

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE V

The Zoning Code and Land Use Element of the General Plan of the City of Menlo Park designate certain properties for single-family detached homes. Under the General Plan, many properties designated for single-family detached homes have land use designations of “Very Low Density Residential” or “Low Density Residential” (“Single Family Use”).

Measure V is a voter-sponsored initiative measure. It proposes the adoption of an amendment to the Land Use Element of the General Plan that would prohibit the City Council from (1) changing the General Plan land use designation of properties designated for Single Family Use as of April 15, 2022; and (2) re-zoning certain properties zoned for Single Family Use, including Residential Estate (R-E), Residential Estate Suburban (R-E-S), Single Family Suburban Residential (R-1-S), Single Family Suburban Residential (Felton Gables) (R-1-S (FG)), Single Family Urban Residential (R-1-U), or Single-Family Urban Residential (Lorelei Manor) (R-1-U (LM)) as of April 15, 2022.

Measure V does not impact the City Council’s authority to re-designate or rezone properties that were not designated for Single Family Use on April 15, 2022.

Most of the properties in the City of Menlo Park that are designated for Single Family Use are improved with single-family homes. However, certain properties designated for Single Family Use are currently developed with uses that are not single-family homes (such as public utilities, private schools, parks, religious facilities, and a fire station) or are unimproved. Currently, all land in the City of Menlo Park, including properties zoned and designated for Single Family Use, can be re-designated or rezoned by the City Council.

Measure V would prohibit the City Council from re-designating or rezoning properties designated and/or zoned for Single Family Use as of April 15, 2022. If Measure V passes, properties designated and/or zoned for Single Family Use as of April 15, 2022 can only be re-designated and/or rezoned for different uses by a majority vote of the people at a subsequent election.

This means the City Council could not re-designate or rezone property designated for Single Family Use to authorize other uses including, but not limited to, multifamily residential developments, open space, public facilities, commercial, or industrial. Existing non-Single Family Uses on land designated for Single Family Use (e.g., land designated for Single Family Use but currently used for public utilities, private schools, parks, religious facilities, or a fire station) could continue but those uses could not be changed to any use other than a Single Family Use without a majority vote of the people. Additionally, if Measure V passes, non-Single Family Uses on properties designated for Single Family Use (e.g., the fire station) may not be able to be enlarged or expanded without a majority vote of the people.

A “yes” vote will prohibit the City Council from re-designating or rezoning properties designated and zoned for Single Family Use as of April 15, 2022. A “no” vote will preserve the City Council’s discretion to change the designation and/or zoning of properties designated and/or zoned for Single Family Use as of April 15, 2022.