

ORIGINAL

RESOLUTION NO. 14599

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, NOVEMBER 2, 2004, FOR THE SUBMISSION OF A REFERENDUM TO THE VOTERS REQUESTING THE SAN MATEO COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE SPECIAL MUNICIPAL ELECTION AND DIRECTING THE CITY CLERK TO SPECIFY THE DEADLINE FOR THE SUBMISSION OF ARGUMENTS FOR AND AGAINST THE REFERENDUM

WHEREAS, pursuant to the provisions of Section 6 of the Charter of the City of Redwood City, referendum may be exercised on ordinances passed by the City Council, under and in accordance with the constitution and general laws of the state; and

WHEREAS, there has been prepared, circulated and submitted a referendum petition with respect to Ordinance No. 1130-332, which was unanimously passed by the City Council and that rezones property located at Peninsula Marina, Pete's Harbor, and adjacent roadway parcels, to a Planned Community District to allow a combination of uses including residential, commercial, marinas, parks and open space; and

WHEREAS, pursuant to California Elections Code the effective date of Ordinance No. 1130-332 has been suspended and the city council has had to reconsider the ordinance; and

WHEREAS, pursuant to California Election Code 9241, the city council has reconsidered Ordinance No. 1130-332 and has not entirely repealed the ordinance against which the petition has been filed, and therefore the city council is required to submit the ordinance to the voters, either at the next regular municipal election occurring not less than 88 days after the order of the city council, and said ordinance shall not become effective until a majority of the voters voting on the ordinance vote in favor of it; and

WHEREAS, pursuant to California Elections Code Section 9222, a city council may submit to voters, without a petition therefore, 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and if the proposition submitted received a majority of the votes cast on it at the election, the ordinance shall be repealed, amended or enacted accordingly; and

WHEREAS, a state-wide general election will be held on Tuesday, November 2, 2004, and elections called to be held on the same day as a state-wide election may be

consolidated upon the order of the Board of Supervisors of the County in which the consolidation is to be effected; and

WHEREAS, the City Council desires that the San Mateo County Board of Supervisors order consolidation of said state-wide general election with the Special Municipal Election of the City of Redwood City, all to be held on Tuesday, November 2, 2004; and

WHEREAS, the County of San Mateo has established a Presidential General Election Calendar for November 2, 2004, which sets forth the last day upon which primary arguments and rebuttal arguments in favor of or against local ballot measures may be filed, and the last day upon which an impartial analysis regarding local ballot measures must be filed.

WHEREAS, pursuant to California Election Code 9243, elections involving referendums shall be held in accordance with Section 9217 to 9225, and section 9219 and 9220 authorizes the city council to submit a primary and rebuttal argument in favor of the ordinance and it is the desire of the city council to have the Mayor assign such persons to be the authors thereof; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REDWOOD CITY AS FOLLOWS:

1. Pursuant to the laws of the State of California relating to municipal referenda, the City Council of the City of Redwood City has reconsidered Ordinance No. 1130-332, and hereby calls and orders held a special municipal election to be held in the City of Redwood City, County of San Mateo, State of California, on Tuesday, November 2, 2004, for the purpose of placing on the ballot the following referendum:

Referendum Measure: Shall Ordinance No. 1130-332, which was unanimously passed by the City Council, and that rezones property located at Peninsula Marina, Pete's Harbor, and adjacent roadway parcels, to a Planned Community District to allow a combination of uses including residential, commercial, marinas, parks and open space, be adopted?

A full and complete copy of the ordinance is attached hereto as Exhibit A and incorporated herein by reference.

2. Said election shall, in all particulars not recited in this Resolution, be conducted as provided by law for the holding of municipal elections in the City of Redwood City.

