November ballot.

Councilmember Michos suggested the planning process should proceed. He agrees with establishing limitations on commercial development and would like to see a plan similar to the Floor Area Ratio considerations, such as limiting the aggregate number of square feet of commercial area in the Town Center. He indicated there is need for citizen input about controlling types of uses that can be in Town Center.

Commissioner Hodges suggested a plan is needed which shows what might be accomplished with existing space and no new buildings. She feels that something more attractive than what is now on Village Hill could be proposed. She also requested consideration on how the PGE site can be used without any buildings on it. She suggested the planner create a proposal that would show no new structures, show how parking could be improved, and show how open space could be creatively used. She also thinks the issue of Town Hall is crucial.

Councilmember Stiff explained that the goal in Town Center has been for it to be a place for residents to go and enjoy. She would like to enhance and incorporate the beauty of the creek and provide services residents desire. She would like staff to keep a general concept that the Town Center is for the residents of Woodside.

Councilmember Reed expressed concern that there has been no discussion of financial options of putting Town Hall on the PGE site. He pointed out that the Town owns the land but would have to raise money to build a new building and provide the necessary parking.

Commissioner de Sibert commented he feels Village Hill is an ideal site for Town Hall but he has not seen a satisfactory solution to the parking and circulation problems.

Mayor Seitle explained that if the Council goes forward with a Town Center Specific Plan, there will be an Environmental Impact Report, which is State mandated. She asked staff to begin developing a plan and prepare a preliminary budget to be presented to the Council at their August 17 meeting.

OLD BUSINESS

2. Continued discussion of Ordinance Amending Zoning Ordinance re: Building Height Limitation in Commercial District.
3. Continued discussion of Ordinance Modifying the Planned Commercial Combining District.

Mayor Seitle reported that the Planning Commission, due to lack of quorum at their August 3 meeting, will hold a meeting on August 18 to discuss these two items. These items will then come back to the Council.

NEW BUSINESS

4. Town Clerk's Report on Sufficiency of Initiative Petitions.

Mrs. Babich reported spending three days checking signatures on the petitions. She came up with 19% of the total registered voters in the Town had signed each petition and thus, they both qualify for the ballot.

5. Council Consideration of Initiative Measure 2. Decision to Adopt Ordinance or Adopt Order of Election. Resolution No. 1988 - 4528.

Mayor Seitle reported that Initiative 2 is the ^{proposed} ordinance that restricts the use of Town owned property in Town Center and restricts the use of residentially zoned property adjacent to Town Center.

Martha Dunn asked for clarification of the PD District. Mr. Lanzone explained that the PD can only be used if there is a commercial district underlying it; it was intended to be used as an overlay for commercially zoned property. He added that to change residential to commercial, it would have to go through a General Plan change which would require Planning Commission and Town Council public hearings and approval.

There was some discussion about the PCC District. The Town Council and staff clarified questions raised by members of the audience.

Councilmember Stiff moved adoption of Resolution No. 1988 - 4528. A Resolution of the Town of Woodside Ordering and Calling a Special Election to be Held in the Town of Woodside November 8, 1988, for the Purpose of Submitting Measure to Voters: Shall an ordinance restricting the Use of Town Owned Properties in the Town Center and Restricting Use of Residentially Zoned properties in and adjacent to Town Center and setting other zoning standards, be allowed. Motion seconded by Councilmember Michos and carried by roll call vote:

AYES: Councilmembers Dickey, Michos, Reed, Stiff, Mayor Seitle.

NOES: None.

ABSENT: Councilmember Alexander, Golden.

6. Council Consideration of Initiative Measure 1. Decision to Adopt Ordinance or Adopt Order of Election. Resolution No. 1988 - ____.

Councilmember Stiff moved introduction of Ordinance 1988 - 371 An Ordinance Amending the Woodside General Plan Requiring Village Hill to be Maintained in Public Ownership as Open Space. Motion seconded by Councilmember Dickey and carried by roll call vote:

AYES: Councilmembers Dickey, Michos, Reed, Stiff, Mayor Seitle.
NOES: None.
ABSENT: Councilmembers Alexander, Golden.

7. Resolution Requesting County Clerk to Render Specified Election Services. Resolution No. 1988 - ____.

Councilmember Reed moved adoption of Resolution No. 1988 - 4529 A Resolution of the Town Council of the Town of Woodside Requesting County Clerk of San Mateo County to Render Specified Election Services Pursuant to Section 22003 of the Election Code. Motion seconded by Councilmember Michos and carried by roll call vote:

AYES: Councilmembers Dickey, Michos, Reed, Stiff, Mayor Seitle.
NOES: None.
ABSENT: Councilmembers Alexander, Golden.

ADJOURNMENT

Upon motion by Councilmember Dickey, seconded by Councilmember Stiff, the meeting adjourned at 11:30 p.m. to August 17, 1988.

TOWN OF WOODSIDE

Town Council Meeting

August 17, 1988

The Adjourned Meeting of the Woodside Town Council was called to order at 7:40 p.m. in the Town Hall Conference Room. The Pledge of Allegiance was recited.

ROLL CALL

Present: Councilmembers Alexander, Dickey, Michos, Reed,
Mayor Seitle.

Absent: Councilmembers Golden, Stiff.

