



Staff Report

DISCUSSION AND DIRECTION REGARDING PROPOSED BALLOT MEASURE– PARKS AND OPEN SPACE

Honorable Mayor and Council Members:

Summary

Staff requests direction regarding whether the upcoming November ballot should contain a Council-sponsored initiative that would require a vote of the people to change parks and open space uses from existing and/or allowed uses to a different use.

Background

This item is on the agenda following an Item 9 request by Councilmember Feierbach. The issue raised at that time was whether there ought to be a Council-sponsored ballot measure to protect parks and/or open space from future development.

Staff has researched the history of this issue, and it was raised at the Council level in 2001. A copy of the minutes from that meeting are attached as Attachment A. At that time, the Council declined to place such a measure on the ballot.

The timeline for placing such a measure on the upcoming November ballot would involve a final vote to approve a resolution placing any proposed ordinance on the ballot by the Council's second meeting in July. Because of the complexity of the proposed measure and various alternatives available, staff anticipates scheduling this matter, if approved, for several Council meetings, starting almost immediately, to obtain Council direction on the key provisions of the measure.

As additional background, Government Code Section 37111.1 (Attachment B) makes it difficult for a City to convert park land into another municipal use. The statute requires a 4/5 vote of the Council after a public hearing, a finding of conformity to the General Plan, and acquisition of an equal or greater amount of acreage for park purposes based on the amount converted. The Council may wish to discuss whether an initiative measure is desirable at this time in view of this section, and others that restrict conversion of park land to non-park uses.

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Discussion

There are several issues requiring Council direction.

The first issue is what properties owned by the City would be included in a proposed ballot initiative. The answer to this question will determine not only the scope of the proposed initiatives, but which Councilmembers do not have a conflict and can therefore participate in the process. Attached as Attachment C are three pages from the Belmont website that identify parks, recreation areas, and open space trails. If a proposed initiative were to focus on parks only, that would include the 18 parks listed. If the initiative were to also include open space, then the areas shown on the open space trail map would potentially also have to be included.

The second issue is what level of development should be allowed in the areas proposed to be protected. This issue is tied to the fact that the parks and open space identified on the maps and tables are not all in the same zoning district. Some are zoned residential, and others are zoned "Agriculture and Open Space". In the later district, allowable development includes one single family house, accessory structures, schools, churches, and other uses that may not be consistent with a park and recreational use (see Attachment D). Therefore, an initiative ordinance should ideally address both the zoning designation for the City-owned properties and the level of permissible development. Staff requests direction on these issues so that the ordinance can be carefully and specifically drafted.

The third issue involves review of separately recorded covenants or restrictions relating to parks and open space. Staff has yet to fully investigate these matters, but, for example, some parks are associated with school uses nearby, and staff would need to determine whether an initiative would affect those existing contracts and restrictions. As another example, Twin Pines Park is subject to separate restrictions for use which may affect the wording of an initiative measure. Once the Council has provided direction to staff as to which properties they may wish to include in the ballot measure, staff can return with additional information regarding the development restrictions on these properties that currently exist.

General Plan/Vision Statement

The proposed initiative would be consistent with the General Plan's expressed policies to protect and preserve parks and open space.

Fiscal Impact

Analysis and drafting of this measure would involve significant staff time from both the Parks and Recreation Department and the Community Development Department, in addition to the City Attorney's office. The measure would likely involve more than 100 hours of staff and City Attorney time. The Council may wish to discuss whether other priorities should be modified in the affected departments to accommodate the research and analysis and drafting of this proposed measure.

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Public Contact

Posting of the agenda.

Recommendation

Staff recommends that the Council provide direction on the three issues raised in the staff report.

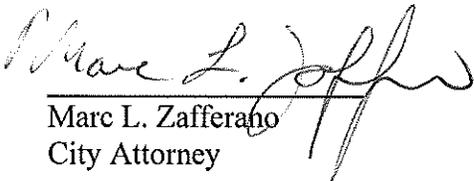
Alternatives

1. Take no action at this time.
2. Direct staff to return with additional information prior to making a decision as to whether to place the matter on the November ballot.

Attachments

- A. 2001 Minutes
- B. Government Code Section 37111.1
- C. Three maps/table from City of Belmont website
- D. Agricultural and open space zoning district

Respectfully submitted,



Marc L. Zafferano
City Attorney

ATTACHMENT A

2001 Minutes

City Council Regular Meetings, October 23, 2001
Twin Pines Senior and Community Center, 1223 Ralston Avenue

REGULAR MEETING 7:33 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Cook, Warden, Wright, Rianda, Hahn

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Community Development Director Ewing, Acting Public Works Director Jones, Finance Director Fil, Police Chief Janke, Human Resources Director Dolan, Principal Planner de Melo, IT Manager Harnish, Building Official Cyr, Code Enforcement Officer Buckman, City Treasurer Mason, City Clerk Kern

PLEDGE OF ALLEGIANCE

Council led Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY/PRESENTATIONS

Mayor's Proclamation congratulating the Babe Ruth Team of 14 Year Old Players Representing the City of Belmont and Belmont/Redwood Shores Babe Ruth Baseball League District 6.