3. The San Mateo County Board of Supervisors is hereby requested, pursuant to California Elections Code Sections 10402 and 10403, to consolidate the state-wide general election with the special election of the City of Redwood City to be held on Tuesday, November 2, 2004.
4. Primary arguments for or against said referendum measure and rebuttal arguments for and against said referendum measure shall be filed with the City Clerk of the City of Redwood City in accordance with the County of San Mateo's Presidential General Election Calendar.
5. The Mayor of the City of Redwood City shall appoint such persons as he determines to be appropriate to be the authors of a primary argument in favor of said ordinance and, if necessary, the authors of any rebuttal argument in favor of said ordinance.
6. In accordance with the County of San Mateo's Presidential General Election Calendar, no later than August 23, 2004, the City Attorney is directed to file an impartial analysis as to the above-described ballot measure.
7. The City Clerk is hereby authorized and directed to publish or cause to be published in a newspaper of general circulation in the City of Redwood City, in the time, form and manner required by law, notice of the aforesaid special municipal election.
8. No later than August 6, 2004, the City Clerk is hereby authorized and directed to transmit certified copies of this resolution to the San Mateo County Boards of Supervisors and to the San Mateo County Assessor/Clerk/Recorder.

* * *

Passed and adopted by the Council of the City of Redwood City at a
Special Meeting thereof held on the 5th day of August, 2004 by the
following votes:

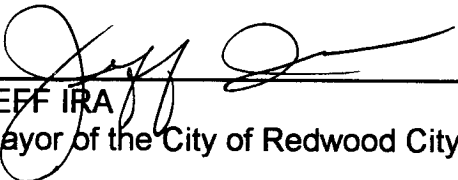
A YES, and in favor of the passage and adoption of the foregoing
resolution,

Council members: Bain, Foust, Hartnett, Howard, Pierce, Ruskin,
and Mayor Ira

NOES: None


ABSTAIN: None

ABSENT: None



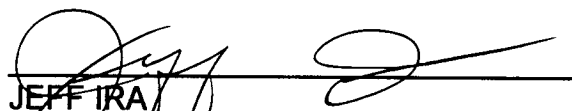
JEFF IRA
Mayor of the City of Redwood City

Attest:



Patricia Howe
City Clerk of Redwood City

I hereby approve the foregoing
resolution this 5th day of August, 2004.



JEFF IRA
Mayor of the City of Redwood City

ORIGINAL

ORDINANCE NO. 1130-332

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY AMENDING ARTICLE 60, ZONING MAP NO. 22 OF ORDINANCE NO. 1130, THE REDWOOD CITY ZONING ORDINANCE, AS AMENDED, TO REZONE PROPERTY LOCATED AT THE PENINSULA MARINA, AS FURTHER DESCRIBED IN THIS ORDINANCE, FROM THE GENERAL COMMERCIAL DISTRICT TO THE PLANNED COMMUNITY DISTRICT; TO REZONE PROPERTY LOCATED AT PETE'S HARBOR, AS FURTHER DESCRIBED IN THIS ORDINANCE, FROM THE GENERAL COMMERCIAL-RESIDENTIAL COMBINING DISTRICT TO THE PLANNED COMMUNITY DISTRICT; TO REZONE PROPERTY LOCATED AT UCCELLI ROAD, AS FURTHER DESCRIBED IN THIS ORDINANCE, FROM THE GENERAL COMMERCIAL-RESIDENTIAL COMBINING DISTRICT TO THE PLANNED COMMUNITY DISTRICT; TO REZONE PROPERTY LOCATED AT BAIR ISLAND ROAD, AS FURTHER DESCRIBED IN THIS ORDINANCE, FROM THE GENERAL COMMERCIAL DISTRICT TO THE PLANNED COMMUNITY DISTRICT.

WHEREAS, after a duly noticed public hearing on April 20, 2004, the Planning Commission of the City of Redwood City recommended to the City Council, the rezoning of the hereinafter described property from the General Commercial ("CG District") and General Commercial-Residential Combining Districts ("CG-R District") to the Planned Community District ("P-District"); and

WHEREAS, this Council, having reviewed the recommendation of the Planning Commission and having considered the evidence received at the public hearing duly noticed and held for said proposed rezoning, finds that the proposed rezoning is in the public interest and consistent with the purposes of the Redwood City Zoning Ordinance.

NOW, THEREFORE, THE COUNCIL OF REDWOOD CITY DOES ORDAIN AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct, and are hereby incorporated herein by this reference as if fully set forth in their entirety.