CONSENT CALENDAR

1. Minutes for Approval - July 12 and July 19, 1988
2. Bills for Payment and Treasurer's Report

Councilmember Dickey requested an addition to the minutes of July 12, page 5: "Undersized, Nonconforming Lots: The Council concurred with the Planning Commission recommendations for OS, SCP and RR zones which is a graduated increase in allowed FAR as the parcel size decreases." Upon motion by Councilmember Dickey, seconded by Councilmember Alexander, the Consent Calendar was unanimously accepted.

OLD BUSINESS

3. Adoption of Ordinance Amending the Woodside General Plan Requiring Village Hill be Maintained in Public Ownership as Open Space. Ordinance No. 1988 - 371.

Councilmember Dickey, with the concurrence of Councilmembers Reed and Alexander, stated she did not believe it could be found that the Town Council was considering a substantial development on Village Hill.

Councilmember Reed moved adoption of Ordinance No. 1988 - 371 An Ordinance of the Town of Woodside Adopted Pursuant to "SAVE VILLAGE HILL INITIATIVE" Prohibiting Sale, Lease, Development, or Certain Other Activities on a Town-owned Parcel on Village Hill. Motion seconded by Councilmember Dickey.

Councilmember Reed stated for the record that he strongly believes the adoption of this ordinance is going to strictly reduce the ability of the Town Council and residents of Woodside to obtain and establish an economical Town Hall. He added it places a heavy financial burden on the Town residents which he does not believe they realize.

The motion carried by the following roll call vote:

AYES: Councilmembers Alexander, Dickey, Michos, Reed, Mayor Seitle.

NOES: None.

ABSENT: Councilmembers Golden, Stiff.

Mr. Cliff Molls commented that the initiative was created because residents did not have a plan for Town Center. He felt there should be citizen input in planning the Town Center.

Mayor Seitle commented that there have been citizen committees involved all along, and she invited the audience to attend the Planning Commission Meeting of August 18.

4. Town Planner Report on Costs and Schedule for Town Center Plan Project.

Mr. Woolfe explained the planning process, noting the Council has to decide if they want the Town Center Plan as an element of the General Plan or a Town Center Specific Plan. Once that is decided, data will need to be collected, such as determining mix of uses in Town Center: retail, service retail and office; what's available and square footages. Data then would be evaluated and tabulated; followed by identification of community goals and issues. Next comes preparation of sketch plan alternatives. Mr. Woolfe explained he plans to start with circulation and parking. This will be discussed at special meetings. Also proposed is text amendments to the existing Town Center element of the General Plan; environmental report; and final plan. Mr. Woolfe indicated that the final cost will be \$7,000-8,000 for work prepared by him and Mr. Eppler.

Councilmember Michos offered suggestions for prioritizing data that is collected: present square footage of commercial space in Town Center and square footage of parking places.

Planning Commissioner Kathleen Braunstein requested seeing the goals and priorities established by the Town Council as to the most important issues.

Mayor Seitle commented that the Council has set priorities by asking for ordinances to be developed and by asking for circulation and parking problem to be attacked first. She added that the Council has asked that the PCC ordinance be revised; have asked the Planning Commission to look at the height ordinance; and have asked Town staff to look at how other cities handle the retail/office mix.

Mr. Woolfe indicated he will be setting a meeting with the Planning Commission for the first week of September to present a sketch of alternatives for parking and circulation.

The Council requested staff prepare a proposal showing the difference between a specific plan and general element written for the General

Plan. Mr. Woolfe indicated he would prepare a memo by Friday which includes an outline of what each phase would involve. The Council also requested he give recommendations to the Planning Commission. The Council postponed adopting the budget until after receiving the memo from Mr. Woolfe. This item will be considered at a meeting next week.

NEW BUSINESS

Item 6 was discussed before item 5.

6. Discussion of Planning Commission Recommendation re: Lot Line Adjustment Involving Non-Conforming Lots.

Mr. Woolfe, using an example of two legal lots with one having physical problems, explained that moving lot lines could allow for better driveway or drainage improvements. He added it would increase the non-conformity on one lot and decrease it on the other. He explained that the Planning Commission supported this issue at their June 28 meeting. He indicated that he will be proposing that lot line adjustments or reversion to acreage be certified or decertified, and the Town may have to develop local criteria for this.

Mayor Seitle requested Mr. Woolfe bring findings back to the Town Council.

Mr. Doolittle explained that the Town has received 5-6 applications, and that policy interpretation needs to be developed.

Councilmember Dickey raised a question about easements: does the property remain in original ownership for determining size of lot. Mr. Woolfe responded it did not. Councilmember Dickey feels it is unfair to take an easement out of the parcel size of the original owner. The Council requested Mr. Woolfe to comment on this issue in his next report.

COMMUNICATIONS

Drugs Aren't Fun Run.

This item was included for the Council's information only.

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Councilmember Reed reported on the County Transportation Authority's first meeting. He suggested as many Councilmembers as possible attend the Council of Mayor's meeting next week.

NEW BUSINESS

5. Preparation of Ballot Arguments Against the Measure Proposing Various Restrictions to the Use of Public and Private Lands Throughout Woodside Town Center.

The Council discussed the wording for the Ballot Arguments. Final wording was prepared. Upon motion by Councilmember Reed, seconded by Councilmember Dickey, the final draft of the ballot argument was unanimously accepted.

The Council will hold another meeting next week to prepare the rebuttal.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:15 p.m. to Wednesday, September 24, 1988, 7:30 p.m. for rebuttal discussion.