Mayor Hahn read the Proclamation and distributed to team members and coaches.

PUBLIC/COUNCIL COMMENTS

Mr. McLaughlin, 3313 Plateau Drive, read his original poem about the 75th Anniversary. (on file in the City Clerk's office)

Ms. Sampson, Legislative Aide for Senator Sher presented the Council with a State Resolution for the 75th Anniversary from State Senator Sher and Assemblyman Simitian.

Ms. King reminded everyone about the ongoing 75th activities this weekend. She said tickets were still available for the dance on Saturday night, and prizes would be given out at the picnic on Sunday for various picnic lunch categories.

Mayor Hahn invited everyone to City Hall flagpole dedication on November 9th, at 11:30 A.M. in front of City Hall.

C. Rianda thanked the 75th Anniversary Committee for the work they had done over the last three to four years to make this month so successful.

C. Warden announced that the annual Halloween Spookville 2001 would be held this Friday, October 26th, at the Barrett Community Center starting at 5:00 PM.

C. Cook announced that the steering committee for the new library would be holding two informational meetings for public viewing of the Conceptual Design Plans. She said these meetings would be held on October 25th, and Saturday November 3rd, at the library.

AGENDA AMENDMENTS

Mayor announced that 4-K (Library Grant Writer) would be tabled.

CONSENT CALENDAR

Approval of meeting minutes: Special and Regular Meetings September 25, 2001.

Approval of Warrant List Dated: October 5, 2001 in total amount of \$688,363.88 and dated October 12, 2001 in total amount of \$127,393.43.

Written Communication (None)

Motion to approve Claims Management Report. (None)

Motion to waive reading of Ordinances.

Resolution No. 9101 approving purchase of a Bobcat excavator for the Public Works Department from Bobcat West for an amount not to exceed \$31,149.96.

Resolution No. 9102 approving Establishment of a Three Way Stop at the Intersection of El Verano Way and Fernwood Way.

Resolution No. 9103 approving Lease with Arts Council of San Mateo County.

Resolution No. 9104 approving lease with 1870 Art Center.

Resolution No. 9105 approving lease with Creekside Studios.

Resolution No. 9106 approving Application for Grant Funds under the Safe Neighborhood Parks Bond Act of 2000 for the Ralston Avenue/Old County Road Plaza Projects.

Resolution No. 9107 authorizing a Professional Services Agreement with Bob Murray and Associates to conduct an executive search for a Public Works Director. (\$20,500).

TABLEDResolution authorizing City Manager to execute a Professional Services Agreement with Anne Marie Gold. (Grant Writer for Library Bond; \$25,400)

Ordinance No. 974 approving a Zone Change from R-1B Single –Family Residential to Planned Development (PD) Zoning to incorporate a Conceptual Development Plan for Construction of a Three-Unit Single Family Residential Development at 1112 North Road (Appl. No. 00-1031) (2nd reading and adoption).

Resolution No. 9108 approving a Tentative Parcel Map for construction of a Three-Unit Single Family Residential Development at 1112 North Road (Appl. No. 00-1031)

Consent Calendar approved on motion by C.Rianda, seconded by C. Wright, and approved unanimously, by show of hands to adopt the Consent Calendar.

NEW BUSINESS –

Discussion and direction regarding the timeframe and process for City Council sponsored Initiative regarding City Parks. (Continued from 10/9)

City Attorney Savaree requested direction on whether the Council would like to move forward with a Council sponsored ballot initiative regarding parkland in the City. She said if the Council decides to move forward, staff would like language direction, and a date this election should be held.

She explained that during her research, she had determined that State Law and the Public Resources Code protected parkland. City Attorney Savaree stated that the Statute also provides that the public has the right to sue for relief, and to have the court decide whether it is appropriate for the City to dispose of parkland. She reported that Attorney Colantuono suggested that language be added to the Measure, so that it would be possible to change the land use, location, or park designation by a hearing, and a super majority vote. He said this would allow a Council to take another look at how to restrict the use of parkland.

In response to C. Warden, City Attorney Savaree stated that this language could be crafted with a sunset clause, or language that indicates that when the General Plan changes, the ordinance would still be effective.

In response to C. Cook, City Attorney Savaree stated that the two Government Codes were strong tools that cover parklands, and restricts the process for changing the use of a park. She said there were additional limitations on parkland. She said land that had been dedicated to the City for park purposes, and was not used for that purpose, would revert back to the person that dedicated the land. City Attorney noted there may also be restrictions on land that was purchased with funds from the State or Federal Government.

