

Hello Council,

This is public comment on item 4 of the February 23, 2021 council meeting (Final Map Approval - 450 1st Street)

Please note that this lot merger is apparently illegal, and violates at least two laws.

The Los Altos General Plan on Page 7 - Downtown, clearly defines the downtown area as between "San Antonio Road, Foothill Expressway, and Edith Avenue". It also clearly states that this area will have "contiguous 25 ft wide storefronts". The lots clearly reside within the General Plan defined Downtown area, and the merger would apparently move the parcels from conforming to the General Plan to violating the General Plan.

https://www.losaltosca.gov/sites/default/files/fileattachments/community_development/page/39021/communitydesignhistoricresourceelement.pdf

Note that the Downtown Vision Plan was clearly defined by Council and the City Attorney as NOT being a valid General Plan Amendment, and as such does not and cannot supersede the clear requirements of the valid General Plan.

The merger would also apparently violate the California Subdivision Map Act, particularly in the absence of a city lot merger ordinance. Los Altos does not have a lot merger ordinance, and actually could not enact a lot merger ordinance for downtown since it would by definition violate the General Plan.

Please do validate this information, which you are now formally in possession of. The General Plan is on the city server, and it is absolutely clear and must be adhered to by the city until amended. If you need more motivation to reject the proposal, I suggest you delay approval and validate the California Subdivision Map Act limitations, which are also fairly clear and carry criminal penalties for violation.

I would suggest that you reject this lot merger proposal, as adopting it would apparently be a violation of these two laws. For those involved that are in the legal profession, the adoption of this proposal might be a violation of the California State Bar ethics rules.

regards -- Roger Heyder