ORDINANCE NO. 1988 - 371

AN ORDINANCE OF THE TOWN OF WOODSIDE
ADOPTED PURSUANT TO "SAVE VILLAGE HILL INITIATIVE"
PROHIBITING SALE, LEASE, DEVELOPMENT, OR
CERTAIN OTHER ACTIVITIES ON A TOWN-OWNED PARCEL
ON VILLAGE HILL

The People of the Town of Woodside do ordain as follows:

Section 1. Purpose

This ordinance is to preserve the open space and natural qualities of Village Hill, which is owned by the Town of Woodside. The Town's General Plan designates the Hill as Open Space and specifies that the town should "maintain the parcel in public ownership to retain its value as visual open space." This ordinance implements the General Plan by prohibiting sale or development of the parcel unless approved by a majority of the voters. Current low-intensity recreation use is permitted, including a trail for pedestrians and equestrians.

Section 2. Findings

- a. Village Hill, located on Woodside Road, is the high point in the Town Center. It was purchased by the Town to prevent unacceptable development.
- b. Village Hill is an important open-space and natural resource for the citizens of Woodside. Development of the Hill would destroy these valuable characteristics. It would cause traffic hazards and congestion and impair important visual qualities on Woodside Road.
- c. The Town Council is considering substantial development on Village Hill. This development is unnecessary and undesirable. The residents of Woodside prefer to maintain the unique rural character and quality of life in Woodside rather than to obtain financial gain for the Town from the development of the Hill.

Section 3. Ownership and Use of Village Hill

Paragraph 2265A is added to the General Plan of the Town of Woodside:

2265A. Ownership and Use of Village Hill

Village Hill is dedicated to open space. It shall remain undeveloped, with a trail for pedestrians and equestrians. No buildings, facilities for intensive recreational uses, roads or parking areas may be constructed on the parcel, nor may any substantial grading be done.

Village Hill may not be sold or leased by the Town without the approval of a majority of the voters. Easements may not be granted for installation of utility lines above ground except as required by state law.

Section 4. City Government Responsibilities

The Town Council and other officials and employees of Woodside are mandated by the voters to fully implement and enforce the provisions of this ordinance.

Section 5. Supersession of Inconsistent Provisions

To the extent that any provision in the General Plan, zoning ordinances, or other ordinances or resolutions of the Town of Woodside is inconsistent with this ordinance, that provision is superseded and nullified by this ordinance.

Section 6. Severability

If any provision or application of any provision of this ordinance is held unconstitutional or violative of any state or federal law, the invalidation shall not affect the validity of effect of any other provision or application of any provision. The voters of Woodside declare that the provisions and applications of the provisions of this ordinance are severable and would have been enacted as they were even though any other provision or provisions or application or applications are held unconstitutional or otherwise violative of law.

Section 7. Repeal or Amendment

This ordinance may be repealed or changed only by a majority vote of the citizens of Woodside in an election.

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance is a full, true and correct copy of Ordinance No. 1988 - 371 of the Town of Woodside, entitled as above; that it was introduced on August 9, 1988, and was passed and adopted by the Council on August 17, 1988, by the following vote:

AYES, and in favor thereof, Councilmembers: Alexander, Dickey,
Michos, Reed and Mayor Seitle

NOES, Councilmembers: None

ABSENT, Councilmembers: Golden and Stiff

ABSTAIN, Councilmembers: None


CLERK OF THE TOWN OF WOODSIDE

TOWN OF WOODSIDE

Report to Town Council
From: Leslie L. Doolittle, Town Manager

LD

Agenda Item #6
August 9, 1988

Item 6 - Measure 1

The following are enclosed for review:

1. Proposed Initiative Measure 1. If the Council should decide to adopt rather than set for election, it would be introduced as an Ordinance in its complete present form.
2. The Planning Director's preliminary analysis of planning and zoning implications.
3. A financial impact analysis contained in this memo.
4. A Resolution to be adopted should the Council decide to set the measure for election.

The Council does have the option of requesting additional staff reports. To do so would delay an election beyond the regular November General Election however, because of the August 12 deadline for submittal of materials to the County.

Financial Impact

1. The Village Hill parcel cost a total of \$315,000, which was paid from Town reserves in 1977. The earnings lost on that money, even at simple interest, would have been some \$275,000 to date, for a total cost of \$590,000.
2. The property needs some grading across the front and a proper drain at the top of the sloped bank. That will cost about \$25,000, and should be done even if the lot remains undeveloped.
3. The Town has stated its intention to retain ownership, so a sale value is not germane here. However, the "sunk cost" already invested in the land could be recovered, at least in part, by using it instead of other locations for the Town Hall. This could save \$35,000 annually, which would be the annual debt service for 25 years on a \$500,000 land purchase.

TOWN OF WOODSIDE

Report to Town Council
From: Donald A. Woolfe, Planning Director

Agenda Item 2
June 28, 1988

Subject: Review of Proposed Initiative Measure Concerning the Town-Owned Village Hill Property Located in the Town Center.

Reference: This is a preliminary report pursuant to Section 4009.5 of the California Elections Code.

BACKGROUND: The Town Council has requested our analysis of the two measures in terms of planning and zoning implications including consistency with the General Plan, Zoning Ordinance and other applicable regulations. The following is a summary of our findings and conclusions regarding the Village Hill Initiative.

PROPOSAL: The central thrust of the Initiative is to require that Village Hill be retained as essentially passive open space with no structures, buildings, roads, parking or intensive recreational uses permitted.