Community Development Director Ewing reported that his staff could do a short CEQA review process because protection of the environment was a categorical exemption.

C. Wright stated that with the enforcement tools that we currently had, it would be difficult to change parkland to any other use. He wondered if there was something happening that would cause us to take this action.

City Attorney Savaree stated that there were not many cases that have shown up since these Code Sections were adopted.

C. Rianda stated that it appeared there were safeguards in place to protect the parks, but she thought it was more a matter of philosophy, that open space, parklands and recreational opportunities were quality of life indicators. She said she thought the people should be the ones to change land use. C. Rianda stated that there were roadblocks in place, but it was still possible to change land use by a four-fifths vote of Council. C. Rianda stated she did not agree with the suggestion that would allow a Council to overturn the will of the people with a four-fifths vote. She encouraged Council to move forward with this and said she would like this Measure to be put on the March, 2002 ballot.

In response to C. Cook, City Manager Kersnar stated that a Lot Line Designation separated the Twin Pines Park use from the City Hall and Police Facility.

C. Warden stated that he would not want to second-guess a subsequent Council. He stated he was in favor of Open Space, and he did not think the citizens would allow parkland to be rezoned or converted without their input. He said he thought there was enough protection in the State Law to cover this issue.

C. Wright stated he could not think of a situation where a Council would rezone a dedicated park.

C. Hahn stated that a zone change had been done just recently on a plot of land, and she would like to have the process tightened to make the rules more stringent.

C. Rianda stated that she felt the voters should have the right to determine if parkland should be rezoned.

C. Warden stated that he did not think this action was necessary. He said he thought this was an election year issue. He said he was concerned that there were other land use issues coming forward and he did not want to cloud the issue with this particular matter. C. Warden said he would rather have the issue broadened.

Community Development Director Ewing stated that he thought all the parkland was zoned appropriately, but would look into it further if this ballot measure went forward.

Action: *C. Rianda made a motion to have the City Council move forward on the proposed Park Protection Measure, and place it on the ballot for March, 2002. C. Hahn seconded the motion. Motion failed on a vote of 2 yes and 3 no (Cook, Warden, Wright)*

Discussion and direction for an appointment to the South Bayside System Authority (SBSA)

Mayor Hahn requested that the Council consider appointing Councilmember Wright to the South Bayside System Authority now to provide continuity with this Board which meets once a month. She

said C. Wright had agreed to serve.

Action: on motion by C. Hahn, seconded by C. Warden, and approved unanimously, by show of hands, to appoint C. Wright to the South Bayside System Authority Board.

Discussion regarding Code Enforcement Policies and Procedures

Community Development Director Ewing explained that the City used restraint to enforce our police powers because of funding, and community expectation about local law enforcement. He requested direction to ascertain if the Community expectation should be an aggressive enforcer, facilitator of compliance, or enabler of community change. Community Development Director Ewing explained that beside the Code Enforcement Officer, other City Departments handle a variety of complaints. He noted they had their own set of priorities, response times and approach for Code Enforcement issues. Community Development Director Ewing reported that when Councilmembers raise an issue, immediate resources are directed to investigate and determine a course of action. He said staff appreciated that Council wanted these issues treated as routine, but staff was concerned that Council would become the "clearinghouse" for the community, instead of following the normal routine. He said that staff would appreciate a strong policy statement on Code Enforcement priorities, so that it could be used as an educational tool for the community. He explained that vehicle violations and nuisances made up a large part of Code Enforcement. Community Development Director Ewing listed the draft principals and requested Council direction.

City Attorney Savaree explained that there were sub-sets of cases that fall into all these categories. She said these are often the elderly who cannot, or do not have the resources, to maintain their property. She said the City staff spends a lot of time trying to help these people comply. She said the courts are not set up to provide services to people, and it was difficult to find the resources to bring these cases into compliance.

In response to C. Hahn, City Attorney Savaree stated that she has always advised City Staff not to disclose the name of the person filing a complaint.

Council concurred to have this outlined in the Resolution, so everyone had a clear understanding of this confidentially policy.

C. Cook asked how the City dealt with repeat offenders.

City Attorney Savaree explained that there were escalating penalties in the Code to address these problems. She stated that the courts were very aggressive on cases that do not comply.

C. Warden asked if there was anyway to help the residents that were unable to help themselves?

City Attorney Savaree stated that they have asked the public guardian's office for help, and have contacted every County and State Agency that they feel will help.

Code Enforcement Officer Buckman stated that he used as many County and State agencies to try and bring these properties into compliance, and not use the City Attorney's office.

Mr. Kranen, 1902 Notre Dame, explained that he worked with a non-profit group in Half Moon Bay that provided help to seniors with home repairs. He said this type of group may be helpful to our residents.

