

JUL 29, 2021

RESOLUTION NO. 2021-7439

MARK CHURCH, Chief Elections Officer
By: [REDACTED]

DEPUTY CLERK

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WOODSIDE CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2021 FOR THE SUBMISSION TO THE VOTERS OF AN INITIATIVE AMENDING WOODSIDE MUNICIPAL CODE SECTION 153.113, USE OF RESIDENTIAL PARCELS FOR COMMERCIAL PURPOSES WITHIN AND ADJACENT TO THE TOWN CENTER, ESTABLISHING THE SCHEDULE FOR SUBMISSION OF BALLOT ARGUMENTS, AND AUTHORIZING COUNTY OF SAN MATEO TO CONDUCT THE ELECTION

WHEREAS, on February 8, 2021, a Notice of Intent to Circulate a Petition titled "A Citizen's Initiative Measure to Amend Section 153.113 of the Town's Municipal Code - Use of Residential Parcels for Commercial Purposes in the Town Center - to Support Parking and Community Gathering Spots on Residentially Zoned Parcels Within and Adjacent to the Town Center" (the "Initiative") was filed with the Town's Elections Official with a request that a title and summary be prepared for the measure; and

WHEREAS, the Town Attorney provided a title and summary for the proposed Initiative to the proponents; and

WHEREAS, the Petition regarding the Initiative was filed with the Elections Official on May 10, 2021 bearing 678 unverified signatures; and

WHEREAS, to qualify for the ballot, proponents were required to obtain 428 valid signatures on the Petition; that number representing ten percent (10%) of the registered voters of the Town; and

WHEREAS, the County Elections Division has examined the records of voter registration and has certified that the Petition contains more than the requisite number of valid signatures to qualify for election; and

WHEREAS, the Town Clerk and Town Attorney have found that the Petition's form complies with the Elections Code; and

WHEREAS, a Resolution Accepting the Certificate of Sufficiency of Signatures was approved by the Town Council on June 8, 2021, and transmitted to the County Elections Office; and

WHEREAS, the Town Council now wishes to call for an election on the Initiative to be held on November 2, 2021.

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NOW, THEREFORE, BE IT RESOLVED, that:

1. Pursuant to the laws of the State of California relating to general law cities there is called and ordered to be held in the Town of Woodside, California, on November 2, 2021, a special municipal election.
2. Pursuant to Elections Code Section 9215, subdivision (b) and Section 1405, subdivision (b), the Town Council hereby orders the Initiative to be placed on the ballot for a special municipal election without alteration and does order the following question submitted to the voters at the election:

Shall an initiative in support of parking and community gathering spots on residentially zoned parcels within and adjacent to the Town Center be adopted?	YES
	NO

3. The Town Council requests that the election on the Initiative be consolidated with any and all elections to be conducted by the County on that date.
4. The text of the ballot measure is attached to this resolution as Exhibit A. The text of the measure shall be printed in the ballot materials and be available for public inspection in the Town Clerk's office and on the Town's website at www.woodsidetown.org.
5. The Town Council directs the Town Clerk to transmit a copy of the measure to the Town Attorney and directs the Town Attorney to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280.
6. Arguments in favor of or against the measure shall be submitted to the Town Clerk no later than 14 days from the call for election (i.e., August 10, 2021 by 5:00 p.m.) under Elections Code Section 9286 et seq. If the Town Clerk receives more than one argument for and/or against, the priorities established by Elections Code Section 9287 shall control.
7. Rebuttal arguments shall be controlled by the provisions of Elections Code Section 9285. The deadline for filing rebuttal arguments shall be August 20, 2021 by 5:00 p.m.

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8. The initiative measure shall pass only if a majority of the votes cast by voters voting on the measure are "yes" votes.
9. Pursuant to Elections Code commencing with Section 10400, the Town Council hereby requests the County of San Mateo to take all actions which are necessary or appropriate in connection with the election, including, but not limited to, printing and mailing sample ballots, arguments and applications for absentee ballots, canvassing election returns and certifying the results of the election to the Council. Pursuant to Elections Code Section 10002, the Board of Supervisors of San Mateo County is requested to permit the Registrar of Voters to render all services specified by Elections Code Section 10418 relating to the election. The Town hereby agrees to reimburse San Mateo County in full for any services performed by each for the Town upon presentation of an invoice to the Town.
10. The Town Clerk is hereby authorized and directed to publish a notice of the election within the time and in the manner specified in Elections Code Section 12112. The Town Clerk is further authorized and directed to do all other things required by law to hold the election above provided.
11. The Town Clerk is hereby authorized and directed to certify to the adoption of this resolution and to transmit a certified copy to the Board of Supervisors of the County of San Mateo and to the Registrar of Voters of the County of San Mateo.
12. If any section, subsection, phrase or clause of this Resolution is for any reason found to be invalid, such section, subsection, phrase or clause shall be severed from, and shall not affect the validity of, all remaining portions of this Resolution which can be given effect without the severed portion.

* * * * *

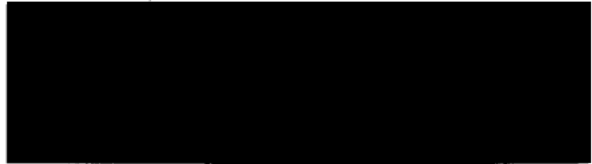
Passed and adopted by the Town Council of the Town of Woodside, California, at a meeting thereof held on the 27th day of July, 2021, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: Brown, Carvell, Fluet, Scott, Shaw, Wall, and Mayor Dombkowski

NOES, Councilmembers:

ABSENT, Councilmembers:

ABSTAIN, Councilmembers:



Mayor of the Town of Woodside

ATTEST:



Clerk of the Town of Woodside

I hereby certify that the above is
a true copy

of RESO. 2021-7439

Date 7/29/2021

Town Clerk

By

Ballot Question

“Shall an initiative in support of parking and community gathering spots on residentially zoned parcels within and adjacent to the Town Center be adopted”?

MEASURE
(Full Text)

ORDINANCE OF THE TOWN OF WOODSIDE AMENDING THE WOODSIDE MUNICIPAL CODE SECTION 153.113 USE OF RESIDENTIAL PARCELS FOR COMMERCIAL PURPOSES ~~IN THE~~ WITHIN AND ADJACENT TO TOWN CENTER

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

SECTION 1: The Woodside Municipal Code Section 153.113 is amended as follows (change indicated by strike-out and underlined words):

Sec. 153.113 - Use of residential parcels for commercial purposes ~~in the~~ within and adjacent to 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,

- (1) 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, and
- (2) Except residentially zoned parcels within the Woodside Road-Whiskey Hill Road Parking Assessment District, as established November 2, 1988, which may be improved only as shown on the Town Center Site Plan, dated March 8, 1989 with at least (50 % ~~percent~~) fifty-percent of each residential parcel remaining undeveloped or landscaped, or
- (3) Except where parcels zoned residential in the Town Center, subject to duly issued conditional use permits, are improved with a public building to promote art and cultural events, such as, an amphitheater, gazebo, or similar building designed to provide a gather place for community events, or
- (4) Except Assessor’s Parcel No. 072-162-350, located behind Canada Corners, which may be improved with facilities, subject to duly issued conditional use permits, such as, surface parking to accommodate permanent outdoor dining within Canada Corners, trails, and play structures.

SECTION 2: This ordinance may be repealed or modified only by a majority vote of the citizens of Woodside in an election.

The foregoing is the full text of the proposed ordinance.