ANALYSIS: Village Hill has been designated as a commercial use since the incorporation of the Town, approximately 30 years. The open space uses proposed in the measure are not consistent with the Town General Plan or Zoning Ordinance since these documents designate Village Hill as Community Commercial. Pursuant to General Plan Section 2135, the designation of Community Commercial is as follows: "Lands within the Town Center are for stores, offices, specialty shops and consumer service establishments needed to provide reasonable and accustomed services to local residents."

Report to Town Council June 28, 1988

Agenda Item 2

(5/a:tc622don

Save Village Hill

231 Glenwood Ave
Woodside, Calif 94062
415-851-2052
June 8, 1988

cc: T.C.
T. atty.
Planner
ass't. Planner
M.P.

Clerk of the Town Council
Town of Woodside

We request the Town Attorney to prepare a ballot title and summary for the two initiative measures that are attached. Enclosed is a deposit check for \$400 and the Notices of Intent to Circulate.

Our objective is to have these measures on the November 8 ballot. We would like to ask for prompt assistance from the Town Attorney and also from the Town Clerk for signature verification. We will attempt to complete signature gathering as soon as possible and would like to ask for a Town Council hearing on or before August 9. These measures would then make the November ballot and thereby avoid the cost of a special election in January.

Thank you.

Sincerely,

Donald E. Pugh

Donald E. Pugh, 231 Glenwood Ave

Robert Page

Robert Page, 3125 Woodside Road

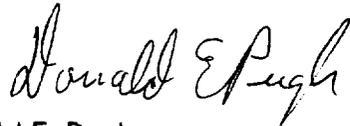
Olive Mayer

Olive Mayer, 245 Josselyn Lane

NOTICE OF INTENT TO CIRCULATE PETITION

Notice is hereby given by the persons whose names appear hereon of their intention to circulate this petition within the Town of Woodside for the purpose of saving Village Hill. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

This initiative will protect the small-town, uncongested, rural qualities and beauty of Woodside. It will preserve the open space and natural qualities of Village Hill, which is owned by the Town of Woodside. The parcel will be dedicated to open space and shall remain undeveloped, with a trail for pedestrians and equestrians. This will preserve the character and scenic values of Woodside Road and prevent further traffic congestion and hazards.



Donald E. Pugh

231 Glenwood Ave



Robert Page

3125 Woodside Road



Olive Mayer

245 Josselyn Lane

Measure 1

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:

[Here title and summary]

SAVE VILLAGE HILL INITIATIVE

To the Council of the Town of Woodside:

We, the undersigned, registered and qualified voters in the Town of Woodside, propose the following ordinance relating to Village Hill in the Woodside Town Center. If this petition is signed by the requisite number of voters, we request that the ordinance, if not adopted as written, be submitted to the voters at a special election in accordance with Section 4010 of the California Elections Code.

The People of the town of Woodside do ordain as follows:

Section 1. Purpose

This ordinance is to preserve the open space and natural qualities of Village Hill, which is owned by the Town of Woodside. The Town's General Plan designates the Hill as Open Space and specifies that the town should "maintain the parcel in public ownership to retain its value as visual open space." This ordinance implements the General Plan by prohibiting sale or development of the parcel unless approved by a majority of the voters. Current low-intensity recreation use is permitted, including a trail for pedestrians and equestrians.

Section 2. Findings

- a. Village Hill, located on Woodside Road, is the high point in the Town Center. It was purchased by the Town to prevent

unacceptable development.

- b. Village Hill is an important open-space and natural resource for the citizens of Woodside. Development of the Hill would destroy these valuable characteristics. It would cause traffic hazards and congestion and impair important visual qualities on Woodside Road.
- c. The Town Council is considering substantial development on Village Hill. This development is unnecessary and undesirable. The residents of Woodside prefer to maintain the unique rural character and quality of life in Woodside rather than to obtain financial gain for the Town from the development of the Hill.

Section 3. Ownership and Use of Village Hill

Paragraph 2265A is added to the General Plan of the Town of Woodside:

2265A. Ownership and Use of Village Hill

Village Hill is dedicated to open space. It shall remain undeveloped, with a trail for pedestrians and equestrians. No buildings, facilities for intensive recreational uses, roads or parking areas may be constructed on the parcel, nor may any substantial grading be done.

Village Hill may not be sold or leased by the Town without the approval of a majority of the voters. Easements may not be granted for installation of utility lines above ground except as required by state law.

Section 4. City Government Responsibilities

The Town Council and other officials and employees of Woodside are mandated by the voters to fully implement and enforce the provisions of this ordinance.

Section 5. Supersession of Inconsistent Provisions

To the extent that any provision in the General Plan, zoning ordinances, or other ordinances or resolutions of the Town of Woodside is inconsistent with this ordinance, that provision is superseded and nullified by this ordinance.

Section 6. Severability

If any provision or application of any provision of this ordinance is held unconstitutional or violative of any state or federal law, the invalidation shall not affect the validity of effect of any other provision or application of any provision.

The voters of Woodside declare that the provisions and applications of the provisions of this ordinance are severable and would have been enacted as they were even though any other provisions or provisions or application or applications are held unconstitutional or otherwise violative of law.

Section 7. Repeal or Amendment

This ordinance may be repealed or changed only by a majority vote of the citizens of Woodside in an election.

