

MEASURE P
CITY ATTORNEY’S IMPARTIAL ANALYSIS

This measure was placed on the ballot following receipt of a petition signed by the requisite number of registered voters of the City of Menlo Park (“**City**”).

If adopted, the measure would add a new Title 17 to the Menlo Park Municipal Code entitled “Downtown Parking Plazas Ordinance” (“**Measure**”). The Measure identifies eight City-owned parking plazas in downtown Menlo Park (“**Parking Plazas**”).

The Measure provides that the City may not take certain actions that would diminish the availability of, access to, or convenience of parking on the Parking Plazas, without voter approval. Specifically, if the City wishes to take any of the following actions (“**Action(s)**”), the City must take all legally required steps to approve the Action and then place such Action on the next regularly scheduled election ballot, and such Action will only become effective if approved by a majority of the voters:

- Selling, trading, leasing, donating, disposing of, or otherwise conveying a Parking Plaza or portion thereof;
- Designating a Parking Plaza as “surplus land” or “exempt surplus land” under the Surplus Land Act (Government Code section 54220 *et seq.*);
- Modifying, altering, or constructing improvements on a Parking Plaza that permanently diminish parking; or
- Changing the use of a Parking Plaza to diminish parking.

The Measure provides that voter approval is not required for: (1) maintenance, repairs, renovations, or capital improvements intended to preserve, improve, or expand parking availability, access, or convenience, even if those activities temporarily affect parking; or (2) temporary community activities, such as farmers’ markets, lasting no more than three consecutive days.

Under existing law, the City Council determines the uses of City-owned property, including the Parking Plazas. The Measure provides instead that the City is prohibited from taking any of the Actions without voter approval.

The Measure provides that it is retroactive, and that if the City takes an Action between May 15, 2025 and the Ordinance’s effective date, such Action shall be null and void, unless the Action is reenacted in compliance with the Ordinance and approved by the voters.

The Measure provides that it operates notwithstanding any other provision of the City’s Municipal Code, General Plan, or the El Camino Real/Downtown Specific Plan. The City’s Housing Element includes Program H4.G, which plans for the development of at least 345 affordable housing units on some combination of the Parking Plazas. The Measure provides that voter approval is required before the City could implement Program H4.G to develop affordable housing if it would diminish access to or convenience of public parking.

The Measure may be amended or repealed only by a vote of the people. A “yes” vote approves the Measure. A “no” vote rejects it.