

## CITY OF SANTA CRUZ

### CITY ATTORNEY'S IMPARTIAL ANALYSIS

#### MEASURE "O" – GENERAL PLAN AND DOWNTOWN PLAN AMENDMENTS REGARDING DOWNTOWN LIBRARY, DOWNTOWN FARMERS' MARKET, AFFORDABLE HOUSING AND SURPLUS PARKING REVENUE

**Background.** In 2020, following a year-long Council subcommittee process, the City Council voted to move forward with the proposed Downtown Mixed-Use Library Project, to be developed on Parking Lot 4 (site of the current Downtown Farmers' Market), to include a new library, a minimum of 50 affordable housing units, and up to 400 parking spaces, and directed staff to work with the Farmers' Market to develop a design for a permanent Downtown Farmers' Market on City-owned Parking Lot 7 (Cathcart and Front Street), and to initiate a public process to consider reuse options for the existing Downtown Branch Library site, potentially including affordable housing, a community commons or other public uses. The recommendations can be found on the City's website at <https://www.cityofsantacruz.com/government/city-departments/economic-development/development-projects/mixed-use-library-project>.

Measure O would amend the City of Santa Cruz's General Plan to recognize as policy priorities maintaining the current Downtown Branch Library and Downtown Farmers' Market (Lot 4) sites as the preferred long-term locations of those facilities, effectively precluding the use of Lot 4 for the proposed Library Mixed-Use Project, discouraging non-library related uses of the existing Downtown Branch Library, and establishing Lot 4 as the permanent location for the Downtown Farmers' Market and other public events. It would amend the Downtown Plan to require that adequate space remain on Lot 4 for the Farmers' Market, and to eliminate provisions authorizing closure of Pacific Avenue between Cathcart and Lincoln Streets for the weekly Downtown Farmers' Market.

Measure O would further amend the General Plan and Downtown Plan to prohibit construction of additional parking facilities above ground-level on specified downtown-area City-owned surface parking lots, including Lot 7 (505 Front St.), Lot 8 (710 Cedar St.), Lot 9 (120 Elm St.), Lot 11 (328 Front St.), Lot 14 (224 Church St.), Lot 16 (204 Church St.), Lot 26 (155 Center St. – current SCPD parking lot) and Lot 27 (310 Front St.) and to require, "to the maximum extent feasible," that these specified parking lots be developed into permanent affordable housing. The Measure also authorizes, but does not require, development of affordable housing on Lot 4.

The Measure would also amend the General Plan to prioritize expenditure of surplus parking revenue from the Downtown Parking District for:

- development of affordable housing;
- free bus passes to Downtown workers, and other "transportation demand management" programs;
- renovating the existing Downtown Branch Library; and
- improving parking Lot 4 for "public gatherings and recreational purposes," including the Farmers' Market.

Lastly, the Measure directs City officials to make any further conforming changes to the General Plan, Downtown Plan, Zoning Ordinance, and/or Local Coastal Program that are necessary to ensure such plans and ordinances are consistent with the Measure, and to determine the availability of surplus parking revenue to underwrite the costs of implementing the Measure's priorities.

Date: August 19, 2022

/s/Tony Condotti, City Attorney