NOTICE OF INTENT TO CIRCULATE PETITION

Notice is hereby given by the persons whose names appear hereon of their intention to circulate this petition within the Town of Woodside for the purpose of limiting commercial development in Woodside. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

This initiative will protect the small-town, uncongested, rural qualities and beauty of the Town of Woodside. It will limit the extent and amount of commercial development in the Town Center and on the town-owned PG&E property. It will prevent the expansion of Town Center commercial use into residential property. It will preserve the character and scenic values of Woodside Road and prevent further traffic congestion and hazards.



Donald E. Pugh

231 Glenwood Ave



Robert Page

3125 Woodside Road



Olive Mayer

245 Josselyn Lane

MEASURE 2

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:

[Here title and summary]

Initiative to Limit Commercial Development in Woodside

To the Council of the Town of Woodside:

We, the undersigned, registered and qualified voters in the Town of Woodside, propose the following ordinance limiting commercial development in the Town Center. If this petition is signed by the requisite number of voters, we request that this ordinance, if not adopted as written, be submitted to the voters at a special election in accordance with Section 4010 of the California Elections Code.

The People of the Town of Woodside do ordain as follows:

Section 1. Purposes

This ordinance is to protect the small-town, uncongested, rural qualities and beauty of the Town of Woodside. It limits the extent and amount of commercial development in the Town Center. It preserves the character and scenic values of Woodside Road and prevents further traffic congestion and hazards.

Section 2. Findings

- (a) A substantial increase in the extent and amount of commercial development in the Woodside Town Center is now under consideration.
- (b) This development is unnecessary. The Woodside General Plan provides that commercial development shall be limited to "establishments needed to provide reasonable and accustomed services to local residents." Woodside has sufficient retail and commercial facilities to meet the needs of its residents.
- (c) The Town Center already has traffic, congestion, parking and noise problems. Further commercial development will

exacerbate these problems.

- (d) The town of Woodside owns the former Pacific Gas and Electric substation site in the Town Center. This site can properly be used to relieve traffic and parking problems.
- (e) Lands zoned residential should not be used for commercially-related purposes, to prevent expansion of commercial uses into residential areas and excessive development of commercial parcels.
- (f) Multi-story buildings in the Town Center facing Woodside Road would impair the visual qualities of that scenic road and would cause traffic congestion.
- (g) The Town Council recently enacted an ordinance allowing the Council to designate any property in Woodside as a Planned Commercial Combining District. This ordinance permits the Council to waive all size, height and setback limits without complying with existing variance procedures. This latitude is inconsistent with reasonable limits on commercial development.

- (h) Residents prefer to maintain the unique rural character and quality of life in Woodside rather than obtain additional revenues for the Town from real estate development.

Section 3. Rezoning and Use of Residential Parcels in the Town Center

The Town Center Local Area Plan of the General Plan of Woodside, Part E.1., is amended by adding:

Property zoned residential on June 1, 1988, in or adjoining the Town Center, may not be rezoned to commercial or professional uses. Ordinances regulating the use of this property may not be changed to allow any nonresidential use, except a use permitted in the same residential zone on June 1, 1988, under Sections 9-2.112 and 9-2.113 of the Woodside Municipal Code. If the zoning or other regulations are changed prior to the effective date of this ordinance to permit any use which would be proscribed if the change were made after the effective date of this ordinance, the change is hereby rescinded.

Section 4. Former Pacific Gas and Electric Substation Site

The Town Center Local Area Plan, Part E.1.c., is amended by adding the following:

The former Pacific Gas and Electric Substation site in the Town Center, owned by the Town of Woodside, may be used to mitigate parking and traffic problems, whenever practical upon payment by those who benefit. The parcel may not be sold or leased by the Town without the approval of a majority of voters, except on the condition that it not be used for commercial or professional purposes other than parking or traffic circulation. No building may be erected on the parcel, except a Town Hall or public building primarily to serve the needs of Woodside residents or a building otherwise permitted in a residential zone on June 1, 1988. Any public building may not exceed 5,000 square feet of usable floor area and may not be used for private commercial or professional purposes.

Section 5. Commercial Use of Residential Parcels

(a) Section 9-2.114 is added to Title 9 of the Woodside

Municipal Code:

Sec. 9-2.114. Use of Residential Parcels for Commercial Purposes in the Town Center

Parcels zoned Residential in or adjoining the Town Center may not be used to facilitate or support commercial use of other parcels, including parking or access, except where a permit was granted by the Town for the use of the residential parcel and improvements were constructed prior to June 1, 1988.

(b) The Town Center Local Area Plan is amended by deleting the following language from Part F:

"The zoning ordinance contains a provision permitting commercial off-street parking on land zoned for residential use when situated adjacent to the commercial use to be served. This provision gives the Town a means of allowing some controlled expansion of commercial activities without actual rezoning."

Section 6. Height Limitation in Town Center

(a) The Town Center Local Area Plan, Part D.3., is amended by adding:

Provided however, buildings on commercially zoned parcels immediately adjacent to Woodside Road may not be constructed or altered to exceed one story facing Woodside Road. They may include a basement, as defined in Section 9-2.105(g) of the Municipal Code on June 1, 1988.

(b) Section 9-2.203A is added to the Municipal Code:

Sec. 9-2.203A Height Limit in Town Center Area.

Buildings on commercially zoned parcels immediately adjacent to Woodside Road in the Town Center may not be constructed or altered to exceed one story facing Woodside road, notwithstanding Sec. 9-2.203. These buildings may include a basement, as defined in Sec. 9-2.105(g) of the Municipal Code on June 1, 1988, and the exceptions in Secs. 9-2.211 and 9-2.212, or successor sections, for structures or mechanical equipment covering not more than 150 square feet shall apply.