Action: on motion by C. Wright, seconded by C. Rianda, and approved unanimously, by show of hands, to bring back a Resolution based on the direction given, with the additions of language calling for confidentiality for the party that has a complaint or concern; and a policy to have staff utilize as many State and County resources as possible to help aged or infirmed residents to comply with health and safety issues regarding property maintenance.

BOARD, COMMISSION, COMMITTEE UPDATES, AND STAFF REPORTS

Report on Status of Financial Condition: FY 2002 Budget.

Finance Director Fil reported on the status of the City Financial Condition and the administrative financial steps the staff planned to implement in regard to these impacts. He said steps had been taken to anticipate a slowing economy and revenues for the 2002 budget, but this recession had been unexpected. Finance Director Fil reported that the State had order 15% cuts at the State Level and he was expecting that the County and Cities would be next. He reviewed the various revenue sources and said that next year's budget would reflect this economic slowdown. He noted that one outstanding item was the increase in sales tax over the last six quarters, which was contrary to what was occurring at the State level. Finance Director Fil stated that tax revenues that were distributed using per capita figures, showed a decrease due to the fact that we had lost over 1000 residents. Finance Director Fil reviewed the expenditures and stated that they were within budget which would help to offset the impact of the recession. He said that the long term forecast indicated that in FY 2006, the City would be within reserve levels. He reported that the administrative actions included review of all vacant positions, discretionary expenditures reduced, and caution with long-term reserve use. He said that staff was monitoring the State situation closely in case more aggressive action would be needed.

In response to C. Cook, Finance Director Fil stated that Council could play an important role in helping to diversify our revenue base, by looking for projects that have a positive return to the General Fund. He said one example of this would be the hotel project that was being considered for Belmont. He said the Transit Occupancy Tax was a local revenue source that was not shared with other Government Agencies.

City Manager Kersnar stated that most of our high revenue generating producers were relatively new. He said a many cities had "shop local" campaigns to keep tax dollars in the community.

C. Warden stated that he thought that the Redevelopment Agency money should be invested to produce a revenue stream for the City.

In response to C. Rianda, Finance Director Fil pointed out that the Chamber of Commerce was proactive in helping businesses in Belmont stay viable. He said that the partnership between the City and Chamber was a positive business relationship.

Mr. Kranen, 1902 Notre Dame, urged staff to use local talent when able to keep the dollars in the County and the City.

Council vote for one Planning Commissioner and adopt Resolution making appointment.

City Clerk Kern distributed the ballots for Council to vote for Planning Commissioner Following the vote, she announced that Ms. Feierbach had been appointed.

Action: on motion by C. Warden, seconded by C. Rianda, and approved unanimously, by show of hands, to adopt:

Resolution No. 9109 –making appointment to Planning Commission for a term to expire on the First day of March, 2003. (Feierbach).

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Discussion regarding the formation of a Green Task Force regarding Parks, Open Space and

Athletic Fields. (Warden/Wright).

C. Wright stated that he and C. Warden suggested putting together a task force to build a coalition to explore funding mechanisms to support implementation for playing fields, parks and protection of open space.

C. Warden said the task force would explore local funding sources, such as Park in-lieu fees paid to the City, athletic groups, and other organizations to help implement this goal. He said once a total figure had been assessed, the task force would bring this issue to Council, to decide whether it should go on the ballot or not. C. Warden said this would meet as many needs in the community as possible. C. Wright recommended that this issue be referred to the athleticfields sub-committee, which was in the process of exploring funding option for the athletic fields with the School District. He said they would then return to Council with a more informed idea on how to proceed.

City Manager Kersnar stated that staff would be bringing to Council, the Parks Capital Funding Report for prioritization, with already identified park capital money, and various park projects identified as possible recipients.

Discussion regarding the adoption of the Official Flag of Belmont, displaying the City logo, under the flag of our Nation as a lasting memento of Belmont's 75th Anniversary. (Hahn).

C. Hahn requested Council concurrence to have the City logo printed on a flag and flown under the United States Flag once the flag pole had been installed in the front of City Hall.

Council concurred to have a flag with the City logo flown on the flagpole with the American Flag.

ADJOURNMENT at this time, being 9:35 P.M., this meeting was adjourned to closed sessions.

Kathy Kern
Belmont City Clerk

Meeting tape recorded and video taped
TAPE NO. 506

SPECIAL MEETING
CLOSED SESSIONS

- A. Conference with Legal Counsel, Anticipated Litigation, pursuant to Government Code Section 54956.9
 - 1. One Case

- B. Public Employee Performance Evaluation, pursuant to Government Code Section 54957: (cont'd from 10/16).
 - 1. City Manager Kersnar

Councilmembers Cook, Warden, Wright, Rianda, Hahn, City Manager Kersnar, City Attorney Savaree attended these Closed Sessions. City Clerk Kern was excused from attending.