SECTION 2. Pursuant to the provisions of Article 41 of the Redwood City Zoning Ordinance (Ordinance No. 1130, as amended), Article 60, Map No. 22, of the Redwood City Zoning Ordinance, as amended, is hereby amended as follows:

That certain real property located at the Peninsula Marina (Assessor Parcel Nos. 052-531-020; 052-531-030; 052-531-050; 052-531-070; 052-531-100; 052-531-110; 052-531-120; 095-030-080) Redwood City, California, as shown on the diagram which is attached as Exhibit "A" and

incorporated by this reference, is hereby rezoned from the General Commercial District to the Planned Community District.

SECTION 3. Pursuant to the provisions of Article 41 of the Redwood City Zoning Ordinance (Ordinance No. 1130, as amended), Article 60, Map No..22, of the Redwood City Zoning Ordinance, as amended, is hereby amended as follows:

That certain real property located at Pete's Harbor (Assessor Parcel Nos. 052-540-040; 052-540-050) Redwood City, California, as shown on the diagram which is attached as Exhibit "B" and incorporated by this reference, is hereby rezoned from the General Commercial-Residential Combining District to the Planned Community District.

SECTION 4. Pursuant to the provisions of Article 41 of the Redwood City Zoning Ordinance (Ordinance No. 1130, as amended), Article 60, Map No. 22, of the Redwood City Zoning Ordinance, as amended, is hereby amended as follows:

That certain real property located at Uccelli Road (Assessor Parcel No. 095-030-170) Redwood City, California, as shown on the diagram which is attached as Exhibit "C" and incorporated by this reference, is hereby rezoned from the General Commercial- Residential Combining District to the Planned Community District.

SECTION 5. Pursuant to the provisions of Article 41 of the Redwood City Zoning Ordinance (Ordinance No. 1130, as amended), Article 60, Map No. 22, of the Redwood City Zoning Ordinance, as amended, is hereby amended as follows:

That certain real property located at Bair Island Road (Assessor Parcel No. 095-030-090) Redwood City, California, as shown on the diagram which is attached as Exhibit "D" and incorporated by this reference, is hereby rezoned from the General Commercial District to the Planned Community District

SECTION 6. This ordinance shall be effective thirty (30) days after its adoption.

* * *

ORDINANCE NO. 1130-332

At a Regular Meeting thereof held on the 28th day of June, 2004, by
the following votes:

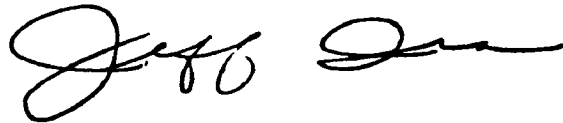
A YES, and in favor of the passage and adoption of the foregoing
ordinance:

Council Members Bain, Foust, Hartnett, Howard, Pierce, Ruskin and Mayor Ira

NOES: None

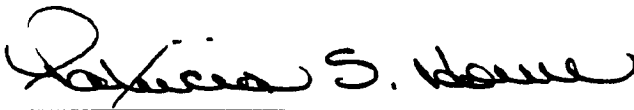
ABSTAIN: None

ABSENT: None



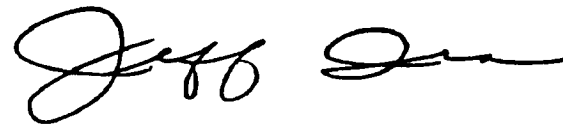
Jeff Ira
Mayor of Redwood City

Attest:



Patricia S. Howe
City Clerk of Redwood City

I hereby approve the foregoing
Ordinance this 28th day of June, 2004



Jeff Ira
Mayor of Redwood City

Exhibit A

Zoning Map Amendments

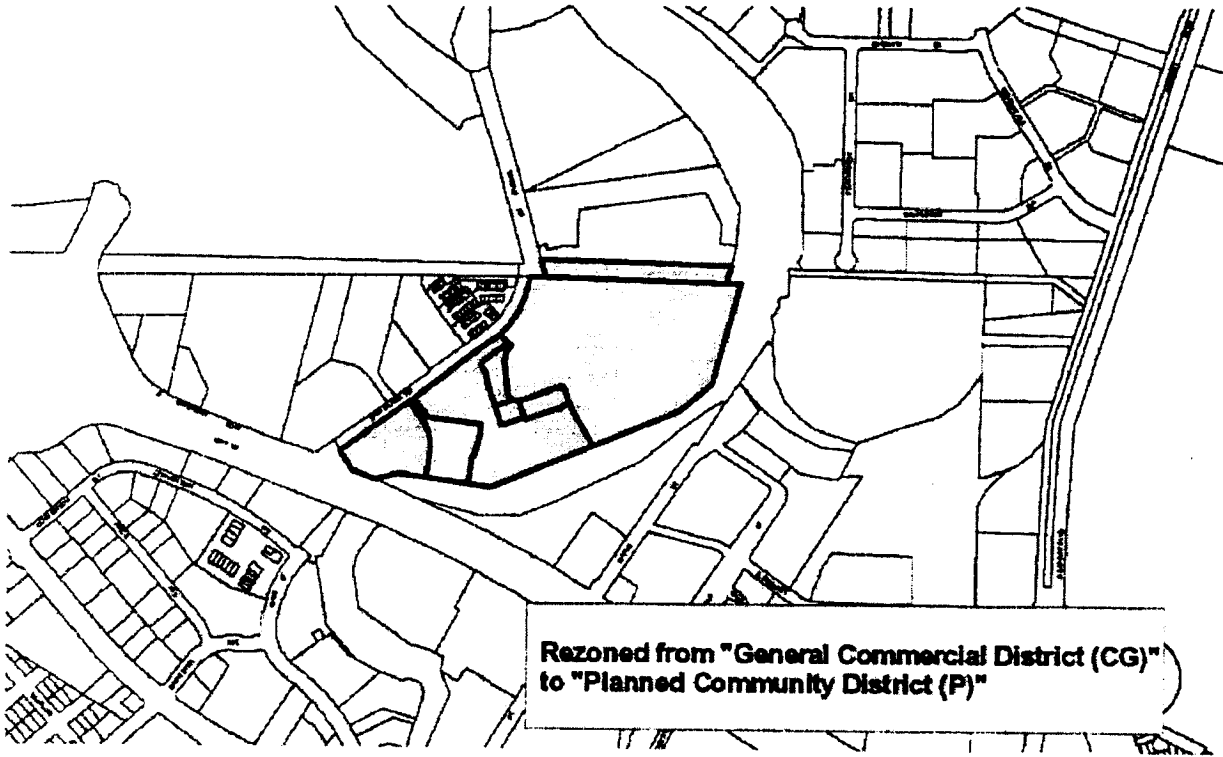