If a building existing on June 1, 1988 has more than one story, it shall be subject to the then current provisions of the Municipal Code governing nonconforming uses and buildings.

Section 7. Planned Commercial Combining District

Section 9-112A(B) of Title 9 of the Woodside Municipal Code is amended to read:

(B) Standards. All standards governing the use of property zoned Community Commercial shall apply to property included in a Planned Commercial Combining District. Variances must be obtained in accordance with the variance provisions of the Municipal Code, including public hearings.

Section 8. City Government Responsibilities

The Town Council and other officials and employees of Woodside are mandated by the voters to fully implement and enforce the provisions of this ordinance.

Section 9. Supersession of Inconsistent Provisions

To the extent that any provision in the General Plan, zoning

ordinances, or other ordinances or resolutions of the Town of Woodside is inconsistent with this ordinance, that provision is superseded and nullified by this ordinance.

Section 10. Consistency with Federal and State Law

The provisions of this ordinance shall not apply to the extent, but only to the extent, that they would violate the Constitution or law of the United States or of the State of California.

Section 11. Severability

If any provision or application of any provision of this ordinance is held unconstitutional or violative of any state or federal law, the invalidation shall not affect the validity of effect of any other provision or application of any provision. The voters of Woodside declare that the provisions and applications of the provisions of this ordinance are severable and would have been enacted as they were even though any other provisions or provisions or application or applications are held unconstitutional or otherwise violative of law.

Section 12. Repeal or Amendment

This ordinance may be repealed or changed only by a majority vote of the citizens of Woodside in an election.

Section 13. Definition

- (a) "Town Center" means the land included in the Town Center Planning Area in the March 9, 1970, Town Center Plan.

authored the material in question shall be named as the real party in interest.
(Amended by Stats. 1981, c. 1114, §9.)

Chapter 3. Municipal Elections

Article 1. Initiative

4000. Scope of article.

Ordinances may be enacted by and for any incorporated city pursuant to this article.

(Added by Stats. 1976, c. 248, §3.)

4001. Proposed ordinance may be submitted by petition.

Any proposed ordinance may be submitted to the legislative body of the city by a petition filed with the clerk of the legislative body, in the manner hereinafter prescribed, after being signed by not less than the number of voters specified in this article. The petition may be in separate sections, providing that the same complies with all of the requirements of this article. The first page of each section shall contain the title of the petition and the text of the measure. The petition sections shall be designated in the manner set forth in Section 3516.

(Added by Stats. 1976, c. 248, §3.)

4002. Notice of intent to circulate; filing, form.

(a) Before circulating an initiative petition in any city, the proponents of the matter shall file with the clerk a notice of intention to do so, which shall be accompanied by the written text of the initiative and may be accompanied by a written statement not in excess of 500 words, setting forth the reasons for the proposed petition. The notice shall be signed by at least one, but not more than three, proponents and shall be in substantially the following form:

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of _____ for the purpose of _____. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

(b) Any person filing a notice of intent with the clerk shall pay a fee to be established by the legislative body not to exceed two hundred dollars (\$200) to be refunded to the filer if, within one year of the date of filing the notice of intent, the clerk certifies the sufficiency of the petition.

(Amended by Stats. 1987, c. 767, §8.)

4002.5. Proposed measure; title and summary.

(a) Any person who is interested in any proposed measure shall file a copy of the proposed measure with the clerk with a request that a ballot title and summary be prepared. This request shall be accompanied by the address of the person proposing the measure. The clerk shall immediately transmit a copy of the proposed measure to the city attorney. Within 15 days after the proposed measure is filed, the city attorney shall provide and return to the city clerk a ballot title for and summary of the proposed measure. The ballot title may differ from any other title of the proposed measure and shall express in 500 words or less the purpose of the proposed measure. In providing the ballot title, the city attorney shall give a true and impartial statement of the purpose of the proposed measure

in such language that the ballot title shall neither be an argument, nor be likely to create prejudice, for or against the proposed measure.

(b) The clerk shall furnish a copy of the ballot title and summary to the person filing the proposed measure. The person proposing the measure shall, prior to its circulation, place upon each section of the petition, above the text of the proposed measure and across the top of each page of the petition on which signatures are to appear, in roman boldface type not smaller than 12-point, the ballot title prepared by the city attorney.

The heading of the proposed measure shall be in substantially the following form:

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:

(Here set forth the title and summary prepared by the city attorney. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

(Added by Stats. 1987, c. 767, §9.)

4002.7. Title or summary; writ of mandate.

The proponent may seek a writ of mandate requiring the ballot title or summary prepared by the city attorney to be amended. The court shall expedite hearing on the writ. A peremptory writ of mandate shall be issued only upon clear and convincing proof that the ballot title or summary is false, misleading, or inconsistent with the requirements of Section 4002.5.

(Added by Stats. 1987, c. 767, §10.)

4003. Where notice is published or posted.

A notice of intention and the title and summary of the proposed measure shall be published or posted or both as follows:

(a) If there is a newspaper of general circulation, as described in Section 6000 et seq. of the Government Code, adjudicated as such, the notice, title, and summary shall be published therein at least once.