ADJOURNMENT at this time, being 9:57 P.M.

Kathy Kern
Belmont City Clerk

ATTACHMENT B

Government Code Section 37111.1

§ 37111

GOVERNMENT OF CITIES Title 4

Erection and maintenance of buildings, see Government Code § 37352.
"Legislative body" defined for purposes of this Title, see Government Code § 34000.
Purchase of land for municipal purposes, see Government Code § 37351.

Library References

Municipal Corporations Ⓒ268, 276.
Westlaw Topic No. 268.

Research References

Encyclopedias

CA Jur. 3d Parks, Playgr., and Rec. Dists.
§ 29, Buildings.

Notes of Decisions

Tide and submerged lands 1

1. Tide and submerged lands

City, holding title to tide and submerged lands under Stats.1925, c. 102, p. 235, granting such lands for park and playground purposes and structures promoting commerce and navigation, may cut off portions from access to harbor in aid of fishing and navigation. *Los Angeles Athletic Club v. City of Long Beach* (App. 1 Dist. 1932) 128 Cal.App. 427, 17 P.2d 1061. Municipal Corporations Ⓒ 719(5)

Court must assume that city officers proceeded under statutory authority to use tide and submerged lands for park and playground pur-

poses in accordance with grant of lands by state under Stats.1925, c. 102, p. 235, in constructing breakwater, unless statutory presumption of regularity is controverted. *Los Angeles Athletic Club v. City of Long Beach* (App. 1 Dist. 1932) 128 Cal.App. 427, 17 P.2d 1061. Evidence Ⓒ 83(2)

Construction of municipal auditorium is not inconsistent with dedication or use of site for park or playground purposes, and construction thereof on fill, occupying portion of tide and submerged lands devoted to such purposes, is authorized. *Los Angeles Athletic Club v. City of Long Beach* (App. 1 Dist. 1932) 128 Cal.App. 427, 17 P.2d 1061. Municipal Corporations Ⓒ 721(2)

§ 37111.1. Lands dedicated for park purposes; using for other purposes

When a legislative body deems it necessary that land purchased in fee for any municipal purpose and subsequently dedicated by use for park purposes should be used for other municipal purposes, it may adopt an ordinance by a four-fifths vote, after giving notice and conducting a public hearing, declaring the necessity and providing that such lands can be used for other municipal purposes provided that (a) an equal or greater amount of city property has also been acquired within the previous three years and has been dedicated and has been developed, or will within a reasonable period of time be developed, for similar park purposes and (b) the proposed use of the park land conforms to the city's general plan.

This section shall not be applicable to land dedicated for park purposes by a donor or acquired by eminent domain procedures for park purposes or acquired by funds obtained from bonds voted for park purposes.

This procedure is an alternative procedure to any other procedures contained in the law.

(Added by Stats.1968, c. 565, § 1.)

Cross References

"Legislative body" defined for purposes of this Title, see Government Code § 34000.

ATTACHMENT C

Three maps/table from City of Belmont website

BELMONT "PARKS AT A GLANCE"

Park Site	ACRES	Ballfield	Basketball	Recreational Building	Horseshoe Pits	Jogging Track	Multi-Use Field	Picnic Area	Playground	Restrooms	Swimming	Tennis	Volleyball	Special Features
1. Ralston Ranch Park Across from 1 Ralston Ranch.	1.3													Undeveloped
3. Water Dog Lake Across from 2839 Hallmark	260.6					X								Undeveloped, No water play allowed Hiking/Biking Trails
4. Hallmark Park Across from 2592 Hallmark	5.2					X			X			2		Drinking Fountain Access to Crystal Springs Trails
6. Cipriani Park/Dog Park 2525 Buena Vista	6		X				X	B	2					Drinking Fountain Dog Park - Off Leash Area
7. Hidden Canyon Park End of Cairmont Drive	23.7					X								Drinking Fountain, Undeveloped Hiking/Biking Trails
8. HastingsTot Lot 2409 Hastings Drive	0.3								X					Vista View, Benches Trail Access
9. Belameda Park Library /1110 Alameda	3					X		B	X					Drinking Fountain Hiking/Biking Trails
10. Barrett Community Center 1835 Belburn or 1870 Ralston	3.4	X	X	X			X	B	X					Drinking Fountain Day Care, Teen Center, Community Theater
12. McDougal Park 1405 Solana Dr.	4.5	2	2				X		X					Drinking Fountain
13. Twin Pines Park 30 Twin Pines Lane	21.1			X	2			B	2	X			X	Sr./Community Center, Art Center Building & Picnic Rentals
14. College View Park Next to College View	0.1								X					Drinking Fountain Bench adjacent to NDNU
16. Alexander Park 400 Block of Yorkshire, near Marne View	1.3		X		X			B	2	X		3		Drinking Fountain Handball/Tennis Wall
18. O'Donnell Park 400 Block of Ralston, near Judson	0.9		X					B	X					Drinking Fountain
19. Belmont Sports Complex 550 Island Parkway	11	3		X	X	X	X	B	1	X			X	Drinking Fountain Facility Rentals
20. Davey Glen Park Across from 500 Davey Glen	1.1													Undeveloped
21. Patricia Wharton Park between Notre Dame Avenue and Middle Road	0.1													Bench
20. Semeria Park Semeria and Casa Bona														Undeveloped
21. Wakefield Park Wakefield Avenue														Bench