Exhibit B

Zoning Map Amendment

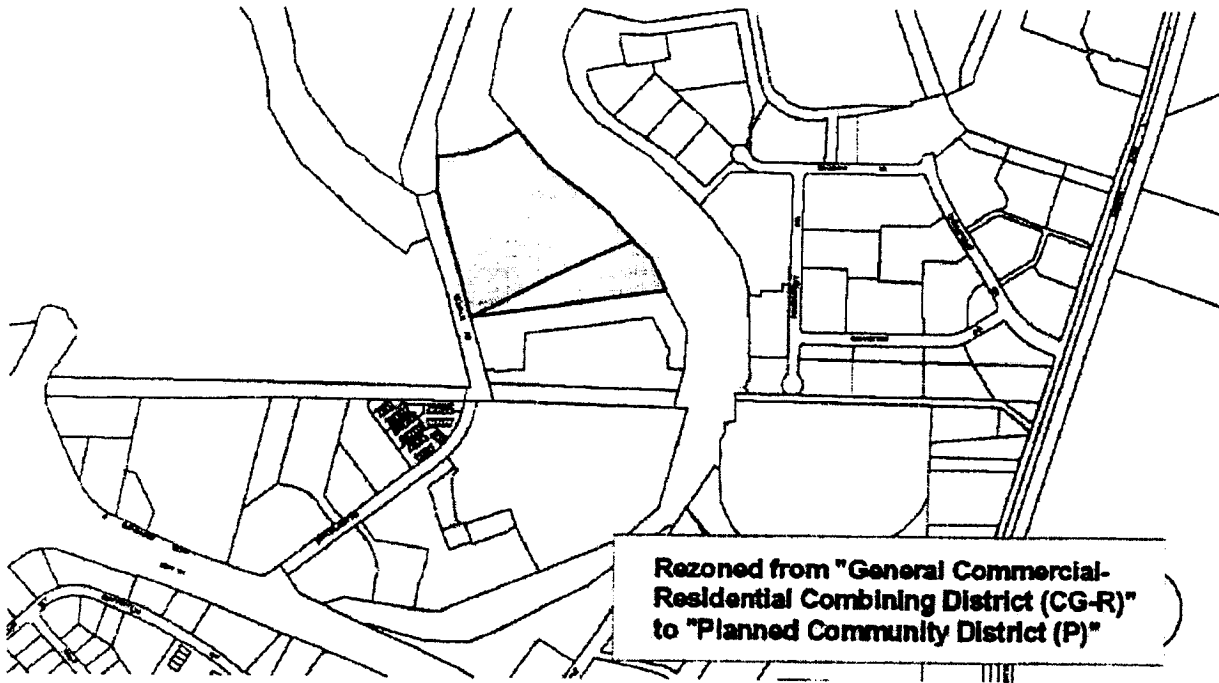


Exhibit C

Zoning Map Amendment

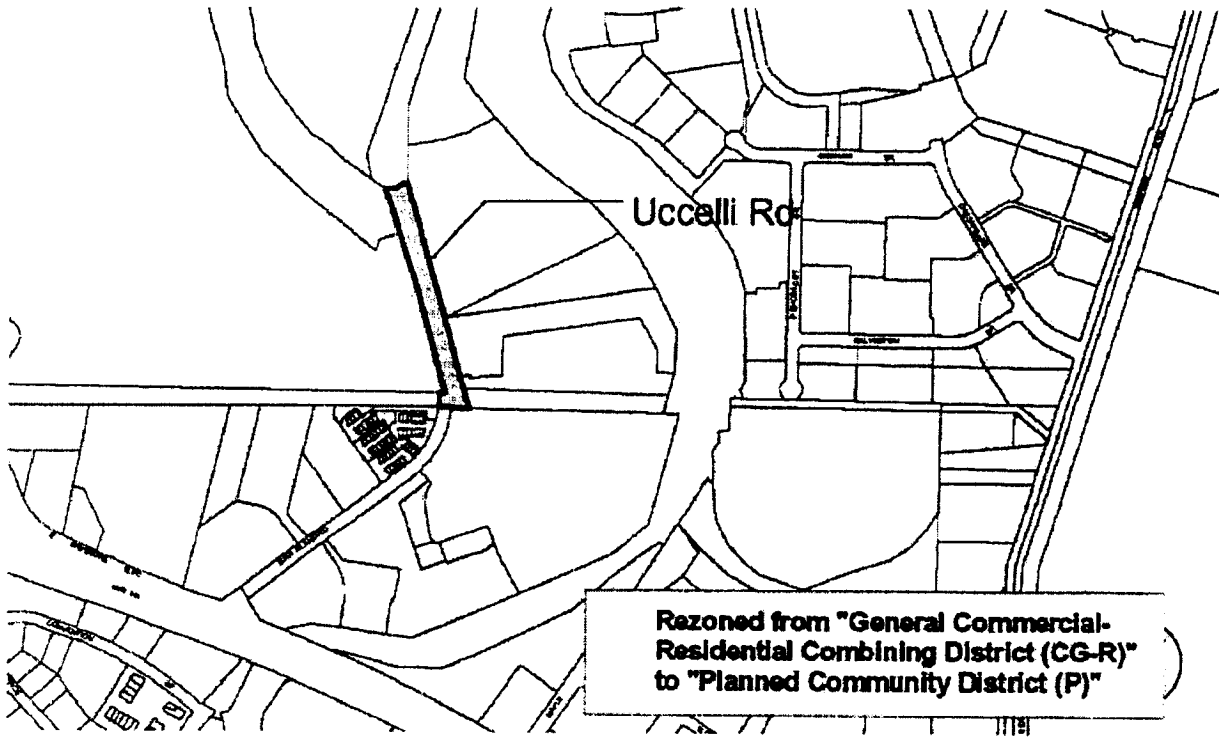


Exhibit D

Zoning Map Amendment