(b) If the petition is to be circulated in a city in which there is no adjudicated newspaper of general circulation, the notice, title, and summary shall be published at least once, in a newspaper circulated within the city and adjudicated as being of general circulation within the county in which the city is located and the notice, title, and summary shall be posted in three (3) public places within the city, which public places shall be those utilized for the purpose of posting ordinances as required in Section 36933 of the Government Code.

(c) If the petition is to be circulated in a city in which there is no adjudicated newspaper of general circulation, and there is no newspaper of general circulation adjudicated as such within the county, circulated within the city, then the notice, title, and summary shall be posted in the manner described in subdivision (b).

(Amended by Stats. 1987, c. 767, §10.5.)

4004. Filing of publication affidavit.

Within 10 days after the date of publication or posting, or both, of the notice of intention and statement, the proponents shall file a copy of the notice and statement as published or posted, or both, together with an affidavit made by a representative of the newspaper in which the notice was published or, if the notice

was posted, by a voter of the city, certifying to the fact of publication or posting.

Such affidavit, together with a copy of the notice of intention and statement, shall be filed with the clerk of the legislative body of the city in his or her office during normal office hours as posted.

(Amended by Stats. 1987, c. 993, §2.)

4005. When petition may be circulated.

The proponents may commence to circulate the petitions among the voters of the city for signatures by any registered voter of the city after publication of the title and summary prepared by the city attorney. Each section of the petition shall bear a copy of the notice of intention and the title and summary prepared by the city attorney.

(Added by Stats. 1987, c. 767, §13.)

4006. Securing of signatures and petition filing time.

Signatures upon petitions and sections of petitions shall be secured, and the petition, together with all sections of the petition, shall be filed within 180 days from the date of receipt of the title and summary, or after termination of any action for a writ of mandate pursuant to Section 4002.7, and, if applicable, after receipt of an amended title or summary or both, whichever occurs later. Petitions and sections thereof shall be filed in the office of the clerk during normal office hours as posted. If the petitions are not filed within the time permitted by this section, the petitions shall be void for all purposes.

(Amended by Stats. 1987, c. 767, §14.)

4007. Affidavit attached to petition.

Each section shall have attached thereto the affidavit of the person soliciting the signatures. This affidavit shall be substantially in the same form as set forth in Section 3519 except that the affidavit shall declare that the circulator is a voter of the city and shall state the voter's voting address at the time of the execution of the affidavit.

(Amended by Stats. 1983, c. 668, §2.)

4008. Filing of petition.

The petition shall be filed by the proponents or by any person or persons authorized in writing by the proponents. All sections of the petition shall be filed at one time.

When the petition is presented for filing, the clerk shall do all of the following:

(a) Ascertain the number of registered voters of the city last reported by the county clerk to the Secretary of State pursuant to Section 607 effective at the time the notice specified in Section 4002 was published.

(b) Determine the total number of signatures affixed to the petition. If, from this examination, the clerk determines that the number of signatures, prima facie, equals or is in excess of the minimum number of signatures required, the clerk shall accept the petition for filing. The petition shall be deemed as filed on that date. Any petition not accepted for filing shall be returned to the proponents.

(Amended by Stats. 1986, c. 528, §2.5, 6.5.)

4009. Examination of signatures.

After the petition has been filed, as herein provided, the elections official shall examine the petition in the same manner as are county petitions in accordance with Sections 3707 and 3708 except that, for the purposes of this section, references to the board of supervisors shall be treated as references to the legislative body of the city.

(Amended by Stats. 1987, c. 1039, §7.)

4009.5. Report on effect of proposed initiative to legislative body.

(a) During the circulation of the petition, or before taking either action described in subdivisions (a) and (b) of Section 4010, or Section 4011, the legislative body may refer the proposed initiative measure to any city agency or agencies for a report on any or all of the following:

(1) Its fiscal impact.

(2) Its effect on the internal consistency of the city's general and specific plans including the housing element, the consistency between planning and zoning, the limitations on city actions under Section 65008 of the Government Code, Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.

(3) Any other matters the council requests to be in the report.

(b) The report shall be presented to the legislative body within the time prescribed by the legislative body but no later than 45 days after the clerk certifies to the legislative body the sufficiency of the petition.

(Added by Stats. 1987, c. 767, §15.)

4010. Petition signatures; adopt ordinance or order special election.

If the initiative petition is signed by not less than 15 percent of the voters of the city according to the last report of registration by the county clerk to the Secretary of State pursuant to Section 607 effective at the time the notice specified in Section 4002 was published, or in a city with 1,000 or less registered voters the signatures of 25 percent of the voters or 100 voters of the city, whichever is the lesser number, and contains a request that the ordinance be submitted immediately to a vote of the people at a special election, the legislative body shall either:

(a) Introduce the ordinance without alteration at the regular meeting at which it is presented and adopt the ordinance within 10 days after it is presented; or

(b) Immediately order a special election, to be held not less than 88 nor more than 103 days after the date of the order, at which the ordinance, without alteration, shall be submitted to a vote of the voters of the city.

(Amended by Stats. 1986, c. 528, §3.5, 6.5.)

4011. Petition signatures; ordinance submitted at next regular municipal election.

If the initiative petition is signed by not less than 10 percent of the voters of the city according to the last report of registration by the county clerk to the Secretary of State pursuant to Section 607 effective at the time the notice specified in Section 4002 was published, or in a city with 1,000 or less registered voters by the signatures of 25 percent of the voters or 100 voters of the city, whichever is the lesser number, and the ordinance petitioned for is not required to be, or for any reason is not, submitted to the voters at a special election, and is not passed without change by the legislative body, then the ordinance, without alteration, shall be submitted by the legislative body to the voters at the next regular

municipal election occurring not less than 88 days after the order of the legislative body.