= # of lighted facilities
 = # of unlighted facilities
 = available feature
 = Barbecue

PARK RULES
 Hours: 1/2 hour before sunrise to 1/2 hour after sunset.
 Dogs must be on leash and cleaned-up after.
 No alcohol allowed except by permit.

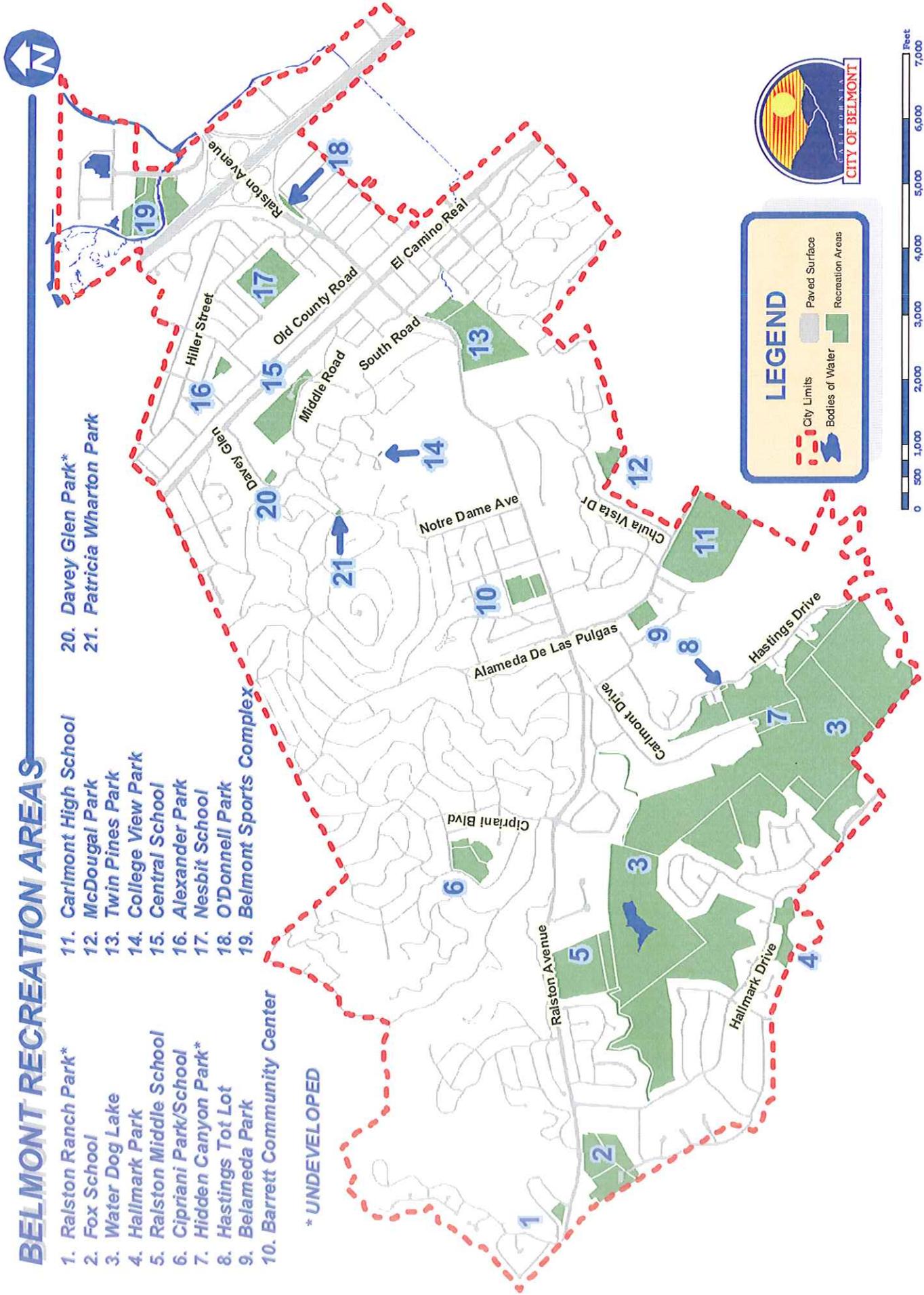
Department of Parks and Recreation
 30 Twin Pines Lane (650)595-7441
 Web Site-www.belmont.gov
 Facility Rentals- (650) 637-2927

