



1 North San Antonio Road
Los Altos, California 94022-3087

MEMORANDUM

DATE: 11/09/21

TO: Councilmembers

FROM: City Manager

SUBJECT: COUNCIL Q&A FOR THE NOV 09, 2021 CITY COUNCIL REGULAR MEETING; PART B

Agenda Item 7:

- This is (I believe) the first time ‘subdivision’ has shown up in these site protection agenda items. What does ‘subdivision’ include in this context and is there a case when subdividing may not convey fee title interest so therefore in that circumstance it wouldn't trigger a requirement for a vote of the people? If so, please explain.

In this context “subdivision” is defined through its normal meaning: dividing land into pieces that are easier to sell or develop. Subdivision was added because it would be a first step to selling or transferring title to the property to a third party. The act of subdivision itself does not convey fee title interest, but it would require a vote of the people per the ordinance. The ordinance is intended to protect the Community Center site as it sits today from the sale or transfer of part or the entire property, of which subdivision would be a necessary step.

- 11.13.040. says, "The voter approval requirement may be waived by the City Council at a duly noticed public hearing and when it is necessary to comply with State or Federal law governing the provision of housing, including but not limited to affordable housing requirements." Does this mean that this mechanism does not really provide protection against some potential housing requirements?

We would have to review this if and when an affordable housing developer approached and wanted to partner with the city for an affordable housing project. There are sections of the surplus land act that provide exemptions for affordable housing.