(Amended by Stats. 1986, c. 528, §4.5, 6.5.)

4012. Mayor may veto.

In cities having a mayor, or like officer, with the veto power, when the passage of an ordinance petitioned for by the voters is vetoed, the failure of the legislative body to pass the ordinance over the veto shall be deemed a refusal of the legislative body to pass the ordinance within the meaning of this article.

(Added by Stats. 1976, c. 248, §3.)

4013. Valid ordinance if majority.

If a majority of the voters voting on a proposed ordinance vote in its favor, the ordinance shall become a valid and binding ordinance of the city. The ordinance shall be considered as adopted upon the date that the vote is declared by the legislative body, and shall go into effect 10 days after that date. No ordinance proposed by initiative petition and adopted by the vote of the legislative body of the city without submission to the voters, or adopted by the voters, shall be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance.

(Added by Stats. 1976, c. 248, §3.)

4014. More than one ordinance at same election.

Any number of proposed ordinances may be voted upon at the same election, but the same subject matter shall not be voted upon twice within any 12-month period at a special election under the provisions of this article.

(Added by Stats. 1976, c. 248, §3.)

4015. Arguments for and against ordinance.

The persons filing an initiative petition pursuant to this article may file a written argument in favor of the ordinance, and the legislative body may submit an argument against the ordinance. Neither argument shall exceed 300 words in length, and both arguments shall be printed upon the same sheet of paper and mailed to each voter with the sample ballot for the election.

The following statement shall be printed on the front cover, or if none, on the heading of the first page, of the printed arguments:

"Arguments in support of or in opposition to the proposed laws are the opinions of the authors."

Printed arguments submitted to voters in accordance with this section shall be titled either "Argument In Favor Of Measure _____" or "Argument Against Measure _____," accordingly, the blank spaces being filled in only with the letter or number, if any, which designates the measure. At the discretion of the clerk, the word "Proposition" may be substituted for the word "Measure" in such titles. Words used in the title shall not be counted when determining the length of any argument.

(Amended by Stats. 1977, c. 297, §4.)

4015.5. Rebuttal arguments.

(a) If the legislative body submits an argument against the ordinance, it shall immediately send copies of the argument to the persons filing the initiative petition. The persons filing the initiative petition may prepare and submit a rebuttal argument not exceeding 250 words. The legislative body may prepare and submit a rebuttal to the argument in favor of the ordinance not exceeding 250 words. The rebuttal arguments shall be filed with the clerk not more than 10 days after the final date for filing direct arguments. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

(b) The provisions of subdivision (a) shall only apply if, not later than the day on which the legislative body calls an election, the legislative body, by a majority vote, adopts its provision; in which case, the provisions of subdivision (a) shall apply at the next ensuing municipal election and at each municipal election thereafter, unless later repealed by the legislative body in accord with the procedures of this subdivision.

(Added by Stats. 1977, c. 701, §1.)

4016. Conflicting ordinances.

If the provisions of two or more ordinances adopted at the same election conflict, the ordinance receiving the highest number of affirmative votes shall control.

(Added by Stats. 1976, c. 248, §3.)

4017. Legislative body may submit proposed ordinance to voters.

The legislative body of the city may submit to the voters, without a petition therefor, a proposition for the repeal, amendment, or enactment of any ordinance, to be voted upon at any succeeding regular or special city election, and if the proposition submitted receives a majority of the votes cast on it at the election, the ordinance shall be repealed, amended or enacted accordingly. A proposition may be submitted, or a special election may be called for the purpose of voting on a proposition, by ordinance or resolution.

(Added by Stats. 1976, c. 248, §3.)

4018. Copy of ordinance made available to voter.

Whenever any ordinance or measure is required by this article to be submitted to the voters of a city at any election, the clerk of the legislative body shall cause the ordinance or measure to be printed. A copy of the ordinance or measure shall be made available to any voter upon request.

(Amended by Stats. 1986, c. 866, §8.)

4019. Enacting clause of ordinance.

The enacting clause of an ordinance submitted to the voters of a city shall be substantially in the following form:

“The people of the City of _____ do ordain as follows:”

(Added by Stats. 1976, c. 248, §3.)

TOWN OF WOODSIDE

CERTIFICATE OF TOWN CLERK

I, Dolores Babich, Town Clerk for the Town of Woodside, do hereby certify to the Town Council of the Town of Woodside that after verifying signatures of each registered voter in the County of San Mateo who signed the following petition, the number of valid signatures totaled nineteen percent (19%) of the number of registered voters in the Town of Woodside, as confirmed by the County Elections Department to be 3,476 voters as of June 15, 1988.

Measure No. 1 - An Initiative Measure Amending the Woodside General Plan Requiring Village Hill be Maintained in Public Ownership as Open Space.

In accordance with Sections 4010(a) and (b) of the California Elections Code, since the verified signatures on the above petition total nineteen percent (19%) of the voters in Woodside, the Town Council shall either: (a) introduce the ordinance without alteration and adopt the ordinance by August 19, 1988; or (b) order a Special Election to be held not less than 88 nor more than 103 days after the date of the order, at which the ordinance, without alteration, shall be submitted for approval by the voters in the Town of Woodside.

Dolores Babich
Clerk of the Town of Woodside

Dated: August 9, 1988