BELMONT RECREATION AREAS

- 1. Ralston Ranch Park*
- 2. Fox School
- 3. Water Dog Lake
- 4. Hallmark Park
- 5. Ralston Middle School
- 6. Cipriani Park/School
- 7. Hidden Canyon Park*
- 8. Hastings Tot Lot
- 9. Belameda Park
- 10. Barrett Community Center

* UNDEVELOPED

- 11. Carlmont High School
- 12. McDougal Park
- 13. Twin Pines Park
- 14. College View Park
- 15. Central School
- 16. Alexander Park
- 17. Nesbit School
- 18. O'Donnell Park
- 19. Belmont Sports Complex
- 20. Davey Glen Park*
- 21. Patricia Wharton Park

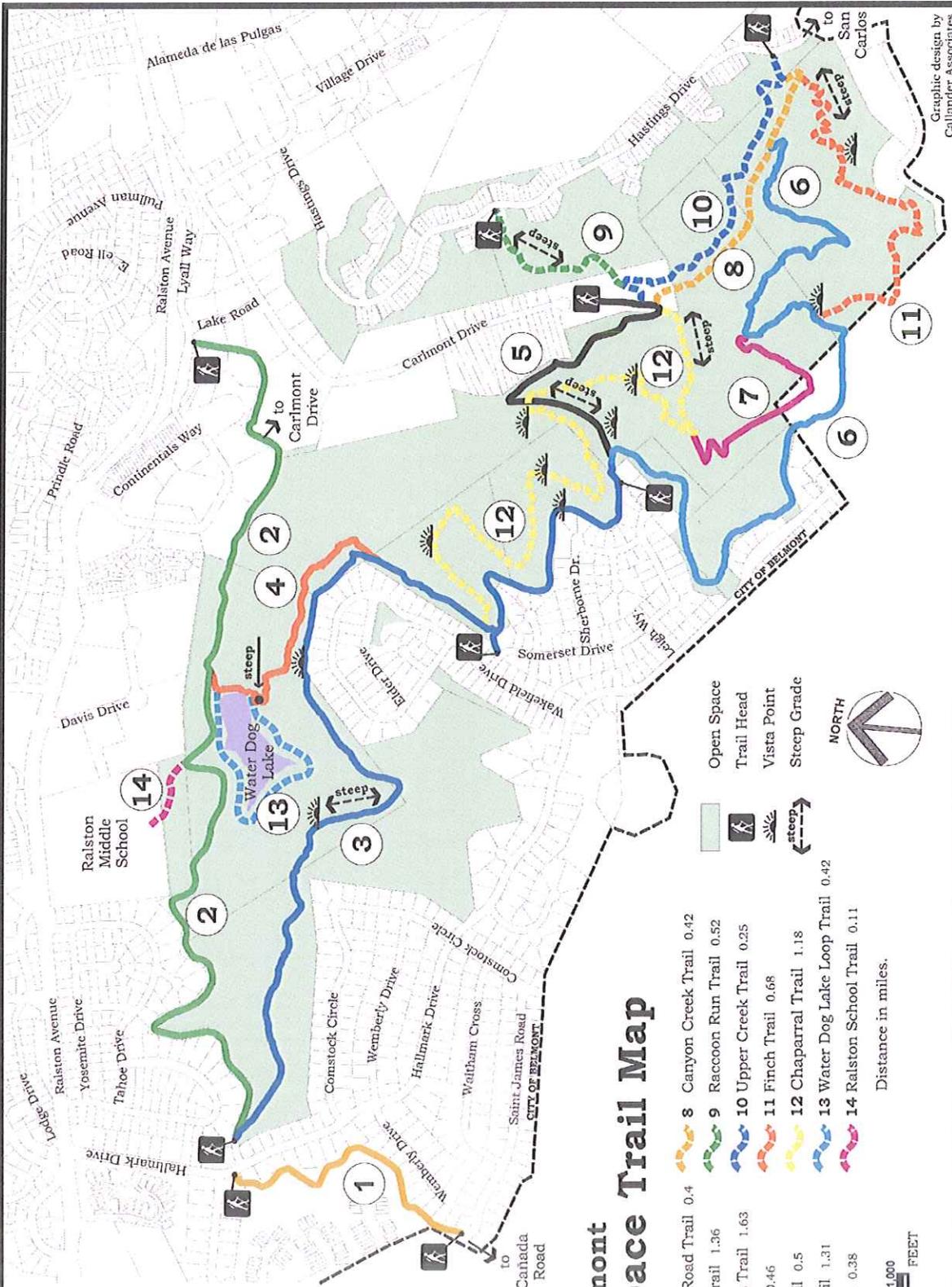


LEGEND

- City Limits
- Bodies of Water
- Paved Surface
- Recreation Areas



- * Park closed from sunset to sunrise.
- * Dogs must remain on leash.
- * No smoking or open flame.
- * Parking available at all trail heads.



City of Belmont Open Space Trail Map

- 1 Upper Lake Road Trail 0.4
- 2 Lake Road Trail 1.36
- 3 John Brooks Trail 1.63
- 4 Berry Trail 0.46
- 5 Elevator Trail 0.5
- 6 Rambler Trail 1.31
- 7 Ohlone Trail 0.38
- 8 Canyon Creek Trail 0.42
- 9 Raccoon Run Trail 0.52
- 10 Upper Creek Trail 0.25
- 11 Finch Trail 0.68
- 12 Chaparral Trail 1.18
- 13 Water Dog Lake Loop Trail 0.42
- 14 Ralston School Trail 0.11



Distance in miles.

- Open Space
- Trail Head
- Vista Point
- Steep Grade



Graphic design by Callander Associates

ATTACHMENT D

Agricultural and Open Space Zoning District

SECTION 7 – AGRICULTURAL

* 7.1 OPEN LAND DISTRICTS ESTABLISHED - Certain districts, designated by the symbol A and referred to as Agricultural and Open Space Districts, are established to provide for certain extensive uses of land and to establish standards for such uses. The following regulations shall apply in any A District, and shall be subject to all applicable general regulations and provisions of this Ordinance.

7.2 PERMITTED USES

- (a) Agriculture, as defined in Section 2.6.
- (b) Golf course, provided that no clubhouse or accessory building shall be located nearer than 500 feet to any dwelling.
- (c) One family detached dwelling including accessory buildings, as regulated in the R-1A Districts, with the exception that the minimum lot size for such use shall be one acre.
- (d) Accessory structures and uses located on the same site as a one family residence for which the use is clearly related to single family dwelling, including the following:
 - 1) Garages and carports.
 - 2) Garden structures.
 - 3) Greenhouses.
 - 4) Storage buildings.
 - 5) Recreation rooms.
 - 6) Hobby shops provided that no noisy or otherwise objectionable machinery or equipment is used and provided that no sales are made therefrom.
 - 7) Private stables for the keeping of not more than three horses on a site not less than two acres in area, provided that one additional horse may be kept for each additional acre of area of the site, and provided that no stable shall be located closer than 450 feet to any dwelling on the site or closer than 200 feet to any other dwelling.
 - 8) Private swimming pools.

* Amended by Ord. #502, 1/23/73

- * (e) Public, parochial and private elementary schools, junior high schools, high schools and colleges.
- * (f) Public park, forest reserve, recreation or open space area.
- ** (g) Churches, parish houses, monasteries, convents and other religious institutions.
- ** (h) Hospital for patients with physical and/or mental illness or mental retardation and accessory structures and uses, including professional and administrative offices located on the same site.
- ** (i) Private day or residential schools and colleges not including business, professional or trade schools.
- *** (j) Libraries and library extension services.

7.3 CONDITIONAL USES - The following uses shall be permitted only when authorized by a Conditional Use Permit issued in accordance with the provisions of Section 11 herein:

- (a) Broadcasting tower for radio or television.
- **** (b) Public and private philanthropic and eleemosynary institutions.
- **** (c) Public utility and public service structures or installations when found by the Commission to be necessary for the public health, safety or welfare.
- **** (d) Incidental and accessory structures and uses located on the same site with and necessary to the operation of a Conditional Use.
- **** (e) Private commercial recreation uses conducted primarily outside of a building and which does not significantly alter or eliminate the land's natural character. Height limits shall be established in the Conditional Use Permit.

7.4 GENERAL REGULATIONS

- (a) No horses or cattle and no other animals except household pets shall be bred, raised or maintained within 200 feet of any R Districts.
- (b) Off-street parking and loading space shall be provided in accordance with Section 8 herein.

* Amended by Ord. #502, 1/23/73

** Amended by Ord. #512, 7/23/73

*** Amended by Ord. #966, 8/14/01

**** Amended by Ord. #502, 1/23/73 and Ord. #512, 7/23/73

- * (c) Building Heights - The maximum building height shall be two stories or 35 feet.
- * (d) Maximum Lot Coverage - 10 percent of gross lot area is permitted; however, lot coverage may be allowed from 10 percent to up to a maximum of 25% with approval by Conditional Use Permit.
- * (e) Yard Area - All building hereinafter erected or enlarged in any "A" District except as provided hereinabove shall provide a front yard of not less than 30 feet, a side yard of not less than 10 feet and a rear yard of not less than 20 feet.
- * (f) Design Review - All uses shall be subject to design review as prescribed in Section 13 of this Ordinance.

* Amended by Ord. #512, 7/23/73